

Simison: Councilman Hoaglund.

Hoaglund: I move approval of the adoption of the new fees of the Meridian Parks and Recreation Department, with the fees to reflect for the restricted sections for couples, senior and military and senior couple, that the restrictions apply to Monday through Friday, the golf is at anytime and for weekends and holidays it is restricted to after 12:00 noon.

Bernt: Second.

Simison: I have a motion and a second. Is there discussion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mike, Steve, team, appreciate your guys' work on this. Mike, we talked about it last time I really struggled with creating these special classes right now as we are still kind of getting our grips with the -- with the course. So, I'm not supportive of the motion, but I appreciate the work that you are doing to try and invite a new customer base and look forward to seeing what we learn from this.

Simison: Is there further discussion? If not, all in favor signify by saying aye. Opposed nay?

Cavener: No.

Simison: One nay, the rest ayes, and the motion carries and we will see that back -- Mr. Nary? Next week? Okay.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

**3. Public Hearing for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.**

- A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots

Simison: So, with that we will move on to Item 3 this evening, which is a public hearing for Friendship Subdivision, H-2021-0083. We will open this public hearing with staff comments from Alan.

Tiefenbach: Good evening, Mr. Mayor, Members of the Council. This is Alan Tiefenbach,

associate planner with the City of Meridian. This is an application for an annexation and zoning to R-8 and a preliminary plat for 40 lots. Forty-one were originally -- well, actually, 42 were originally proposed, then, it went down to 41. So, now we are at 40. I will talk quickly about that. Okay. So, the site is located south of Chinden and west of Locust Grove.

Simison: Alan, do you have a visual that you were --

Tiefenbach: Oh, I'm sorry. I wasn't sharing. My bad. I guess it's helpful if you are looking at what I'm looking at. Okay. The site is located south of Chinden, west of Locust Grove. Brookdale Estates Subdivision is to the west, which is over here. The Hightower Subdivision is to the east over here. Saguario Canyon Subdivision is to the south and there is an existing church, which you can see in this aerial here. That's still zoned RUT in the county. Just a quick history on this property. So, this property was proposed for annexation of zoning to R-8 and plat for 48 lots is what was known as the Bull Ranch Subdivision and that was in 2015. This was subsequently denied by the Council with density being a primary concern and that R-4 zoning was more appropriate here than R-8. Comprehensive Plan recommends this for medium density residential, three to eight dwelling units per acre. So, this is an annexation, again, of ten acres of land with the R-8 zoning district and a preliminary plat to allow 40 building lots and seven common lots. North Elk Ranch Lane, which is what you see here -- this is a private road and this presently provides access from the subject property to Chinden, which is what you see up here. The subdivision proposes to connect to three existing local streets. So, it would be one, two, three different stubs. There is also another stub being provided eventually if the church property redevelops. Our code states that when a property has existing access from a state highway, again here, that if the applicant proposes a change or an increase in intensity of use, that they have to develop or otherwise acquire access to a street other than the highway and that this would be closed. So, the use of this -- staff is recommending as a condition of approval that the applicant vacate all their interests in North Elk Ranch Lane as, again, because the property already has three points of access and that's what the code requires. The plat shows the North Slough, which is what you -- find my pointer. The North Slough bisecting the property at roughly a 45 degree angle north to south and this is being relocated and piped in accordance with the code. According to an exhibit provided by the applicant, the ditch is being reconfigured towards the northwest part of the property. Obviously, this would need to be coordinated with the irrigation district. The applicant has submitted elevations of the single-family homes for this project. These homes appear to meet the design requirements for single-family homes and are consistent with the architecture of the surrounding neighborhood. Staff did express several concerns with this proposal. One of them was that we thought it was too dense on the south and they needed to take a couple of lots out on the south to make it fit better and transition better with the adjacent properties. What you are seeing here is actually an older version. So, the other comment that we had is that we thought they should line up the lot lines that are on the lots to the east. Since our earliest discussion the applicant has lost a lot -- the applicant has actually lost two lots and I'm going to talk about that here in a second. As of today as far as written testimony goes, we have only gotten one letter of opposition, but there were citizens that showed up to the Planning

Commission meeting. Now, the -- the plat does meet all the requirements of the UDC and it's consistent with the density designation. With that staff did recommend approval. When the Planning Commission happened at the Planning Commission this was on January of 2022 and the -- the Commission moved to deny the subject annexation and rezoning request. This was based on -- first of all, they preferred that it would be annexed as R-4, not R-8. They -- they had concerns about it barely meeting the minimums. Under the current code this -- this property would need to require 15 open space, but it got -- it slipped in right before the code was actually -- the -- the updates of the code was approved. So, if there is an application that's made prior to the newest version of the code we have to review it under the old version of the code. So, they -- they don't meet the 15 that would be required today, but they exceed the ten that was required at the time that the application was received. Planning Commission had concerns with -- with whether or not that was -- I think the word they used was premier. They also had concerns with whether or not there was good open space and -- and whether or not, again, they thought that the density wasn't quite there. Since this time of the Planning Commission -- what you see on the left was the landscape plan that was provided at the Planning Commission. It's pretty basic. What you see on the right is the landscape plan that I received about a week ago. For the difference -- first of all, since Planning Commission they have lost a lot. You will see that they have included a pathway sort of around the perimeter of the property that wasn't there before. They have increased the central open space. They have actually moved it -- the -- the open space -- all of their usable open space on the original version on the left was here. Since that time they have increased it more and put some amenities in there, which I'm sure they are going to talk about. This has decreased the open space that was originally shown on the first exhibit, which was about 14.6 percent. Their most recent exhibit shows 14 percent. But, again, the open space is more usable that they have now. With that, again, staff recommended approval because they met the code. The Planning Commission was not supportive of this and recommended denial. With that I will stand for any questions or comments from Council.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I do have a couple questions. Thank you. This practice of applying the current code at the time that an application is put in, is that just because of our current practice, how we handle things? Is that by code? Help me understand that.

Tiefenbach: I can see Mr. Nary's hackle starting to pop up. Just -- it's -- it's been land use law that's been established for many many years in the United States, not just here. But I will let Bill sort of speak to that.

Nary: Mr. Mayor, Members of the Council, no, he's correct. I mean that is -- that is the state of the law both here and everywhere else, that the application takes the code that exists at the time they file the application. So, that's the basis for it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Perfect. Thanks for that answer. And, then, my other question is how would this look different if it was an R-4, either in terms of the dimensional standards or the density. Could you walk me through -- maybe just to compare and contrast what this -- how this would be different if it was an R-4.

Tiefenbach: Well, R-8, Council Person and Mr. Mayor, the R-8 requires 8,000 square foot lots, if I'm correct. Going off the top of my head here. Somewhat bigger dimensional requirements. It was -- it sort of comes down to the same conversation that happened when we talked about Apex last month. You -- you know, if they went with R-4 would they really get less lots? Well, these lots are smaller than 8,000 square feet. Most of these lots just barely meet the minimums. So, yeah, it would probably be lower density under R-4.

Strader: Thanks.

Tiefenbach: I will double check -- I'm going to double check on those dimensional standards, because I'm not Bill and I don't have it memorized. So, if I'm wrong I will -- I will let you know.

Simison: Council, any additional questions for staff? Okay. So, would the applicant like to come forward. State your name and address for the record, be recognized for 15 minutes.

Canning: Yes. Mayor and Members of the Council, my name is Joe Canning and I'm employed by Centurion Engineers, formerly B&A Engineers, and the address is 2323 South Vista, Suite 206, in Boise, Idaho. 83705. And I am here tonight -- I think I'm going to do the main presentation. I am here with the applicant Mike Homan. Mike may want to come up and also say a few words after I am done. So -- and, then, also I submitted -- I did just three slides. I submitted before. We don't need those right away, I just want to make sure they are ready. I'm not sure how that gets loaded up and going. So, when I'm ready we can go ahead and put those up and they are pretty simple slides. Of course, we are here tonight seeking approval of this modified preliminary plat and modifications have been made per the comments that were made by the Planning Commission here a few weeks ago and Alan already discussed those, but just to reiterate, three main things we got was there was a suggestion that we should do an R-8 zone, instead of an R-4 zone. It was the quality of the amenities for the open space was an issue and the amount and location of the open space and I got the impression it really wasn't necessarily the amount, because we -- this -- this plat was submitted to the city I believe back in September. It's been around quite a while and that was before the new open space ordinance came in. So, I think there is a little bit of confusion there on which -- which ordinance applies. But I think we have really upped the game, so to speak, in the open space location and the quality of the amenities. So, annexation and zoning. So, why R-

8. The comp plan designation for this property is medium density residential, which is three to eight units per acre. The project is 40 home sites. Now, that's four units per acre. So, we are -- we are pretty much at the low end of that designation for the comp plan. And when I come up with the slides I'm going to talk a little bit about the existing house that really does impact some of that lot area requirements. So, it's -- it's possible in existing development. I'm -- this -- this is really kind of sandwiched in here. It's kind of an island. It's surrounded by Meridian currently on three sides. There is a variety of zoning in the area and I will talk about that in just a minute, but I also want to reiterate that there is a development agreement proposed for this project. So, even if the zoning was approved at R-8, there is a development agreement proposed that would limit it to the -- to the submittal for the preliminary plat that you are seeing tonight. So, if I could, I would like that first slide -- there it is right there. I see it. So, I just wanted to show this as some of the reason why we really think the R-8 is appropriate, particularly with the development agreement. Number one, to the north is the church. The Friendship Celebration Lutheran Church. Although that's in the county, it has a Meridian city comp plan designation of MUC. So, that could be probable commercial or high density residential. So, what we typically try to do is buffer those more intense areas that could happen with -- with a project of a little less intensity. So, whether R-8 is much less intensity or not I'm not too sure, but we feel that zoning is appropriate. Off to the east is the Hightower Subdivision. That's already zoned R-8. To the south is R-4 property, which is Saguaro Canyon Subdivision and, then, of course, to the west is Birkdale Subdivision, which is R-2. It's quite low density. But I think that part of the key here is how we are adjusting some of these lots to try to match that variety in zoning. So, if we could get the second slide, please. Thank you. So, this -- this was the prior preliminary plat, the one that the Planning and Zoning Commission first looked at and I just wanted to point out a few things on here. There is the existing home that's over on that west boundary. That home is very well landscaped, quite mature landscaping around it. It takes up quite a bit of property. So, that's part of the density issue we have is that parcel is big, it's existing, it's a very nice house. We are not really going to do too much to change that. Alan already mentioned the three existing stub streets that come into this property from the east, south, and the west. That's a real plus for the transportation network I think in the area. The Settlers Irrigation Facility North Slough does bisect this property. That was one of the challenges to the design was how to coordinate that piping and relocation and originally the open space was located more toward the west side. It was over by that existing house. Part of that reason was because of that relocation of the North Slough. It made that a little bit easier to do. However, there were objections to that. They wanted -- the Planning Commission really wanted that open space to be more centrally located. So, that was one of the changes we have made. And the original open space -- the -- the lock count popped up and down on this a little bit as it went through the process. I think the original that was actually submitted was about 13 percent open space. So, if we could go to the third slide. This is the landscape plan for the current proposal that's before you tonight. The big -- one of the big differences here is -- we think we listened pretty good and that canal relocation was still an issue. If we eliminated that open space over toward the west we had to figure out a new route for that canal relocation. So, the applicant did talk to Settlers and as long as that open space along that east side and north side is at least 30 feet wide, we are able to relocate that and it's a big pipe, it's a 36 inch pipe, in

that open -- in that open space. Plus we can use it as a -- I think a pretty quality amenity for the project. So, now we have I think a good -- a good proposal for that open space and the canal to be rerouted along that east -- north side and it really provides some open space in fairly close proximity to -- to everyone that would be in the subdivision. This current layout has open space approximately 14 percent. So, it's approximately the same as before, but a little bit more and, once again, I just wanted to remind everybody that this did come in under the original -- or the old ordinance. As far as amenities, that was one of the concerns -- quality amenities from the Planning and Zoning Commission. The larger area down there toward the south contains play equipment, a Bocce court, benches, a shade structure. There is walking paths throughout the project now and, of course, there is always pet and waste stations that are proposed, so you can walk your dog and have them taken care of. I think in general we can just lay out some of the project assets. Number one, a big item is we will be piping the Settlers Irrigation facility that runs through this project. This is an easy to serve property with existing access and infrastructure. City water and sewer is there. The stub streets are there. It's pretty easy to -- to serve. The stub street to the north going up to -- the private road to the north going to Chinden would be eliminated. So, I think that's a -- that's an asset for the project. I want to talk a little bit about adjusting the lot sizes. Off to the east is the R-8 property. So, we have kind of feathered these lot sizes. As you start on the east side you will find them more or less matching what's over on the -- the R-8 property to the east and, then, as you go south and west the lots get larger and in particular on the R-2 side, on the extreme west property, we have approximately the same number -- I think it is the same number of lots that abuts that property over there and a big part of that is that existing home. So, we have kind of feathered this -- these lot sizes to match those perimeter homes. To the south it's almost an R-4 layout. You will see the lot count there is quite similar to what's -- what's further to the south of it. Once again, I just want to mention that even though we are seeking an R-8 zone, a development agreement will cap this at four units per acre. So, we are really kind of the low end and almost at the R-4 density anyway. And as I mentioned, this is really surrounded by existing neighborhoods in Meridian. We think -- it's time to be annexed and brought in. It will provide much needed housing. I can't -- no one can say enough about the housing necessary for the area. We believe we have provided a much improved project over what was before the Planning and Zoning Commission and we certainly hope that Council agrees and we would hope they support the annexation, zoning and preliminary plat. Thank you. And, then, Mike, did you want to add anything? I will stand for questions.

Simison: Thank you. Council, any questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: One question for the applicant. Back in 2015, sir, you -- this body denied a project at the same density of R -- I guess I shouldn't say -- the same zoning of R-8. Is there a reason why you brought R-8 back -- a project that was R-8 instead of at a lower density than what was recommended by a previous Council?

Canning: Well, there is not a specific reason why, other than when we looked at the lot sizes in the R-4 zone it would have really reduced the density. There was a question earlier on what -- it would have an impact. It would reduce the number of lots in this by about 30 or 40 percent and we are not sure the R-8 really fits with the area. I mean it's already R-8 to the east. It's R-4 to the south. R-2. We tried to accommodate that difference by, number one, there are less lots than in 2015. We tried to feather these lots to match those other perimeter areas. I'm not sure that's a great answer, but that's -- that's why we did it.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Canning, I appreciate you bringing this kind of unique in-fill project. I remember the previous iterations before us back in -- in 2015 and while a lot's changed, a lot has also stayed the same and what's kind of caught my eye about your layout -- I really appreciate the pathway and the open space and I see this really cool play structure, which tells me, again, you are being thoughtful, you know young families will likely be a lot of the residents in this neighborhood. Over the past few weeks and months Council have really deliberated on projects, particularly those that bring students into a school that is over capacity and in looking at the letter from West Ada it looks like -- I think this would fit into a Rocky Mountain and Sawtooth Middle School and both of those are over capacity. So, help me kind of understand as a Council Member who have a lot of our residents who have really been pretty vocal about their concerns about the impact on the schools, how this project is a win for our community when it would put students at an over -- over capacity school.

Canning: Well, I can't speak too much to the overcapacity of the school, but I will tell you why I think it might be a win for the community. I personally love in-fill projects. I think they are the way to go and I would much rather see a project like this here than somewhere else farther out. I think that's the main thing. There is not much we can do about the schools. Perhaps we could go senior citizens. I don't know. But that wouldn't be what happens.

Simison: So, Joe, maybe I -- I missed this. What's with the little micropath at the end of the cul-de-sac to the property line?

Canning: I should have mentioned that. There is an existing micropath that goes off to the subdivision to the west that comes up to this property line, so we would continue that.

Simison: Okay. So, it has functionality?

Canning: Yes.

Simison: Okay. Thank you.

Canning: Yeah.

Simison: Council, any additional questions for the applicant? All right. Thank you.

Canning: Thank you.

Simison: Mr. Clerk, I assume some of these fine people are here to talk about this item this evening.

Johnson: Mr. Mayor, several fine people have signed in. The first is David Marsey.

Simison: When your name is called if you would like to come forward and state your name and address for the record and be recognized for three minutes.

Marsey: I'm David Marsey. I live at 768 East Pasacana Street, which backs up to the property. So, good evening, Mr. Mayor and Council. First of all, when we bought our house that backs up to the property five years ago we were absolutely told there was going to be development there and we said good. What -- what kind of development? Are we going to see a Walmart? What are we going to see back there? And they said, no, we expect to see no Walmart, we expect to see homes that are very similar to your homes and it would be classified as R-4 and I said, oh, fantastic. So, if it matches what is in our subdivision we were absolutely good with that. So, we were told they were going to be like homes, but now it appears the developer wants to make it R-8, so that we can jam more homes into that ten acre parcel. I'm a businessman as well. I understand the financial part and the reasons why someone would want to get more properties in there. I just ran some basic math looking at what our subdivision homes sell for and the -- the numbers are -- they are raw numbers, but they are real. R-8 it's worth about 26 million dollars and as R-4 it's worth about 16 million dollars. So, taking what the homes that are selling for in our subdivision, you know, I see the developer clearing about 16 million, minus all the expenses. So, that -- that was one thing where I said, okay, I get it. That's why I would want R-4 as the developer as well, because I stand to make more money. I'm very pro-growth. As matter of fact, I love the fact -- we have been in Meridian since 1993 and we have seen a lot of very good smart growth happen in the area, which makes me extremely happy, not only as a homeowner, but as a business owner as well. So, I like to see it. Planning and Zoning agreed that R-4 was the way to go. I believe that they denied it. Well, I believe -- they did deny it last month and I was in full support of it. So, I would hope, Mr. Mayor, that you would consider pushing it to an R-4 to match what is predominantly around in the other subdivisions. I do like what they have done. I think if they would have presented this to Planning and Zoning they probably would have got a check mark it looks great. But they didn't. So, it was denied by Planning and Zoning. So, I hope you would support holding to an R-4. So, thank you very much.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor? I appreciate your testimony. I didn't catch your name. I'm sorry.

Marsey: David Marsey.

Cavener: Mr. Marsey, thank you for your testimony and I guess something that would be helpful for me -- recognize that what's proposed with this is a development agreement that would essentially lock these units -- this amount of units in on this particular project. From your perspective what would you see differently in an R-4 that you are not seeing before you today? Help me understand -- I -- I understand an R-4 versus an R-8 and it's, oh, we don't get a lot of people that come and say bring on more density, so I can appreciate that argument. But help me -- as it pertains this project what would you like to see differently?

Marsey: Yeah. I mean I personally I think looking at going R-4 versus R-8, one -- I don't know if anybody travels Chinden or anybody travels any of the subdivisions near Chinden, the traffic is exponentially growing already. I regularly have to get on Chinden to take -- towards I-84 towards Caldwell. If I try at 8:00 o'clock I'm guaranteed it's ten minutes, 15 minutes to try to make a left turn. So, I -- I'm just looking at it from the sheer fact that we are going to just be placing more traffic and more burden into a pretty tight area already. I love the fact that you talked about the schools. I have grandkids -- we have four grandkids that live on Pasacana as well. Same thing, that the schools are overcrowded. So, I really liked -- even thinking about that, that is some -- something that hadn't crossed my mind. But that would be my take is the fact that we are just jamming more traffic into a tight box already.

Simison: All right. Thank you very much.

Marsey: Thank you.

Johnson: Mr. Mayor, next is Darrell Gallup.

Gallup: Good evening, Honorable Mayor and City Council Members. My name is Darrell Gallup. I reside at 554 East Pasacana Street in Meridian. 83646. As you have already heard, about six years ago this -- essentially the same subdivision was proposed to Council and turned down and Mayor de Weerd and Councilman Bird were especially against the project due to the high density of housing requested. I oppose the zoning of R-8 for this project. R-4 zoning is more appropriate for the subdivision, so as to be compatible with the R-2 zoning to the west of the project and R-4 zoning to the south of the project. R-8 zoning of this subdivision is too dense. It would create significant traffic on roads going in and out of the subdivision and would also potentially place a burden on neighborhood schools, which are already overcrowded. Thank you.

Simison: Thank you.

Johnson: Mr. Mayor, next is Greg Barron.

Barron: My name is Greg Barron and I live at 5997 North Senita Hills Avenue. When I purchased my home directly adjacent to the empty land and proposal, I was aware that

one day it would likely be built upon. I am not against growth. However, I do have significant concerns regarding the current zoning request of the R-8 for this project and my concerns are these: First and foremost is a significant influx of traffic that these 40 new homes would bring to the surrounding neighborhoods. That is likely to be at least 80 additional drivers making trips in and out of the Friendship Subdivision. Being that two of the three access points, Lockhart Way and Senita Hills Avenue would require a driver to make a lengthy trek through the adjacent subdivision to gain access to a main roadway, it is fair to assume that the Tallinn Street would be the primary point of entry-exit for the Friendship Subdivision. This street -- or this is the street most accessible from Chinden, which is the closest artery feeding into the area. Tallinn Street would become far too busy as a thoroughfare for these 40 new homes, significantly disrupting the quiet community made up primarily of retired people. The surrounding -- number two. The surrounding subdivisions, both to the south and to the west, are zoned as R-4 and R-2 respectfully. To insert a subdivision zoned as R-8 amongst these much larger lots would have a undesirable effect on the property values and aligning with the aesthetics of the surrounding communities. This higher density housing would mean that I would personally gain two new neighbors along my north property line. My neighbor to the west would gain three new neighbors along his north property line. This could all be rectified if zoning were mandated as R-4 to align with existing lot sizes in the current subdivision. I respectfully urge you to deny the zoning request for R-8 and, instead, require either R-2 or R-4 as the standard for this project. It should be noted that the zoning for R-8 was denied back in 2015 and, again, recommended for denial by Planning and Zoning just last month and the schooling issue was on my mind, too. Thanks for your time.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Barron? Mr. Barron, question. I just want to make sure I was following you there. On -- on Tallinn, that's the stub street that -- stub street that is stubbed currently to the west that comes in from the east, from the R-8 that is that way and, then, I am assuming to go to Chinden -- I -- I didn't catch the street you were mentioning, because I see looking on Google Earth North Saguardo Hills Avenue can lead out to Chinden. Is that the street you are referencing or where would people -- where were people going?

Barron: Tallinn Street --

Hoaglund: We don't have it here. I see where Tallinn Street is.

Barron: Right.

Hoaglund: Yeah. And it heads east and, then, they can take a left on North Saguardo Hills Avenue --

Barron: And then left.

Hoaglun: And then left. Okay. But there is not a light yet there at that intersection, although that is the half -- it looks like it's the halfway point --

Barron: Yeah.

Hoaglun: -- ACHD typically -- and ITD go at that half mile for when they eventually do a light. So, that -- that would be the --

Barron: It looks like halfway in between Locust Grove and Meridian.

Hoaglun: Right. So, the normal spot.

Bernt: I think there is a coffee shop right there. Is that where Bright Eyes is?

Hoaglun: That is where Bright Eyes is, yes. So -- okay. I just wanted to make sure I was -- I was following your -- your directions there on that, because it's -- I didn't understand the street --

Barron: Right.

Hoaglun: Okay. Thank you, sir.

Barron: Thank you.

Johnson: Mr. Mayor, the only other person saying they wanted to speak was the applicant.

Simison: Is there anybody else that would like to provide testimony on this item? If so please come forward at this time. Or anybody online, if you would like to provide testimony, please, use the raise your hand feature. Seeing none, ask the applicant to come forward for final comment.

Canning: Thank you, Mayor. Again, Joe Canning and Mike is still here if he needs to add anything at the end. I'm going to make one more pitch I think for that R-8 and I think it has to do with the future planning. Please keep in mind that the properties to the north is set up in the comp plan as MUC. I personally don't really think it's appropriate to have an R-4 zone that close to an MUC. The R-8 is actually a fairly low density transition from those commercial or high -- potentially high density residential projects. We already have R-8 to the east and, like I say, we have tried to feather this so it really does feel like larger lots, particularly at the south and the west. Just, please, keep in mind that future area to the north. The church has quite a large area behind it. We are seeing churches redevelop some of those properties. They typically have to wait until water and sewer gets there. We will be providing water and sewer to that church property, along with this stub street. So, that's the main thing I want to comment on the R-4 versus the R-8. Regarding traffic, there are three access points, even if everyone uses the same access point, there will be less than 400 vehicle trips per day from this project. The ACHD had no issue with the

project, so -- and, once again, this is not an uncommon issue with in-fill projects. These folks have to go somewhere. We are going to be closing that access out to -- out to Chinden. I really think that is about all I have to respond. I would be more than happy to answer any other questions that Council has.

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Canning, you touched on this a couple of times and so it's at least piqued my interest. Is the -- is the church trying to be sold? Are they trying to sell their lot and move someplace else? Is that what's warranted kind of -- you keep referencing the -- the designation for that land, but it is -- it's still a church that's in operation as far as I know.

Canning: Yes. Mr. Mayor, Council Member, yes, it is still a church. We are just stirring that as planners. Our office planners have been looking at it and saying there is a good chance something will happen there and the big issue is water and sewer provided to that parcel. We did a recent project with Zamzow's just to the west on Chinden and they were sure wishing they had water and sewer. So, that -- we just expect it. It happens.

Cavener: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Curious that -- I'm just looking -- it looks like you made a lot of positive changes in response to comments and it looks like on the west -- the westernmost side you lined up the lot lines from what I can tell. It looks like on the east side you did. I guess I'm curious in the southwest part, Lots 1 through 5, why you didn't try to match up -- did you -- or did you consider matching those lot lines with the neighbors?

Canning: We -- we did. Mayor and Council Member, we did look at that. Part of the -- part of the issue there is there is a couple of those lots that are around the corner in Saguaro Canyon, so they are -- they are huge lots, because they are -- they are -- they are kind of like a segment off of a curve. So, it was nearly impossible to -- to really match that without just making an enormous lot.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I'd just like to follow-up. I think in the past on this exact property City Council has been -- it sounds like pretty emphatic in wanting to see R-4. I guess I'm

surprised that you wouldn't -- and these in-fill projects are really hard, so I -- I empathize a lot. But I guess I'm surprised that you wouldn't lose like two lots in that southwest corner to try to say, hey, look, we have lined up exactly with R-4 on three sides. Maybe you put some more density in the middle. But I think that would have buffered the neighbors a lot more. I guess I would be curious if that's something that you would consider down the line or if you feel like this is what makes the most sense for the project.

Canning: It probably makes the most sense. That question specifically probably have to be addressed to the -- to the applicant. Mike? It looks like he wants to --

Homan: Mike Homan. 6820 West Randolph Drive, Boise, Idaho. This is a -- been a difficult project being an in-fill. We had that huge ditch to deal with going across it and we finally talked to Settlers Irrigation about moving it up and around and piping it and, then, we are doing it 30 feet wide where it can work as a pedestrian path and they will be able to get around that and, then, we really stepped our game up centralizing the common area with the Bocce court and several other amenities. Joe, where is -- they were talking about where we are not matching up yet? I'm sorry to --

Canning: It would be this area.

Homan: Right here? Yeah. We have already dumped a lot to the west there and over to the east we are matching -- that's R-8 and we are matching their lot lines and, again, Joe mentioned the north that could be redeveloped into apartments or other things. So, we are good there. I would be willing to drop a lot on the west if that helps getting approved. And, then, again, our development agreement, we are locked into the lot count, which would be at four lots to the acre. So, right now we have got 30 -- huh? We got 40 -- counting the existing house. Yeah. So, on the west there to be more compatible I would be willing to drop a lot and that would be to the west of the property.

Canning: This might be an opportunity also to complain a little bit perhaps. When we do in-fill projects we typically get these stub streets that come into our projects. That south stub street certainly isn't where I would have preferred it. If it would have been in a different location we would have been much better off and just to say one more word about the R-4 zoning, to get that 8,000 square feet we are probably not going to be able to meet offset separations to intersections that ACHD requires, because of that south stub street. It's going to pretty much ruin that alignment of those lots over on the east side. We have to provide so many feet from that north-south road to that stub street and it's really marginal right now. So, going to R-4, just 8,000 square feet, it's -- it's going to be a heck of a density.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, just to delve into this a little bit more. So, under the R-4 zone I think we have a different new open space requirement as well, but I guess I would be curious if

you could compare -- if this was under the R-4 zoning -- previously you mentioned you would have to reduce the number of lots by 30 to 40 percent. That seems really high to me. I'm surprised it actually makes that big of a difference. What would be the dimensional standards of R-4 lots if -- you know, just to compare with whether it's 8,000 square feet --

Homan: Yeah. So, the R-4 my understanding is a minimum lot width of 60 feet wide and a square footage of 8,000 and so those ones where we dropped a lot already, the ones to the south, our lots there are 101 deep by 76, somewhere right in there. So, if I take another lot out there it would be more compatible. Some of those lots that back up to us are flag lots where they are super wide in the back and narrow on the front. But I would be -- we have worked real hard on this project to try to get everything to work and so I think where we got R-8 to the east there, we are compatible to the north. We are compatible. And, then, just this west property line, if we drop a lot out of there, those on that bank of lots, we would be over the square footage requirements there and be compatible. But, again, we will have it locked in in a development agreement that's holding us to 39 buildable lots.

Canning: And if I may maybe I could address that a little better. And a lot of that has to do with that offset difference between the intersections. In the R-8 zone you need 8,000 square feet. We can't really move the east boundary of that north-south road on the east road further to the west, because we will be getting too close to that stub street, so that means those lots along that west side -- or excuse me -- the east side, as an example, would have to be 80 feet wide to get to that 8,000 square feet. So, it makes a heck of a difference on the -- on that east side and similarly on that interior row of lots that would be a similar thing there. You would have to keep shoving that west road further and further to the west and that may be doable there.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: One more thing I would like feedback on -- I personally have really been struggling with annexations because of the overcrowding in the school system. This area is very acute. I personally have been an advocate for continuing projects for a couple months while we continue to have these conversations with the West Ada School District to at least get an understanding of their plan to cope with future growth. You know, is -- is that something that you are open to if this process takes longer for you to perhaps work on and come back with something a little different? Just wondering what your feedback is in terms of your timing and --

Homan: Yeah. Unfortunately, I'm about out of time on my purchase agreement with the seller and if there is a way that I could drop another lot on the west or to be more compatible and, then, the rest of the subdivision I think -- you know, we got R-8 to the east. We are good there. To the north with the church. Then we were real sensitive on that west property line to put very few lots in there. We only got two lots -- two new lots.

Yeah. Sorry. But drop another lot if it makes it easier for you guys.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I apologize. I'm not trying to hog the mic. I guess it's -- it's hard without a different plan being in front of us to react to it. Yeah, there was one gentleman who was up here who was saying, you know, he will have three neighbors now. I mean can you tell us like more specifically if you drop one lot, like kind of how that would line up? I honestly was suggesting that you drop two lots, which I'm sure you wouldn't love that idea, but that would exactly match up, then; right?

Homan: Okay. Sorry. Yeah. Just out of time. So, I mean if -- I would be willing to drop two lots to the west and line them up to be able to try to --

Strader: Thank you for the feedback.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I don't know if this is a question for Joe or Mike, but in -- in your -- your redesign are those lots on the east going to line up? You have got them one for one and if you go a lot wider now does that devalue the property that you are developing, because supposedly they don't line up now and there is going to be two houses -- I have two houses behind my lot. I have got a big lot. It is what it is. I mean are the houses that are on Tallinn that -- that face Saguaro, since there is -- yeah, people are matching two lots, how -- I -- I -- I don't know. You know, with your -- with your -- your pathway between there, you have got the easement if you put in the -- the canal and the ditch through that and pipe it, then, you have got some buffer. So, I think that -- that would help. But is there going to be any concern now if you change that and move those lots around, does that devalue the lots, because you are up against R-8? I mean you are -- Joe, I have to say, I was surprised you say you like in-fill. I think we are really hard on in-fill, because you got different people wanting different things and you can't really make it work for everybody. So, you have my sympathy, but --

Homan: To the east there when we had our neighborhood meeting we were -- before we had -- did the stub road to the church, we had one big lot back there. The neighbor behind there says I don't want a monster house behind me, you know. Can you readjust it. And I was like, oh, okay. So, we did when we put that stub road there, so their lot sizes -- we are matching the width that they are and, then, down here on the -- the only thing is to the south, you know, if we take two more lots out, we will be over the dimensional standards for the R-4 and, again, we are tied to that development agreement to -- that we can't, you know, add lots. So, just because we have the R-8 zoning, we are not putting eight lots in. You know, we would be -- right now we are at four and with his property, to

make everybody happy, I -- I think that if we drop a couple lots -- our lots are bigger than the R-4 standards.

Hoaglun: And Mr. Mayor -- oh.

Canning: If I may, I think Mike's talking about two lots on that south row and you are referring to the -- the R-8 lots?

Hoaglun: East side. Yes.

Canning: Yeah. And that was one advantage of putting that open space over there is that the units to the east in that subdivision are substantial structures. They are big and there is not much to set back to the side lot lines. So, when we first thought we -- we -- we tried to offset those property lines so that at least folks could look down at some kind of a corridor. But now with the open space there it's even we think much more attractive. We have pulled them further away from those buildings over there and they -- they are substantial structures.

Hoaglun: Okay. Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: My question for Alan -- and kind of for the benefit of people out there. If -- if we reach an agreement with -- on certain things and it goes into a developer's agreement, which when we refer to as DA, that's what we are talking about, that locks that property to that proposal, so if by chance Mike decides I'm going to sell, that DA goes with that property; is that correct?

Tiefenbach; Council Person Hoaglun, Mr. Mayor, Members of the Council, Alan Tiefenbach. That's correct. The DA is -- is -- the -- the staff report, the concept plans, the elevations, the landscape plan, all that is tied to the DA. That's the project that has to get built. As long as they substantially comply to that, like maybe they lose a lot, but it's the same general configuration, they could still build. They couldn't add another lot though.

Hoaglun: So, Mr. Mayor and Alan, to follow that, then, so if someone comes in, it's R-8, they can't now go, hey, we are going to do eight units, you know, to the acre. They have to follow that DA.

Tiefenbach: They can do less, but not more.

Hoaglun: Right. Okay. Thank you.

Simison: Council, any additional questions, comments?

Canning: If I could for just a moment. The only reason I like in-fill projects is I think from a planning perspective they make sense. They are hard to do.

Simison: Joe -- and I think -- if I could -- I'm going to speak up for the applicant just a little bit on this is if we are asking people to do in-fill there is give and take and I think we have seen that our zoning standards have not made sense in some of the applications we have seen, whether they are in-fill or whether they are on odd-shaped parcels. Sometimes zone matters, sometimes design is more important than zoning. I'm not going to say which one is appropriate here, because right or wrong some of your challenges are because you have an existing home that has chosen to stay there. If that home wasn't there, how would this design be different even from that standpoint. You know, we can't say from that standpoint, but you are dealt the circumstance you are with and you try to make it work and sometimes zoning matters, sometimes design is more important. I will let you guys sit down now, but I would sit in the front row.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Kind of kick off discussion a little bit. You know, that's the interesting thing about in-fill projects is they are -- they are a challenge, because you do have different interests and different things and -- and this is -- this is interesting, just because it's actually following the comp plan and how many times do we get developers coming in wanting to change the comp plan and everyone around it is saying follow the comp plan. You are not following your own plan. So, you know, we are -- we are following our plan here, but we are thinking what -- well, we might need to change it, when, you know, that's what we try not to do. And we also know that topography, man-made features, in this case a canal, make in-fill projects a challenge. How it's designed. As you noted, Mr. Mayor, the existing house. They have already decreased the -- from the 48 to 40, which is a, what, 16, 17 percent decrease in the number of homes. There is that challenge to the -- to the north of what will that be someday. Is that going to be commercial? Is it going to be something else? The willingness of the applicant to fix that -- what would that be, the southwest corner with lots, making that match makes it more attractive. The other hard part is in-fill is the most inexpensive impact to the city when it comes to sewer, water, police, fire. It's all in place. Roads, they are -- they are there. They are ready to go. It just -- that's why I'm always -- when we don't do an in-fill project that's a good project, it just kind of weighs on me a little bit just from the fact that, man, everything is there, the cost is -- it's as low as we can get it and -- to make it work and, yes, there is an impact to the schools, we have got them coming. I think staff for the first one on the 22nd and, then, other officials later on. But for our lane, for city services, this -- this -- it makes sense to -- to do in-fill projects like this. It just -- it works. But, you know, depends on what the whole Council wants to do.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will dovetail on Councilman Hoaglund's comments. This is quite different. It's progressed from 2015 to today, even from P&Z to today and -- and even through today's

hearing I think the applicant's made a couple of concessions, which do assist in that transition and capture some of the characteristics of some R-4 lot size design, at least to that south, southwest. So, I -- I thought with the concession of removing those two lots -- I understand the road setback issue. I -- I think it's a good project, quite frankly. It's -- it meets the mark in my eyes. The setback -- or excuse me. The open space around the perimeter also provides some buffer and setback to the east and also to the north. So, all in all these in-fills -- Councilman Hoaglun is correct -- are difficult. I'm glad that we take our time and grind through them, because they are hard, but they are very important to get done right and I think the applicant with the -- the changes that were provided today in my eyes it meets the mark. I know we don't have findings of approval, so I think if something were to proceed my sense is it still has to come back for conditions, but I think it's met the mark.

Simison: Yes, Alan.

Tiefenbach: Mr. Mayor, Members of the Council, Alan Tiefenbach. Staff did draft conditions of approval. Those are in the staff report and those are crossed out. So, if you were inclined to approve this tonight you could just overturn what the Planning Commission struck and resustain the conditions of approval. They have already been written.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Does the applicant agree to -- if this were to be approved -- the conditions of approval that were struck out?

Canning: Mayor, Council Member, yes. The one exception is I think Alan, yeah, talked about the offsets on the east side.

Tiefenbach: That's correct. That's the only one they didn't agree with was lining up the side lot lines with the subdivision to the east. Staff mentioned at Planning Commission that we weren't going to die on the sword for that one.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: So, Members of the Council, if you were to go that direction we would need a new plat map, though, because this -- with the two less lots they have agreed to remove on the southwest.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: You know, I originally was -- after reading the application was pretty dead set against this, but I do feel you have made a lot of changes. I appreciate the concession the key concession of losing two lots to the southwest. I think that's going to make a big difference for the neighbors, you know, look, in-fill development is really tough. I think we all know that the city is growing. I think when you are looking at medium density residential in your future land use map, probably the best transition you could ask for as a neighbor, if I were in your shoes, that I would be hoping for is to have the lot lines match up or very close. I think that the applicant hopefully will be able to accomplish that with this change and it's a very small -- relatively small project compared to some of the ones we look at at ten acres. Given that it's in-fill I think I could probably stomach it, although I'm still upset about the school issues, but I think we are definitely making a lot of progress on setting up some meetings on that and certainly 20 kids is not going to make or break it anytime soon. I think we have time to work through that. So, that's where I'm at. I think I'm supportive of it now with that change.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: The public hearing is open. I -- I tend to agree. What I -- I appreciate, honestly, the -- the communication from our Planning and Zoning Commission and the applicant being responsive. Sometimes when P&Z says go one way and the applicant shows up not taking that into consideration, that really -- I think at least irritates me as a Council Member. So, I appreciate, one, taking the feedback from the Planning and Zoning Commission to heart and the feedback from the public tonight. I was pretty opposed to this project mostly for the student piece. I think, honestly, with the -- with the loss of two lots we get much closer to -- I think what the residents would envision around an R-4. I do think these homes would mirror similar to what's around the neighborhood and, obviously, being tied to the developer agreement gives me enough comfort and I agree with the sentiments that in-fill is so hard and I -- I think that we -- we tend to be a little more critical of -- of in-fill than -- than other projects. But I think this does meet the mark and I could be supportive of it in light of the reduction of lots.

Simison: Well, as was mentioned -- I don't want to presume, but I'm -- do we need to continue this to give time to redo the plat?

Canning: Mayor and Council, as far as adjusting that plat, that will be just a few days. I'm not moving any streets, so that's pretty easy.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. The -- your part is easy. Our -- getting on our schedule is the hard part. Chris, I -- I don't have the agendas in front of me from future meetings and Alan's got some different things.

Tiefenbach: Mr. Hoaglund, Members of the Council, Mr. Mayor, my only comment would be that we have code now that says that if they are making revisions to plans they should be 15 days in advance at least.

Hoaglund: That would -- Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: What -- what does our schedule look like, Mr. Clerk, for mid -- mid March?

Johnson: Mr. Mayor, Councilman Hoaglund, looking at the hearing calendar, mid March, the 3/15 hearing, appears to be pretty light. 3/22 as well. 3/8 you have three -- three public hearings that are quite large already scheduled.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund?

Hoaglund: Mr. Homan, March 15th, knowing that -- where we are headed, does that work for you and your situation that you find yourself in from a timing standpoint?

Simison: You will have to come up to the mic, Mr. Homan. Thank you.

Homan: Looking at it with losing two lots there on the south side, those lots go from 76 to about 85 on width. If there is a way that -- that we could -- I'm really tight on my time frame on my offer, but if not that will work, you know, with that date.

Hoaglund: I guess, Mr. Mayor and Mike, you know, I mean the Council is talking about, you know, the changes that you have made looks acceptable and, you know, with everything coming in the way we think it's going to come in would -- would be favorable over moving forward, so --

Homan: Correct.

Hoaglund: -- on the public record does that help you in your situation?

Homan: Yeah. Yeah. It would. Thank you.

Hoaglund: Okay.

Simison: Okay. Then with that do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue the public hearing for Friendship Subdivision, H-2021-0083, to March 15th.

Strader: Second the motion.

Simison: I have a motion and a second to continue the public hearing until March 15th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is continued.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: To add one more -- so, since Alan said the previous findings were for approval and if he can adjust those for the 15th, I don't like to have the development agreement done before the findings are approved, but if we feel that we are going to be comfortable with that we can have the development agreement also ready, so that if that can be approved with Mr. Homan's signature, then, it will be only one additional week to add the ordinance.

Simison: Alan, would you like to rebut that?

Tiefenbach: I don't want to rebut, but just to clarify, how many lots did we land at?

Hoaglund: Minus -- minus two.

Tiefenbach: So, we are at 38 lots? That's the agreement? Okay. Fine with Mr. Nary. I mean he's the attorney. They would be the one drafting the agreement. I would just be doing pretty simple work with the conditions of approval.

Simison: Okay. All right. Joe, see you back on the 15th with whatever you can get accomplished.

#### **ORDINANCES [Action Item]**

- 4. Ordinance No. 22-1969: An Ordinance (H-2021-0066 – Red Aspen) for Annexation of a Parcel of Land Lying in the NW ¼ of Section 24, Township 3 North, Range 1 West, Ada County, Idaho, and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City Of Meridian; Establishing and Determining the Land Use Zoning Classification of 2.99 Acres of Land from RUT to C-G (General Retail and Service Commercial) Zoning District in the Meridian City Code; Providing That Copies of this Ordinance Shall Be**