

A Meeting of the Meridian City Council was called to order at 6:05 p.m., Tuesday, December 7, 2021, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Treg Bernt, Jessica Perreault, Brad Hoaglun and Liz Strader.

Members Absent: Luke Cavener.

Also present: Chris Johnson, Bill Nary, Caleb Hood, Joe Dodson, Alan Tiefenbach, Crystal Campbell, Kyle Radek, Shawn Harper, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<u> </u> X <u> </u> Liz Strader	<u> </u> X <u> </u> Joe Borton
<u> </u> X <u> </u> Brad Hoaglun	<u> </u> X <u> </u> Treg Bernt
<u> </u> X <u> </u> Jessica Perreault	<u> </u> Luke Cavener
<u> </u> X <u> </u> Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is December 7th, 2021, at 6:05 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item is the Pledge of Allegiance. If you would all, please, rise and join us in the pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Our next item is the community invocation, which will be given tonight by Pastor Vinnie Hanke with the Valley Life Community Church. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection. Pastor.

Hanke: Good evening, Mr. Mayor, Members of City Council. Merry Christmas and Happy Holidays to you. Thank you for the opportunity again to be praying for you and with you this evening. God, we thank you for the privilege of gathering in public to do the work and business of the city. God, we thank you that the city is not just leaders, but it's citizens and I pray that tonight as we hear from both, God, that you would give them a sense of cooperation and partnership in the work. God, we ask that this Christmas season that you would fill us with hope, with joy, and with love for our neighbor and for our city. We continue to ask for your blessing upon those who work on the frontlines during the pandemic. Those are in our hospitals, those are emergency first responders, those in our

classrooms. We ask ultimately, Father, that you would be glorified by the City of Meridian and its work and asked these things on behalf of the Council, in Jesus' name. Amen. God bless you guys. Thank you.

ADOPTION OF AGENDA

Simison: Thank you. Merry Christmas. Now, we are to the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: There are no changes to the agenda, so with that said I move that we adopt the agenda as published.

Hoaglun: Second the motion.

Simison: I have a motion and a second to adopt the agenda as published. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is adopted.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Next item up is the public forum. Mr. Clerk, do we have someone signed up this evening?

Johnson: Mr. Mayor, we do. John Wheeler.

Simison: Okay.

Johnson: And there is a handout in front of you. This is a public forum and Mr. Wheeler provided that.

Simison: Mr. Wheeler, if you can state -- you will be recognized for three minutes for comments.

Wheeler: Yes. Thank you. Mayor Simison, Members of the Council, staff, members of the Bri community and ladies and gentlemen of the public, my name is John Wheeler. I'm here representing the group at the Bri Village apartment community on North Records Way. That facility has been in operation now for just over a year. There are currently about 130 occupants in the building and when they get -- when they get leased up we should be at about -- well, over -- over 200 and further down the road to the north there are now additional apartment complexes. We have the Regency at 370 units. We have got Verraso at 96 and we have got The Lofts at 36. So, you can see the development

that has taken place along there that has impacted the way that is now developing. It's gotten a -- it's got a feel that's very much residential in nature. As a -- as a result of this development and the fact that we are fortunate enough to be directly across from the Kleiner Park, which is one of the more beautiful parks I have ever been in -- it leaves the situation on North Records Way in a situation where we have got some real concerns with traffic flow. If you look at the graphic that we have -- and this is on page three of the letter also, but there is an overhead you see -- on the right you see the -- that's the park -- hope I can get this mouse to settle down. That's the park. Across in what is really a dirt lot there right now, that's where the Bri building is at. Okay. The traffic situation comes about because of this, the -- the parking lot that sits just to the south of the Bri building is really the -- the largest offsite parking facility for that park and so what happens is we have got car shows, festivals, family events, company events, high school events, that park is -- is utilized by a lot of different groups and justly so, because it's beautiful and it's a great place to have these events, but the problem is when we have those events that parking lot gets filled up and the nearest crosswalks -- if you go clear to the north where I have now got it marked where Red River Valley comes in -- River Valley Street comes into the north, that's -- that's where the crosswalk to the north this at. If you go clear down off the screen to the south, that's where the south crosswalk is at. So, people parking in that -- in that lot have to walk either a block north or a block south to get over to the park and I can tell you from watching the traffic over the last year that doesn't happen. What happens is they go directly across the street and so you have got a lot of people dancing in and out of cars trying to get across that street safely. So, it I think has become a real concern.

Simison: Mr. Wheeler, three minutes goes by really fast. If you could just summarize your comments really quick. We do have your information in front of us and we will follow up with you.

Wheeler: Got it. I just -- I just want to add quickly to it and say that what we are asking for is for the city to work -- to recommend to the county group that we get some -- several things done. One, to get the speed limit reduced and I know that's going to be an issue, but it's something that really needs to be studied. Number two, a radar sign of some kind to help slow people down to the speed, because even at 30 they come much faster than that, especially on Friday and Saturday nights. Third, a crosswalk -- and I have got this on the graphic. A proposed crosswalk which would take people across, give them access to the park right across the north end of that parking lot. So, instead of having to go a block either way, they can -- they can cross right there. I think that would alleviate a lot of the traffic situation. Additional noise reduction -- I'm sure that's not a surprise to you that that noise is a problem and we would really like to work with you on resolving some of this. What we are coming forward tonight with is not a demand for something or, you know, money or resources, what we would really like to do is have you work with us to get the county to work on the things they need to work on. The cooperation of the police department has been excellent and we really have enjoyed our -- the ability to work with those folks. But they are limited. I mean they have manpower issues. And so we understand that and we asked you to help us help them solve this traffic problem. Thank you.

Simison: Mr. -- Mr. Hood will have someone reach out to you named Miranda to have a conversation about some of these things and I'm sure the police department will also be part of those conversations. Thank you.

Wheeler: Thank you.

ACTION ITEMS

1. Public Hearing for Community Development Block Grant (CDBG) Program Plan Year 2020 Consolidated Annual Performance and Evaluation Report (CAPER)

Simison: Mr. Clerk, I assume we had nobody else on -- okay. Then with that we will go right into our public hearings for this evening. First item is a public hearing for the Community Development Block Grant, CDBG Program Plan Year 2020 Consolidated Action -- Consolidated Annual Performance Evaluation Report. So, open this public hearing with staff comments and turn this over to Crystal.

Campbell: Thanks, Mr. Mayor, Members of the Council. As you said, it's basically an end of year report, which -- so, HUD speak, the whole CAPER thing. It just comes down to end of year report. Our program year '20 report covers October 20 -- October 1st, 2021 -- 2020 -- sorry -- 2020 to September 30th, 2021. So, the CAPER -- you had mentioned what it stands for. This is so that we can provide transparency to you and to the public for the annual accomplishments and progress towards our overall consolidated plan goals. The goals are identified in our five year consolidated plan and we use our analysis of impediments to fair housing and the housing market analysis, plus community engagement, to figure out what those goals are for the five years. We are currently in the fourth -- well, reporting on the fourth year of our 2017 through 2021 consolidated plan and our goals for this con plan are to improve accessibility, enhance homeownership opportunities, provide social services, stabilize the rental gap and provide admin and fair housing. For our goal of improving accessibility, Public Works installed or modernized 18 streetlights on walking routes to Meridian schools and we had some other projects that we funded during the year, but this is the only one that was completed. For enhancing homeownership opportunities, we had two different projects. One was the Homebuyer Assistance Project where we were able to help one household purchase a home in Meridian and we also had our homeowner repair program that helped three households with repairs that were needed. This shows our progress towards our goals. For our one year goal for the Homebuyer Assistance Program we had hoped to help three households, but with the housing market we were only able to help one and for the homeowner repair program it was the first year and we didn't really know what to expect, so they had set a goal of eight and we were able to help three. So, overall for our five year plan, our goal for all five years is 11 and in year four we have hit seven. Our next goal is providing social services. We have had four projects that we worked on this year. Jesse Tree's emergency rental assistance program, Meridian Boys and Girls Club scholarship program, Mortgage assistance through NeighborWorks Boise and case management through Terry Reilley's Allumbaugh House. For this one Boys and Girls

Club and Jesse Tree, they both exceeded their goals. Allumbaugh House, they had anticipated that they would be able to serve more Meridian residents than actually came to them, so they ended up not renewing their contract and they did not hit their goal. But they -- they just served a lot more Boise people than they did Meridian. And mortgage assistance, that is a project that's still open. Its Cares Act funding, so it can go over multiple program years. For this one our five year plan was to serve a little over 2,000 people and we have more than doubled that at this point. So, this is a quick story from Jesse Tree. This is one of their successful participants. Her name's Amber and she was sick with COVID- 19. She ended up in the hospital and had an eviction notice and she didn't know what to do, so she was referred to Jesse Tree and they were able to provide her rental assistance and landlord mediation, so that she wasn't able -- or so that she was able to stay in her housing and she said she was grateful to have a place to come back to after getting out of the hospital, otherwise, she would have been on the street. We all need to help each other. Our goal of stabilizing the rental gap -- I have mentioned it before, but this goal actually falls under public services, so we don't report the homelessness prevention and emergency rental assistance under this one. So, it's not reported here, because we already talked about that one. For our goal of admin and fair housing this just keeps us in compliance and make sure that we spend the funding and that we are reaching our residents. So, I will not read the whole thing on this one, but a quick little story from Boys and Girls Club on their youth scholarship program. They had a club member named Ryland who was part of the scholarship program and they noticed during the summer that he was eating all this food and asking all of his friends for food and one day he had grabbed his backpack and it spilled out and there was all this food that he had been asking for, so they asked him why he was hiding the food and he said that he has a little four year old brother who didn't have enough food to eat and so he was taking it home and keeping it for him. So, they were able to get a backpack from their store and fill it up with food for him and now they have it set up with him so that whenever he brings it back he leaves it in his cubby and they just go secretly grab it and fill it up with food. So, that's one of the -- the students that they are really proud of. So, back to numbers. We were able to -- we had 1.3 million dollars to spend this year. Of that 40 percent was the Cares Act funds, which is specific to COVID-19 and, then, we also had our annual funding for PY-20 and we had a couple of projects that rolled over from PY-18, PY-19. This is a breakdown of our expenditures. Oops. Sorry. Administrative costs we spent about 26,000. Public services 15,000. Housing projects were a little over 90,000. Streetlights and sidewalks were 228,000 and, then, Cares Act projects were 133,000. So, with this we have multiple projects that are continuing on, the mortgage assistance program and the admin associated with the Cares Act funding. We also have a sidewalk project and a couple of streetlights projects, but, then, we had some projects that closed and they didn't spend all of their funding, so this leaves us about 120,000 dollars that we have to reallocate during this year. In our CAPER we also report on these activities. So, for housing affordability we focus on programs to purchase housing or housing that is affordable to them. We also provide services to offset basic living expenses for homelessness and other special needs we collaborate with agencies that specialize in those areas, like Our Path Home, Behavioral Help Board, or Neighbors United. For public housing we coordinate with the Ada County Housing Authority and we -- for our other actions we have the Can-Ada Collaborative and we focus on fair housing

and lead based paint activities. We have some minor updates that you will see on the final document next week on the Consent Agenda. It's basically around approving it. So, it's public comments, if we receive any, then, most sections will be updated, the public notice and resolution, before we send it to HUD. So, one last story. I'm sure you all remember we had record high heat this last summer and this lady, Margo, was one of our residents and her AC went out. She's an elderly woman who had no AC on the 105 days. So, NeighborWorks put together this quick little video. So -- there is no sound. Oh. Okay. So -- that's okay. So, basically, she -- she -- her -- all of her kids -- her grandkids they come to her house and she had no AC. She went out to try and find somebody who could help her repair this, because it was -- it was dangerously hot this summer and she didn't have the money for it and so she reached out to this program and they were able to come and get her set up and now she hasn't been having any problems. So, she wouldn't necessarily have been able to remain in her housing that was affordable to her if she hadn't had this program there to help her out. Quick timeline for the remainder of the CAPER. Our public comment period has been open from November 19th through tonight. We will have a public hearing and, then, close that out. Next week on the Consent Agenda will be the final report and a resolution and as soon as I get that, then, I will get it submitted to HUD. If anybody has any questions or comments they can always reach me. We have a website where you can reach me directly. With that I will stand for comments.

Simison: Thank you. Council, any questions for Crystal?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Thank you, Crystal, for being here. You know that this is near and dear to my heart, housing affordability, concerns with the -- the condition of homes. I -- I really had hoped -- not only with this past year, but in the -- in the five year plan that there would have been an opportunity to help more families, especially with the mortgage assistance and -- and the assistance to the repairs of the homes and I understand from meeting with NeighborWorks and chatting with you and a few other folks that some of the impediments to it -- it's not just cost of housing, but it's -- it's what the income limitations are for -- that are set by HUD; is that right? And so some of the programs, since they are administered by NeighborWorks, for example, the funds are there to use, but there is other limitations that are being created by agencies outside of -- of ourselves and outside of NeighborWorks and Jesse Tree and all the organizations that are administering these programs. Can you help us understand -- and is there anything that we as a city can do to work through some of those impediments, because the funds are there and they are just not getting utilized every year.

Campbell: So, the purpose of this grant is for low to moderate income households and right now we are in an interesting situation just because of the entire housing market and nobody has money to buy a house at this point. I shouldn't say nobody, but for the most part it's really hard to find a house that isn't sold out from under you, that doesn't have a cash offer and you can afford. So, I wouldn't be able to purchase the home that I'm in

right now if I was to try and go out and get it at this point. So, right now, again, it's a bit of an interesting situation. However, in general these -- these funds are specific to help people who are potentially in the circle of poverty, so they can get out of that. So, while it would be nice to help everybody, this is really focused because there is other resources that are available to people with higher incomes.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Question. Just curious. Could we take the CDBG funds and instead of doing individual assistance can we put that toward a housing affordability fund or some type of a mechanism that's able to be used to build more affordable -- maybe multi-family units or something that's more accessible for people? I'm just curious if that's possible under the way that funding works.

Campbell: CDBG, actually, at this point can't be used to build housing. So, we could use it towards soft cost and different things, but if we start putting it into construction we also have to pay prevailing wages and Davis Bacon kicks in and so it makes the project much more expensive and so a lot of people don't want to get CDBG funds involved in those programs. But in our next con plan we are looking at ways that we can get more involved in housing affordability, so that we can help people out a little bit better.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. No, I just -- I appreciate the -- the follow up and -- as you are creating your long-term plans, you know, to try to think more -- maybe out of the box or maybe bring us choices -- maybe options we haven't considered before. So, I appreciate you working on that. It's just hard. It's frustrating to see -- I share Council Woman Perreault's concerns and it's very hard to see -- like we have all this funding, but we have helped one family; right? When we know there are so many people that are struggling to access any kind of affordable housing here. We are trying to continue to build housing. It's -- it's -- it's a struggle. So, thank you.

Simison: Councilman, any additional questions? Okay. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. If there is anybody in the audience that would like to come forward and provide testimony on this item, if you would like to come to the podium at this time now and do so or if you are online and would like to provide testimony, please, use the raise your hand feature and we will bring you into the meeting to provide testimony. And seeing nobody coming forward or raising their hand -- do we want to leave the public hearing

open or do we close it out? Okay. So, do I have a motion to close the public hearing?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we close the public hearing on the community -- CDBG Program Year 2020 Consolidated Annual Performance and Evaluation Report.

Perreault: Second that motion.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

2. Public Hearing for Fields Sub-Area Plan (H-2021-0047) by City of Meridian, the Location Consisting of Approximately Four (4) Square Miles and Bounded by Chinden Blvd. on the North, McDermott Rd. on the East, McMillan Rd. on the South and Can-Ada Rd. on the West

- A. Request: Comprehensive Plan Text Amendment to incorporate the Fields Sub-Area Plan.

Simison: Okay. We will see you back next week. Item 2 on the agenda is a public hearing for The Field Sub-Area Plan, H-2021-0047. We will open this public hearing with staff comments and turn this over to Caleb.

Hood: Thank you, Mr. Mayor, Members of the Council. As Brian pulls up the presentation for this evening, just a little bit of an introduction. So, you know who I am, Caleb Hood, Planning Division Manager. Brian will be doing most of the presentation. And also have Megan Moore from Logan Simpson on the phone, so if any questions arise she is hopefully on standby. The clerk just left his station, but I believe she is there, too. So, this project -- sort of or unofficially started in late 2019 just after our Comprehensive Plan was adopted. So, I can't believe it, but this next week our comp plan will be two years old. So, we officially kicked off this project, though, with Logan Simpson and it's been over a year ago and, again, they have helped us do this process to develop the sub area plan that you will hear about tonight. Go to the next slide, please. Is it okay, Mr. Mayor, if I stay here and give the presentation or do you want me to come to the podium?

Simison: You're fine.

Hood: Okay. All right. So, just a little bit of a brief history. Again in 2019 kind of at the conclusion of that staff brought to Council some next steps to implement the Comprehensive Plan. This was one of those high priority projects that were identified and

we got the blessing from Council to go forward and -- and -- and that was through the community effort outreach and we really saw a lot of opportunity in this area particularly to guide development and so here is -- on the screen is the most recent application history. But, again, this -- this history is longer, certainly, than this past spring. But this past spring when Brian was discussing this project with Council and getting some of that direction, level of effort came up repeatedly. Council directed staff and the consultant to do our best to ensure that this was a balanced area of the city by maintaining adopted service levels and, if possible, to raise the bar in the process through collaboration and I hope that comes through this presentation tonight that we have reached out to the stakeholders out here, worked to make this plan a plan that I'm proud of, that I can see being implemented and really create a special district out here in The Fields and I know Brian is going to spend some more time with you in a few minutes to really get into how we have done that with the implementation in particular for this -- the plan and the steps there. So, we did have two public hearings as you can see on here, September 16th and, then, we came back on October 10th at the Planning and Zoning Commission and, again, at that October 10th meeting they did recommend to you approval of the amended plan. So, there was some changes that were made. In your packet you do see those underlined strike through comments. I know Brian is prepared -- if you want to go there line by line we can do that, but it's really not the intent tonight, so -- just a quick outline of the rest of the presentation. So, again, I'm going to do this quick introduction and, then, Brian will cover the background, briefly describe the process, the plan, implementation, go over the request and, then, we will take some questions. So, the introduction piece -- again, The Fields sub area plan is a direct continuation of the Comprehensive Plan -- 2019 Comprehensive Plan. That's a staff application for a city project. So, staff is the applicant in this situation. The sub area plan was a high priority for Council. It's intended to put a finer point on understanding and planning for services and community context given the unique conditions, opportunities, and needs in the area. The application before you tonight is a Comprehensive Plan text amendment. The proposal would be to add this new document to the list of adopted plans and studies by reference. That is on page C and D of the Comprehensive Plan right up front in that document. So, it would be listed right there with a Ten Mile Specific Area Plan. The actual text amendment itself is just the one line. It just says add this document. The document isn't anywhere else in the plan, just a reference point that's adopted by addendum. There are no future land use map provisions and that's pretty important. There was some concern about that or, again, this does not change the future land use map. This puts a finer point on those existing land use designations. Densities and more specific uses are generally driven by the previously adopted plan, which had that significant public outreach. So, the last point on this slide is we are not proposing to annex any properties or -- or any new development with this application. Any future proposed development would go through the typical process of applying to the city hearing before the Planning & Zoning Commission most likely and City Council on their own. So, where are we at? This is northwest Meridian. As northwest as it gets. Four square miles. So, this slide gives you that geographic context. On the left, obviously, is more a region and, then, on the right is the four square miles that we are talking about, minus a little bit of the area near Ustick-McDermott intersection future State Highway 16. The Intermountain Gas liquefied natural gas tank is called out here for context as it's literally a big deal. The Williams Pipeline runs just past this and ties into

that LNG tank that you can see in the gray area, which is an industrial designation, and, then, basically at a 45 degree angle that pipeline runs and provides natural gas to most of the northwest United States. The candy stripe line near McDermott is the future State Highway 16, so that's just more for reference that, you know, is split off from McDermott. Basically McDermott will become backage road, basically, to future State Highway 16. So, a little bit of context there and will only have crossings at Ustick, Chinden, McMillan and for the Five Mile Creek. Construction of State Highway 16 now has funding identified and the state is rapidly progressing towards construction, but we will -- we will talk about that another time. Star Road also has a river crossing that is planned for five lanes. ACHD will be making some bridge enhancements in the near future. Parks is coordinating with ACHD to explore and improve grade separated underpass or the Five Mile Creek path and you all have been engaged on that topic by parks in the past, so -- so that just kind of gives you a little bit of context, hopefully, of the area -- geographical area we are talking about this evening. That's the intro. Hopefully teed up for Brian to get a little bit more into the details of what the plan is and what we plan to do with it and like the previous one, I would stand for any questions before I pass the rest of the time over to Brian.

Simison: Councilman Borton.

Borton: Yeah. Just kind of one high level question, Caleb. Did you feel in the work that it was -- it was constrained by the future land use map and the ultimate uses must fit within it or does any of the work lead you to think we should change it, but we chose not to?

Hood: It's a fair question -- Mr. Mayor, Council Member Borton, it's fair question. We did work within the context of really trying not to change the land use designations. We were -- that's really -- we tried to stay true to the hat. There were a couple of conversations -- I think where that came up and we were pretty -- I will let Brian speak for himself, but a little defensive of it, but at the same time I don't know that there -- if there were something that really justified a change I wouldn't be shy about proposing that to you either. So, I don't -- yes, we did go kind of with that, again, defensive kind of mode over what we had been, but I didn't hear anything through this process that made us say, you know what, I think we screwed it up and we should maybe change the map. So, hopefully, that helped.

Borton: And you brought that forward?

Hood: I would have -- I would have daylighted that and said, you know, what, we got it wrong, we should change something.

Borton: Okay. Thanks.

Simison: Council, anything else for Caleb?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just because you have highlighted the LNG tank several times and it's quite large and a critical piece of infrastructure, I assume that whatever transition is necessary for safety reasons and buffering and all that has been studied as part of how we came up with the original land uses here, but I just want to make sure that's been part of the consideration of the history to date.

Hood: Mr. Mayor, Council Woman Strader, yes, to some degree and when you say study -- I guess it's not a scientific study so much as we did sit down with Intermountain Gas folks and talk to them about that and kind of some worst case what if types of things and from their perspective what would be good land use planning. I won't use some of their vernacular, some of the words they used were a little -- but, yes, what you see on the map and just the topography and the lay of the land was some of the water features also create natural buffers or transition areas to that. I think the call out there on the screen is pretty accurate, so you do have about a thousand feet or so around it, which is what they recommended as a buffer area I will call it. So, we didn't -- again, to answer your question, we didn't study it study it, we didn't hire somebody to go and say, well, what happens if there is a catastrophe there, but based on what they told us in that situation that's why we are comfortable with these land uses that are here.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Thanks for highlighting that. I think no different than with our Public Works and our wastewater recovery facility, you know, we -- we have the experts at Intermountain Gas to advise us regarding their views on appropriate buffer, but I guess I would be curious what resources are available to further study that. I don't know that we have to -- I don't want to take us down this whole rabbit hole on this tonight. It's obviously a critical piece of infrastructure and just important that there is an adequate buffer. So, hopefully, we won't be seeing an application like next week with a medium high residential property right next to it, because I just don't know if I would be comfortable yet based on that information. So, that's all. Just a concern. Thanks.

Simison: Council, any additional questions at this time? Okay. Brian.

McClure: Mayor and Council, since some of this work has been ongoing and Council awareness on some of this may vary, we will be going over some background and additional context, some of the which we just covered. Planning work has been occurring for going on two decades now. The area was formally added to the city's area of impact in 2008 by Ada county. The findings at this time were generally considered interim and as a result there were multiple studies and white papers, multiple local and regional working groups to look at potential economic activity and patterns of development and there have been quite a few design charrettes and visioning exercises. None of this, unfortunately, coalesced into anything and it's frankly caused a lot of confusion in the area. The city began to solidify plans in 2017 with work around the Intermountain Gas facility and Williams Pipeline and as part of a future land use map at that time. The

Williams pipeline is a 24 inch, 30 mile long natural gas pipeline that traverses much of Meridian. It has a connection to the Intermountain liquefied natural gas tank south of McMillan and just west of the Phyllis Canal. The city does have separation requirements codified in the Unified Development Code for the pipeline. A seven million gallon Intermountain Gas tank is filled with natural gas that has been chilled to a liquid state. This is just for your information. According to the US Energy Information Administration liquefied natural gas at about negative 260 degrees Fahrenheit is 600 times smaller than the gas -- gas form. The photo here is at dusk earlier this year and there is a red combine for reference, you know, highlighted. The tank does need a one thousand foot nonresidential safety buffer, which falls outside their property and there are some other off-site impact considerations, such as light, noise, and conductivity. While seasonal and event based -- while seasonal and event base, neighbor comments have indicated that the Owyhee sport lighting out there now is brighter. Another obvious influence in this area are development pressures and the construction of Owyhee High School has brought a new level of this. This is challenges, because we don't currently have adequate fire service and our police officers have long travel times. Utility infrastructure is inadequate. We need some major improvements to sewer to include a new lift station on McDermott. State Highway 16 is still undergoing design. There is uncertainty with construction impacts and ultimate phasing. Lastly there is no neighborhood services and many that are likely to be of interest earlier are not necessarily in the best location to have the best community or long term value. Short term demands and decisions may be the biggest threat to the area long term. And, finally, as previously mentioned, the 2019 Comprehensive Plan was a huge basis for much of the background and context for this plan. They identified the future land uses for the area and the need for more integrated development patterns and service planning. The background information here is all context and history for the 2019 Comprehensive Plan. We have had questions on it, though, and casual why not comment -- why not type comments by P&Z and others that did not participate and so some of the coverage may be a useful reminder for others. The 2019 Comprehensive Plan -- that analysis was considered for neighboring cities, citywide allocation, corridor analysis and sub area planning. The Fields area was one of several dedicated focus areas during that time. Most of the adjacent regional -- regional land uses are mixed use in today's market and away from the highway that it's likely to largely be residential with linear commercials along the frontage. In Meridian the next best use when commercial reaches saturation is multi-family. Star has actually been looking to pare back commercial uses due to viability. You can see this in Meridian. We get comments I think sent in, for example, this should all be commercial, but most of it is, in fact, residential. Limited access requires nonresidential to be focused and there is no reversal on the effects in sight. Employment opportunities in The Fields area are focused on the southwest and northeast and, then, the neighborhood center at the middle. In the right context and conditions these will have an opportunity to specialize in different markets or uses. They could, but they don't have to. The reminder of parks and open space are also important for context. We have had this conversation with Council several times, but I will summarize. Despite best efforts by our Parks and Recreation Department, the city has not been getting on its service goals. The Fields area in particular has no previously required -- previously acquired or dedicated land. The Borup property on Cherry, Discovery on Lake Hazel, and to a lesser degree the Aldape property on the river

are all areas the city has been proactive in planning for city park space prior to development coming. We don't have anything like that out here. The city didn't expect the high school. There is an increase in development pressure due to it. State Highway 16 is coming and there just hasn't been a good offer or opportunity to get ahead of it out here. The dashed circles around the green blobs in the map are either existing or planned park sites. Not only is there nothing even remotely walking distance to The Fields area, none of the existing parks are even driving distance when considering the amenities at them. There are neighborhood and community parks within other developments. Settlers Park is six miles from Star and McMillan. With some important background covered, briefly review the process. As reiterated, this work has made use of further recent efforts. This has led to some challenges and opportunities. It's challenging because numerous stakeholders and those who did not participate previously sometimes wanted to talk about previous steps. It's an opportunity because it allowed us to focus on the elements that we really wanted to include. Usually we just got asked a lot of railway questions, but it was still good conversation. The consistent feedback through all this for the city was on the pathways conductivity and distinct communities. This was great as it aligned with the city's previous efforts and feedback, which has been memorialized in the Comprehensive Plan. So, this project we began with small group interviews, in person and online. The focus of these meetings was concerns and opportunities and included partner agencies city staff, development and financing professionals, and key stakeholders. Those nearest the neighborhood center. After some initial direction and impression -- work and -- impression work, the project team moved on to an online workshop. It's using an interactive tool called Neuro. The technology is still a little rough for those not tech savvy, but worked well. All property owners in The Fields were notified and invited to participate. The focus was still in the neighborhood center, but included broader visual preference polling and discussion. Prior to submitting for public hearing the city notified all previous participants and invited them to review and comment on a draft. This utilized the public comment tool equivalent to marking it pdf in Acrobat, but available to all and publicly visible. After submitting for public hearing we, again, notified all property owners of the project and process and shared the project website with links to the final draft and the project folder on the public record system. Staff have also considered -- continued to meet with engaged stakeholders throughout this process. Thankfully, despite the large area and constant changing ownership, there are not a lot of unique properties -- property owners in the area. This slide won't do the Neuro tool justice, but there is a few snapshots here of sort of what that looks like. You can see notes and mouse cursors and silly drawings. That was the background process. So, I will transition to the plan and the vision specifically. The purpose of the plan is to ensure that The Fields area implements the vision of the Comprehensive Plan and is vibrant, self sufficient, and distinctly Meridian. All the unique location specific circumstances and challenges in the area are opportunities when consistently channeled and furthered within the context of this sub area plan. Said another way, the sub area plan is about the relationship and integration of uses and with a key focus on the central neighborhood center for services, placemaking, and general sense of community identity. In some ways this is a service plan. How do we get people to the services they want in a way that limits their exposure from regional transportation burdens. We want to preserve community by insulating residents and stakeholders from regional traffic, especially when it would be cut off by a limited access freeway. A large

part of this plan is how we do this and most of that comes down to opportunities, partnerships, and, of course, money. The Fields sub area plan includes four chapters with an intro, overview of the public process, the plan and vision and implementation. The vision includes elements of transportation, parts of pathways, economic development, character, and a focus on the neighborhood center. The graphic here will be discussing some changes later. So, please, make a note of that. Also the red outline shown here is the Star-McMillan Center. This mixed use community area and feature on the next slide -- there has been some confusion over there I think, so I just want to highlight the boundaries of that. It's very small in the context of the rest of the planning areas. When I show you the next slide just remember it's that little area on this map. The center and surrounding medium high density residential is just a small element of the larger area. With that said, a lot of the implementation and action items that make The Fields successful are centered around this key intersection. Implementation is focused on priorities, city participation, and action items. Again, the map here is a very small portion of the larger Fields area. Star is on the west. Owyhee Storm Boulevard on the east and McMillan on the north. The Star-McMillan Center is at the heart of the plan. It's central to the area, accessible, but insulated from highways and distinctly Meridian, not Star or Nampa. It's intended to be iconic and to have a unique destination identity. Designed accessible for locals, but attractive to everyone else, too. It makes use of the city's pathway network and especially the Five Mile Creek pathway and this will have one of the few crossings, as Caleb mentioned, for State Highway 16 with an underpass. This concept includes a main street style that provides more opportunities for destination uses and placemaking. This area is prime for partnerships and synergies, not just for the pathway network and linear open space, but also to realize locational benefits from a potential future city park. The characteristic here is the east-west alignment to make best use of -- best use of access to McMillan. The access points near the Star and McMillan intersection will be limited -- or at least not as efficient and the creek interferes with full access on Star. While a park or other destination use may be -- may support a fully realized neighborhood center sooner, it has the opportunity to be self sufficient long term and I mean this neighborhood center. The vision is that many of the services residents may normally have to drive to can be accessible without getting onto an arterial roadway or crossing congested state highways. Really just want to leave that point with you. A lot of thought went into how this can work. If you look at local areas, like Bond Crossing or the 36th Street Bistro on Hill, they have had problems. A combination of shortcomings, including lack of external access, local community access, visibility, essential use anchors, public amenities, programming, competing areas and rooftops have led to issues. The project team looked at neighborhood center success stories and retail trends. There is going to be a strong demand for local -- local demand in the future and the river crossing at Star and an overpass at Meridian, this area will have high visibility and traffic. The center itself will also be a destination draw. I won't go into the names, but the team looked at a variety of studies and examples all over the place. This is an illustrative look and feel sketch. This isn't prescriptive by any stretch of the imagination, but it does include maybe a sense of place and focus on which the stakeholders have commented on. Here is a few other images that have received positive feedback for looking for the elements. These are all in the plan. Given the context, a quick summary of the core elements of the vision. Next is implementation. This is just a brief reminder, but this plan

is really -- is really the framework for next steps. As discussed we have some big topics to understand and some of our service planning area is not in alignment with the standards and expectations. When I was last before Council we had two conversations on level of effort. The marching orders we walked away were to do our best to ensure there is a balance there to the city. That third bullet down. To, quite frankly, maintain service levels despite a late start and, if possible, to raise the bar. I also want to ensure we are fully transparent here. I'm planning to spend a few more minutes on implementation and next steps. The first big next step is identifying and working towards public open space. A park, likely regional in nature, but smaller than others of that class. As conceptualized, approximately about 45 acres, but really it's flexible. Shown here it has great visibility and access. Has amazing opportunities for synergies for the neighborhood center and it's integrated onto the Five -- Five Mile Creek pathway. There is no defined way -- predefined way to do this. The city isn't on the hook for anything financially and there is no timeline. But adopting this plan will create an expectation that we actively and genuinely try. It's an affirmation to work -- and our commitment to our service centers and to keeping this area distinctly Meridian. Access around the community centered parks and pathways are a core component of that. Another big element here is the city's pathway network and specifically the Five Mile Creek pathway. Linear open space along the Ten Mile center is quite frankly game changing. This isn't a ten foot pathway bordering weeds without shade or other amenities, but true linear open space. It's placemaking and identity, activated activity, creates destination -- destination draw to support commerce and it's public open space until we have a park. That statement was literally cliché statements, but it's also true. We have had -- we have had more comments on this type of feature and what this does for neighborhoods and destination opportunities than any other element of the plan. I won't dwell here, but here is some other highlights for action items in the plan. That was a long -- short recap of a long project that really has been going on since the Comprehensive Plan in 2018. The requested action before Council is awkwardly disproportionate to the content and the next steps, but here you have it. Comprehensive Plan text amendment is to add this plan to the adopted reference of the Comprehensive Plan section. The findings in the staff report describe by this sub area plan is consistent with adopted -- adopted Comprehensive Plan and helps to implement it. Since staff submitted a plan for public hearing there are a number of proposed changes to the draft document. Those were consolidated in a City Council memo sent on November 9th -- or 29th, all of which were recommended by the Planning and Zoning Commission. I'm not proposing to walk through those, but I have slides and I'm happy to do so. I can do that slowly or take specific questions and skip ahead, any of which is at your direction.

Simison: Are you done, Brian?

McClure: I'm done unless you want me to walk through them slowly or specifically.

Simison: Council, what's your desire? I think we will head into questions from now. If we -- if the questions lead to more walkthrough will go into deeper walkthrough, how about that? So, Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Thank you, Brian. I know our goal is not to go through the specifics of The Fields area plan and it is to -- to just discuss adding it to the comp plan. I do have a question regarding the areas that are designated as retail or commercial mixed use. If you look at the field plan itself just isolated you might think that that is enough -- and I actually looked at the breakdown of acreages that are dedicated to each use. It might seem like that is enough to service all of that residential around, but my anticipation is that you are going to have individuals coming from Nampa, from Star, and folks that are getting off of Highway 16. So, people coming potentially from Emmett and all over the place that -- that are going to come to this area. Was there a discussion on whether this amount of mixed use is satisfactory to service all of those individuals visiting from outside of who might live in The Fields area plan? So, for example, Bond Crossing in Boise -- I think that was intended to be very much specific to that community and the residential in that community, but, instead, you have folks that are going out to Barber Park from other parts of the valley, you have folks that are coming in from Harris Ranch. There is a lot of other vehicles and, then, that street ended up becoming a cross-through to go from Boise Avenue to Park Center and so that area where -- I think it was originally intended to be a nice a little community, a neighborhood, you know, commercial district ended up turning into really significant location that people were coming to visit. So, is that what is intended here? Is that -- was that thought through as part of this, all of that potential outside visitation, or is -- or are these areas really intended just to serve the residences in The Fields area?

McClure: Mr. Mayor -- Mr. Mayor, Council Person Perreault, yes. So, we did consider all of that. It is assumed and unlikely necessary that will have to -- I mean that's one of the reasons for the -- for having a park across the street. Besides just being -- supporting these residents, it creates a draw that supports the commercial uses. We need that to be successful and it will rely on -- and demand, frankly, visitors from outside the area to support it. We are also not trying to compete with all of our adjacent cities for some of those uses. They have got a lot more mixed use tripped out already than we do and they are going to be realizing a lot of this competing uses that are, frankly, going to be easier and more desirable for some of the development that we are not supporting in here. So, you don't see a lot of opportunities for a -- kind of drive-throughs and banks and some of those automotive oriented uses within this area, because that's not what the core is for here, it's for the neighbors and for -- and for destination uses, it's not for those convenient uses for outside residents. Those -- those can all happen in plenty of areas north, west, south and, then, a few of the mixed use areas within Meridian on Chinden and, then, Ustick. So, I don't know how well I answered the question for you, but, yes, we did consider it. Absolutely. And I think we have viewed having sort of tourism as being very important to make -- to the neighborhood center.

Simison: Council, any additional questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe not a question, but just like highlight two areas for me that are probably the biggest question marks. I think you, you know, maybe have highlighted. So, I think one of the biggest questions is how do we make sure we get a park out here, because the park is the key to making this work. It's not going to be nearly as wonderful of an area if we don't have that. So, I guess I would be curious, you know, if we did a -- an improvement -- a CID, improvement district, or some other -- of the formulations we have talked about, what would be the phase -- how would that work from a timing and steps perspective? Where -- do you have a, you know, recommendation in terms of how to approach the park? I mean I know we are using a lot of our impact fees and so forth on other projects, so I'm just trying to think out loud, but to me I -- I do see the biggest obstacle is the park and, then, I do think we should put a little bit more into thought around the LNG tank and -- it doesn't mean that we have to have like an extensive study of it, but I would like at least some sort of a worst case scenario, maybe in partnership with the owners, to figure out what -- just to double check that that's an appropriate buffer. That is a concern for me. I feel like we need to really do -- you know, make sure we are checking everything on that one, just because of the safety concerns. So, those are my two -- I don't think we are going to solve them right now, but those are the two things I'm seeing as major things to figure out.

Simison: And maybe I will take the first one, because -- and maybe I have got it wrong, but to me if -- if the Council says we are going to do a park, then, that gets put into your impact fees. The next time you update your impact fee and start collecting dollars for it. That's the general approach that you would take for this and that's what you do. It just becomes part of the calculation. So, if that -- the end result might be your impact fees go up, but that's how you decide to fund it. You know, the other option could be, as was discussed, is a CID, but maybe I'm missing something in terms of that process.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I mean certainly to the extent that there is a charitable landowner in that area that wants to donate land for a park you can listen to this -- that's always an option and we have -- we have had very charitable people donate land for parks in the past. That's been a successful approach to accelerating development. In the absence of that I guess I'm curious for the CID specifically how that would work. If we didn't use our normal impact -- I'm just concerned with the land prices out here and the timing is all. How to make sure that that park happens. It seems really important.

Simison: Well, I think -- at least from my perspective I think that comes as development sees what you want, it's staff working with them to try to help make that happen or set aside land or give a donation or have the ability to make a purchase or -- maybe that's

kind of how it -- to my knowledge it happens to being -- sometimes, yeah, we have gone out well before a plan is there and bought land in the past, but to me that's kind of like, you know, south Meridian and basically you work with people to get where you wanted through that process. But there is no guarantee at the end of the day. We don't own the land and I don't think we want to talk about how the city could try to force it. That's not what we are talking about. That's not been the history. So, you hope the people respect the plan and work with you on the plan.

McClure: Mr. Mayor?

Simison: Brian.

McClure: Councilman, one of the -- one of the ways to get there from my perspective is to adopt the plan and I know you are looking for more information, but having this on the record is something that we can -- we can consider with the Comprehensive Plan and with annexation is a drum we can beat and there is a variety of opportunities in there from -- from impact fees to CIDs and other options, frankly. But it's difficult to say we have to have this or this area isn't maybe ready for growth, without having something in the Comprehensive Plan that says we really need a park out here.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: And so I guess my -- my question that I would pose back to you would be do you think there is more work that can be done prior to any annexations to give us comfort about the LNG tank and the adequacy of the buffer around it? At what point would you provide Council with information on -- on that?

Hood: So, Mr. Mayor, maybe I will -- I will try to answer your question, but maybe not as direct as you would like. We can have more of a conversation. Let me even just step back for a minute -- and Brian had it actually in one of the slides. It wasn't too long ago that property was actually designated low density residential and so we actually did a process to say -- at least let's call it the LNG plant as being industrial and it's not going anywhere. So, we kind of took that baby step and even at that time that's when we engaged with Intermountain Gas and we said, hey, are you guys okay with us at least changing your property to industrial and, by the way, you know, we are going to do this new comp plan and we are probably going to look at changing some land uses around you. Again, we are not a study and I'm not trying to sell it as a study, but that outreach and what's appropriate for the thousand foot buffer -- and I don't know if you caught it, too, but one of the concepts that we have got actually shows the park -- some of that 45'ish acre park also providing some of that buffer area. So, you know, again, in-house we don't have anybody that can do an official scientific study that says this is exactly how much you need as a buffer, but -- but we -- we can drum up some of those old -- the information we received from them and provide some of that to you and maybe even talk to some other subject matter experts that are out there and -- and whatnot and, hopefully,

that gives you some level of comfort with that. I guess the other thing that hopefully provides you a little bit level of comfort is this is on the outer edges of what would be eligible for annexation in the near future. So, Owyhee High School today is the edge of city limits and so you are in a mile, a mile and a quarter, mile and a half away before that property would even be eligible for annexation. So, short of -- and there is some large land and hold -- land holdings in this area, so don't get me wrong, it's not like we have a whole bunch of time to wait, but that property is not even -- the properties that are adjacent to the LNG facility won't be submitting subdivision applications tomorrow, because they just -- city limits and services are still a ways away. So, again, I know that doesn't -- and I can -- I mean if you -- if we find some money and you want us to go hire a consultant to say, you know what is -- you know, what is the -- the buffer and someone stamps it, this is exactly what I would recommend you approve for a buffer from the LNG plant, we can -- we can look into that. I don't have a problem doing that. I'm pretty confident, though, just with the subject matter experts we have talked to and the stakeholders, that this is an appropriate buffer. But I don't say that to try to sell you on -- on that necessarily, just that that's what we have done.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. And I'm sorry, because I didn't realize that that is -- I wish -- I wish I would have identified this earlier as a key concern, so I could kind of give you a heads up, but the more we talk about it I don't feel like the buffer has been independently validated in any way and we have a consultant that we have hired to help create this plan. Perhaps they have an expert that they would recommend or perhaps we could consider some amount of additional money towards studying it. I don't think it has to be an extensive study. But I personally wouldn't be willing to roll the dice on completely implementing the plan if we didn't have some kind of validation about that, just because if it didn't work out -- if there was an accident it sounds like it could be catastrophic.

Simison: My guess is the Federal Energy Regulatory Commission has a standard for distance aside -- I mean I'm guessing that there is a federal standard for recommended distance that we can look at fairly easily to determine if this number is adequate or not.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. That makes perfect sense. That sounds like something that definitely should exist. So, if someone could follow up with that info. But that's just a concern that I have.

Simison: So, Brian, one of the questions I had from -- can you go back to one of the drawings, the more -- that would take into the area north of Owyhee High School, so on the larger side. There is still -- the land uses versus some of the applications that are

currently moving forward out there, is it in alignment? In your viewpoint does it -- yeah. I don't know where it is in the application process. If we have a -- if we have an active application with the property north of McMillan, which is currently used as residential. I know schools are allowed to go anywhere from that standpoint, but does it impact what we are viewing out in this area? Is it -- because that's not necessarily shown the same way the existing civic school is on this land -- on this map.

McClure: Mr. Mayor, that's a good question. I'm -- I hadn't thought about it. We have talked -- we are -- we are very much aware of that application and intend to put the school there is something that hasn't caused us any heartburn. It's -- frankly, there is going to be another school out here as well that hasn't yet been identified specifically and so we don't know where that one is going at either. The only civic you see is for one elementary and one high school there. You are probably going to have another elementary school somewhere. It could be -- it could be north of Chinden or it could be actually in Nampa. But it will -- there will probably be another one out here somewhere. We haven't identified that one yet either. So, it's status quo to sort of have a park go in a residential area and, then, those rooftops just sort of migrate somewhere else.

Simison: Okay. Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, I recall when the -- The Fields district came about and I was on Council before and Mayor Tammy was -- you know, we were talking about this concept of having ag research and having the rural character retained and whatnot and -- and that didn't go anywhere. It was a good idea, but it's just a different use that's -- that's going to occur. But at the same time you did have a table in -- in your report that talked about -- kind of a summary of acreage and how much that would be and -- and, then, later on, though, I think in talking with other stakeholders that has gone away from that and trying to identify this amount, but, you know, the low density portion there -- there is still areas of our community that it makes sense to have low density and more open space. It's not going to be everything, but as -- based on the future land use map and whatnot is that something that can be flexible and we could increase that if demand is there? I mean it is more difficult now with the price of land and cost of housing that it's -- it's -- it has changed and high density and medium high density is more of the option. But how does -- I guess kind of walk me through the flexibility of kind of changing some of these things as warranted? I mean we are trying to determine, you know, the market and you have talked to stakeholders who are definitely invested in these areas, but how does that process work if we want to expand low density, for example?

McClure: Mr. Mayor, Council Person Hoaglun, that's a good question. The plan has a number of pretty specific references to if changes occur. Changes will occur. When they happen I don't know, but I'm sure there will be some market pressures at some point to do that. It's careful to say, please, consider the impacts of that. It's not just the market

pressures that occur on this site, what does that do overall? What does the transportation impacts look like? How does your overall balance of uses overall change? Not on -- not on that property, but overall where are we at and are we still healthy. So, the request and the plan is to not just consider one-off changes, but understanding cumulative impacts as they occur throughout the area and, frankly citywide, because citywide -- this was part of the citywide allocation and we want to make sure that we have a robust diversity of land uses that result in the outcome we want. So, yes, it supports changes. It just asks that you, please, understand what those changes look like, not just for that property owner, but in a larger context.

Hoaglund: Mr. Mayor, follow up?

Simison: Councilman Hoaglund.

Hoaglund: So, what you are saying, Brian -- what I heard was that, yes, there can be some movement, but that would go through a process and staff would report here is, you know, the request and that would eventually come back before us likely for that decision on are we going to have changes to the land use map and -- and zoning and Comprehensive Plan changes. So, that process is what we would follow; is that correct?

McClure: I hope so, yes.

Simison: Okay.

Hood: Mr. Mayor, if you don't mind, can I put a -- maybe a finer point on that? And this goes citywide, this isn't just for The Fields area. I mean we do have a process. I will just -- not -- not as a counterpoint, but almost to Councilman Borton's question earlier. Staff is pretty defensive out the gate with the land use designations we have here. Council has gotten it from stakeholders coming to meetings when people want to change that -- I bought my property assuming that was going to develop this way or that way and so we take it very seriously when someone proposes to change the map. That said you can apply, but we put the onus to justify that change on the applicant and that's where we start with -- with applicants is you better bring your A game to show why it's in your -- not only in your best interest, but in the community's best interest and there are -- could be trickle down effects to other properties and -- and traffic and schools and all those things. So, again, they really need to provide that justification if they want staff's support and, hopefully, Planning & Zoning and Council support to change the map. But, yes, it can and does change over time and it's case by case, but we do look at it, then, holistically almost with those tables to say, okay, well, we are going to have more low density, what's the impact or likelihood that we can now support these commercial services? Or vice-versa, adding more commercial, where are the rooftops that are going to support the commercial? I don't want to dwell on that too much, but that actually almost ties in a little bit with Councilwoman Strader's concern. The plan before you doesn't change any of these land use designations. They are already adopted. The plan -- again, I hope I'm not repeating too much -- really defines how we want to get there. The implementation to see this plan. But our society changes and things will change and I'm not that delusional.

I think all of these land uses that you see on the screen that's exactly how it's going to develop out.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. That was well stated, Caleb. Thank you for that. I have one other question and that gets back to -- we talk about transportation and how things flow and whatnot and we are going to have a state highway that's going to be -- I think the word was freeway, basically, that's going to be coming through there at some point in time, but it's still interesting that Star, because we have a river to the north, it has a bridge and that makes it a major corridor in and of itself and will remain so and so -- and when you -- if you keep going south on Star you end up at Franklin where you have major industrial -- you have an Amazon facility that employs lots of people. The cheese factory. You have got major industrial going on in that whole area, so -- and things will develop to the north and -- and it's going to remain a pretty significant arterial. Does that factor into the planning of where the mixed use community goes into? I think I heard something about that, but it wasn't -- wasn't sure.

Hood: So, Mr. Mayor, Councilman Hoaglun, I may well -- I will start with that one. You know, Brian was on a team and the Mayor actually was, too, when we came up again with the future land use map designations as you see on this screen. That was considered and in talking with COMPASS and looking at some of the modeling, some that regional traffic you could potentially have some people, you know, in Emmitt using Star to get down to Amazon. They think they are going to hop on the highway, because it's going to be faster than taking Star. Yes, there is a river crossing and you could do it, it's out of direction a little bit, but most people are going to want to access the interstate or use something that's a little more -- so, even the trips on Star Road, even though it is a longer road with the river crossing, most of the trips are shorter, because there is other facilities that -- that -- that will provide more of a regional trip. So, that location was talked about should go on this side of the intersection, that side, both sides, all sides, how do we decide that. But, again, that was decided back in 2018 and 2019 as we developed the comp plan, not so much with The Fields specific area plan you see here.

McClure: Mr. Mayor?

Simison: Yes, Brian.

McClure: Just one further comment on that. With the exception of the neighborhood center and to your original question, Councilman Hoaglun, the land uses out here -- the plan isn't adopting the land uses out there, the plan is adopting how we develop out there and what some of that looks like. So, there is a lot of specific -- specificity on the mixed use communities, on the limits, but other than that it's -- it's not nailed to the floor. It can change and adopted as State Highway 16 throws everything to the wind.

Simison: Council, any additional questions for staff? Okay. Thank you very much. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody in the audience that would like to come forward and provide testimony on this item at this time? Or if you are online and you would like to provide testimony, please, use the raise your hand feature. Seeing no one either way wishing to provide any comments, I will turn this over to you, Council, for additional questions or to close the public hearing or to continue it.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: My comment is I think it's great work. I don't think it ever ends. Acknowledge that. But this is exactly what we asked you to do and it provides a little more detail and sideboards to help us and also help the landowners know what's expected out there. It's going to be incumbent upon the seven of us to have the discipline to stay true to it and to go slow, if necessary, in order to ensure we have data for natural gas concerns or acquiring park space or hoping our sister agency, the school district, can acquire school spots, but if it means we go slow I think that's the discipline we have to have. So, I'm supportive of all the texts that you -- as amended by the Planning & Zoning Commission. It's really a great process. It's very thorough. It's exactly what we wanted. So, the work probably starts again tomorrow for the next version of it, but that's how we do things. That's how we have to continue to evolve. So, I'm comfortable and supportive of moving forward today, knowing that there is ongoing concerns and things we will look into after it's been adopted.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think I can get on board with that thought process if -- it feels like Council is in alignment on the go slow approach and getting additional data about the LNG buffer. I don't think that should hold this up completely, but certainly wouldn't want to move forward on any serious development out there until we have those answers. So, I'm just hoping part of the plan of implementation could be to study that further and, hopefully, I'm not the only person that has that concern or we can get the information.

Simison: And just so we are clear, Council has the -- you are going to have to approve a lift station for our Public Works Department before any of this can ever really progress further than where it is. So, technically, you are going to control all the cards on the timing. That this plan that is coming forward I think in the next three budget years -- I'm not exactly sure, but I have -- you know, I look at this as the five to six years before you see anything

come online further to the west. That will give the road time to get in -- the other things and the market to figure some of these things out and answer the question, so -- but I -- and I agree with the comments made. I think this is great work and you don't lay out a vision and plan -- you have the Ten Mile specific area plan. You start with the vision, you want to implement it, you have modified as you move forward where you saw necessary, but it's better to have a vision than not.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we close the public hearing for The Fields area -- Fields sub area plan, H-2021-0047.

Hoaglun: Second the motion.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye? Opposed any? The ayes have it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Council Woman Perreault.

Perreault: I move that we approve the Comprehensive Plan text amendment to incorporate The Fields sub area plan for H-2021-0047.

Hoaglun: I will second the motion.

Simison: I have a motion and a second to approve H-2021-0047. Is there any further discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, absent; Bernt, yea; Perreault, yea; Hoaglun, yea; Strader, yea.

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I was about ready to make a recommendation to hire another consultant to maybe take a look at The Fields district. Good thing you guys made a motion. Just kidding.

3. Public Hearing Continued from October 26, 2021 for Heron Village

Expansion (H-2021-0027) by Tamara Thompson of The Land Group, Inc., Located at 51, 125 and 185 E. Blue Heron Ln.

- A. Request: Annexation of 1.36 acres of land with a R-40 zoning district.
- B. Request: Rezone of 4.18 acres of land from C-G and R-8 to R-40.
- C. Request: Conditional Use Permit to allow expansion of an existing 108-unit, 5-building multifamily complex to allow an additional 36 units in two new buildings.

Simison: With that we will move on to Item 3, which is a public hearing continued from October 26, 2021, for Heron Village Expansion, H-2021-0027, and I will ask Alan to make any additional comments.

Tiefenbach: Good evening, Mayor, Members of the Council. Just a real quick little refresher. If you remember this is a property located at the southeast intersection of North Meridian Road and East Blue Heron Drive, consisting of six properties, several different zonings. They wanted to annex this property into the city. There is an existing apartment complex there now, 108 buildings -- or, sorry, 108 -- 108 units in five buildings. Applicant -- applicant wanted to annex this property to have two new buildings with a total of 36 units. The City Council asked the applicant to continue this for the applicant to look at two things particularly. The first was to see if they could increase parking. The second was a soft suggestion in regard to whether they could better orient the open space. What you see here is on the left, but what you saw -- what you see on the right, what's dotted down on the line is I believe ten new parking spaces. This is the only new information that I have received from the applicant at this point.

Simison: Thank you. Council, any questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Alan, if I remember correctly, not only did we ask them to -- to look at -- to add new parking, we asked them to justify the spaces and why and to look at their own information from the property management company. Did they provide anything in regard to how they decided that ten additional spaces was the amount that was necessary?

Tiefenbach: Again, Council Person, this is all I have received. I'm hoping that the applicant will have a very thorough explanation, but sort of this has been punted into your court now, so I believe -- I hope that Tamara will be able to give you an answer.

Simison: Council, additional questions for staff? Then I will ask the applicant. So, please, come on and provide an update on the information. If you could state your name and

address for the record, Tamara.

Thompson: Absolutely. Good evening, Mr. Mayor, Members of Council. My name is Tamara Thompson. I'm with the Land Group at 462 East Shore Drive in Eagle. With me virtually, not with me in the room, but on the line also should -- should we need to bring them on is Mysti Stelluto with the architectural side and Summer Hazen on the management side. So, thank you for having us again and if I can share my screen I will -- let's see here. All right. So, just a brief overview of this. This is an in-fill project. We are requesting an annexation of 1.36 acres, a rezone of 5.54 acres to R-40 and a CUP to allow expansion of the existing multi-family complex. The previous site plan was this and we did provide another parking -- or another site plan which added these ten parking stalls on the side. We were able to add these ten stalls to the site plan and still exceed the landscaping requirements. Currently phase two provides an additional 28 stalls and phase one had three additional stalls. So, we have 31 extra stalls and to -- to answer the question about the -- the ratios, I did go and do this parking analysis. I'm going to pull -- I have this in the PowerPoint, but I'm just going to open the spreadsheet, so I can kind of highlight different things for you. Did that switch screens for you?

Simison: It did.

Thompson: Okay. Good. So, one thing that I want to show you. So, Heron Village phase one, we have had -- this delta is the parking stalls over what the parking requirement is by city code. So, it provided just three extra stalls with -- at one percent. The previous version that you saw of phase two had an additional 18 with -- that percentage was 26. But when you combine those two together the -- the previous one had a blended rate of eight percent additional parking stalls. With this revised plan we were able to add an additional ten, so now we are at 28 percent, which puts the site at 41 percent over parked per code, but to blend that comes to 11 percent when we put that with phase one. So, that -- that's where Heron Village is with this revised plan and, then, what I did is -- and, you know, I was looking for a little extra direction last time if -- you know, if -- what -- what percent do you think is -- is -- is where it needs to be and Councilman Cavener recommended maybe we should go back and kind of do an audit of other sites that have been approved through -- in the city. So, I went and looked at some of the ones that the Land Group has done and I then just started going through the searchable documents on the City Clerk's website and I was able to put together this spreadsheet of some of the others. So, if we just look at this column of the percents, one of the things I -- there were three that kind of jumped out at me as much higher than others. The others ranged kind of between three and six percent was -- was kind of more in the -- in the median -- the median range is -- is in the three to four percent range. This Heron Village, this is kind of an outlier. It provided a hundred percent extra. That one is behind Trader Joe's and so I'm not familiar with that project. So, I don't know the reasoning behind that. Jump Creek is a four-plex and it's fairly small, so nine extra stalls gave it a 16 percent. I am familiar with Southridge. The Land Group did this one and phase one and two didn't provide any extra parking. Phase three had extra parking at 17 percent, but when you blend these three phases together the entirety of Southridge one, two, and three is at four percent. Let's see here. So, going back to this. The -- the complex or the community also has a

live-in manager. She lives on the property and she -- for this extra time that we had she continued to do audits nightly on site between 8:00 and 11:00 p.m. every night to just see where people were parking and first it was determined that there was some management practices that could be improved. There were 14 garages that were not being utilized, because they -- they were -- you had to pay extra to get a garage. So, that has been revised to where the units that are three -- have three bedrooms, they are given a garage with their unit, so it's not an additional fee. So, those 14 are now all filled and being utilized. Also they have looked at implementing a sticker process, so that they know which -- which cars are supposed to be on the property and that has helped quite a bit and, then, they have assigned covered parking stalls where before it was just anybody could - - could park anywhere. They still are seeing a range of between 30 to 60 empty parking stalls each evening between 8:00 to 11:00 p.m., but they are still seeing between 19 and 24 cars still parking on the street. Not all those cars have their sticker, so it is looking like at least 30 percent are not tenants of this -- of this community. Additionally, we had - - we asked them, once they gave us kind of some -- some more feedback on this, we asked them if they could tell us if there was any type of pattern with where on the property the -- the open sights were -- the open parking stalls were and if I go to this -- this previous one, the -- so, the site currently has this area down here, this kind of triangular area with only one of the smaller buildings, but it has extra parking down here and these are the ones that aren't being utilized as much, people aren't going down there, so this phase two really helped balance the site and square this off. There is still an area, but this -- the -- the tip of this has the amenity with the basketball court, but we do provide more centralized parking and kind of help balance the site, so that this bottom area isn't so far away and that's what they are finding is that this bottom area, these -- oops. Sorry. Like these are the ones that are -- that are vacant and perhaps parking on the street is -- is more convenient. So, we feel like this -- adding phase two is really going to help that situation with balancing the site. As far as centralizing the open space, we did look at that and it -- it felt like the -- once we -- once we figured out this -- the need for the parking to be more centralized that -- that we did leave that open space where it was and -- and brought -- and keep the parking more in the centralized area where -- where it needs -- where it's needed, so -- to alleviate the street parking. So, in conclusion, we are providing more parking stalls than city code. We are higher than the new medium for other communities that are -- have been approved with -- in the City of Meridian. The management is -- has acknowledged some deficiencies in -- in their practices and they are making changes to their policies and encouraging their tenants to park on the property and encouraging them not to park on the street. The -- the issue with parking on the street is that it's legal and if you recall Mr. Bongiorno mentioned last time in our last hearing that -- that he did not have an issue with -- with the parking on the street, that it is not a fire department concern, so that's a little -- it's hard to -- you know, there is no consequences for it and it is legal, so there -- those tenants aren't doing anything wrong. So, the management can encourage, but they can't require. So, if Council would like we are happy to work with ACHD to -- at a minimum put -- work with them to do no parking on the -- if I can go back to a site plan for you to look at. On the north side of Blue Heron and especially to the west of the -- of the two western most access points, that we could work with ACHD on -- on some no parking signs on Blue Heron. We have read the staff report and we thank staff for their thorough review. We did go back and look closely at

the parking and we think we have some -- some good numbers, some -- some -- and we fit within the range of what the City of Meridian has and -- and, frankly, the site is -- it appears per the audits that it is overparked, it just maybe parking is in the wrong -- is too far away from -- from where the current residents are, but once phase two is implemented, then, it really will help balance the site. We agree with staff's recommendations and if you recall from last time we did have a small clarification to condition 2.C and that was the pathway from -- do I have an exhibit of that? Here it is. This little pathway going from Eureka at the end of Blue Heron. This was going to -- a fire department access only and we just wanted to add the words improved -- as approved by Meridian Fire and ACHD, just so if there is any tweaks in there with -- once we get into construction drawings. So, with that we ask for your approval tonight and I will stand for questions.

Simison: Thank you, Tamara. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Just a couple of quick questions. What is the ratio of three bedrooms to two bedrooms to one bedrooms? What percentage of the units are each. The three bedroom unit has the same requirement, I believe, as two bedroom in terms of number of parking stalls required, yet you may have additional vehicles. So, you said that the garages are being utilized now by -- or they are being assigned to three bedroom units. Hopefully they are utilizing them and not -- for parking and not storage. But how many three bedroom units are there in relationship to the two bedroom and the -- I'm asking that question, because I appreciate the analysis that you did, but I think the missing piece of the analysis is that some of those complexes may not have any three bedroom units and that does make a difference. So, it's the size of the units that are just as important as -- as -- you know, in that percent -- the ratios that you showed for the amount of parking that's above what is required.

Thompson: Mr. Mayor, Council Woman Perreault, the existing, in phase one, there are 12 three bedroom units and in phase two we are proposing an additional 12, so that would be a total of 24. The way that the parking was currently -- and you are correct, the parking requirement by the city -- my -- I did put that on the top of -- of my parking analysis here that both two and three bedrooms by city code require the two -- just two parking stalls and what the management has changed is that they are assigning three parking stalls to -- to the three bedroom units, two to the two bedroom and one to the one bedroom -- is -- is the way it's being looked at right now and that is different than what it was before. That was one of the management practices that they looked at.

Perreault: Mr. Mayor, follow up?

Simison: Council Woman Perreault.

Perreault: Thank you, Tamara. So, you said that 30 percent of the vehicles parking on

the streets are not residents, meaning 70 percent most likely are. Now that they have the permits and still seeing these vehicles parking on the street, do they have contact information for those vehicles? They, obviously, can track the license plate numbers now that they have them registered to a system. Have they contacted any of these vehicle owners and just asked about why they are parking on the street and if there is some -- something that's causing them to do so, like maybe they have been backed into within the complex and they don't want that to happen, so they are parking -- is there any -- did they go that far as to get that information that -- maybe there is a legitimate reason they are not parking in their assigned location?

Thompson: Mr. Mayor, Council Woman Perreault, I don't know that. I didn't ask that specific question. I do know that they mentioned that some of the vehicles that are on the street are some larger trucks and maybe they don't feel comfortable navigating the site, but I don't know that. We -- if you would like the -- I believe our representative from the management company is on the line that we could -- we could ask that question, but I don't know that one specifically.

Simison: Are you wanting the management company to answer that, Council Woman Perreault?

Perreault: It would be helpful if it's not too inconvenient, yes.

Simison: I don't know -- Tamara, do you know -- it looks like they have raised their hand.

Thompson: That should be Summer Hazen. Do you have a Summer on there?

Simison: Summer, if you can state your name and address for the record. You will need to unmute.

Hazen: There you are. Can you hear me now?

Simison: Yep.

Hazen: I do apologize. This is Summer Hazen. I'm the regional manager overseeing Heron Village. To answer that question, we have started to reach out to some of the residents that are parking on the road. However, not all of them have come in and registered their vehicles with us. If we don't have that information we are not able to contact them. We are finding that some of them are guests. I don't want to say necessarily unauthorized occupants, we haven't been able to -- to confirm that. What Tamara had -- Tamara had shared was -- she is correct, some of them do have some larger vehicles that they are afraid that they are going to hit the pole or some have when they were trying to back into the carport spaces, but to reiterate, too, some of them are also related to our linemen school students where we -- we have limited the amount of parking spaces through the school and I actually asked them to park at the school versus at the community to help limit some of those cars.

Simison: Council, any additional questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, thanks, Tamara. Appreciate it. I see you looked at the open space and can you provide some commentary on why it wasn't feasible to make it more usable and more centralized?

Thompson: Mr. Mayor, Council Woman Strader, the -- what we looked at was the potential of moving -- like swapping these two, the open space for Building G, and -- and having that more centralized. We did lose some parking stalls when we did that and it -- and we just felt like that having the more centralized parking was -- was more beneficial and, then, this -- up here -- if you see what is next to us, it's a -- it's a meatpacking plant and having -- having the -- the residences right up against that property line didn't seem -- you know, where we would want them -- that we would want that buffer in there for that. We can -- this is an open space so we can activate it, you know, have a -- have a nice fence around it and -- and -- and very much usable, but it was determined that -- that the parking was -- was probably the most important.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I guess let me -- I will probably save my comments toward the end of the meeting, but, yeah, I think you are -- you are coming from a very hard place; right? You are trying to make up for the sins of phase one with your parking. So, you already have that challenge and, then, I look at it like, you know, this phase should stand on its own and it should meet that high bar all on its own for open space. So, I think it's really tough. You know, I -- I get it, but at the same time like should little kids be playing next to the meatpacking plant, too; right? I mean I -- it's here, it's their neighbor and, you know, that's tough. They are just some -- I don't know -- continuing concerns I think for me on this one and the open space is a piece of it. I will just, you know, continue to listen and be open minded.

Simison: Council, any additional questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: One of the public comments we received was -- was regarding trash and it's something that was -- we received written comment. It was also discussed in the last hearing. Just wondering if the applicant can quickly -- quickly comment -- if the applicant or -- Tamara or Summer could quickly comment on -- if that's something that has also

been changed or discussed or new methods improved?

Hazen: Yes, of course. This is -- this is Summer. So, in regards to that we added a trash can out on the -- on the corner of our property on Blue Heron and we have on-site maintenance staff five days a week and they are now patrolling that road, as well as the community manager picking up any trash that they see that is being left behind.

Simison: Council, any additional questions for the applicant? Okay. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we had no advanced sign up.

Simison: Okay. Is there anybody in the audience who would like to come provide testimony on the additional information that's been provided this evening? And we have nobody in the waiting area online, so we will just be focused on who is in here for now. If you would like to come forward. State your name and address for the record, please.

Sorenson: My name is Valinda Sorenson. I live at 138 East Waterbury Lane, Meridian. Across from the apartments.

Simison: Thank you.

Sorenson: Thank you for letting us come and speak and listen tonight. Thank you, Mayor and Council Members. I'm not understanding really how this next phase is going to help with that -- that parking -- that lower parking that she's talking about. I'm not really quite sure how that -- how that will balance it out, knowing the property myself and walking around there, I don't quite understand how that will help, because the apartment -- the way it's situated it's -- the parking is still not going to be over by where the buildings are at. It does not account for visitors and I do my own survey of cars every day and there is around 30, 32 cars on the street. Most of the cars that -- a lot of the cars that are parking on the street are huge trucks, you know, big trucks and some of them are trucks that have trailers, because the people that live there are working men and they have big trailers that they park on the street behind their trucks. A lot of them are cars. The trash situation -- they did put a trash can out. But, of course, it's only good if people use it. You know, they still just open their car doors and throw their McDonald bags -- trash everywhere. They seem to think our common area -- our common area at the Heron Brook Townhomes is their trash can. So, it would be really nice if you would please -- if you would consider, like mentioned, putting no parking from at least Heron Brook -- on Heron Brook from our first entrance to the -- to North Meridian Road, because that's really dangerous pulling in and out of there. When they are parked so close to the edge of the street you can't -- it's hard to see and it -- and possibly even consider no parking on the north side of the street. Thank you.

Simison: Thank you. Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I wanted to make sure I understood your comment about the no parking on the north side of the street. There is East Waterbury Lane that extends west and, then, you have got North Richter it looks like --

Sorenson: Yes.

Hoaglund: -- and, then, Meridian Road. So, you had mentioned Heron Brook and I wasn't sure where that was in relationship.

Sorenson: Oh. Our town -- our townhomes are right there on East Waterbury. They are senior townhomes right in there and they circle around to -- on Richter there. It kind of makes like a --

Hoaglund: Okay. Okay. Yeah. It's kind of cut off on the screen. So, no parking would extend from East Waterbury Lane on the north side clear to Meridian Road. Would -- that was your request then?

Sorenson: Well, if you would consider that.

Hoaglund: Yeah. Okay.

Sorenson: Thank you.

Simison: Council, any additional questions? Is there anybody else who like to come forward and provide testimony on this item?

Strader: Mr. Mayor?

Simison: Councilman Borton.

Borton: Could I ask a question of Deputy Chief Bongiorno? There is a condition, that 2-C that was referenced on the pathway.

Bongiorno: Yes.

Borton: And it's -- the way it's drafted now it's changed to say 15 feet wide or as approved by Meridian Fire and -- and I don't know why we say 15 feet wide. Why don't we just say as approved by Meridian Fire?

Bongiorno: That would be -- Mr. Mayor, Councilman Borton, that would be fine also. The issue we had was right at the west end of that pathway there is a telephone pole in the way and so that kind of -- that's our narrow narrowest spot. It's larger than 12 feet. So, I think we -- Tamara or somebody went out and measured it and they came up with 15 feet and that's -- that's where that number came from. So, it was just whatever the narrowest

spot was is what that width was going to be through there.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Is it just more helpful for you to have just the language as approved by Meridian Fire?

Bongiorno: That would be fine.

Borton: Okay. All right.

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: Thank you. To kind of follow up on the comments that -- that she gave, it just so happens the last time that we talked about this project I drove through there on my way home, it was like 11:30 at night, I think we were here late that night and one hundred percent spot on there was over 30 cars down Blue Heron. The bulk -- there was at least a dozen and they were large trucks parked in the dirt parking lot where this potential project is going. So, after seeing what I saw, the 30 cars plus the ones parked in the dirt parking lot, I'm not very supportive of closing off that no parking between Waterbury and Richter or whatever that street is. One hundred percent agree with the Richter to the intersection. That definitely should be signed no parking fire lane. The road, like we stated last time, is -- is plenty wide. I don't have issues with cars parking on both sides. This is almost -- it's one of those we should probably wait and see if we want to stop the parking on the north side, but I think it should stay as is. That's just my two cents worth. But I am -- I will one hundred percent work with Tamara and ACHD or whoever for that -- the entrance to phase one to the intersection, because they do -- they literally parked right up to the curb of the -- of the curbing -- the curb of the curbing. That's a tough one to say. So, definitely it needs to be signed no parking to -- to make sure that we can make that corner and get around there -- anybody can get around the corner.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Question for Tamara. Is there any consideration made of creating some parking spots that are wider or longer and posting trucks only signs on those, so we can get some -- we haven't had a discussion yet about the vehicles that are parking in what is now the dirt lot, so that's another element that's apparently an issue. So, has -- have you made any consideration or as the -- your client made any consideration of making some accommodations? This is increasingly becoming a problem in every apartment complex, not just this one. I see it all over the place. Especially, not only, you know, wide

trucks, like dualies, but actually people bringing their work trucks to park in their apartment complexes and their trailers.

Thompson: Mr. Mayor, Council Woman Perreault, we -- we did look at that and we could accommodate that. What that does is it brings the overall parking count down, because those would be oversized parking spots, but we could -- we could do that. One of -- and if you recall, Summer told us last time that they have a corporate housing agreement with the lineman college and they have asked for those trucks not to come. They think that the majority of those are from that agreement for -- for those -- those lineman college students staying here and, then, they have -- also management has decided not to renew all of those, so that they are going to -- in July when those leases are up they are not going to renew those. So, that will -- that will help that as well.

Simison: So, Tamara, if you would -- since we have no further testimony and, technically, it's your turn to wrap up, if you want to give any final wrap-up comments we can officially -- at that point and, then, we can continue with any questions from Council if they have them.

Thompson: Great. Yeah. I will just -- I will just wrap up with a couple things. I did want to revisit the open space and that this phase two does stand on its own. The existing in phase one are these. Phase two is this, but it is -- it does have about 30 percent more open space than what's required for phase two, so it does stand alone, but together it works better with -- with having all the amenities. There is -- there is a nice clubhouse and there is -- there is a tot lot, all those kinds of things. So, this is the clubhouse that will be utilized for everybody. It was something that was planned to be an expansion, you know, especially with this one that was down in the bottom, that phase two was always something that was planned. So, this is final -- finishing out that plan and what I meant for the balancing is that currently it's kind of -- you know, it's -- it's -- it's got these jagged edges and it's just kind of more like a triangle, which isn't a very efficient space and having more of a rectangle definitely balances it and putting another 12-plex next to this 12-plex will definitely utilize the parking on this end of the -- of the site better than what it's currently doing. Management has really stepped up. I think they have -- I don't know that they knew that there was such a problem before, but they are -- they are making some -- some big strides, especially with the -- in how they are addressing the parking, how they are addressing the -- the garages. Those are being monitored and looked at closely for making sure they are being parked in and not just utilized for storage units and just seeing if there was anything else I missed here. The -- the trash and having their maintenance crews patrol the -- the -- the right of way, instead of just on the property, and we are open to whatever Council's wishes are on the parking on the streets. Like I said, that -- the parking now is legal, so nobody is doing anything wrong by parking there. That if it's your wish that we work with ACHD, we are more than happy to do that, especially where Mr. Bongiorno mentioned the -- from the main entrance -- from the western entrance to Meridian Road, working with them on that. So, thank you very much and we respectfully request your approval tonight with that one -- one change to -- to 2.A. Thank you.

Simison: Thank you. Councilman Bernt.

Bernt: Mr. Mayor -- you know, I'm going to hold off and wait until the end.

Simison: Well, to break the silence, Council, to -- I appreciate what I have heard that the management company has done -- is considering. The question that I asked Council is can we approve development based upon what they will continue to do or not do or decisions they may or may not make and, yeah, to a certain extent we -- the city we -- after their things are approved you really don't have any input on what -- on what management practices anybody does from a practical standpoint. So, is it fair or appropriate to take those into consideration as you are looking at this? I don't know the answer to that, but it just is -- it's great to hear, but is it sustainable? Is that what's going to make this a successful area is only management practices or business helps or hurt long term?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Just kidding on waiting. That was -- that was a long awkward pause and so I will go ahead and -- and express my -- my point of view. I -- I don't have any issues really with the design of -- I guess this project. I mean it's a good project that -- the only issue that I have is the parking and when you have that many cars parked in the dirt parking lot and you have that many cars parked on the road and you are adding this much density to this -- to this area, I just don't think ten extra parking spots is going to do it and I don't know where it's coming from. I don't know if it's the linemen college, I don't know if it's, you know, extra people that are living inside these units that the -- the property management individual doesn't know about? I honestly don't know and I don't know if anyone has the answers to that -- those questions. All I know is that there are a ton of cars parked in this area with -- and the solution provided is -- is not enough for me to be supportive of this application.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with much of what Councilman -- Council President Bernt said. It seems to me after their analysis that it's not a lack of parking spots, it's not a lack of number of spaces, it's locations and -- so, location and sizes of the spots and when we had this hearing last time it -- it -- we were of the impression that there would not be enough spaces and that's not the issue. So, until the applicant sort of resolves that challenge, it's not the quantity of spaces, which is what we -- we asked them to -- to go resolve it -- resolve the issue and we didn't specifically say what. We didn't say add more spaces, we just said go figure out what the problem is and bring us a solution and it's not solved to my satisfaction yet.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I feel for the applicant, because I think they are -- they are in a tough spot. The -- the issues in phase one I think are a problem and -- but I do look at this like phase two should stand on its own. I don't think that the open space was centralized in a usable way. If I look at the development holistically it doesn't feel like it's connected to the rest of the development. I have, like my other Council Members, continued concerns about the parking, particularly given that this area is being used for overflow parking. I just don't -- I don't think we are there and I -- and I have concerns about traffic as well and schools in general and overcrowding. So, that's a long list of reasons, but for me I think the -- really, the key critical issues boil down to parking -- unfortunately, it doesn't sound like it's solved by adding more spaces necessarily, it's that inadequacy of the location of the rental spaces and, then, the open space just looks like an afterthought to me and I -- I understand you have constraints around the site and -- and that's tough, but it's just -- just tucking it in the corner to me just didn't -- didn't pull it together.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Question for -- for Alan. On the -- on the parking for phase one they met city requirements for parking standards that we have in place; is that correct?

Tiefenbach: Alan Tiefenbach, associate planner. Yes, sir, Mr. Hoaglun, they meet the minimum requirements. They exceed the minimum requirements for parking.

Hoaglun: Okay.

Tiefenbach: Both phases. Because they meet the minimum requirements of everything in the code staff recommends approval.

Hoaglun: Right. And Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. And that's -- that's my dilemma is they are -- they are doing what we ask and doing more than what we ask, but there -- there is an issue and one of the conflicts, too, is open space versus that 12-plex, because I thought, oh, you move that and move the 12-plex, but yet for parking purposes that actually defeats the ability to use where they have identified additional parking. So that -- that's -- that's the dilemma. Well, we want them to solve the parking problem. Okay. Well, we will move here. But we want -- and prefer centralized open space. So, you can't win on -- on that one. I am impressed that they went through the process and looked at garages not being utilized and how they can fix that, which is a reminder of a previous application that talked about garages. Just to put that drop in the mind. The sticker process. There -- there -- there are cars on the street and if they follow through with not having -- renewing the lineman's college that

probably will help and -- but to Council Woman Perreault's point, you know, we see it everywhere and the bringing of trailers and work vehicles to -- to apartment complexes does make it more difficult. It's -- it's -- it is tough. The -- to help push traffic or parking to those underutilized -- that underutilized area I think does require some closing of no -- asking for no -- no parking on -- on the north side of the street. I mean it's a matter of convenience for people. There are the trailers and trucks, but for -- for cars they could park over there, but when you look at the map, if you are in this unit you can't find anything nearby, you don't want to go clear over there. So, park on the street. But I think that's something that we would have to look at. Yeah. This -- this is difficult, though, to deny when -- when -- when they have gone for -- it's standalone here and they have gone above. Does it solve the previous problem? No, it doesn't. But at the same time they complied with our requirements that the city put forth, which I'm kind of setting up the argument down the road that I think we ought to change our standards, I really do, for parking these complexes, but that we can discuss at another time, because we are finding people are messing up in these -- more than just family members probably, but -- and when -- if you are in a three bedroom and you have a couple of kids and you are sharing space and they become teenagers -- because I went through this and you are going through it, Mayor, is all of a sudden there is more vehicles around your house, you know. It's -- it's just the fact that you have teen drivers and you need more space. Yeah. I have difficulty turning it down and I completely understand the reasons why people are looking at not favorably upon this, so -- but it just causes an internal angst with me by -- by -- by -- by doing that for -- for this particular situation, so -- I don't know.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I appreciate Councilman Hoaglun's comments. Tamara, I -- I -- I do appreciate -- and I should have expressed this earlier -- your work and the management's work to try to solve what you can solve. So, thank you very much for that. That makes it better for -- for even the -- the existing phases that are there for everyone. I do have a question, though. Is there any way to incentivize residents to park in the farther away spaces, whether it's a small discount to their rent or something that -- that gives them an incentive to park somewhere that they wouldn't -- that they are avoiding parking because of -- I'm looking at the -- looking at the design of the entire complex it seems like the buildings are fairly evenly spread out. So, it's not as if all the buildings are toward the street and all the parking's on the south side, so I guess I'm not completely understanding why -- you know, why those areas are being avoided, why folks aren't parking there. So, is there -- is there -- is that something that you can talk about with your -- with your client is -- is creating some incentives in some way? Because I'm sitting here thinking a lot of this is solved if we can direct those vehicles that are parking on the street that are residents, you know, in a way that encourages them to park in the -- in the units and, again, back to the Mayor's point, it's nothing the city has any control over and nothing that we can -- nothing that we can enforce and so it's -- it's really up to management to -- to make that commitment.

Thompson: Mr. Mayor, Council Woman Perreault, I think they would be open to looking

at -- at some incentives and just to show -- so, there is one, two, three, four, five buildings on the site and if you kind of draw a line here, there is quite a bit of extra parking that is -- that's really only close to this 12-plex, which is the smallest building on the site, and so adding another 12-plex there is really going to help open this up and it won't be a dead end any longer. Right now it -- it goes down here and it just dead ends to where it really -- it opens this up and it balances the site more. So, that's what I would feel like I didn't explain very well to -- you know, to kind of understand what I mean by that -- that whole balance thing. But I -- I'm sure that the -- the management and our client will be open to -- to incentivizing, you know, different parking and they can still work on -- if you guys know of -- you know, if there is a site on -- or parking a management company or some sort of management of parking that you know it's working really well, perhaps we could even look into that. But -- but I really feel like this not being a dead end any longer and having this open up that it's -- it's -- it's going to get utilized a lot more with another building to activate it as well. I also wanted to mention real quickly that it was mentioned that we had ten extra parking stalls and that's not -- that's not correct. The blended total is 31 extra parking stalls on the site, which is 11 percent -- which is 11 percent over what city code is and is more than what -- kind of the median is for the entire city. The ten extra was just from our last site plan and that last site plan had 18 extra and now we have 28 extra. But phase one had three additional stalls or only one percent. So, we are making the parking situation considerably better with them -- with phase two.

Simison: And, Council, that's -- I guess that's my question for Council -- would the situation be better basically with no changes or is the situation going to be better with these changes? Would Council feel more comfortable if there wasn't 36 units, but 30 with the parking? You know, are there any of those elements that make sense -- what -- what would be the -- what would be the magic parking number if parking is the underlying issue, you know --

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: As I was listening to people I was trying to figure out if it's density, because they have added parking spaces, but if all of that other unit -- instead of like 34 was down to 24 in the 12 unit. You are reducing ten units, but have -- the percentage of parking has actually increased even more, does that help solve the problem? And I don't know, Tamara, if your client would -- you have got an ROI that they expect and all those good things. I agree with you, the opening up of that triangle piece does facilitate flow out to that street that would -- would allow quicker access than being stuck and having to wind your way all the way through like they have to do now. But, again, it's still changing people's behavior and getting them to go there. But that -- that -- that is an option if you want to up -- up it you just reduce the number on one of the -- on the larger unit and maybe you flip that 12 where the open space is and move that open space to the middle, because even though it's a little more unbalanced that way, if you reduce the density on the larger one it still accommodates -- accommodates the parking. So, I don't like designing on the fly, but just -- just looking at options for -- for, you know, housing that is

needed in our area -- apartments are in demand. This was planned to expand all along and I think you have come up with some solutions that might be workable, but we still need to cross that finish line somehow.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Councilman Hoaglun is sort of selling me on his on the fly designing. I think if this came back and the open space was more centralized and you lost some density and, therefore, increased the parking, that -- that might get me there. I would hate to close the door on it completely. But that would be a huge -- a huge rework of this whole thing and I think we have to, you know, vote on what's before us at some point. What's -- I'm not on board right now with this the way it's currently written. I think if you lose the density it can -- it solves some of the management concerns. Like for me the management concerns aren't -- aren't as strong of a mitigant, because I'm just concerned they will sell the property and -- and, then, you know, someone that -- that is a smart business person is going to charge for the garages as they should and we will be in the same spot, so --

Thompson: Mr. Mayor?

Simison: Yes, Tamara.

Thompson: I -- I'm texting with my client to get some feedback and I do think we could do -- go down a little bit on the density and -- and we could look at what that looks like. We haven't done a site plan on that, so we could look at what that looks like with the -- with the centralized open space. So, I know you just need to make a decision at some point, but I think with -- with the feedback that we have had just now that -- that we could go back and do one more site plan for you if we could continue this one more time.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If Council decides to agree to a request to continue, I would also -- also request the applicant to work on parking spots that are larger and -- and wider and deeper. I don't think -- again, I'm not convinced it's completely a number of spots issue, as much as the larger vehicles not -- and however they want to manage that is totally up to them, but this -- this is not going to be the first time we are going to have -- or the last time we are going to have this conversation about the sizes of vehicles that are parking in apartment complexes.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, just -- I know you know this, but I just want to bring this up. You made a comment earlier about the management standards being a concern on that being continuing and, then, Council Woman Strader just brought that as well. Now, this is an annexation, so I mean you are -- have to create a development agreement for that. You also have a CUP that can also add those conditions for the CUP, you just need to be specific about what it is you want. So, there are some ways that we have with this particular application to ensure some of those continuing practices will remain on this parcel if you hear it again, so -- and I know you knew this, but I just wanted to make sure that that got part of the conversation.

Simison: So, Council, what's your pleasure?

Hoaglun: Mr. Mayor?

Simison: Do you want to ask the applicant anything first before you make a motion?

Hoaglun: Yes. If I might --

Simison: Councilman Hoaglun.

Hoaglun: Tamara, checking with the City Clerk, the earliest that we could get to this would be January 11th. Is that favorable to your calendar to be present and does that give you enough time to prepare what's been requested?

Thompson: Mr. Mayor, Councilman Hoaglun, I'm looking at my calendar right now. So, the -- January 11th, I'm sorry, is that the date you said?

Hoaglun: Yes.

Thompson: That date is wide open on my calendar and I think that date would work great. Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I would move that we continue the Heron Village Expansion discussion, H-2021-0027, to the time of January 11th, 2022.

Strader: Second the motion.

Simison: I have a motion and a second to continue this item until January 11th, 2022. Is there any discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Before we vote I'm wondering if -- if Council decides they would like the applicant to comply with the DA, would we need to discuss that now so that staff can put together conditions before the next meeting?

Simison: Yes, Alan?

Tiefenbach: Alan Tiefenbach, associate planner. Mr. Mayor and Members of the Council, we are talking about just continuing this for them to rework the site plan. I mean this wouldn't be any different than anything else. We wouldn't have to deal with the DA now. If you wanted to add conditions we would just add the conditions of approval and, then, the DA would come in front of you in two weeks.

Perreault: Thank you.

Simison: I have a motion and a second. Is there any further discussion? If not, all in favor signify by saying aye. Opposed nay?

Bernt: Nay.

Simison: We have four ayes, one nay, and the motion to continue is agreed to.

MOTION CARRIED: FOUR AYES. ONE NAY. ONE ABSENT.

Simison: Council, let's go ahead and take a ten minute break. So, we will pick back up at 8:30 with our next two items.

(Recess: 8:20 p.m. to 8:34 p.m.)

4. Public Hearing for Elderberry Estates Subdivision (H-2021-0044 and H-2021-0005) by Angie Cuellar of Mason and Associates, Located at 1332 N. Meridian Rd.

- A. Request: Rezone of 0.66 acres of land with the O-T zoning district.
- B. Request: Short Plat consisting of 4 buildable lots

Simison: All right. Council, will go ahead and come back from recess and we will move on to Item 4 on our agenda, which is a public hearing for Elderberry Estates Subdivision, H-2021-0044. We will open this public hearing with staff comments.

Tiefenbach: Thank you, Mr. Mayor, Members of the Council. Alan Tiefenbach, associate planner, with City of Meridian. This is an application to rezone to OT, Old Town. It's currently zoned C-C and this is to allow the three duplex lots. Originally with the staff report it was to be four. It's been reduced since that time. The property is zoned -- so,

it's surrounded by OT -- surrounded -- OT zoning to the north, to the east and to the west and to the -- all four sides. Also recommended for Old Town by the Comprehensive Plan. Presently a vacant lot. It's about a half an acre in size. I don't know why that just happened. Okay. So, the property is a flag lot and the only access right now is from North Meridian. I will sort of draw it out to you, so you can see the property lines here. So, it's a flag lot. Surrounded right now by office, residential, a salon and some multi-family. The future -- as I said, the future land use map recognizes this as Old Town. It's a variety of uses. The applicant proposes three duplexes on this property. What you are seeing here is four. They have, again, reduced this. There are two existing access easements from North Meridian Road. There is an access that's here and there is an access here. Now, these are both private accesses, again, with an access easement. These are not right of way. The southernmost driveway, which is here, provides access to this applicant's property also for the parking lot down here for the salon and the access here to the north provides access to this property, as well as to the adjacent property to the north. Both ACHD and Fire have reviewed these and don't have any issues. The only comments the staff had is the UDC requires a minimum width of five feet for sidewalks. The only sidewalk that's actually on this applicant's property is the one down here. So, we have recommended a condition of approval that they construct a sidewalk to five feet here. We have suggested that they work with the adjacent property owners to widen the other sidewalks, but, again, we can't require off-site improvements for somebody else's property. We have also -- just as a -- sort of a side note, the code requires that the pedestrian walking surfaces be distinguished by something other than striping. So, our conditions of approval also include that. As this is a flag lot with the only access being here, there will be no landscape buffer or any other landscaping that's actually required. This site plan indicates that they intend to relinquish an easement, which is here, and this is an Idaho Power easement. We have -- we have in our conditions of approval that that be done prior to the final plat. The only comments that we have had was at the original Planning Commission meeting the property owners to this property here had some issues, because they were parking here and I believe they were parking down here. Now, the problem with that is that all of this is an access easement. It doesn't allow for parking. So, technically, they shouldn't have been parking within this access easement. There was a lot of discussion about this at the Planning Commission. Planning Commission continued this so the applicant and the neighborhood -- and the adjacent neighbor to work this out. Applicant came back to the Planning Commission, the November 4th PC, and had said that them and the adjacent neighbor had worked out an agreement where the applicant was going to provide additional parking for them and help them move a fence over here. We have not heard anything else from the neighbors, so we believe that all the conditions -- or all of the issues have been satisfied. With that staff recommends approval of this and this would be a short plat for three lots and a rezoning from C-C to OT and I will stand for any questions if you have any.

Simison: Thank you, Alan. Council, any questions for staff? Okay. Is the applicant with us in the room or -- if you would like to come forward for any comments. And if you can state your name and address for the record, be recognized for 15 minutes.

Long: My name is Jonathan Long. Address 1859 South Topaz Way in Meridian. Mr.

Mayor, Members of Council, I don't have any additional comments at this time, but I am open to any questions that there may be.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm curious about what the gray spaces on this drawing -- it shows that there is going to be some picnic tables. My assumption is that the area around the grass will be fenced, so is all of that gray area just open space? What is -- what is that? It's part of the -- of the property; right?

Long: So -- so, great question. The gray area to the right, which is to the east, is actually a sewer easement and so the gray area that's perpendicular to that is a 14 foot wide proposed sewer access easement to a manhole that's located back in that sewer easement.

Perreault: Mr. Mayor, a follow up?

Simison: Council Woman Perreault.

Perreault: So, is all of that going to be graveled?

Long: Yes, ma'am.

Perreault: Okay. Thanks.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I think since Jonathan sat so long to the previous one and we talked all about parking, it looks like you provide adequate parking, four spaces per unit.

Long: Yes, sir.

Hoaglun: Okay. Great. Thank you.

Simison: Council, any additional questions? Okay. Thank you very much.

Long: Thank you for your time.

Simison: Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Is there anybody in the audience who would like to come forward and provide testimony on the item? Is there anybody online that would like to provide testimony on this item? Seeing no one wishing to provide testimony, would the applicant wish to make any final comments or are you good with your previous comments? They are good with their previous comments. Council?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will throw a sideways question out, but in other applications we have -- we have -- totally different than this, but we have seen easement areas I think incorporated into -- I mean it's within the parcel of each property. That -- the property owner would fence and landscape -- even though it's over and upon the easement area, understanding that, yes, it may at one point in the future get removed and torn out, but the trade off was that you don't have some kind of spite strips and weeds and -- I can't imagine what this gray area of gravel is going to look like in five years. Behind the fence on all sides it's sort of a kind of a -- it's kind of a little hidden no man's land, unless I'm misunderstanding it, it looks like it's just going to be a corridor of gravel and weeds and garbage and hiding. Not -- that's not the intent, that's just what we have seen happen. So, in other applications we have allowed the landowner to fence to the property line, green it up over the easement, and is that concept not applicable here or am I -- am I overstating the concern of what appears to be a -- kind of a spite strip of hidden gravel weeds, so -- made you come all the way back and sit down before I asked you, I apologize, but -- yeah. Come on up and maybe I'm mischaracterizing how this builds -- builds out, but I think Jessica's question is a good one.

Long: So, we are totally agreeable to having that as greenscape, as opposed to gravel, but, really, we would want to be working with Planning & Zoning just as far as it -- wanting to make sure that that area is -- is to their liking and their preference for accessing that manhole and that -- that sewer easement, but our preference would be greenscape over gravel.

Borton: Mr. Mayor?

Simison: Can we have Alan reply?

Tiefenbach: Alan Tiefenbach. So, it would be up to Public Works whether or not they were okay with them landscaping over the easement -- city's easement.

Borton: And when I use the landscape it's not --

Tiefenbach: Grass. Native seed.

Borton: Yeah. Native seed. In those circumstances and other projects you can't plant trees and shrubbery upon the easement area, but you can green it up.

Tiefenbach: It would be maybe just a condition of approval that something like at Public Works -- Public Works approval there would be native seed in that easement or something like that. I can't -- I can't say what Public Works -- they are going to say they are going to do, but you would have to work with them.

Simison: My guess is that they are going to want to back a sewer truck down that at some point. That would be the concern. But we can leave it up to them, obviously, whatever their needs are.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Sorry, I don't want to comment too much on Alan's project, but from what I know from Public Works is they require -- it's a requirement to have a 14 foot paved access over sewer easements, so that that's why that is there. I'm assuming that that cannot be changed. Granted that's going to have to probably come from our city engineer and, then, his other personnel to determine if there are alternatives to that. There could be a condition of approval added that would, then, say, you know, to work with Public Works, but with the anticipation that that is a requirement that could remain.

Simison: Well, we do happen to have someone from Public Works on the line if we would like to have them weigh in on this topic.

Radek: Yes, sir. Mayor, Council Members, I'm -- we generally will require the 14 foot gravel access road, unless there is -- there is access to the manholes on either side with a gravel access road or at some kind of pavement. If there is access to the manholes, then, we will allow landscaping over that, but I'm not sure on this one what that situation is. But we can certainly work with the -- work with the developer in -- in -- in those confines.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Question for Kyle. I understand the 14 foot wide sewer access and, then, do you need access to all three manholes? I mean there is one in behind each one, as opposed to just access say to the one to the north where -- and, then, the rest can be greenscaped. That's -- you know. But I don't know if it works that way.

Radek: Joe, do we have a picture that shows the manholes that you can put up?

Hoaglun: He is shaking his head no.

Tiefenbach: Oh, sorry. No, I do not have pictures of the manholes. Sorry. I thought you said Kyle. I didn't hear you say Alan.

Radek: I said Joe and it was -- it's Alan. I'm sorry.

Tiefenbach: Okay. Confusing. No, I do not have any pictures of the manholes.

Radek: I apologize, I was not ready for this question and I don't have my map up, so I don't know where the manholes are, but -- but it's generally a -- an issue of getting to the manholes and if -- if they need that -- that access to get to the manholes, then, it needs to be gravel.

Hoaglun: So, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I -- so, Kyle, we -- there may be something where we can say, you know, they can -- can, you know, greenscape that if -- if allowed by Public Works. That way you guys can take a look at it and if it's gravel it's gravel and if not the applicant can move forward and green up whatever is available to green up, so --

Radek: Yeah. Mr. Mayor, Councilman Hoaglun, I think that's right on the money. That -- that's -- that's the appropriate language to have in there.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Is -- is there going to be -- are these going to be owned or -- are they going to be for sale or are they going to be investor owned?

Long: No. We are going to be holding them and so they are -- these duplexes will be rentals.

Perreault: So, there will be a management entity of some kind that can handle any kind of issues with weeds or --

Long: That's correct.

Perreault: Okay.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, one alternative. So, I believe our code requires

that they fence the perimeter of the property, since it's separated from the adjacent property. You could consider whether or not you want to acquire -- a development agreement -- for only four foot fencing against the easement, so it becomes less of a hiding spot or less of a -- out of sight, out of mind spot, but there is still a six foot fence on the perimeter of the property that's separate from the adjoining neighbors, so the people living in these duplexes will be able to see trash accumulating or people back there if that's a concern you have.

Simison: Councilman Borton.

Borton: Can we ask Lieutenant Harper to comment?

Harper: Mr. Mayor, Members of Council, that is a really good point and a concern that I had. Those hidden spaces can become challenging for law enforcement. Really if you look at a lot of the CPTED requirements that it's kind of a borderline no no to have -- have that dark unknown space where -- where things can happen. I mean, obviously, the trash and stuff, but we are more worried about, you know, the public safety piece. So, I don't know what the lighting is like back there at all or if it's just pitch black because it's gravel. So, I'm not quite aware of what your lighting plan is there.

Long: At present we don't have a lighting plan for that 14 foot strip. There is going to be rear porch -- rear porch lighting for all the duplexes that are there. If additional lighting is required for that 14 foot strip, that would definitely be something that we would be happy to consider.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a clarification for the applicant. Are you proposing a certain type of fencing -- like open vision fencing would be good I think probably to address that concern. Is that something you are contemplating? At the edge of where the lawn is before the gravel -- potential criminal area could start, like open fence, you know, wrought iron or whatever, so people could see what's going on? Is that workable?

Long: Yes, ma'am. We are looking at four foot -- four foot tall wrought iron fencing for the backyards.

Strader: Got it. Okay.

Hoaglun: Follow up, Mayor?

Simison: Yes, Mr. Hoaglun.

Hoaglun: That would be very beneficial if -- if the folks that are living here can see back there it definitely would reduce any concerns of mine. I wasn't sure if Bill was talking

about the fencing on the property line or were you talking about the fencing of the duplexes? Yeah. Yeah. The four foot fencing would be good.

Simison: Alan?

Tiefenbach: Mr. Mayor, Members of the Council, you actually already answered my comments. I was going to suggest some open style fencing as a condition of approval for back there. But they already hammered that for me. So, stole my thunder.

Simison: Council Woman Perreault.

Perreault: Actually, I'm pretty sure the applicant had already put that in the proposal, so -- I don't know, guys. I'm glad we are having this conversation, because I -- I'm in real estate and I have seen these issues in -- where HOAs have not maintained these areas and not only has it become trash and weeds, but there has also been activities that have not been beneficial to the neighborhood. You know, animals that are -- that are kept back there. They use it as a dog run, try to grow things on it and those kinds of things. So, whatever you can do to work with the city and Public Works, Police Department, that would be helpful.

Simison: Council, any additional questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just to rezone -- I don't know how you capture those elements or maybe they are just already part of it.

Nary: Mr. Mayor, Members of the Council, I think Alan put them in the conditions of approval.

Borton: Oh, are they? Got it.

Tiefenbach: That is correct. Whenever they -- even though there is not a development agreement, they will still have to do design review for the duplexes. At the time of design review we would make sure that any conditions of approval were met.

Borton: Okay.

Simison: All right. Council, anything else? Do I have any motions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we close the public hearing on Elderberry Estates, H-2021-0044 and H-2021-0005.

Strader: Second the motion.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we approve Item 4, H-2021-0044 and H-2021-0005, the rezone application for Elderberry Estates Subdivision to include all conditions of the staff report, inclusive of the conditions added in tonight's hearing and agreed to by the applicant and --

Tiefenbach: My apologies. This is also a short plat, sir. So, the approval of the short plat and the rezoning and we could add a plat note to the short plat with any of the conditions that you wanted to add.

Borton: Okay. Thank you. The motion for approval is for that, too. I think that was the 0005 portion of it.

Tiefenbach: We made it as confusing as we could for you.

Borton: No worries. So, I think that's the complete motion.

Simison: Okay. Do I have a second?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Second the motion and maybe a quick comment.

Simison: I have a motion and a second. Council Woman Strader.

Strader: I like seeing this kind of small in-fill development. I think it's creative. It's a tough -- it's a tough site and I appreciate that you saw potential on it and I like seeing that kind of development here, especially in this area of the city. Thanks.

Simison: All right. Is there any further discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault. In the motion did we need to specify what we had just recommended regarding working with Public Works and fencing and whatnot? Do we need to specify that for --

Tiefenbach: I was going to mention that. That would be helpful for me, Council.

Simison: Would the maker -- motion maker like to amend their motion to include a statement that says a gravel pathway or other landscaping approved by Public Works?

Borton: Yes. And I think it -- however it was articulated by Councilman Hoaglund.

Simison: Okay. Does the second agree?

Strader: Second agrees.

Simison: Okay. That's part of it. Is there any further -- any further discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, absent; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, yea.

Simison: All ayes. Motion carries and the item is agreed to. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

5. Public Hearing Continued from November 9, 2021 for Settlers Square (H-2021-0072) by Brighton Development, Inc., Located on the Northwest Corner of W. Ustick Rd. and N. Venable Ave., Adjacent to the Mid-Mile Mark Between Linder Rd. and Meridian Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #2016-097989) for the purpose of entering into a new agreement to incorporate a new concept plan consisting of commercial and residential uses

Simison: Next item on the agenda is a continued public hearing from November 9th, 2021, for Settlers Square, H-2021-0072. We will continue this public hearing with staff comments.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Mayor, excuse my interruption. I would like to recuse myself from this portion

of this item of our agenda. I have a financial -- potential financial interest in this project.

Simison: Thank you. Duly noted.

Dodson: Thank you, Mr. Mayor, Council. I will try to make it less complicated than the other ones, but that's usually not my luck, so just plug away. As noted, the last item before you tonight is for Settlers Square Development Agreement Modification. The site consists of nine acres of land, currently zoned C-C. It's located at the northwest corner of Ustick and Venable. It's at the half mile mark between Linder and -- what is that? Meridian Road? I don't know my arterial here yet. Sorry. The project -- or I should say the site was annexed and zoned in 2008 and zoned to C-C with an existing DA. The -- there was a DA -- DA modification in 2016 that changed the interior sites, which is this approved existing concept plan. Changed the interior roads to private streets, rather than public streets. A future land use designation on the site is mixed use community. The request before you tonight is to modify the existing DA for the purpose of replacing the previous agreement and -- and concept plan to incorporate a new concept plan consisting of both commercial and residential uses. This is the proposed concept plan. The existing DA requires and the concept plan shows that the entire site is to be developed with commercial and office uses and incorporates two private roads, one going east-west and one going north-south through the site. In 2016 Council approved the DA mod, again, to change the type of internal roads. The applicant's current proposal to replace the existing DA with the new one is for the purpose of incorporating new concept plan as shown with approximately 60 apartment units, which in my staff report -- or in my DA I did specify as no more than 60. For the submitted planning concept elevations, which are these, the apartment units are proposed as townhome style units in the form of four-plexes and three-plexes, which are colored delineated on the color plan on the right, so you can see which ones are three, which ones are two, which ones are three story, et cetera. Originally staff recommended denial of this project, which is why we continued the project and the applicant and I met again. The applicant provided a revised narrative, additional information, as well as provides the site plan and, therefore, we are here tonight. The revised plan now shows some of these units fronting on greenspace along the east-west drive bisecting the site. So, it would be these units here, which are now and these -- theoretically, these are alley loaded of some sort. Still multi-family, but alley loaded. In addition, the east-west street is now shown as a drive aisle instead of a private street, which can be better seen on this one here with detached sidewalk and I should say staff does support this change, because it offers the applicant the opportunity to provide those detached sidewalks, have bulb outs, and provide street trees, so parkways and street trees for an urban canopy -- canopy for this community. The revised concept plan also shows additional pedestrian facilities within the residential portion of the site. Detached sidewalks along that drive aisle as noted in a shared plaza. Staff can better support the revised concept plan as shown. There is a public street stubbed to the north property -- property boundary and is shown as terminating within the site as part of the multi-family drive aisles. I guess terminating would be the right word, but continuing into the site through the multi-family drive aisles. ACHD has -- even though they don't comment on these, they have noted that they are amenable to that, because it's residential to residential. So, there is no need for a cul-de-sac. In addition, the applicant has agreed

to provide cross-access to the remaining county-zoned parcel at the very southwest corner. So, it's a little hard to see, but right here they actually do have a shared property line that's really short, but the applicant has agreed and we would require it of any future application on the west side of this -- as well to provide cross-access here. Just go back to this for you. This connection to Ustick -- or I should say that -- that would align with a future connection to Ustick. That would align on the south side of Ustick, which is the only other access to Ustick that we really want and ACHD agrees with that. This connection to Ustick would provide both projects an access point to Ustick. Staff finds it is important to have this cross-access, because the opportunity to provide easier access for future commercial uses on the subject site and help disperse traffic from both projects -- both sites onto Ustick by having a second connection beyond that of only Venable. The proposed multi-family use in the existing C-C zoning district will require a future CUP approval, so this is not the first -- or not the last time that it would come before a public hearing. Staff would analyze the specific development criteria and those specific use entered at the time of the CUP submittal. Overall, with the applicant's revised concept plan, their color rendering and additional context provided within their narrative, staff finds that the project now complies with a majority of the mixed use policies. It provides a new housing type within this area for residents of different income levels and housing preferences and provides adequate cross-access between parcels to relieve the stress on the arterial street system. Staff does recommend approval of the subject application and will stand for any questions.

Simison: Thank you, Joe. Council, any questions for staff?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. If you could just sort of walk me through what was originally intended here from, what I understand was commercial, and how this kind of revised concept with residential fits in with the, you know, Comprehensive Plan and everything we have set out for this property.

Dodson: Yes, ma'am. Great question, Council Woman Strader. So, when it was annexed and zoned in 2008 it was intended for commercial, because of this whole mid mile had a mixed use community hub, which generally with the revised 2019 Comprehensive Plan we don't -- we don't do that much anymore. We find that the mid mile commercial does not work as well as the larger arterial commercials and so that was something that -- it was carried over nonetheless because we had some existing zoning already, so we kept the mixed use designation in 2019 when we revised it. However, it's been sitting here empty since then. Even though some rooftops are coming and have come online, as well as additional apartments on the south side and further to the east and including to the south -- the southeast corner of Venable here is going to have more apartments, the commercial has still sat fairly vacant. Even on the east side there is still some empty slots from what I understand. Empty parcels. So, the -- the decision to add some more residential to this would really be for -- frankly, that's -- for my understanding of -- from the

applicant is to add more rooftops to the area and make the commercial along Ustick, which is generally the most feasible, rather than having it -- again, as we have heard from previous applications, that second tier commercial is just harder and harder to -- to get moving and get going. I -- again, losing commercial zoning -- and I put this in my staff report. I have noted it to every applicant that comes through with these. You know, losing commercial zoning is hard. We have that trend in the city. I'm very very well aware of that. I usually ask applicants to think very very intently on how they want to do that and how they want to change those land uses. So, staff recommending approval is not done lightly. Hence why I originally recommended denial, because I didn't find that their new plan met those mixed use policies with integration and pedestrian connectivity, as well as some shared spaces. I believe the mix is appropriate on the property. The other mixed use community portions are pretty much all residential in this area, which is typical mid mile collectors and mid mile areas. So, that's a long winded answer, but I hope I kind of walked you through some of that history and staff's thinking.

Strader: Thank you.

Simison: Counsel, any additional questions for staff?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Not a question, but just kind of a heads up to Jon. Probably what we are going to hear some of, but -- but part of the history -- and you cited it in the report is -- I specifically remember this discussion we had when we approved the multi-family on the south side of Ustick and some of the concern was there wasn't a commercial component and we looked at the area the region as a whole and some of the commercial for that region was going to be satisfied by this particular parcel and that was a big -- kind of a big deal then and so we allowed that project on the south side to go forward without any commercial. It kind of hinged itself to what would ultimately come here and I saw that history cited here. So, we come in with some certain reluctance like you are describing, Joe, and losing commercial, but also knowing that this -- this area had sort of anticipated and relied upon this being the commercial solution for all of the residential around it. So, I know your comments probably will address that concern that we might have going into the application and --

Dodson: Mr. Borton, I --

Hoaglund: Want to give you a heads up on that. Yeah.

Dodson: Great points and I did call that out in my staff report and you are right, that's why staff has made this recommendation very -- you know, not taking it lightly. That was a -- it was before my time with the city, but it is my understanding that those are some big discussions about why that was all residential and did not have that commercial component. So, you are absolutely correct.

Simison: Would the applicant like to come forward, please?

Wardle: Mr. Mayor and Council, for the record my name is Jon Wardle. My address is 2929 West Navigator Drive, Meridian, Idaho. 83642. If I can share my screen, I need Joe to stop sharing for a few moments. Perfect. Thank you. Great. Thank you. Mr. Mayor, Council Members, good evening. As mentioned by Joe and staff, we are discussing this nine acre site here that's located on the northwest corner of Venable and Ustick. This -- Settlers Square does have history. It was brought into the city back in 2007, annexed and zoned and I don't know if there was a DA at the time, but there definitely was a preliminary plat that was brought through at that time as well. That preliminary plat lapsed and, then, back in 2015, 2016 time frame the property owner came back to the city with an updated site plan, with a new development agreement in 2016 and, again, the property has just stayed in the same state that it's in right now. Today we are also asking for modifying that development agreement. We are the owners of that property now with our partners in this, which is Alturas. This is the site -- a little bit close in. Again, nine acres on that northwest corner and, then, I have just dropped in our site plan there. I will come back to that in a moment. As mentioned, this site does have history. This actual designation, which is mixed use community, goes all the way back to 2002. If we go back to the 2002 Comprehensive Plan there were a series of designations on those comprehensive plans which were also identified as NC's, which were neighborhood centers. So, this goes a ways back and if you look at the Comprehensive Plan -- and I can go back to that if there is questions later on. There were a -- a lot of these mid mile locations shown on the Comprehensive Plan, as well as these specific designations with the NC's. As the Comprehensive Plan was updated in 2011, many of those went away and in 2019 there were only three of these mid mile locations that remain in our Comprehensive Plan. In particular this one maintained the community designation. This particular illustration here does show the current zoning as well in the area. This is true that this is a C-C designation. Across the street where you have the Jacksons and some small individual offices, that is a C-N designation and, then, you have L-O farther to the east. The yellow designation for the park doesn't really count, but there is L-O designation on the corner of Meridian Road and Ustick. Just bringing this full circle on where this fits in terms of the Comprehensive Plan, this is designated mixed use community. The purpose of the designation is to allocate areas where community serving -- serving uses and dwellings could be integrated within the community. This is the only remaining piece which has not been developed. The southeast corner is currently under development for -- as mentioned for residential and we have some commercial across the street on the east, but the part to the south as well on the southwest corner is also residential. A little bit deeper here in terms of the mixed use elements that the city needs to consider are, you know, some specific design elements here. Street connectivity. Open space. Pathways. Residential densities. And -- so where this comes into play in this lower right-hand corner -- this is in your Comprehensive Plan as well, as kind of this vision for what the uses would be at these locations. As you will note here, interestingly on the mixed use community, it's called out as arterial roads on both sides. In this case we have an arterial road on the south and we do have a collector, which is Venable, however, that Venable really functions as a residential collector. It's not a through collector it drops into a neighborhood which disperses really well and if you want to get

yourself to McMillan you can do that, but it is not a typical collector. This is a residential collector, which is pretty limited. The goals of this from the Comprehensive Plan are short blocks, reduced travelling widths, interconnected circulation patterns, providing access to neighborhood services. Also a variety of housing choices. Also the housing should radiate from more -- or I should say less dense on existing to more dense interior. That's a goal. And also using alleys and roadways as transition points between dissimilar land uses. So, when you compare the site plan that we have with the -- the model or the exhibit that's in the Comprehensive Plan we are pretty similar if you look at the context. When -- I did rotate it 190 degrees where you have the arterial road on the south and a local collector road on the right or on our east, which is Venable. You look at how the commercial uses will step back from Ustick Road and, then, we transition into residential heading north. These were provided to staff in our letter we gave on 11/22. So, in the context of what the Comprehensive Plan designation is for mixed use community and also in the context of what this area was originally determined to be or designated to be, which is a neighborhood center, we are providing that step back transition. The question that comes up is, you know -- you know, this is the only location where we have nine acres of commercial. However, Venable is not a road that lends itself to that visibility. Once you get beyond the -- that first row or first tier of commercial along Ustick, anything back behind will be single tenant specific little office buildings and those will take time. We have a variety of projects, even project to the east here at Meridian Road and Settlers, which is on Meridian Road and Ustick, which is on two arterial roads, where the frontage has developed, but those back pads have taken a long time to develop and I know that there have been other creative uses of requests brought to the city that may be not quite a commercial use, but residential in nature. The mixed use goals and aspirations are being met with the revised plan that we have for you. It does blend well with the existing neighborhood and it does blend within the context of the surrounding land uses, both north -- or both north, south, east and west. I wanted to talk a little bit about that commercial element, because it's been brought up. And this is on the half mile. For commercial to be viable visibility is important, but also that having the arterial roadway system there is important to allow that commercial to go deeper. Typically in a site like this if you were on both corners and we were to develop the whole site as -- as commercial you probably would have a larger anchor in the back, with some smaller uses up front, so that there is visibility through. But this site just doesn't lend itself to that when you look at Venable being a residential collector. We are aligning our access with the commercial on the other side, so there won't be conflicts. We are trying to do some things with the site plan that I will be able to show that to you here in a second, but one of the things that came up early on -- we did a pre-application meeting with staff back in May. We did show the entire site as residential and staff was clear that there was a -- it was important for us to demonstrate commercial here. We don't feel like commercial is viable on the whole site, but commercial -- some level of commercial is viable. As I noted in my letter to staff, we do have an agreement -- a contract with St. Luke's to build a 15,000 square foot clinic here. As a comparison, it's very similar to the clinic that we built with them out at Hill Century Farm at Hillsdale and Amity Road, also on the half mile. St. Luke's felt like this was an area that they could bring a service to -- a full service clinic to north Meridian that currently doesn't exist and so they are -- they are excited that they want to be here. But, again, the rest of the property in our view is not viable for commercial. As I mentioned

here, St. Luke's will provide a needed service and when I say that they want to begin, they want to begin in earnest on this as we have had conversations with them. We do believe some commercial is -- can be incorporated and we are showing that. We also have an additional site next to St. Luke's that would be ancillary to that. Whether they would want to expand in the future we could have something compatible, that's the idea there that we would maintain additional commercial property on the frontage of Ustick. Just some design elements, because this was an item that we needed to resolve or talk with staff about and we appreciate Joe's time to meet with us and work through this. Some of the elements going back to the Comprehensive Plan on permanent design and placemaking, proportional private open spaces with access through and residential types. I just want to go through those really quickly. One of the things that we had brought forward in our design was that east-west road, we are proposing that it would be a public road, so that it would tie into the west. There are some complications to tying into the west where we have one small piece down to the south and a larger piece to the north. Those are ownership and not combined ownerships, they are separate, but the property to the north would end up having three public roads or three access points coming into it. So, staff has asked us to eliminate that, make this a private drive aisle where we can treat it like we would any residential street, where we could have parking on both sides, there would be bulb outs, also the ability enhanced pedestrian access back and forth, north and south, and front-on housing, but not connect that to the west. Also to -- to create a little bit more sense of place, we brought the amenity building that will be -- will be reviewed through a future conditional use permit right up to the corner of Venable and across from St. Luke's -- again, across from the Jacksons and those offices that are there, so we are kind of creating a little bit of a -- a sense of arrival. There will be a public plaza that will be in front of that amenity building as well. We are providing a good transition, both from Venable and heading north of mix of uses here, both with the residential uses, which I will get to here on the next page. Design circulation, as I mentioned, we are going to provide a cross-access to that future connection, which is aligned with Blairmore to the south. We have made enhancements with pedestrian access to and through the site and also staff has requested another pedestrian access on this side, which we can accommodate bulb outs and onsite parking here with this site. And, finally, the residential piece. Again, we know that we have existing residential around us. The -- the homes that are around us right now are predominantly two story homes. The -- the townhomes that would be directly adjacent to those would also be two story townhomes. In the interior, however, we would step up. The middle units would be three story and the end units will also be two story units in order to provide that step back to the property. There is on-site parking -- additional on-site parking that we will work through, but we do more than exceed the new UDC standards of additional guest parking. All of the units have a two car garage, plus a driveway that would allow additional parking there in front of each of those homes. We feel like this does provide a third use. Instead of a typical apartment type project we are offering a townhome type project here. These will be rentals. It will be common ownership. We don't -- we will not be selling these individually. We are providing or bringing a community serving medical clinic and future office uses and we also believe that the mixed use community designations are achieved, that the residential amenity helps frame the project. We have gathering plaza opposite of St. Luke's. We are bringing a very good user in terms of St. Luke's to provide a service which is not readily available

in the area and we are also providing those goals of a treeline east-west corridor, bulb outs, and some pedestrian access there. One request that we -- we made on when we submitted our -- our comments last week was a new provision number ten, which would just allow -- which we have done with other commercial projects that allow the commercial project, specifically St. Luke's, to move forward prior to a final plat. I know that we have conditioned those in the past that C of O's have been conditioned on the final plat being done, but this allows that to move forward quickly and I believe staff is in concurrence with that request as well. In conclusion, we just request that City Council approve this request to modify this development agreement. Once again we feel like we have developed a plan which is supported by the goals of the Comprehensive Plan. We are bringing neighborhood supporting commercial uses and there are improved changes to the site plan that enhance the overall design and also anchor Venable and Ustick in the future. We request that provision number ten be added to the DA and just stand for any questions you might have tonight. Thank you.

Simison: Thank you. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks a lot. Good to see you. I'm sorry it's so late at this point, but --

Wardle: Sorry to you that it's so late, so --

Strader: Yes. This is just a regular Tuesday for us. We are used to it now. This is early still for us.

Bernt: This is early.

Simison: Didn't you recuse yourself?

Strader: Yeah. Pipe down there, Treg. Sorry about that. So, my question -- okay. So, I appreciate that you showed up with commercial for sure, because I think you knew that that's going to be really tough without any commercial. A lot of medical office users love to co-locate. Now that you have an anchor tenant in St. Luke's do you truly feel that that second tier of retail is not viable, even if you gave it time to bring some doctor's offices in, some complementary medical uses? Could you talk about that?

Wardle: Mr. Mayor, Council Woman Strader, I do and that's not me just, you know, trying to appease you. The -- the mid mile locations, when you do not have the visibility from two major arterials, are really hard to get those uses behind to generate. If I can just share with you a real life example of that. Cedar Springs North, which is one mile to the north, you kind of drive where you kind of draw a line between Venable and the road going to north and you get -- you get to the half mile as well. This project was developed in 2005. It was almost identical in size. Eight acres at the mid mile. They put a building

right on the corner, although it wasn't a medical user, but they put a building run on the corner and as of today it stays exactly the same. This is an aerial. Here we are nearly 15 years later and they have one building, which is this building right there, that's been developed in 15 years. Why that's important as we -- you know, going back to what's around it -- so, again, the picture up here in the upper left is 2005. The picture in the lower right is 2021. You can tell Paramount didn't exist. There was nothing going on. The Settlers Corner didn't exist and now all of a sudden you start looking to see what's happened. You know, the things that have built out here at Paramount Square, it's not a surprise that the pieces that are on the frontages of those arterial roads have gone first and the pieces back behind have been very specific. The one that we have is a daycare. But, then, you look at the other corner on Linder and McMillan, fully built out. But we have residential back behind it. The -- the piece up front -- and you have two arterial roads there -- works really well. It won't be a surprise I think to anybody that for a long time the property that will sit behind what is Fancy Freeze and Tin Roof Tacos will sit vacant, just because of the visibility. It's very hard, short of it being a second specific user, such as insurance or, you know, maybe a daycare that would take those spots, because the prices are going to be lower. I don't think -- I don't think price is an issue if you look at Cedar Springs North. It's got rooftops. It's got some things around it, but it has just not ever developed. So, from our perspective those half miles -- and it's pretty not -- it's not by accident that those half mile designations on the Comprehensive Plan have gone away way over time, because they have just proven not to be overly viable the deeper you go on those sites.

Strader: Mr. Mayor, I have got a follow up.

Simison: Council Woman Strader.

Strader: Yeah. I don't know if you had an opportunity to read -- you know, COMPASS is producing a report now for us, so if you look at -- at the report they produce it's -- it's very clear that this road is like an R something. I would have to pull it up real quick. But it's -- the road had a bad rating and, then, what they look at his ratio of jobs to housing and this will -- this is -- we are always going to be playing catch up. So, maybe it takes us 20 years, maybe it takes us an unfortunate amount of time to get the proportion of other uses besides residential that we need as a city. That's our burden to bear, but I guess I -- if you have an anchor, like St. Luke's, I guess I'm surprised that you wouldn't be willing to give that some time, maybe develop that first and see if you do have demand there for complementary medical uses, just because it's such a sticky -- it's not the same as your -- as your other development, you have a pretty sticky tenant there. I would hope that you could -- it sounds like you are saying, no, it's not viable, the second tier is just too -- too tough.

Wardle: Mr. Mayor, Council Woman Strader, yes, that's what we are saying. It is too tough, especially on a half mile arterial with a residential collector. There is just no -- there is no visibility back behind that arterial road.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Okay. One more, just because I -- I'm going to push you a little bit. Would you be willing to take just the commercial piece of your development for approval if you didn't have the residential piece? Would it still work for you?

Wardle: Mr. Mayor, Council Woman Strader, it -- it doesn't work for us and I think we would be back in front of you in not so many years with a situation like this where the site is built out and there is nothing that's happening behind the -- the most viable place for this location, so --

Strader: Thanks.

Simison: Council Woman Perreault.

Perreault: Thank you. All the same questions as Council Woman Strader. We recently have had a couple of applications before us with similar concerns. Property that has sat that has been designated commercial and -- and now being requested for modifications for residential, because they feel like there is the length of time that has passed that the commercial properties have not been sold or developed, but in all of those situations there were accesses. Whether it was off Eagle Road or -- or whatnot. I don't see that being an issue here in terms of actual -- now, it is not -- it is -- like you said it's bordered by a residential collector and not an arterial, but there is not an actual access issue in terms of legal access. So, for me the time frame that it has sat is not concerning, because we still don't have a full residential development done out there. I mean there is quite a bit of property, if I remember correctly, on the south side of the street still, there still is some property on the north side, all open land and I just struggle with being able to say that we -- that, you know, we have waited a long enough amount of time to give up that commercial, because, you know, it's been ten years or whatnot or because of Cedar Springs. By the way they are digging ground on another -- on another building out there.

Wardle: Yep. I saw that.

Perreault: It doesn't mean that it's happened quickly, but it's coming now and -- and it's probably coming now, because now the residential is built all around it. So, who is to say that that isn't going to be a similar situation in this case. And so I just -- you know, I get -- I get applicants requesting a change in concept plan to a DA to residential, because there are access concerns, but to say it's sat long enough without interest when we don't have the residential fully built out and -- and -- and the commercial is going to follow the rooftops, I don't -- I don't know how to justify that, I guess, in this situation and we already have had many conversations about the commercial that we have agreed to get developed with a different use because of other concerns that the applicant has no control over.

Wardle: Mr. Mayor, if I can just make a comment on that.

Simison: I don't think it was a question, but it is a comment.

Wardle: Council Woman Perreault, I think the city should consider what their -- their land uses are and I'm -- we aren't coming here tonight without that in mind. The thing, however, is that the -- that this site has had a vested right as commercial for a long time. It's been there. The market tells you whether it's viable or not. The fact that we were able to bring St. Luke's along is good. That's a good use for -- for that location. But I can honestly tell you that the second tear back behind will -- will struggle. It will sit there perhaps for another ten, 15 years and we do not feel like that this site will ever realize the full potential of the underlying C-C designation. So, that's why we are asking for the opportunity to bring to the city a mixed use project, which gives you commercial, which brings a really strong community need today and, then, allows us to also provide additional housing and, you know, in a location that does have other services around, not just -- not just commercial services, but you have good schools nearby, you have a huge park nearby. So, we feel for those reasons that we can accomplish the goals that the city wants for this location for mixed use and bring to you a commercial user and also bring to you some residential uses, too.

Simison: Council, additional questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Time frame. So, would you expect that the commercial tenant would come in first and, then, the residential would come later? Help -- walk us through the phasing of that, please.

Wardle: Mr. Mayor, Council Woman Strader, that's a great question. Yes, that's correct, because that is zoned commercial and we were asking for an early permit for that commercial user, they could go through the CZC process and come in ASAP. The residential piece of it still requires a conditional use permit. There are still things that we need to do on that. But it's important to go ahead for us to get the improvements done with this east-west drive aisle, so that St. Luke's can move forward. So, that east-west drive aisle to the south would be the initial improvements that would be made and, then, we would also be working in concert to do the residential piece through the CUP process. And just to clarify, the -- the CUP can't go forward unless the -- the development agreement is -- is modified, which is before you tonight.

Simison: Any additional questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: What is the piece in the southwest corner that would also be classified as

commercial? How -- how large of a property is that? What's the acreage left on that?

Wardle: Where I show this treelined street? The -- the St. Luke's property is about 1.75 acres and the remaining piece is about an acre and a half.

Perreault: Okay. Are you anticipating another individual user or --

Wardle: Mr. Mayor, Council Woman Perreault, St. Luke's has the right to do that, so whether they would expand -- add another clinic or also work through another type of supporting use, that's -- that's what they are looking at. But they would be involved in that decision.

Perreault: Mr. Mayor, follow up?

Simison: Council Woman Perreault.

Perreault: So, that's not going to bring any other use for that entire south -- the commercial section?

Wardle: At this point I -- at this point I can't say that it would. I believe that it would be something that would be support or ancillary to what St. Luke's is going to do.

Perreault: Okay.

Simison: So, Council, this is where I would normally at least see if we have anyone else to testify, but we have nobody in the room and no one online, but I feel obligated to at least is there anybody that would like to provide testimony on this item? Oh, I'm sorry. I have -- you are blocking the one person. Is there anybody that would like to provide testimony on this item at this time?

Johnson: Mr. Mayor, there was somebody signed in, but he left before the previous hearing, just to make that aware.

Simison: Okay. Well, Jon, we will leave you here for questions or your final comments, which ever one Council eventually wants to get to.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just one more. Could you walk us through the open space and amenities real quick, so I connect that cross over. I'm a little concerned that it's off to the side. I don't love that. But, you know, tell me why it works that way, pleased.

Dodson: Council Woman Strader, I would like to note that with the future CUP I will definitely have to hammer them on some of those specific use standards. Like as shown

I don't anticipate they will meet the open space standards, just because they have been increased with our latest revision. So, I do want to note that they are -- Jon and I discussed that there will likely be some -- some changes to that.

Wardle: Mr. Mayor, Council Woman Strader. Originally we had our community amenity, which was a building shown here in the right-hand corner -- and I will just go to a different -- over here on the right-hand corner with Venable. It was interior originally. We felt like, again, for placemaking purposes that bringing it out to the corner to kind of create where we have across the street a couple office buildings, that it -- it would frame that intersection. Internal to that we are going to have a fitness room facility, will be a game room and also a location for kind of that office space, getting out of your unit and being able to go over there. There is other amenities which are not identified here, but which we still need to work through, but that's the reason we moved it over there. It originally was over kind of in the middle, but we moved it so that we could create and frame that corner a little bit better with a building that was complementary to what St. Luke's would do.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Really, when, I saw this it sort of struck me like -- I wonder if you could put another commercial there; right? Because you are -- I mean -- and, granted, the collector -- it's not ideal, but, you know, you are right across from some fairly complimentary uses, at least it's -- it's in the second tier, but at least it's off of a main road. In fairness to you, I don't know how great that would integrate with the residential piece. That just sort of struck me, just for some feedback.

Wardle: Mr. Mayor, Council Woman Strader, honestly, we did look at it for a half a second, but because of that integration coming into the residential piece with that corner up there, we just felt like it was -- so, for example, if that was a daycare, you could imagine what that internal circulation would end up being in the morning to drop kids off. It becomes, you know, it just becomes a loop and I think introducing that commercial element we felt like was -- we would just be asking for some -- people would be asking for changes I'm pretty sure based on circulation. So, we decided instead of doing a commercial use on that side, we would bring the amenity building out to the corner. So, although it doesn't serve as a new neighborhood commercial use, it still looks and feels like that. Also for context, the remaining property here ends up being about five -- I think 5.8 acres that would be residential it puts it up just, you know, around -- just under ten units to the acre. So, it's not a large parcel of residential, but that kind of gives you a feel for what's there.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Jon, did you get any comments or feedback from the residential to the north?

Wardle: Mr. Mayor, Councilman Borton, we did have a -- we had a neighborhood meeting and we had a little bit of follow up with that. The -- the comments from the four individuals who did participate in our neighborhood meeting was that they were relieved it wasn't three story apartments, that it was something that was compatible to them in terms of size and scale directly against them. That was the main comment from them. The other comment was, you know, improvements on Venable. Our side of the road is not improved. It is -- you have curb and gutter on the side, but our side is not improved and looking to have those improvements in place, including sidewalks, which are not there, going north on Venable on our side. So, that was the biggest question is will the road get finished and with this project the road will get finished.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: There is something to be said that there is not a bunch of people in the room, right, in opposition to this -- to this change.

Wardle: And, Mr. Mayor, the property to the north, Mr. Borton, Woodburn -- let's see if I can get to an aerial here. Yeah. This is it. They actually have attached townhomes in the middle of their project as well. So, it's not a use that I'm familiar with and I think it ends up being very compatible with what's there right now.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Not to belabor this further, just wanted to note that the only public testimony -- written testimony that we got was actually -- I would say 90 percent of that was actually regarding the school district parcel across the street. So, I -- to Mr. Borton's point, yeah, that also shows evidence of that.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just to comment to close out where I -- I don't know if you have got more to add, but the history -- excuse me. The history of this gave me concern coming into it, but it did seem like the commercial is -- like squeezing toothpaste and it just kept moving around and shrinking and -- and that TN-R to the south really relied on this, but it may have never truly been commercial in the first place to your description of how it was placed back in '08, but it really perhaps wasn't viable. The history you described is important. My boys grew up -- I have been in that across the street, that -- I forget what it's called -- where that gas station is and the Garbonzo's Pizza and -- have been there every day for eight years and we parked there, because there was never any businesses there. So, I think it might illustrate some of the challenges commercial has. So, your point is well taken,

that it very well might make sense to do exactly what you are describing. The townhome solution looks very appealing. No surprise. And this location near this massive regional park, plus near public schools seems to have the resources necessary for it. So, my concern I think has been quelled a bit by some of your description and I think staff's comfort with this goes a long way, frankly. We rely heavily on how they think this might fit and if this -- call it an exception makes sense, so that being said all of this is -- I think you have got support for what you are requesting at least from me under this very specific circumstances. So, I think you have done a good job articulating that and appreciate staff's cautious reluctance to see if you can clear a high bar and it looks like you have in my opinion.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I appreciate the effort you have gone through and working with staff to -- to make this work and to -- to meet that mixed use designation. I think that's important and we have stayed true to that, that maybe not be what was initially envisioned, but it is mixed use and offers employment and kudos for landing a clinic, such as St. Luke's. I mean that -- it's not a dentist office. I mean they are everywhere. In fact, in Bridgetower I just live a mile and a half or two miles once you go from this, but at our mid mile with access for residential, it -- it's three dental offices. Well, one's surgery and two other dental offices, you know. That's a -- that's it. And -- and if you notice for our Fields District tonight, there is no mid mile requirements for retail or commercial. I mean it's -- it is difficult and we had that one on Franklin here a while back that we let them relinquish that and go to -- go to residential, because there is great difficulty in doing that and so I think you have got the CUP process to go through for the rest of that to make sure everything works. You know, I have used that gas station quite a bit -- until Costco came in. And -- but I do like the fact that you are matching up the commercial on the other side. That -- that makes sense. It's not such a huge deal development that it's way out of whack that they have to walk a long ways or anything like that, so I can see your -- your thinking on that, so -- and, plus, the -- the cross-access easement that is in place there I think will be -- will be useful down the road and it's not a drive aisle through a parking lot. I mean you have made it a true -- true roadway. So, I appreciate that attention to detail for that, Jon, and -- and I don't have any issue with starting with that -- that commercial right away. I think it shows some energy and things happening and I -- I think that's a good thing.

Simison: And, personally, I think everything is relative. You know, in south Meridian certain areas we would love to have commercial on every corner, every mile, but we don't and we never will and so if our standard is a quarter mile from Commercial, which is what you would centrally be required by -- requiring more, then, that's a great standard to have. But I was even trying to remember back to the comp plan, the -- not comparing, because we don't have a project, but on Victory Road on the northside of Tuscany, that at one point in time was designated neighborhood commercial and I think that was removed when we did our last element, so, again, I think this is a holdover of something that was -- like I said, we knew it was -- it's not viable, you know, and that's -- and quite frankly, in south

Meridian that's a desert of commercial in that area around Victory and Locust Grove that won't be there, so a mile to services is not uncommon in the south. It doesn't mean you don't need more, but it does, in my opinion, pass the intent test from that standpoint, you know, it brings jobs, it brings services. Now, you do have one mile away up on Franklin and Cherry, you do have the existing, you know, health centers. It's not that far away, but you really don't have anything much north that I -- that I could think of. So, it does deploy services deeper into our community and I think it blends well with the other resources that are there from the Ustick corner down to the church, the park, healthcare, some additional services. There are dentists at Ustick to that standpoint. Plenty -- plenty of them from that standpoint. So, I think it blends well with what's -- what's there and what's needed.

Strader: Mr. Mayor?

Simison: And I like the product -- the housing product personally. Wish it was for sale condos, but still like the visual of what is being proposed. Council Woman Strader.

Strader: Sorry, I didn't mean to interrupt you, Mr. Mayor. I'm real glad you showed up with a tenant and showed up with commercial. It would have been a no if not for that. Kind of still holding out hope, like move forward on your commercial. I think I can get on board with this. I like the transition. I like how it looks. I do like the resident product you are putting in. Part of me to the back of my mind thinks there is a chance you might get some complimentary tenants that want to co-locate there with St. Luke's or maybe St. Luke's wants another -- even initial option to expand given how much they are growing. So, I guess I would say I'm open minded to that if you came back and had to pivot a little bit to add more commercial like that would be phenomenal. I -- I get it. Like not every site is going to be viable for commercial, but it's tough. We had to hold the line because, yeah, we just can't -- can't get more of it and it takes a lot longer than residential. So, yeah, I understand it's frustrating. I appreciate the effort that you put forward in getting St. Luke's here. I think that's probably the biggest factor for me and I will be supportive. Thanks.

Simison: Council, any further questions, comments? Did the applicant have an opportunity to officially make any final comments?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just a question for staff or for the applicant. Just -- just curious about the property to the west that's RUT. How will this affect the development of that one? What is the current -- is that already -- Settlers West multi-family?

Dodson: Mr. Mayor?

Wardle: Mr. Mayor, Council Woman Perreault, I have a little bit of knowledge of that, only because that applicant had a neighborhood meeting and they also -- I believe they

submitted applications for annexation and zoning. And so this kind of shows what's happening to the west. There is a -- there is an outparcel to the north and, then, there is this property called Settlers West multi-family, which aligns with Blairmore on the south and that's what Joe had mentioned about that cross-access coming in out of the site eventually to Blairmore. They, I believe, are going to show an access going north and they have a road that would come into that as well -- that parcel developed. So, that's our understanding of what they are considering bringing to you and I believe they are -- there are two story multi-family based on the neighborhood meeting that we were brought into the loop on.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Yeah. Jon let the cat out of that bag a little bit, but that's no worries. I -- there is an application coming before you eventually, but it's just the annexation and zoning for that at this time. But I believe, because of that weird shape or that parcel, I have met with that parcel, I don't know, six times, maybe, in the last year and a half and nobody has really stuck -- I have had recycled site plans that were garbage, should just -- nobody's been able to make anything stick. I'm hoping the proposal coming before you in the future is better, because of its use, not just traditional multi-family, but also affordable, but it -- with that cross-access which Jon and I discussed a lot and I wanted to make sure that we had that as -- not just pedestrian, but also vehicular to get up to Venable, but also to utilize some of the commercial. I think that, again, as you have this morning direct connection you are going to get some activation of the commercial uses, which I do appreciate. I think there is plenty of room on that west piece for a few pad sites, if not one larger one, that's left over from the proposal. The outparcel in those -- where it gets connection and activity -- or connectivity from is frustrating. I assume they would head north and probably connect to the street that would be Blairmore, but I can't guarantee that. I don't think making this property owner stub to that as was previously in -- I think the existing concept plan makes a lot of sense, because, then, that road -- that parcel just becomes all road. It's just going to be a T intersection of road. So, I don't think that their current layout inhibits that at all and I think it would complement it and we are going to -- we need that cross-access, so if we can get that I'm all for it.

Perreault: Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: Thank you. Joe, what's the future land use designation on that west piece?

Dodson: That piece is also mixed use community for some reason that I don't know.

Perreault: So, should we look at -- at all of those uses -- I mean that's a significant amount of residential for mixed use community in that entire corner, Isn't it? As a percentage of what we would like to see from a mixed use community?

Dodson: Well, when you look at the total percentages I'm sure that it's over for -- but there is no maximum, there is just a minimum that mixed use community talks about, which I believe is -- shoots for 40 percent at least in order to activate the commercial, but, then, you also have -- you know, part of that park is a huge acreage in there and, then, you also have the school site that takes out acreage. So, you have things working against that ratio in a normal mixed use community area and we do take that into account. I -- I -- again, I'm not a market guy, but I do happen to agree with -- with a lot of what Mr. Wardle has said and I have seen this throughout and as noted we have taken these out of our comp plan because of these continual issues that we have had and if we have mid mile stuff it's probably going to be neighborhood serving. That's really what you are going to get out of it, you know. So, we have taken that into account. Again, as Mr. Borton said, I -- I had fought Jon all the way through this and made him -- put the onus on him to provide adequate context and information for this and put that bar high. You're welcome.

Simison: Would the applicant like to make any final comments?

Wardle: Mr. Mayor, Council, first, again, thanks for letting us just to have an opportunity to have this conversation. I -- we also take community building very important and do not take lightly the removal of opportunities, but also so realistic with what the market -- I know you hear that all the time. But based on our experience over the years this site cannot be or will not be developed as commercial for the entire nine acres. I will give staff credit for asking us to go back and reevaluate and when we reevaluated we -- we were looking for that right commercial user would be and we feel like St. Luke's does provide something here that is beneficial to the community. We just simply ask that you allow us to develop this in a way that is complementary to the uses that are there. We feel like we have made good transitions to the north. We feel like we have maintained the mixed use designation by having commercial along Ustick and we feel like this will be a good way to take property where services already exist and develop it. Again, we request your approval to modify the development agreement. Also including that Provision No. 10, which allows for building permits on commercial uses to proceed the final plat and, then, we will come back with a CUP for the residential piece through that proper channel. So, stand for any questions you might have, but just simply ask for your approval of the modified development agreement before you tonight. Thank you.

Simison: Thank you, Jon.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Jon, I want to make sure I understand correctly that provision No. 10 -- you concur with the staff report, including provision No. 10. So, that's one that you want to add to the -- the request. But it is in that -- in their language currently, is that -- did I understand that correctly?

Wardle: Mr. Mayor, Councilman Hoaglund, I don't -- the staff report that you received did

not have Condition No. 10.

Hoaglund: Okay.

Wardle: We submitted a letter last week to the -- to the City Clerk. We discussed this language with staff. I believe staff is in agreement with that and they can confer, but this will be the language that we would want to you add into Roman Numeral XI-A. No. 10 would be this language right here. That the applicant be allowed to obtain two building permits for the commercial portion prior to any subdivision of the property.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: That is correct what Jon has said. He initially asked for just one and I said, well, why don't -- why don't you have two just in case another commercial thing comes along quick, which is also pretty standard for what we -- when we do these.

Simison: Council, anything else? Then do I have a motion to close the public hearing?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Move that we close the public hearing.

Borton: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we approve Item No. 5, the Settlers Square DA modification, H-2021-0072, with the addition of this additional provision No. 10, that we allow two building permits on commercial to proceed -- to proceed ahead of the final plat prior to any subdivision.

Borton: Second.

Simison: I have a motion and a second. Is there any discussion on the motion? If not,

Clerk will call the roll.

Roll call: Borton, yea; Cavener, absent; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, yea.

Simison: All ayes. Motion carries and the item is agreed to. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

- 6. Third Reading of Ordinance No. 21-1954: An Ordinance of the City Council of the City of Meridian, Idaho, Approving the (Option A) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project, Which Plan Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to County and State Officials and the Affected Taxing Entities; Providing Severability; Approving the Summary of the Ordinance; and Providing an Effective Date**

Simison: With that we will move on to our last couple of action items of the evening. First item up is the third reading of Ordinance No. 21-1954 and ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance of the City Council of the City of Meridian, Idaho, approving the (Option A) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project, which plan includes revenue allocation financing provisions; authorizing the City Clerk to transmit a copy of this ordinance and other required information to county and state officials and the affected taxing districts -- taxing entities; providing severability; approving the summary of the ordinance; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like this read in its entirety? Seeing no one, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 21-1954.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve the ordinance. Is there any discussion? If not, all in favor signify by saying aye. Oh, we have all ayes and one

abstention from Mr. Borton. Any opposed? All ayes, no opposed, one abstained. Okay.

MOTION CARRIED: FOUR AYES. ONE ABSTAIN. ONE ABSENT.

7. **Third Reading of Ordinance No. 21-1956: An Ordinance of the City Council of the City of Meridian, Idaho, Approving the First Amendment to the Urban Renewal Plan for the Union District Urban Renewal Project, Which First Amendment Seeks to Annex Certain Parcels to the Existing Union District Project Area; Which First Amendment Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to County and State Officials and the Affected Taxing Entities; Providing Severability; Approving the Summary of the Ordinance; and Providing an Effective Date**

Simison: Next item is third reading of Ordinance No. 21-1956. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance of the City Council of the City of Meridian, Idaho, approving the First Amendment to the Urban Renewal Plan for the Union District Urban Renewal Project, which First Amendment seeks to annex certain parcels to the existing Union District project area; which First Amendment includes revenue allocation financing provisions; authorizing the City Clerk to transmit a copy of this ordinance and other required information to county and state officials and the affected taxing entities; providing severability; approving the summary of the ordinance; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody who would like it read in its entirety? Seeing none, do I have a motion and an abstention?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 21-1956.

Hoaglund: Second the motion.

Simison: I have a motion to approve Ordinance No. 21-1956. Any statements before we take a vote?

Borton: Mr. Mayor, I will abstain as well on this.

Simison: Okay. Thank you, Councilman Borton. All in favor signify by saying aye. Opposed nay? The ayes have it and the item is agreed to.

MOTION CARRIED: FOUR AYES. ONE ABSTAIN. ONE ABSENT.

Bernt: Mr. --

Simison: Councilman Bernt.

Bernt: That was premature. I apologize.

Simison: Okay. Council, anything under future meeting topics? Then Councilman Bernt.

Bernt: Mr. Mayor?

Simison: Yes.

Bernt: I move that we adjourn the meeting.

Simison: I have a motion to adjourn. All in favor signify by saying aye. Opposed nay?
We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 10:02 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK