

A Meeting of the Meridian City Council was called to order at 6:06 p.m., Tuesday, November 24, 2020, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Jessica Perreault, Brad Hoaglun and Liz Strader.

Members Absent: Joe Borton and Treg Bernt.

Also present: Chris Johnson, Bill Nary, Joe Dodson, Kyle Radek, Shawn Harper, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglun	<input type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, I will call this meeting to order. For the record It is November 24th at 6:06 p.m. We will begin tonight's meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item is the Pledge of Allegiance. If you will all join me and stand for the Pledge of Allegiance.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Our next item is -- it looks like we don't have anyone for the invocation this evening.

Johnson: That's correct, Mr. Mayor.

ADOPTION OF AGENDA

Simison: Okay. Then, we will move on to the adoption of the agenda.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move the adoption of the agenda as published.

Cavener: Mr. Mayor, I will second the motion.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: No one signed up under public forum this evening?

Johnson: Mr. Mayor, that's correct.

RESOLUTIONS [Action Item]

- 1. Resolution No. 20-2243: A Resolution of the Mayor and the City Council of the City of Meridian Appointing Destinie Hart to Seat 1 of the Meridian Historic Preservation Commission; and Providing an Effective Date**

Simison: Okay. So, with that we will move on to the first item. Resolution. Resolution No. 2243, which is an appointment of Destinie Hart to the Historic Preservation Commission. Council, I was once again joined by the illustrious chair of our historic preservation commission and we sat down and we interviewed Destinie for this position on HPC. Destinie brings a wealth of knowledge, especially in a very unique area of grant writing, which is -- can always be helpful in our commissions and I think grant writing is just one aspect of, you know, people that are detail oriented and can really help in HPC sometimes looking at, you know, applications, whether for, you know, historical purposes or grants or otherwise, but she is interested. She's got a long history of service in the community and I would love her consideration for appointments to HPC.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Be happy to make the motion if Council Woman Perreault does not.

Perreault: Yes. Go ahead. Sorry. My voice is a bit rough tonight.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would move that we approve Resolution No. 20-2243 appointing Destinie Hart to Seat One of the Meridian Historic Preservation Commission.

Cavener: Second the motion, Mr. Mayor.

Simison: I have a motion and a second to approve Resolution No. 2243. Is there any discussion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Simison: And I do see that we have Destinie on the call with us. Destinie, we would love -- if you would like to make any comments we can unmute you to make any comments. Or if you can unmute yourself, actually. Well, I don't know if she's going to be able to do that, so if she does -- I mean we can stop any of our next comments. But we just want to say welcome to her and appreciate her service to HPC.

ACTION ITEMS

2. Public Hearing for Consideration and Approval of Intent of the City of Meridian to Sell at Auction Certain Real Property Located at 345 W. Winnipeg Street, Ada County Parcel #R5672060442, Parcel #0442 of Lot 1, Block 10 in the Meridian Heights Subdivision No. 2

Simison: So, with that we will move on to our public hearing portion of tonight's agenda. First item is consideration of approval of intent of the City of Meridian to sell certain real property. I'm going to open this public hearing -- hearing and turn this over to Mr. Radek.

Radek: Mayor Simison, Council Members, can everybody hear me? Okay. This is an item that you have seen before on the October 27th agenda. Council resolved to declare our intent to dispose of this well lot. We are now moving through the stage of the checkboxes we have to go through to properly dispose of it according to law. After this public hearing, assuming Council votes to approve the item, the next step will be publication of the disposition ordinance on December 4th. After that we will be able to go ahead with public auction to dispose of the well lot. If you -- you may or may not recall in the October 27th Council memo this is a well that we inherited when we annexed Meridian Heights and Kentucky Ridge. The well was never of the quality that we could use to serve customers, because of the water quality. The well produced water that was over the maximum contaminant level for uranium. We did have to keep the well in service for a while as a backup for fireflow, but since then the city's been able to connect up to the system -- to the city system sufficiently so the well is no longer needed. The well has since been abandoned to affect source water quality and now we are ready to dispose of the well lot. We have no further use for it. We have -- we have other wells in the area and we -- we have accounted for our future needs in the area. So, with that I will stand for any questions.

Simison: Thank you, Kyle. Council, any questions at this time? This is a public hearing. Mr. Clerk, do we have anyone signed up to testify on this item?

Johnson: Mr. Mayor, no one has signed up.

Simison: Okay. Is there anybody in the room that would like to come forward and testify on this item or anybody who is on the Zoom call, just use the raise your hand function at the bottom and we can bring you in to speak. Seeing nobody in either fashion wishing to testify -- Kyle, any last comments?

Radek: Mayor Simison, no.

Simison: Okay. Then do I have a motion from Council?

Hoaglun: Mr. Mayor?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just for process, if any. Our -- our only action tonight is just to close the public hearing; correct?

Nary: Mr. Mayor, Members of the Council, there is a resolution that's part of your packet. That resolution needs to be approved and, then, bring back an ordinance to carry out the sale part. This just sets the minimum price.

Cavener: Okay. Let me track with that. I don't know if anyone's got a copy of the resolution in front of them. I don't.

Strader: Mr. Mayor?

Simison: Is it the resolution or the ordinance under --

Nary: The resolution -- the ordinance we will come back -- I think Kyle said already. Next week?

Simison: The ordinance is on six.

Nary: The ordinance is already there? Oh, you're right.

Simison: Is the resolution still --

Nary: Yes, you still need to do the resolution, too.

Simison: Okay. And where is the resolution? Does anyone have the resolution number?

Nary: 20-2238. Oh, I apologize. That was on there because you have already done that. Kyle said that. I missed that. I apologize. So, the resolution has been done. It's just the

ordinance that's on your agenda for approval.

Simison: Okay.

Cavener: Mr. Mayor?

Simison: So, close the public hearing, which you have had a motion and a second to do.

Cavener: I don't believe we have the motion yet, but I'm happy to make one that we close the public hearing.

Simison: And a second?

Strader: Mr. Mayor?

Hoaglund: Second the motion, Mr. Mayor.

Simison: Motion and a second. Is there discussion? Council Woman Strader.

Strader: Thank you, Mr. Mayor. I -- I could have my properties mixed up, but I was curious if Kyle wouldn't mind reaching out to the Meridian Heights Subdivision. I recall residents there saying that their kids like to play on this lot and if you wouldn't mind contacting their HOA or their group to see if they are interested, I would love for them to be involved if they have a way to make this into a little neighborhood park or something.

Radek: Mr. Mayor, Council Woman Strader, we actually have identified that -- that resident who spoke up at that meeting and through our notification strategy we will be able to notify them. Unfortunately, Meridian Heights does not have an HOA, so we can't work through an HOA, but we will -- our intent is to -- is to sign the property and to send out notifications to a radius and that radius will at least cover the -- that resident that you are speaking of.

Strader: Thank you.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Simison: Thank you very much, Kyle.

Radek: Pardon me?

Simison: Thank you.

Radek Oh. Thank you, sir.

- 3. Public Hearing for Paramount Point (H-2020-0098) by Brighton Development, Inc., Located at the Southwest Corner of N. Fox Run Way and W. Chinden Blvd.**
 - A. Request: Development Agreement Modification to amend the fourth addendum of the Paramount Development Agreement (Inst. #2017-066043) to incorporate a new concept plan consisting of five (5) commercial lots and associated site improvements pertinent to Paramount Point Subdivision**

Simison: Next item up, No. 3 on the agenda is a public hearing for Paramount Point, H-2020-0098. I will open the staff hearing -- or this public hearing with staff comments.

Dodson: Thank you, Mr. Mayor, Members of Council. Thanks for having me tonight yet again. Okay. So, as stated, this first item before you tonight is for Paramount MDA. There is a request to do a development agreement modification on a site that we previously discussed and City Council approved a short plat on in September of 2020 under the application H-2020-0082, also called Paramount Point short plat. The applicant proposes to amend the fourth addendum of the existing Paramount development agreement to incorporate a new concept plan as required. The existing DA provision was identified during the review of the Paramount Point short plat application that was approved in September. The subject DA requires the modification to include a conceptual development plan prior to submittal of a certificate of zoning compliance application or issuance of any building permits. Staff notes that, unfortunately, there have been two certificates of zoning compliance already approved on this site prior to staff realizing that this DA provision needed to be adhered to. It included an urgent care facility and a bank. The applicant has submitted a -- this is the short plat by the way. The applicant has submitted a new concept plan that matches the approved short plat and depicts four commercial building lots and two common lots with a public road bisecting the subject site for connectivity to the west through the Linder Village project. In addition, the urgent care facility that was approved in 2019 is no longer under the same ownership as the rest of the subject parcels, but is part of the amended development agreement. It makes up the fifth lot on the concept plan, noted as not a park on this -- on the short plat and is in the northeast corner of this site here. The new concept plan also depicts a right-in, right-out connection to North Fox Run Way, which is the north-south road here, which is a collector road. That driveway access is in alignment with the driveway access across Fox Run Way for the assisted living facility. Staff believes the new concept plan is consistent with the requirements of the addendum and, therefore, staff recommends approval of the DA mod with the recommended changes in the staff report. After that I will stand for questions.

Simison: Okay. Thank you, Joe. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Joe. I think I gave you a heads up about this question, but I recall when this was presented to us we had asked for some follow up about whether there is going to be a crosswalk here, just given the amount of traffic heading into this development and if there has been any update on that.

Dodson: Council Woman Strader, Members of the Council, I have not been told specifically, other than from the previous meeting, that there is intended to be a crosswalk at North Fox Run Way. The applicant is on the call tonight and plans to present, so they might have a more update -- a more substantial update than I can give you.

Strader: Super.

Simison: Council, any other questions for staff at this time? Okay. I will turn this over to the applicant. Kody, you are recognized for 15 minutes. If you can state your name and address for the record, please.

Daffer: Hi. My name is Kody -- Kody Daffer. I'm at -- sorry. 2929 North Navigator Drive, Meridian. I appreciate the opportunity to come present to you guys today. We are in agreement with everything that's in the staff report and we have been working very closely with the developers to make sure that everything is pedestrian friendly and we have had some comments about lighting and signage and things of that nature. We have tried to incorporate every comment that comes our way to make sure that everybody is -- what's the word -- pleased with what we are presenting, that they don't mind living next to it. We want to make sure everybody appreciates it and we would request your approval.

Simison: Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you very much, Kody, for presenting today. I guess could you elaborate a little bit more -- I remember when Mr. Wardle presented this project originally that they had some discussions specifically about whether there is going to be a crosswalk here and I guess I would just like some more detail on where that stands and how we are going to make sure that that happens and -- and -- and get to a good outcome for the neighbors.

Daffer: Sure. Mr. Mayor, Council Woman Strader, thanks for that question. I believe that along with the crosswalk along Fox Run Way that Joe pointed out, we are also planning on working with Linder Village to put a crosswalk on the -- the new street as well, just to make sure that there is enough space there. There is really plenty of lighting and the landscape, make sure it's a pedestrian friendly and safe way to travel from the neighborhoods to Linder Village and any businesses at that point in the commercial subdivision.

Strader: Great. Thanks.

Simison: Council, any further questions for the applicant? Okay. Thank you very much. This is a public hearing. Mr. Clerk, do we have anyone signed up to testify on this item?

Johnson: Mr. Mayor, we had nobody sign up to testify in advance.

Simison: Okay. Is there anybody in the audience that would like to provide testimony on this item or anybody on the Zoom call, if you can indicate by using the raise your hand function at the bottom. Or star nine.

Johnson: I believe it's star nine.

Simison: Or nine if you are on the telephone, since we do have someone on the phone. Seeing nobody who would like to provide testimony on this item, would the applicant like to make any final comments?

Daffer: Just we agree with the staff report and I really appreciate this chance to work with you again. Thank you.

Simison: Thank you very much. Council, I will turn this over to you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we close the public hearing for H-2020-0098.

Cavener: Second the motion, Mr. Mayor.

Simison: Motion and second to close the public hearing. Any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it, the motion carries and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Now that we have Council Woman Strader's crosswalk in play, I would move that after considering all staff and applicant testimony, I move to approve file number H-2020-0098 as presented in the staff report for November 24th, 2020.

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

Simison: All ayes. Motion carries and the item is agreed to. Thank you very much. Best of luck and continue on the project.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

- 4. Public Hearing for Horse Meadows Subdivision (H-2020-0060) by Riley Planning Services, Located at 710 N. Black Cat Rd. Continued to December 22, 2020**
 - A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium Low Density Residential) to the R-8 zoning district (Medium-Density Residential); and,**
 - B. Request: Preliminary Plat consisting of 26 single-family residential lots and 5 common lots on 4.71 acres of land in the proposed R-8 zoning district.**

Simison: Next item is a public hearing for H-2020-0060. I will open this public hearing with staff comments and turn it over to Joe.

Dodson: Thank you, Mr. Mayor, Members of the Council. Please bear with me on this as I might bounce around a little bit between the plat that was previously reviewed and the latest plat. The applications before you are for Horse Meadows Subdivision with a request for a rezone from the existing R-4 zoning district to the R-8 zoning district and a preliminary plat consisting of 26 single family residential lots and four common lots on 4.71 acres of land. The gross density of the project is 5.52 dwelling units per acre, which is in the middle of the allowed density for the future land use designation of medium density residential, which allows three to eight dwelling units per acre. The average lot size within the development is around 4,100 square feet. The minimum lot size in the requested R-8 zone is 4,000 square feet. Because the lots are so close to the minimum lot size and the look of the submitted elevations, staff was concerned with the proposed homes being able to fit on the lots and so staff requested the applicant provide an exhibit showing how these will occur. The applicant provided this exhibit for the previous layout. It's applicability should still stand despite the changes to the plat. That is this exhibit here. And, again, this plat has been revised, so don't hang onto it too tightly. Because the subject site is less than five acres in size, the UDC minimum requirement of ten percent qualified open space and at least one site amenity are not required to be met. However, the applicant is requesting a rezone to a zoning district that allows higher density than the previous R-4 zoning district existing. Therefore, staff finds it appropriate that usable open space and an amenity be provided. In response the applicant proposed approximately

35,000 square feet of open space or roughly 17 percent with the previous plan and with the revised plat has proposed approximately 8,000 more square feet of open space, which now was approximately 21 percent. This open space consists mostly of the street buffers along the outside of the development, but also includes a central comment lot that is almost 8,000 square feet in the new revised plat. Access into this development is proposed via a new local street connection to Pine Avenue. All internal local streets within the proposed development are shown as 33 foot wide street sections with five foot attached sidewalks. This street section will accommodate on-street parking where no driveways exist. Originally access was proposed to Black Cat by way of converting West Quarter Horse Lane to a new public street. However, ACHD denied this access, because the adjacent Pine Avenue is a lesser classified street than Black Cat, collector versus arterial, and, therefore, access must be taken from Pine. West Quarter Horse Lane is currently an ingress-egress easement -- access easement with four servient sites, including the subject site. Without the consent of all easement holders, the access to Black Cat must remain. At the Commission meeting staff recommended the easement area remain as a nonbuildable lot until such time it can be included as part of a future development. At the Commission meeting the Commission did recommend approval with some requested changes as outlined below. The key issues of discussion by Commission were how Quarter Horse Lane, the easement area, was intended to function both in the near future and in the years to come. Specifically how much of it will be greenspace and how much is expected to be right of way for the other easement holders to the east and southeast. In addition, they discuss the size of the lots in relation to the submitted concept elevations and concern over whether those homes can actually be built on the proposed lots and, finally, the location and amount of open space that was proposed and how will the different locations be accessed by residents. Because of these issues, Commission recommended that a condition requiring fencing along the north boundary of the open space lot in the northeast corner where the tot lot was previously proposed would be added for safety. They also recommended that the applicant revise the plat to reconfigure the lots in this corner, nine and 11, around the northeast corner open space lot to increase its overall size. They also wanted to add a condition to work with staff on providing fencing within the easement area if it were to remain as partial open space and partial ingress-egress. They also recommended revising the plat to remove a lot along Black Cat Road to widen those lots and, then, finally, to provide some sample elevations that will fit on the proposed lots. There is a little bit to unpack there, but prior to diving more into the new plat, the outstanding issues for City Council are the following: The applicant did not submit different elevations based on the Commission's recommendations because it has been stated that the submitted -- submitted elevations with the application are intended to be constructed in the development and should fit on the lots. In addition, the revised plat now shows the private lane easement as a common lot and dedicated right of way. If Council supports the revised plat, staff does recommend a new DA provision -- or I should say recommend to revise DA provision 1.E and be modified to read as follows: A final plat application shall not be submitted until the applicant receives approval and provides documentation from all easement holders to relinquish their rights to the existing access easement once the public road connection to Pine Avenue is constructed. In addition, we recommend that Council strike condition of approval 2.C, as this coincides with the modified DA provision above. In addition, we -- I recommend that Council include

a new condition of approval to construct a five foot wide micro path along the south side of Lot 7, Block 1, which is this here. Sorry. Along -- in Lot 8, but along the south border of Lot 7, Block 1, that connects to the sidewalk along the internal street and to the sidewalk along Black Cat. As noted, following the Commission hearing the applicant revised the plat in response to the Commission's recommendations and also incorporated other changes that have not yet been fully analyzed by staff. The applicant has provided a comprehensive narrative of the proposed changes and I have also provided a summary of the proposed changes for Council's consideration. Staff has also outlined some of the outstanding issues as noted above and recommended changes or inclusion of new conditions. The three main changes in the revised plat versus the plat heard by the Commission -- the open space is no longer located in the northeast corner and is now in a more central location within the subdivision. This has also allowed the applicant to increase the overall open space from -- to include approximately 8,000 more square feet and totals nearly an acre overall for the site. In addition, per the recommendation of the Commission, one lot was removed from the west boundary from the lots along Black Cat. Most notable, the applicant is now proposing to construct the common open space and a public street over the area of the subject site that contains the existing ingress and egress easement. Conveyance of this right of way to ACHD is contingent upon all easement holders relinquishing their rights to the use of said easement. The applicant's attorney is working with the three other landowners on a resolution, but no such relinquishment has been obtained at this time. There has been no written testimony since the Commission hearing and so after that I will stand for questions.

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I do have one to that very last point you spoke to, Joe, and I don't know if it's a question for you or Mr. Nary, but, you know, they are working on that resolution for that ingress-egress and -- and getting -- making agreement on that. It hasn't been obtained at this time. Does -- do we make -- if this moves forward and we find agreement on everything, is there to be a condition in there that that has to be resolved before this can move forward and how do we do that, Mr. Nary.

Nary: So, Mr. Mayor, Members of Council, Council Member Hoaglund, I think Joe has a condition like that, so it is required that they can't bring it back for final plat without that. So, it won't come back -- if they can't get it done, then, they can't plat this project and build it.

Hoaglund: Okay. Mr. Mayor, yes, so that was the DA provision 1.E that creates -- allows that to move forward with that process working itself out?

Dodson: Councilman Hoaglund, Members of the Council, that is correct. Yes. That's why I noted that DA provision that they -- they have the -- the life of the preliminary plat to do

that and get those things recorded. So, there is -- again, it incentivizes them to get it done, otherwise, this plat will not be able to work and, then, they will have to come back and get some other kind of plat approval.

Hoaglun: Got it. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, please, forgive my voice tonight. A couple questions for you. First, what's the distance between Black Cat Road and the entrance to the first street there coming south into the subdivision? My concern is that it's my understanding that -- that Pine Avenue is intended to be connected through to Ten Mile, that a lot of the right of way either has been obtained or at least been verbally committed to ACHD to do that, but there is not funding for it at this time, but there is an anticipation that it will connect. So, then, Pine Avenue is going to be a fully developed street. I just have a lot of concern that that entrance is really close to the Black Cat and Pine intersection and, to be candid, I live in the subdivision directly to the east of this and there are people that are cutting north on Black Cat, making a right onto Pine Avenue, that -- that fly through that intersection and it would be very easy for -- for somebody to not recognize a vehicle turning left onto Pine, so -- so, what -- what would -- is the distance between the intersection and this entrance into the subdivision sufficient if Pine Avenue gets fully built out?

Dodson: Council Woman Perreault, Members of the Council, those are great questions. First, to the point of Pine Avenue punching through. I will be the planner on those two projects that will do that and that will be constructed by those applicants and those developers. So, there is a plan and intention to connect Pine all the way through from Black Cat to Ten Mile. Secondly, this lines up with the north -- I can't say that word -- I'm going to butcher it -- Traquair Street on the north side of Pine Avenue and that was per ACHD's request. Again, the applicant originally did not propose this connection to Pine and neither did staff. ACHD is requiring this connection, because it lines up with the street on the north side of Pine Avenue. From what I'm seeing it looks to be probably approximately a hundred feet from the near edge of Black Cat, give or take, you know, ten feet or so. So, I understand your concerns. Staff had these same concerns when we originally reviewed the plat, which this is closer to some of those original plans, but this is per ACHD's recommendation.

Perreault: Mr. Mayor, a follow up.

Simison: Council Woman Perreault.

Perreault: Joe, do you know -- other than it lining up, did they give any other reason? Because the -- the street directly to the north of that is just a cul-de-sac. There is maybe seven houses on it at the most. It doesn't go anywhere. So, I'm not understanding why it lining up is -- and it won't go anywhere, because there is a canal on the other side --

there is a canal to the north of the -- of the homes. So, did they give any other reason besides that? I just -- this is a -- I would much rather see the entrance come through where the current -- where the cul-de-sac is just head straight north from there and, then, put the cul-de-sac in where this first entrance is. It just seems a lot -- like it makes a lot more sense to do that from a safety standpoint.

Dodson: Council Woman Perreault, Members of the Council, I -- professionally I agree with you, but that -- ACHD did not -- and from what I remember reading the staff report did not give anymore reason other than that. I'm not sure if they are very flexible on that, but that could be something to discuss. It could be an additional condition I guess to evaluate whether or not that access should be switched.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Joe. You know, I noticed that in your staff report the comment that the revised plat hasn't been fully analyzed by staff. I would hate to hear that, especially if you are jammed and more time is needed for something, I guess are the changes material in nature? Like do you feel like further time might lead you to different conclusions? Can you just give me a feel for that comment and how material it is and sort of the -- the timing that you think is necessary on your end?

Dodson: Council Woman Strader, Council, great questions. When I say that I didn't fully analyze it, it -- I guess it's the partial truth. This, as I noted, is more in line with one of the original plans that we worked through and more in line with what staff had recommended before. This is probably the seventh iteration of this plat that I have looked at and the main point of me saying that it hasn't been fully analyzed is the analysis in my staff report is not reflect -- does not reflect this plat, it reflects the previous plat. However, the general consensus and general needs of the city I think are still being met with this plat. The only issue is that this right of way in the southern end of the site cannot be built as shown until all those easement holders relinquish their rights, which with my recommended DA provision that will hold this applicant to making that happen, otherwise, this plat will expire.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Joe. I in no way was trying to imply that you hadn't done some analysis. I assumed that because of the workload and changes that it had just been a challenge. So, do you feel comfortable that it makes sense to make a decision this evening or do you feel additional time would benefit the Council to follow -- you know, to follow up with ACHD and can do the completion of your staff report or do you think that those details in the staff report are relatively immaterial versus the whole concept matching originally what you analyzed?

Dodson: Council Woman Strader, I honestly think that this could be handled tonight. I -- a lot of the issues presented in the staff report are, frankly, answered by this plat and the biggest one being what is going to happen to that easement. I have, like as you noted, quite a bit of work, so continuing this out only hurts me there, but beyond that, again, the analysis in there has kind of been responded to by this plat and from the applicant. So, if we can handle the easement area and, again, we are not going to get to final plat without that being figured out, then, I think tonight is a good night for this.

Strader: Thanks.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Joe, don't mean to put you on the spot, but your point about there -- there has been a lot of plats on this particular piece of land -- can you give us -- Council kind of a range of the amount of lots that have been proposed on here? What's the low point and I think probably the previous iteration was at its highest point before they reduced, but can you give us that range offhand?

Dodson: Councilman Cavener, yes, sir. I believe the original original was 30 lots. It's been reduced kind of consistently since then. We had 29, then 28, now we are down to 26. This is the low point from my understanding and my memory. So, we are getting lower. At Commission I did find out that the R-4 lots -- and that plat that expired had 14, so --

Cavener: Fourteen. That was my -- okay. Thank you.

Dodson: But that was from 2006, sir.

Cavener: Thank you, Joe. Appreciate it.

Dodson: Absolutely.

Simison: Council, any further questions for staff at this point? Okay. Then I will go ahead and ask the applicant to come forward and state your name and address for the record and be recognized for 15 minutes.

Constantikes: Thank you, Mayor. Can I take this off? It's so hard to hear me. Thank you. I'm not very loud. For the record Penelope Constantikes. Post Office Box 405, Boise, Idaho. 83701. I would like to just say briefly that I appreciate the professionalism that Joe has exhibited and I have actually really appreciated working with him. It's been a long path that we have traveled and he's been great to work with. So, with that Joe's already told you about what we are applying for. R-8. We have 26 buildable lots and three -- in common lots for a street buffer. Open space. Utility lines are outside of the right of way to connect to sewer and water at the Public Works preferred locations. The

only thing that I could think of when I spoke with Joe about the new plat was any questions that Public Works may have about the new plat. We are still looping the water and -- and we are connecting to sewer at the location that Public Works wanted us to connect to. So, with that I have discovered that in-fill development is probably the most challenging of all of them and in this instance it's not because we had an engineering problem or water table problem or an irrigation facility to deal with, but we were searching for ways to -- to meet all the various sets of standards from all the controlling agencies. The number of iterations that we have gone through I think is a marker for the -- for the applicant's willingness to keep refining until we found the sweet spot and I think we have gotten there. As was stated, the plat before you this evening reflects the Planning and Zoning Commission recommendations, along with compliance with Meridian standards and ACHD's policies. Did want to just take a short aside here and talk about the connection to Pine Avenue. I have two comments on that. I think our second plat we proposed to put our local street connection to Pine Avenue as far east as possible. I think we were one lot west of the eastern boundary and that's from my old days of working at ACHD and I felt that the safety factor in doing that would -- would be best, but we were overridden by the highway district. So, we have located it where they have stipulated. The other thing is that I worked on the final plat for Creekstone, which is at the northwest corner of the Ten Mile Creek and Pine Avenue, and the applicant in that instance trusted bridge money with ACHD, as did Chesterfield across the road. So, they have two -- they have half -- half of the bridge money now and if there are new developments coming online, which I was not aware of, then, Pine Avenue is -- will shortly be connected and that's good, because that gives people in that neighborhood a direct path to get to downtown. I outlined -- I submitted a memo yesterday and I outlined the P&Z recommendations that we brought online and that included centralizing the open space in the center of the subdivision and we have a very high percentage of open space now. We reduced the number of lots along Black Cat Road. We have widened those lots. And the final item that I discussed in that memo was finding a more permanent disposition for the easement area that runs across the south portion of the site. We did get our tree mitigation information and -- and fencing along the open space or the easement area will not likely be needed, because we fully intend to construct a public road in that area. So, I wanted to do just a -- kind of a regional view and bring into play the three easement holders. So, the image before you right now is the first one. They are south and a little southwest of us. They do have a flag that connects them to Black Cat Road, but there is an easement facility in that 30 feet, plus it's very close to the railroad tracks and you have some sight distance issues there. So, it would serve potentially one residence, but it couldn't possibly serve more than one as its -- as it is right now. The -- the second image is the parcel that's directly to the east of us. They do have access to Pine Avenue, but it's a substandard bridge and -- and it's not capable of handling heavy equipment, such as fire equipment. So, they use Quarter Horse Lane also for their access. And the third location is down in the corner. You will see that there is a stub street that was provided with Chesterfield. I don't know the particulars about whether or not Mr. Casey could actually use that as an access point. I suspect not until the parcel is developed and he reports to us that he will be put in a pine box in that property and he has no intention of leaving, although he does have children that will probably want to redevelop the parcel. The final image on this set is an image I took from the tract books that Ada county assessor

provides on their website and it shows the easement area as it stretches from Black Cat Road over to Chesterfield. It does hinge just past the first parcel on the -- on the south. That particular property owner is not a party to the easement. So, the remainder of the way it transitions down -- and just like a public road, it straddles the property lines. So, there is 25 feet on each side of that -- of that -- 25 feet is on each of the adjacent properties. So, that just by way of explanation. I think this is important, because of several items. First of all, the -- the first parcel you looked at, the one with the flag, they are, essentially, landlocked. They have no access, except through the easement, and it does establish a western half of the public -- local public road network that staff talked to us about way in the beginning. So, it adds a local network that moves traffic between these areas without going out onto Pine or Black Cat Road. The applicant is proposing to extend sewer and water and pressurized irrigation in the public road that we are proposing to build all the way to the east property line, which is another element of the -- of the regional benefit of what we are proposing, because it's far better to put those services in now than it is to retrofit with a road or sewer and water services in the future, so -- and they are doing that at their own volition and they don't expect any reimbursement in the future for doing that. It's just a way to be a good neighbor and to get things done the right way at the beginning. It just seems better to lay that groundwork, so that's what we are doing. I have already talked about the offset and, I agree, I had a little bit of heartburn about that local street being so close to Black Cat, but we -- we don't have any control over that essentially. So, with regard to the easements, we are working with a professional land development, land real estate attorney. We went shopping and found one that was fully dialed in on how to navigate these kinds of things and what we are looking at doing is -- is an easement modification, because the easement will continue to function east of our property line. This modification will convert their easement access rights and turn it into public road access, basically, so that the modification to the easement only affects the easement on the subject site and nowhere else. It will continue to function east of our property line. So, that's where we are. We have had multiple discussions with all three of them and the next item for us to do is to meet with them with the actual easement modification agreement, so -- and I have spoke with Mr. Morgan yesterday and we have stayed in close contact with them and will continue to do so, because it's the applicant's intent to navigate that easement modification and build a public road in that location. As for the elevations -- the anticipated homebuilder for the site is an experienced builder and they currently work in the Treasure Valley and I took a look -- closer look at the elevations that we provided and -- and these are ones that I submitted with the previous memo and if they do -- they are to scale and they do show with the green circles how the elevations incorporate the side yard setbacks and I don't know if Joe can get to those very easily. I do have pictures here if that's the least bit helpful. Is there some way I can hold them up? No? Okay. So, I did look at those real closely to make sure that what we had actually set those on the lots and I -- it appears that we have done so. Let's see. And we have quite a variety of lot sizes. The lot sizes along Black Cat Road now are at 48 feet and I did some preliminary mathematics on that. Our lot sizes along Black Cat Road increased by over 500 square feet. So, we felt good that -- that we had come into line with what the Planning and Zoning Commission was concerned about. For Public Works we will be connecting to both Black Cat Road and Pine Avenue, so the water service will be looped and we are extending the lines -- not

just for our subdivision through the green area that's in the bottom left-hand corner of that plat, that will be an easement area for sewer and water and it will be combined with open space, we just won't be able to have trees anywhere near the lines and -- and where was I? I was somewhere. Oh. So, those lines will be sized appropriately for any future development that occurs in the vicinity and the project engineer appreciates working with Warren, as do we all, and I'm sure that whatever Warren needs he will be given as a function of designing the construction drawings for the subdivision. So, in conclusion, Horse Meadows does add residences to the load of fire and police, but I would stipulate that it's already in an area that they serve. This is not like we are going into the outskirts of Meridian and adding additional area, which expands their service area geographically, as well as the number of residences. It utilizes land that's already in the developed portion of Meridian that's near schools, services, retail and higher classification roads. I have already mentioned the Pine Avenue crossing at Ten Mile Creek and that there is road trust money already sitting at ACHD ready to be put to work to build a bridge across that creek. I do appreciate the time that you spend, Mayor and Council, in coming and I especially appreciate the opportunity to stand before you this evening. Rather than go on about things that you don't need to know about or aren't interested in, I would like to just be available to answer any questions or go into any detail that you would like me to go into.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor? Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Penelope, I'm not going to try to pronounce your last name.

Constantikes: That's fine. You can call me Ms. Riley, too.

Perreault: So, because I have seen firsthand the -- I have seen firsthand the traffic concerns getting out on to -- have dealt with it myself, but seen firsthand the traffic concerns getting out onto Black Cat from Pine, most especially when the school to the south is getting in and leaving, I want to revisit this conversation about the entrance to the subdivision and you had mentioned -- excuse me. You had mentioned that there wasn't anything that could be done. It was ACHD's determination that that's where the entrance would go. In -- in their conversations that you had with them was this -- was this a specific discussion or was it just that ACHD required this and there was no further conversation about how close this was to Black Cat that will -- that will eventually be a five lane -- can you give me more detail about how that conversation with ACHD went, because I just -- a hundred feet is not very far and I just think there is going to be some significant traffic problems.

Constantikes: Mr. Mayor, Council Woman, it wasn't just a staff report that was issued, I advocated for moving that access point over to the east and we did have numerous -- we had -- we had meetings here with ACHD in attendance and I have had several Zoom meetings with Stacey Yarrington, who is our development services planner. Later

conversations had more to do with the new public road in the easement area and relinquishment of easements, but we just didn't -- we didn't get any traction on that, so I -- we would be -- we can -- we can easily flip the layout of the subdivision to shift that street over and I don't anticipate that the applicant would have any problem doing that. It's not something that I can do unilaterally, I would have to have a -- I mean it wouldn't just -- I couldn't do it, but we would be happy to accommodate that if it's possible.

Perreault: Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: Thank you. Thank you very much. By if it's possible, does that mean the applicant's willingly, but ACHD is not?

Constantikes: Mr. Mayor. I'm sorry, would you repeat your question, please.

Perreault: Yes. I said it sounds like the applicant is willing and that that's -- as you said was proposed, but you don't anticipate there is any possibility that -- that ACHD would -- would budge on that?

Constantikes: I don't anticipate so. I do a lot of impact fee work and while it -- I -- the subdivision will -- according to the Institute of Transportation Engineers, it will generate 30 vehicle trips in the p.m. peak hour, which is one trip per household and that's not a round trip, that's just -- like if you drive to the grocery store that's one trip. Come home from the grocery store, that's a second trip. The good news is that when Pine Avenue punches through a lot of the load that's occurring at Black Cat and Pine will probably shift eastward, so -- and I'm happy to hear that staff is currently working on applications in that area, because that -- that will -- that will change the geometry of the traffic in this area. So, maybe we can just look forward to that happening and -- and know that it will at least partially resolve some of the traffic issues that you are referencing.

Simison: Council, any additional questions for the applicant?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Penelope, Happy Thanksgiving. Thanks for being here tonight.

Constantikes: Thank you.

Cavener: I want to be just direct. I'm really struggling with this rezone for -- part of the reason that Council Member Perreault spoke about, this access piece and the amount of lots you are trying to -- to fit in there. Help me understand how we are -- you know, my policy has always been if we are going to change -- if we are going to do a rezone, if we are going to do an annexation, that it's -- it's improving our community and I'm -- that's

where I start when I look at these and I haven't been able to get past that. So, you know, I was supportive of this at the R-4. I'm just trying to figure out how our community benefits, how these future residents are going to benefit from this -- what looks on this -- on this revised preliminary plat as a jammed in set of lots.

Constantikes: Mr. Mayor, Councilman, thank you and Happy Thanksgiving to you as well. The location of this subdivision is unique in that it -- it lives somewhat between Nampa and Meridian and there is a lot of jobs coming online in Nampa. So, part of the rationale of the developer or the applicant is that there is a need for a variety of house price points in this neighborhood, especially with, for example, the Amazon jobs that are coming online and I think they are hiring somewhere around 2,000 people. So, part of the rationale is that it provides some variety in housing within this general vicinity. There is R-8 in this area directly to the east of us in Chesterfield. There is R-8 and there is R-8 to the north of us as well. So, I don't -- I'm not sure exactly how -- I don't see them as -- as smashed in there. I don't mean to argue with you, but --

Cavener: Not at all. You are fine.

Constantikes: But we have -- we have quite a variety of lot widths in there that -- the widest ones are almost 60 feet. There is two lots that are -- well, just south of 60 feet. The lots along Black Cat Road are 48 feet wide. We have got a good variety of lot sizes, so we can have a good variety of house sizes in the subdivision. I just -- in response I think that the Horse Meadows will -- will fulfill a pocket or a hole in the kind of housing that's available in this part of Meridian. Then I can get into the fact that from my transportation background these folks don't have to go very far to get to the grocery store, the pharmacy, gas station, the interstate. There are -- there is a school to the north. There are -- there is a school to the south in between us and Franklin Road. So, proximity to schools is very good with the subdivision. Joe and I have had a little bit of a disagreement over the distance to the park. I mapped it through the subdivision to the north and came up with a half -- half a mile, but it's got parks, it's got the Ten Mile pathway, which is six tenths of a mile away. So, there are a lot of attributes -- community attributes that are close to the subdivision and my training leads to the idea that you want higher density in close proximity to services and amenities because it -- it keeps trips down, it -- I'm not quite sure how to explain it.

Cavener: Penelope, I -- some of that I definitely agree with you. Mr. Mayor, a follow up if I may.

Simison: Councilman Cavener.

Cavener: And, Penelope, I don't think I have ever asked this question in the seven years I have been on the Council, because it's not something that I typically consider, but you brought it up, so it piqued my interest about the price of housing and so what's the -- what's the price point for these particular units?

Constantikes: Mr. Mayor, Councilman, my understanding that they are going to be in the

low 200 -- excuse me -- the high 200, low 300 range.

Cavener: Okay. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Penelope, I -- candidly I'm still very concerned about that street, but there is not anymore conversation we can have, so now I will move on to another topic and that is the easements. So, what is the expectation or the plan -- it sounds like you guys are pretty confident that the other surrounding homeowners are going to sign off on these agreements or maybe you have some verbal agreements from them pending review of the documents that the attorneys are going to draft. What happens if they don't agree to it? Joe had said, you know, okay, well, then, the plan will expire, but that's -- you know, it's two years that the plat is -- is active. So, walk us through what happens if they don't and if -- you know, where you go from there.

Constantikes: Mr. Mayor, Council Woman, we are pretty confident that we are going to be able to achieve that parcel -- or easement modification. There is active development interest in the parcel to the south of us and, obviously, they can't do anything with their property unless they have a public road. So, that's the first item. We haven't encountered any substantial objections to the idea. It actually improves things for them, because I have been on that easement traveling that road and it's very difficult to get out of it. This -- this public -- the new public road through Horse Meadows will improve their vehicle safety. It is possible that we won't be able to get those easement relinquishment and that -- that's a reality, but we have spent a lot of time with these folks and I don't -- I don't think that there is any intention to give up until we have been able to accomplish what we are planning. That's part of the reason why sewer and water and pressurized irrigation are being extended all the way to the east property line. It's -- it's a give. It's something that the developer is -- is offering in exchange for their assistance. So, we are going to proceed as if this is accomplishable. If we can't get them, then, the plat will die and someone else will take a run at it I guess.

Perreault: Mr. Mayor, follow up, please.

Constantikes: Mr. Mayor, follow up, please?

Simison: Let's continue and we will come back.

Constantikes: Okay. Very good.

Simison: Yeah. Council Woman Perreault.

Perreault: So, Penelope, I have seen a -- a drawing somewhere in the file that it showed a potential road -- road system for -- if all of the surrounding properties were to develop.

Constantikes: Yes, ma'am.

Perreault: And it connects to Newland Street. I happen to own a home just three doors down from the boundary and if I lived there and I'm going to exit -- now exit my subdivision out using this exit onto Pine and not the exit I currently use, because it would be much faster, so I look at this not just as the 30 trips a day, but I look at this as all of the -- the home -- future homeowners from the property to the south, because they are not going to exit onto Black Cat either, they are going to go through here and, then, when this all gets connected to Newland Street, which is the plan eventually, they are all going to exit out this way. So, I would be really curious to know how many homes there could actually potentially be using this exit, because that -- that -- I don't know if Joe can find that. It was just like a hand drawn little document that showed here is what the streets could potentially look like when this entire area -- all four or five of these parcels get -- get connected eventually or that -- you know. So, I don't see this as -- not only do I not see it as 30 trips, because my concern is the people coming off of Black Cat, less so than the people that are leaving the subdivision, but also the intention is that they all get connected to Chesterfield No. 1 and Chesterfield No. 2 technically connects Chesterfield No. 1, which is a different -- different subdivision and different HOA different -- you know. So, really, truly somebody from all the way -- almost a half mile east of here to follow through neighborhood streets to exit out this exit that's a hundred feet from Black Cat. That's -- that's my main concern.

Constantikes: Mr. Mayor, Council Woman, understood. That's probably going to be a two way flow, actually, especially after the Pine Avenue bridge is constructed. When I say 30 vehicle trips, I just mean that there will be 30 new vehicle trips, so -- and for me to back away from the transportation mindset, I understand that there will -- there will be people in Chesterfield 1 and 2 that will modify their trip routes as a result of this and you're referencing -- staff asked us early in the process to provide a conceptual idea of what the local street network would be in that area and that's what you are referring to. So, I think that there will be a variety of interflow that takes place. The -- the number of people that are exiting onto Pine Avenue at our local street connection could be potentially lower, because -- especially after Pine Avenue is connected, because they are -- they are eastbound and -- and they will want to travel local streets to get over to the Ten Mile Creek and, then, enter onto Pine Avenue. I think there will be quite a bit of interchangeable traffic flow that occurs and I assume that most people drive like I do, which is I prefer right-hand turns always and so it might actually turn out to be a positive in terms of the changes of traffic that occur in that general area. There will be people entering Pine Avenue at our local street connection and -- and I understand your concerns. We would love to change that, but it's just one part of -- of the benefit I think that the subdivision will offer. I'm sorry if I'm not answering your question. I do understand what you are asking for. I'm not sure that I can -- can give you an answer, other than the fact that traffic routes and patterns will change when these streets go in and there will be 30 more trips generated in that area. How they travel and where they go is, essentially, anyone's guess I guess.

Simison: There was a comment that came up earlier --

Constantikes: Dan Lukehart is here. He is the real estate broker and local representative.

Simison: Okay. If you -- if you could state your name and address for the record, please.

Lukehart: Dan Lukehart. 710 North Black Cat Road is our address. And I represent the -- the owners. I just wanted to inject that we are real confident -- we have talked to all three parties on the road of Quarter Horse. It's -- it's really going to answer a problem that we haven't even talked about.

Johnson: Mr. Mayor? Dan, if you can speak into the microphone. They are having trouble hearing you.

Lukehart: Is that -- okay. Is that good? The old Quarter Horse Lane that goes in there that they have been using and continue to use is not a very good entrance onto Black Cat. ACHD really wanted that to go away when they did the easement back in '90. So, we are improving that for them at our expense and they appreciate that and we are bringing the sewer and water and looping the irrigation like Penelope mentioned at our expense and there is three parties that are well aware of what we are trying to do and trying to make that better and close that -- close that lane off that would put it over on Pine and we did line up exactly where ACHD wanted us to, which was straight across Pine from the existing subdivision, even though it's not as far in foot -- in feet as we suggested, they -- they wanted people to be able to look at each other when they pull up to the facing stops and you turn your signal on and you do like you do a four way stop, you know, you rotate every other -- you know, every other person gets to rotate to the right. So, those are things that we -- this has been an extensive -- a lot of teamwork. I know Joe's really worked hard on this. Penelope has worked extremely hard. We have redrawn this seven times and it's taken us a -- you know, it's -- it's been a year worth of work and the owners are super good guys and we are -- we are doing everything we can to make it good for everybody and, you know, the common areas have been increased and, again, seven drawings later rock solid. Derritt Kerner has drawn the thing, you know, a dozen times and Penelope has been on it and we have done everything we can to make it good for everybody. So, I really -- the easement will get signed. We -- I don't see any -- there is -- it's a win-win for everybody, because the lane wants to be closed by ACHD. It's just a dirt road. It's -- it's literally a -- we are going to let them run through our subdivision and it's wider, they can turn and they will look across the street at Pine and -- and they will be able to work out of there with that other subdivision line up or they have got it, so -- I appreciate the interest and -- and your time as well. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I actually had a quick question possibly for that gentleman -- I didn't catch his name. I -- yeah, I'm not sure what -- what the direction -- oh, my apologies, sir. Not sure what the direction of Council will be this evening. Certainly it seems like a couple of Council Members have concerns about traffic. If the City Council were to attempt to issue

an opinion to ACHD or to ask ACHD to, you know, revise their opinion about where on -- on Pine this should exit onto -- I know you have been through seven of these. It sounds like you have one with an entrance far to the east. Would you be open to, you know, giving us a week or two to try to improve on that and possibly influence them if we can?

Constantikes: Mr. Mayor, Council Woman, I think that would be fine. If -- if I could get Joe to pull up those -- that first image that I gave him this evening that shows kind of a universal view of the area. From a transportation perspective if we move that street as far east as we could, we would need to be one lot east -- or west of the east property line. It actually straddles the access points that are on the other side of the street between us. It wouldn't be a bad location to have it. The offset would be greater. So, yeah, if we get it where the arrow is now you can see that it -- it's farther away from the street to the north than it would be the distance from Black Cat Road and, then, obviously, the other access points to the east of us are not even visible on that map. So, it's not a bad location to have a road and if you can accomplish that we would be happy to -- to incorporate it into the plat and revise it. That would be fine.

Strader: Thank you.

Harper: Mr. Mayor?

Simison: Yes, Lieutenant Harper.

Harper: I have a -- just a quick question, Penelope. Was there any discussions about traffic calming on that main roadway that comes into the subdivision, since it's a straight shot? I think it's approximately 115 feet of travel. Just from a safety standpoint with younger families or small children we are seeing those higher speeds on those straightaways not having any type of traffic calming devices.

Constantikes: Mr. Chairman -- excuse me. Mayor -- Mayor. I apologize. Now I understand what you are saying, especially with a common area in the center of the subdivision it's -- ACHD goes through a -- what they call a warrant process and traffic calming devices, such as speed bumps, are -- are not as easy to obtain as you might think, but maybe striping a crosswalk in there and putting some signage up would be a nice middle ground and, again, I don't see any reason why we wouldn't be able to do that.

Harper: Yeah. Not so much a -- Mr. Mayor, follow up.

Simison: Yes, lieutenant.

Harper: It's not -- not so much speed bumps, I'm more referring to -- well, to islands -- they will put islands in the middle so it adds a little curvature to the roadway, forcing people to slow down as they -- as they travel. I don't -- again, I'm just -- I'm kind of throwing that out there, because we are seeing throughout the city these -- these longer straightaways causing some -- some challenges with speed in our subdivisions.

Constantikes: Mr. Mayor, lieutenant, I could see where maybe a short, not very big island in between Lot 5, which would be to the west, and the common area and, of course, there couldn't be any parking along that section of the road and -- but that's one of the larger lots at 4,600 square feet, so it would eat into the lot, obviously, and it would eat into the common area a little bit. We would have to get permission from the highway district to do that. But, again, I don't see that that would be a substantial issue.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: One quick question. I may have missed it. But that five foot wide micro path along the south side of Lot 7, that was acceptable to you?

Constantikes: Yes. Absolutely.

Hoaglun: Thank you.

Simison: Council, any further questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: And not so much a question. I want to say thank you to Penelope for allowing us to ask really candid direct questions to you, because I know we have thrown some pretty -- you know, pretty significant ones and thank you for answering them with such graciousness. So, I just wanted to say that and we really always appreciate an applicant who goes to length and the effort that you have gone to to try to accommodate the requests from the multiple different groups and to still stick -- stick with it and -- and work hard for your client. I know that five acre -- less than five acre pieces are tough -- very very tough. I wanted to say that -- so, I appreciate that very much. And just curious -- I guess I do have one more question. So, it sounds to me like perhaps you have had conversations with the neighbors to the east and the south and they did not want to incorporate their properties into your development. Is that what we are hearing?

Constantikes: Mayor, Council Woman, not in a rigid sense of the word. I think if the parcel to the south and southeast does develop, which it's looking like -- I mean they are very interested in doing something, it would -- it would be a companion subdivision and, of course, the -- the road would be in place already for them, at least most of their frontage. Were you thinking of some particular reason that -- or way that they would be connected?

Perreault: Mr. Mayor, if I may.

Simison: Council Woman Perreault.

Perreault: Not specifically, but we often, when we are making these decisions, prefer to see these properties develop together. So, there is a couple of other corners that we have had in Meridian where we have really encouraged the three or more property owners that were all -- that all had smaller size -- a lot all adjacent to one another to work together to try to develop a piece that's bigger than this and we have done it -- I think probably three times since I have been involved with the city and so I just wanted to ask that same question. We have asked numerous other owners, which is is it possible for -- for this to be -- instead of -- instead of being piecemealed, we would kind of like to see it -- not that I'm promoting larger residential developments, but I'm just saying is that we like to see more consistency with -- with how the properties are developed and so I know these are all intended to be medium density residential, that's the intention, but it does get to be -- it gets challenging from a value standpoint if you have -- maybe you -- they are all medium density, but you have got developers that come in with really different rent, really different elevations, really different concepts of how the homes look and how they flow, so I just am trying to get this idea of, you know, if there is three five acre properties that all develop with very different looks to them, it could be just a little bit funky, I guess, for lack of a better word.

Constantikes: Mr. Mayor, Council Woman, we will do a little tour of the site. Immediately to the south of us is a small parcel that fronts on Black Cat Road. There is actually a historic structure on that.

Perreault: Yes.

Constantikes: So, I don't anticipate anything happening with that. The gentleman that lives directly to the east of us, if that -- if paradise could exist on earth I think they have it. They have the most amazing trees. It's awesome. Mr. Casey, who is all the way over next to Chesterfield, like I said, he's told us multiple times he's not going to leave that property until he is in a box. So, he -- he rehabs -- he's got a -- he has a stable full of these amazing vintage vehicles and when you go to talk to Mr. Casey you need to factor in an hour to two hours just to take another tour of all the cars, which is fine, I'm a -- I'm a former drag racer, so I don't mind that. But the -- the piece to the south and southeast, which is embarking on development, it may, in fact, be the same developer. Now I'm going to pull in my real estate background, obviously, different jurisdictions, different cities have different looks and anytime you stray too far away from what's generally in your vicinity in terms of architecture, you kind of get into trouble and given that the -- the -- this next piece that's coming down the line is somewhat hidden from view, I would assume, based on absolutely nothing except my opinion and my background, that the homes in the next parcel to come down the line will be very comparable, because they will -- they will be consistent with what's around us and consistent with what's going in Horse Meadows and I anticipate that kind of modern traditional home that will -- will continue on to the south of us. I don't see a lot of change in -- in architecture. I understand the idea of binding the parcels together and doing a larger scale development. In this instance given the personalities in the neighborhood I'm not sure that we would be able to accomplish that.

Simison: Council, any further questions for the applicant at this time?

Constantikes: Mr. Mayor, I just wanted to make one more comment. I appreciate that you recognized my efforts. There are times when I wish I could figure out how to quit sooner, because I'm like -- I'm a closer. I won't let go of something until I get it done and it's just a personality trait that I have that I'm mostly appreciative of and occasionally very aggravated by. So, thank you for your kind words.

Simison: This is a public hearing. Mr. Clerk, do we have anyone signed up to testify on this item?

Johnson: Mr. Mayor, there were no -- no persons signing up in advance.

Simison: Okay. If there is anybody on the Zoom call that would like to testify on this item, please, use the raise your hand feature at the bottom. Okay. Seeing no one else who would like to testify, I guess I would ask the applicant if they would like to make any last comments? I'm seeing the shaking of no. So, Council -- oh, never mind. I stand corrected.

Constantikes: That's right. Mayor, Council Members, you all referenced the idea of waiting a couple of weeks for a final decision while you go back to the highway district and see if you can convince them to change that access point and that is an acceptable scenario if you decide to go that direction. Whatever can be done to make it the best product possible is in all of our best interest. So, that -- that's not an obstacle. Thank you.

Simison: Thank you. So, Council, additional questions, comments?

Perreault: Mr. Mayor? Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have some additional comments, but they can wait until after the public hearing is closed.

Simison: I guess the one thing is if there is any desire to go to ACHD, we should -- we would want to continue the public hearing and not close it. So, if it's related to that item I would ask for them now.

Perreault: So, Mr. Mayor, then, yes.

Simison: Council Woman Perreault.

Perreault: I -- I'm so sorry for my voice. It is really getting stretched tonight. So, I know I'm being very vocal on this, but it's -- you know, all of us live in different areas of the city and we all drive in different places on a daily basis and get to have, you know, a lot more

interactions with certain areas and I would hope that each of my Council Members would speak up if they see an area of the city that they think could be compromised and so I want to be really clear that my thoughts and decision on this are not because I live in this neighborhood, but simply because this is what I experience more frequently than maybe my other Council Members do. I can't think of maybe but one other time since I have been on Council and in Planning and Zoning when I have -- I have ever considered voting against the approval of a project for something that the applicant has no control over, but in this situation, unless we do proceed to pursue some modification of ACHD's decision, that's likely how I will vote and I feel -- feel bad about that, because I think the applicant has worked really hard and done as good of a job as they possibly can with what they have. I truly think it would be a mistake for us to approve an exit that close to Black Cat and I'm going to share that, because I understand what that would be saying regarding the traffic patterns changing once Pine gets expanded, but I would actually disagree and the reason is because that once -- so, I don't know if you all have ever driven on Ten Mile Road, pretty much the first two or three hours in the morning and, then, in the afternoon it's -- it's backed all the way up to -- from -- from the interchange up past Pine Avenue towards Cherry Lane. So, if I'm exiting out on Pine Avenue headed east to get to Ten Mile Road to take the freeway, I'm -- I'm stuck there. I'm not making a right turn for a while. So, what am I doing, I'm going back out to Black Cat. So, if we are going to talk about the heaviest traffic flows of the day, people are still going to use Black Cat and, then, let's add all of the numerous, numerous developments that have been approved north of this on Black Cat and all of those are going to be heading south on Black Cat, which means anybody who is, then, still leaving the Pine and Black Cat intersection and taking a left, headed south on Black Cat, is going to encounter everyone coming from the north, because there is -- I think I remember us discussing this -- there is hundreds of lots that have been approved. Maybe -- I don't want to misquote. I want to say somewhere around 1,400 or more have been entitled on the North Black Cat area and they are going to access the freeway taking Black Cat. So, I don't agree that Pine going through is just going to take everybody east, I think they are going to avoid Ten Mile, because Ten Mile is so busy as it is. So, I know it's a really lengthy -- really lengthy explanation on my part, but I -- I have a lot of concerns that this is not just a stub, there is -- there is going to be three other area parcels that will eventually connect, including all of Chesterfield, which is dozens of homes and it's going to -- they are going to want to come out and exit onto Pine Avenue in this location. So, I said my peace about that. I would just highly caution -- I -- I am not -- I don't have a challenge -- I don't have a problem with the density on this. I don't -- I'm not -- I don't have a problem with this actual layout. I actually think it would have been better to put the common area back where it was originally, but -- but my main concern is just the -- the traffic flow. I don't -- there is not a problem for me in the number of homes, the site -- the size of the house is bigger than I would have expected, but this really truly is for me just -- just a safety issue.

Simison: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I -- I -- I appreciate my fellow Council Woman's opinion and her insight about the traffic in that area and I think a hundred feet sounds like a really short distance. We have been working on our relationship and influence with the Ada County Highway District and I would hope that we could try to continue this and give it a shot to move that exit from the subdivision to make it safer and make it work better. I appreciate the price point. If they can deliver on it. It's really hard these days to get affordable homes in Meridian. You know, I think it serves a purpose of workforce housing and especially I think this is a good place for a little bit of density. I'm appreciative of the seven plats so far. It's hard to get these in-fill ones right. I think we -- personally I'm in favor of continuing and, you know, having Council and staff and the Mayor maybe send a letter or whatever communication we think might help to see if ACHD would -- would consider a change here. That's just my two cents.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I -- I clearly see the -- the issue with traffic and I think it's worth an attempt to try. Joe, do we have any idea how long that type of review would take by staff, if they would even review our request?

Dodson: Mr. Mayor, Councilman Hoaglund, I have no idea. ACHD has not given a revised staff report in months to the changes in the plat, so I'm not sure what their response is going to be to this. Yeah. I did review the staff report quickly, just for the record. Their portion is required to construct the new local street 194 feet from Black Cat. I'm not sure where that's measured from. I'm assuming it's probably centerline to centerline, give or take. So, that is a little bit further than the hundred feet that I was visually trying to see on a small map.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I understand that. But also understanding Councilman Perreault's experience that traffic in the morning at rush hour times is going to be backed up significantly. And just looking ahead, thanks to our quick city clerk, on December 1st we have two hearings. We don't have a meeting on the 8th. The 15th we have four hearings and on the 22nd we have four hearings. So, I guess we can make an attempt -- make a motion to delay and see what -- where we could put that and -- and go from there, if that's the desire of -- of the Council.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Maybe some insight that could help the Council in this conversation. Is it possible

for me to share this screen that I have in front of me?

Johnson: Mr. Mayor, Mr. Nary, yes, just share screen at the bottom of your screen and choose that.

Nary: So, interestingly, this -- I live in this area. This is Ten Mile and Chateau. So, this is Brinegar Prairie and that's a larger lot. This is 20 acres I believe. It has 94 homes on it. So, originally, ACHD was going to require the access right here, which is about a hundred feet for 94 homes and so the applicant and the city pushed very hard to move the entrance here to avoid exactly what the Council's talking about is that close proximity. You have got cars turning left and right and this, as you can see in this aerial, this is a lot more than five homes. There is only five homes on that road and they -- they were wanting the -- this connection for that very reason and the city did push back and say, no, we were going to approve the plat with it here and so they were able to convince ACHD at that time to move the entrance here and, again, you are looking at a very similar setup. You have got a straight road, you have got a park -- city park right there, you have got a number of homes here and that close proximity believed to be very dangerous and a safety concern. So, it is some precedent for ACHD to reconsider and so I thought that might help if you are wanting that, that helps Planning or whoever is going to have this conversation with ACHD, to say, look, you have done this before and this was much larger. Now, again, it's a larger parcel, I understand, but to Council Member Perreault's point, the south of this will end up being a large number of parcels. So, they have done it before. Maybe they would reconsider.

Hoaglund: Mr. Mayor?

Simison: Mr. Hoaglund.

Hoaglund: Is this what Mr. Nary would refer to as Exhibit A?

Nary: Probably.

Hoaglund: Okay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, Mr. Nary, thank you so much for this. If you -- if you pull the screen down a little bit you see the street to the north, which is -- does that say Swanson there just --

Nary: This one?

Perreault: Yes. So, this -- this is almost identical to what we are talking about. The difference between this and that one is that the road near Black Cat dead ends. It doesn't even connect. It literally at the -- in the north of Swanson it would be like a dead end up

there.

Nary: Right.

Perreault: Right? Go -- go north on -- with your pointer.

Nary: Yeah. This connects all the way through.

Perreault: Right. And that -- and the -- and off of Black Cat, if you go north on Swanson with your pointer -- keep going. Keep going. It would dead end right there. And there is maybe six or seven houses in that little cul-de-sac and it can't go anywhere else, because there is a canal north of there and, then, there is another subdivision. So, there is not even traffic coming from anywhere else to the north to come down through to connect to Pine. That's why I don't understand why ACHD is requiring it to be lined up.

Simison: Oh, Joe -- I mean I think that they have given you some good communication. This, obviously, was not acted on at the Commission level. This was a staff report per this item. I think we will begin with those conversations, which could make it a very quick conversation or maybe a more lengthy conversation, depending upon the interaction with staff at this point in time. So, just for -- at this point in time it's not necessarily ACHD, unless they have to go against what their -- their code states, which, then, could take months instead of weeks. So, I think we are at a best guess on when it would be appropriate time to extend this out and maybe even suggest the start of the year.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: I'm buried for the foreseeable future, so it doesn't matter to me. Secondly, reviewing their ACHD staff report, they -- the existing location of the proposed street and the one on the north side doesn't meet their policy already. I believe at some point during our discussions that the offset between the North Traquair Street on the north side and, then, the proposed street to the further east on this parcel, wouldn't meet their offset requirements there either, at least between the two, if I remember correctly. So, again, I think either way ACHD is going to have to do some real determination on this parcel to figure that out. So, I second the Mayor's comment regarding how long this might take.

Hoaglun: Well, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I suppose we could just continue this public hearing to a particular date and if it's not resolved we can continue it again if that's the situation and I know time is money, but -- and if -- if -- if it's going to take -- be a little bit longer than quicker, maybe we go for the 22nd of December to give us some time -- give staff time to have that discussion and, then, see what moves forward at the --

Simison: Is that motion?

Hoaglund: Mr. Mayor, I would move that we continue this public hearing on H-2020-0060 to December 22nd.

Perreault: Second.

Simison: I have a motion and a second to continue this until -- this item until December 22nd. Is there discussion on the motion?

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: As usual when we continue these projects, is there a specific topic that will be continued to or will the whole applicant -- application be willing to be discussed again?

Hoaglund: Mr. Mayor, to add to that, I think it's -- we may have two different Council Members. Having a full -- fuller discussion might be worth -- worth the time.

Simison: And it could be a different plat altogether that this Council technically has never seen. If that is located you are going to -- you are redoing --

Hoaglund: Good point, Mr. Mayor.

Simison: -- that element. Okay. Any further discussion on the motion?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to mention that I'm sure Council would all -- if somehow signing a letter or -- or making a phone call accelerates this in any way, I'm sure everyone's happy to try to, you know, help this be a priority for them.

Simison: Thank you. I think we will -- we will lean upon staff at first, so that we don't do X -- do stuff outside of the public view in terms of conversations regarding land use hearings.

Strader: Yep. Thank you.

Simison: Thank you. All right. Any further conversation or do -- all right. All those in favor signify by saying aye. Opposed nay. The ayes have it. Motion is agreed to and we will continue this until December 22nd.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ORDINANCES [Action Item]

- 5. Second Reading of Ordinance No. 20-1905: An Ordinance Amending Meridian City Code Section 10-1-1, Regarding Adoption of 2018 International Building Code, 2018 International Residential Code, 2018 International Swimming Pool and Spa Code, 2018 International Energy Conservation Code, 2018 International Existing Building Code, and Respective Local Amendments; Amending Meridian City Code Section 10-1-2, Regarding Amendments to International Building Code; Amending Meridian City Code Section 10-1-3, Regarding Amendments to International Residential Code; Repealing and Replacing Meridian City Code Section 10-1-4, Regarding Amendments to International Energy Conservation Code; Amending Meridian City Code Section 10-2-3(B), Regarding Plumbing Permit and Inspection Fees; Amending Meridian City Code Section 10-3-3(E), Regarding Electrical Permit and Inspection Fees; Repealing and Replacing Title 10, Chapter 4, Meridian City Code, Regarding Adoption of the 2018 International Fire Code and Local Amendments Thereto; Amending Meridian City Code Section 10-5-1, Regarding Adoption of 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2018 International Residential Code Parts V And VI, and Respective Local Amendments; Amending Meridian City Code Section 10-5-2, Regarding Amendments to 2018 International Mechanical Code; Amending Meridian City Code Section 10-5-3, Regarding Amendments to the International Fuel Gas Code; Amending Meridian City Code Section 10-5-4(H-M), Regarding Amendments to Part V (Mechanical) and Part VI (Fuel Gas) of the 2018 International Residential Code; Adopting a Savings Clause; and Providing an Effective Date**

Simison: Thank you very much. And, Joe, if you have any issues let us know. Okay. Next item on the agenda is Item 5, ordinance under second reading of Ordinance No. 20-1905. I will ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance amending Meridian City Code Section 10-1-1 regarding adoption of 2018 International Building Code, 2018 International Residential Code, 2018 International Swimming Pool and Spa Code, 2018 International Energy Conservation Code, 2018 International Existing Building Code, and respective local amendments; amending Meridian City Code Section 10-1-2, regarding amendments to International Building Code; amending Meridian City Code Section 10-1-3, regarding amendments to International Residential Code; repealing and replacing Meridian City Code Section 10-1-4, regarding amendments to International Energy Conservation Code; amending Meridian City Code Section 10-2-3(B), regarding Plumbing Permit and Inspection Fees; amending Meridian City Code Section 10-3-3(E), regarding Electrical Permit and Inspection Fees; repealing and replacing Title 10, Chapter 4, Meridian City Code, regarding adoption of the 2018 International Fire Code and local amendments thereto; amending Meridian City Code Section 10-5-1, regarding adoption of 2018

International Mechanical Code, 2018 International Fuel Gas Code, 2018 International Residential Code Parts V and VI, and respective local amendments; amending Meridian City Code Section 10-5-2, regarding amendments to 2018 International Mechanical Code; amending Meridian City Code Section 10-5-3, regarding amendments to the International Fuel Gas Code; amending Meridian City Code Section 10-5-4(H-M), regarding amendments to Part V (Mechanical) and Part VI (Fuel Gas) of the 2018 International Residential Code; adopting a savings clause; and providing an effective date.

Simison: Thank you. Mr. Clerk, is there anybody that would like this ordinance read in its entirety? Seeing no one, it will be brought back next week for third reading.

6. Ordinance No. 20-1906: An Ordinance Authorizing the Conveyance of Certain City-Owned Real Property at Auction Consisting of Approximately 0.218 acres located at 345 W. Winnipeg Street, Ada County Parcel #R5672060442, Legal Parcel #0442 of Lot 1, Block 10, Meridian Heights Subdivision No. 02 (Parcel B, Record of Survey #5472), Ada County, Idaho; Authorizing the Mayor and City Clerk to Execute and Attest on Behalf of the City of Meridian the Deed and Other Documents Necessary to Complete the Transaction; Providing for a Waiver of the Reading Rules; and Providing an Effective Date

Simison: Next item is Ordinance No. 20-1906. I will ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance authorizing the conveyance of certain city-owned real property at auction consisting of approximately 0.218 acres located at 345 W. Winnipeg Street, Ada County Parcel #R5672060442, Legal Parcel #0442 of Lot 1, Block 10, Meridian Heights Subdivision No. 02 (Parcel B, Record of Survey #5472), Ada County, Idaho; authorizing the Mayor and City Clerk to execute and attest on behalf of the City of Meridian the deed and other documents necessary to complete the transaction; providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. Having heard this ordinance read by title, is there anybody that would like it read in its -- in its entirety? If not, do I have a motion?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move to approve Ordinance No. 20-1906 with suspension of rules.

Cavener: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 20-1906 under suspension of rules. Any discussion on the motion? If not, all those in favor signify by

saying aye. Opposed nay. The ayes have it. Motion is agreed to and the ordinance is adopted.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

FUTURE MEETING TOPICS

Simison: Is there any item under future meeting topics?

EXECUTIVE SESSION

7. Per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer.

Simison: Okay. Item No. 7 we do not need it, so do we need to make any specific motion, Mr. Nary? I can't recall.

Nary: Just a motion to vacate.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we vacate our Executive Session that we had scheduled.

Cavener: Second.

Simison: Motion and a second to vacate the Executive Session. All those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Simison: And the last item on the agenda.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Move adjournment.

Cavener: Second the motion.

Simison: I have a motion and a second to adjourn. All those in favor signify by saying aye. Opposed nay. The ayes have it and we are adjourned. Happy Thanksgiving, everyone.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 7:48 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK