

A Meeting of the Meridian City Council was called to order at 6:05 p.m., Tuesday, August 23, 2022, by Mayor Robert Simison.

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

Members Absent: Treg Bernt.

Also present: Chris Johnson, Bill Nary, Caleb Hood, Tracy Basterrechea, Kenny Bowers, and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" 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, we will call the meeting to order. For the record it is August 23rd, 2022. It's 6:05 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Next we have the community invocation, which will be delivered this evening by Daryl Zachman of Calvary Chapel Treasure Valley. If you all would, please, join us in the community invocation or take this as a moment of silence and reflection.

Zachman: Thank you, Mayor Simison and Council. Heavenly Father, we do just thank you for your presence tonight. We thank you for your power and grace and, God, we thank you for how you have blessed our city. Continue to bring people from all over to this city, Lord. We know that with that comes added challenges and so today we do just pray, Father, for your grace and your power and wisdom and great ideas, Lord. For Mayor Simison and our City Council members, that they might ensure justice and peace and equality for all in our city. Lord, we thank you that you are able to do exceedingly and abundantly above all we ask or think and we ask these things in Jesus' name, amen.

ADOPTION OF AGENDA

Simison: Thank you. Appreciate you being here this evening. Up next is the adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just a reminder. We do have the Executive Session at the end of this, which is -- has been published. But I move adoption of the agenda as published.

Borton: Second.

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

MOTION CARRIED: SIX AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, do we have anyone signed up under public forum?

Johnson: Mr. Mayor, we do not.

ACTION ITEMS

1. Public Hearing for Shops at Victory (H-2022-0060) by WL Victory Crossings, LLC, located at 3300 S. Eagle Rd.

- A. Request: Development Agreement Modification to change opening hours of operation for a drive-through coffee establishment from 6am to 5am.

Simison: Okay. So, we will go into our Action Items. First item is a public hearing -- and I always get confused on these, Mr. Nary. We need to continue it because it's a noticing error, but do I open it?

Nary: Mr. Mayor, Members of the Council, no. Since it's going to be renoticed for a new date -- and I think it's already been -- I think the sign's already gone up and everything. So, there is nothing to do for this one.

Simison: Okay. So, do we take formal action to continue it or not continue it or just ignore it?

Nary: I think -- I think it's -- it's -- it's noted on the agenda that's it's going to be continued. It will be continued to a date certain that's already been determined prior to this meeting, so I don't think there is any other action you need to take.

2. Public Hearing for Meridian Academy Play Field (H-2022-0031) by The Land Group, Inc., located at 2311 E. Lanark St.

- A. Request: Rezone of 13.8 acres of land from the I-L to the C-G zoning district to allow a sports field expansion.

Simison: Okay. Then with that we will go on to Item 2, which is a public hearing for Meridian Academy -- Academy Playfield, H-2022-0031, and we will open this public hearing with staff comments from Mr. Hood.

Hood: Mr. Mayor, Members of Council, I am about midway of cleaning up -- or finishing off Alan's projects, so to bear with me this evening. But I am pitching in for him and -- and getting these to the finish line, hopefully. So, the application you have as Item No. 2 on your agenda is the rezone of 6.2 acres of a roughly 13.8 acre site that's currently zoned I-L or light industrial and the 6.2 acres is proposed to be rezoned to C-G or general retail and service commercial. The property address is 2311 East Lanark Street. It is located just north of Franklin Road and south of the railroad tracks. If you are familiar with that area, there is a bunch there, so part of this property is up near Franklin and, then, it dips down towards the -- the railroad tracks in that area. In 1992 a CUP was approved for an alternative high school, with playfields and a district maintenance facility has subsequently been constructed on the property. This property is on our future land use map designated as civic to reflect the existing school nature, but there is an industrial use and I will go into that a little bit more on this site as well. The applicant, which is the school district, wants to construct a new playfield on the southern side of the property. Since that -- the original annexation and conditional use permit the I-L zoning district has been changed to no longer allow educational institutions, so we did discuss with the applicant the potential to do a conditional use permit to expand an existing nonconforming use. They have decided, though, to move forward with the subject rezone, which will create a split zone parcel, but staff is supportive of either option provided to them, so this request is my understanding is being rezoned primarily because the district maintenance facility is also on the property, which is not solely ancillary to the Meridian Academy. So, you can kind of see that existing maintenance office near the middle of the parcel on the west side. The applicant has stated that school district related light industrial uses, such as equipment repair, fabrication and manufacturing, may occur in this facility. Again, accordingly, the applicant wants to keep that property and, then, the southern half, if you will, of the property where the ball fields are today zoned light industrial. Access to the site occurs from East Lanark Street, an industrial collector. That -- that road today dead ends essentially into the site. On ACHD's master site map -- master street map, excuse me, East Lanark is shown to extend across the property east to west and eventually out to Eagle Road. There is just one more parcel between the subject property and the connection to Lanark that would, then, get you out to Eagle Road. Additionally, a future collector is also shown on the ACHD master street map extending along the eastern

property line north to south, approximately in -- if you can see my cursor -- this location. So, down that grade that I was talking about before and into the site. After discussing with ACHD, they have responded that the north-south collector is no longer required or needed, but the applicant is required to dedicate 54 feet of right of way for East Lanark Street, that east-west collector that I mentioned previously, and to construct that street as a 40 wide -- 40 foot wide collector with curb, gutter, and sidewalk with a future building permit issuance on this site. This application is, again, just the rezone and there is no building currently planned for the site or part of the subject application, for the sports field, and I will let the applicant's representative go into a little bit more of that, but because there are no vehicle -- no new vehicle trips proposed, didn't trigger the requirement for Lanark Street to be constructed at this time. Staff is recommending approval of the subject rezone request. When I checked just a few minutes ago there was no written testimony since the Planning and Zoning Commission of July 21 and, as I mentioned, the applicant's representative, who, being the school district. Matt Adams with The Land Group is here and unless you have any additional questions, Mr. Mayor, I will -- I'm done with my presentation.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Is this the only parcel that's preventing Lanark from going completely through? I don't remember from the map in the staff report.

Hood: Mr. -- Mr. Mayor, Council Woman Perreault, no, there is one -- you can't see the whole parcel, but there is an existing R-1, which is a county zoned property, that hasn't really developed to its urban density. Again, it's not in the city. That then would connect out to Lanark and out to Eagle Road. So, yeah, there is still one other property in between.

Simison: Thank you. Any additional questions? Okay. Then, Matt, would you like to come forward on behalf of the applicant?

Adams: Good evening. Matthew Adams. 462 East Shore Drive, Eagle, Idaho. I do have a presentation. So, Mr. Mayor, Council Members, I'm really excited to be here presenting something that's east of McDermott Road. I think we are all looking forward to this. Excellent. Thank you, Caleb. All right. So, I'm just here to present on behalf of the owner why do we want to do a rezone and we will be pretty quick. The -- the reason is that currently the playfield is where the baseball diamond is. So, the students of this school walk across the parking lot, utilize the ball field -- the outfield of the baseball field. When Lanark is extended through, that's not a situation that district staff wants to try to manage and monitor and so this site is overdue for an expansion or a creation of a playfield that's adjacent to the school. They have identified that they would like to do that on the south side. We met with staff. They laid out the option of -- of a CUP, because we have a nonconforming use, or we could do a rezone. What we looked at is because we think we

want to be able to do -- we, the district, wants to do this and may have other projects in the future, sometimes they have greenhouses or different things like that, but they also see the need for potential expansion of their maintenance facility in the future. So, the decision was made keep maintenance, keep north of Lanark as light industrial, rezone the school to support the playfield development. The -- what would this playfield potentially look like? This is not an athletic field. This is not a sports field. This is a playfield for the students at the school. There are not athletics that are done on a field that are supported at this school itself, so these are examples that show the character of what this field could look like. Clearly we have some grade change from Franklin down to the school, so there would be some sort of treatment to manage that -- that hillside. But this is the character. No lights. No lines. No striping. No bleachers. None of that athletic type of improvement. So, that's what it could look like. And, then, finally, after review of the staff report, we have no objections to any of the conditions in the staff report and we understand the point made by Planning that at anytime we do pull a building permit on these parcels that would trigger the need to extend Lanark. The district understands that. So, we are here to simply ask for approval of the rezoning. Thank you.

Simison: Thank you, Matt. Council, questions? Councilman Cavener.

Cavener: Dean, I'm sorry. The buttons are funky tonight. I'm good now. Thanks, Brad. I know. Sorry, Matt. Appreciate you working with us through our technology -- my technology challenges. Is it contemplated that the public would have access to this field when school is not in session or not being -- not using the field?

Adams: Mr. Mayor, Councilman Cavener, great question. Yes, all Meridian schools are open to the public and usually only their football stadiums are fenced and locked. So, this would be similar treatment to many of their schools. It would be open, just as the ball field is today.

Cavener: Okay. Thanks.

Simison: Council, any additional questions for the applicant? Okay. Thank you very much, Matt.

Adams: Thank you. Appreciate it.

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

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present that would like to provide testimony on this application or anybody online who would like to use the raise their hand feature to provide testimony? Seeing no one coming forward or raising their hand, would the applicant like any final comments? Okay. Applicant has waived for any final comments. So, Council, do I have a motion to close the public hearing?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move we close the public hearing on Item H-2022-0031.

Borton: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: It's pretty cut and dry. Excited for the school. It's got a good track record and supports a lot of students in our community and happy to see this progress take hold. So, after considering all staff and applicant and public testimony, I move to approve File No. H-2022-0031 as presented in the staff report on the hearing date of August 23rd, 2022. Include all staff and applicant testimony.

Borton: Second.

Perreault: Second.

Simison: I have a motion and a second. Is there discussion on the motion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to. Have a good evening, Matt.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

3. Public Hearing for Ten Mile Public Storage (H-2022-0016) by Kimley-Horn and Associates, Inc., located at 4065 N. Ten Mile Rd.

- A. Request: Annexation of 5.797 acres of land with the I-L zone district, and request for elimination of required 25 ft. residential landscape buffer, to allow two self-storage buildings, by Kimley-Horn.

Simison: Council, next item up on our agenda is Item 3, a public hearing for Ten Mile Public Storage, H-2022-0016. We will open this public hearing with staff comments.

Hood: Thank you once again, Mr. Mayor, Members of the Council. This is a proposal to annex 5.79 acres of currently zoned RUT land in Ada county to the I-L or, again, light industrial zone to allow for the expansion of an existing self storage facility for two additional self storage buildings. Again, the currently -- the property is currently zoned RUT in Ada county and its address is 4065 North Ten Mile. Between the existing self storage facility and the subject property is a narrow strip of land, which is a portion of a 41 acre parcel owned by the City of Meridian. So, you can see the majority of that 41 acres here and a square shape and, then, there is a flag or a flagpole that comes out to Ten Mile Road that bisects what would otherwise be one contiguous storage facility if the subject annexation application is approved. There is an existing access to the -- the storage facility out to Ten Mile Road and, then, the city uses the flag portion of this for -- my understanding is for someone that's farming the 40 acres right now and we have been working with the applicant to consolidate their property and basically exchange -- swap the -- the property on -- that's the flag now currently on the south side for what you see highlighted in red through a property boundary adjustment through the county. That keeps their parcel whole and as far as the city is concerned access is access and it's not as an important and, then, we can -- they will use one access to Ten Mile and the gravel road that will be reconstructed with the swap can, then, also be used by properties to the north in the future as they annex and develop in the city. So, once the -- the property boundary is completed, again, the city would -- would take ownership of essentially the same amount of acreage, just in a different part of the property for access. This -- the -- that -- that exchange and -- and the landscape buffer that would be otherwise required north to the existing -- existing residential uses was discussed during July 20 -- the July 21st Planning and Zoning Commission hearing. Staff had a condition for a five foot wide landscape buffer along that northern boundary. The Commission did strike that condition and instead required the building, Building B I believe it is, to meet the architectural requirements listed in Condition 1-D. That road essentially would serve as a physical barrier, but there wouldn't be any landscaping there. So, the building would look nicer, be subject to design standards, but there wouldn't be any trees required. I will note the applicant is proposing a fence along that property line, which does help with the screening and the architectural look there from neighboring properties, but that -- that is something that we received some comments on e-mail on 8/8 from Kathy and Andrew Griffard, which I understand is the proper -- one of the property owners to the north who do oppose the request to eliminate the landscape buffer along the north boundary. So, that's it in a nutshell. I will show you the conceptual plan. Again, this is just an annexation application. So, things can change slightly, but this is the concept plan as currently shown. Essentially the existing agricultural access that goes back to the city's 40 acres would be paved and, then, they would have access again for the -- this next phase of the self storage facility with the two buildings that you can see highlighted here, so -- there are some elevations and I think that's my last slide, so I will just -- I will leave it there and I will stand for any questions you may have.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Caleb, that comment -- that e-mail that you referenced kind of caught my eye with the -- the feedback from the neighbors concerned about the landscape buffer. When I see these elevations, I don't -- to me it just looks like another -- another storage unit and so I'm -- I'm trying to -- I guess kind of understand what -- what you have just presented in terms of we are going to make this look nicer versus the concerns of the neighbors about the loss of a landscape buffer and maybe just trying to wrap my head around why removing the landscape buffer makes sense. I guess why you guys are recommending and onboard with that.

Hood: Mr. Mayor, Councilman Cavener, just -- just to be clear -- so, staff did recommend the landscape buffer initially. The Planning and Zoning Commission is the one that actually struck that condition in favor of dressing up, if you will, that Building B. I don't know if the applicant is prepared tonight to address any changes to comply with the design standards or not. I can -- I thought I could get to it fairly quickly -- read to you, you know, the changes in horizontal, vertical, colors, materials. There is a condition in there. So, again, you have to kind of imagine, because I haven't seen anything necessarily, but, again, maybe the applicant has some things they are working on with the elevations to comply with.

Cavener: I can wait to hear from them. Thanks, Caleb. Appreciate the clarification.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Caleb. So, the property to the north is still in the county, but it is designated as mixed-use, nonresidential; correct? So, there is not -- is that one of the reasons why that we should make consideration and not have a landscape buffer, because there is not intended to be homes there in the future or from the -- from that perspective can you share your thoughts?

Hood: Yeah. Mr. Mayor, Council Woman Perreault, yeah. No, it's -- it's a good point and something that should be considered. You got to kind of walk that balance of respecting that someone lives there today, but, yes, over time it's going to be probably something very similar, a nonresidential industrial even type of use. So, that is why I think maybe there was some -- could be some compromise on a lesser landscape buffer, because maybe a full 25 foot fully, you know, landscaped out buffer over time maybe is overkill if you will. You can also look -- and I don't have a great -- actually, I have got Google Earth up. If you want I can show it -- to just show where that there is a couple of homes. One of them is near Ten Mile Road and, then, one a little bit further back. If you bear with me I can kind of show you that -- how they sit on the property and maybe what that will do and that kind of gives you a good gauge of how close to the property lines they are. But,

yeah, those are -- those are something to consider and, again, why maybe something in between 25 and nothing makes some sense or a fence and some building elevations. So, I think it's a good point and, again, I didn't originally work on the staff report, so it's a little tough for me to defend what, you know, staff recommendation or the Planning and Zoning Commission did, but I will pull that visual up for you all. So, I will just say a disclaimer. I'm not quite sure how recent this aerial is, but it does give you a little bit of perspective to how close some of those structures are. So, the subject property is right here and, then, widens back out.

Stewart: Caleb, the subject property is to the north.

Hood: Yeah. Sorry. That's why I don't think the aerial is super -- so, there is the -- there is the farm access road that we are talking about back to the larger 40 that opens up. So, you know, the -- we can measure how close the home is. The homes are -- structures are -- this will be the -- the principal dwelling on this property. It looks to be an accessory structure here. So, some separation from the larger building that's on the -- on the west side of the property. I believe these are gone on the subject site, but there is a home fairly close to Ten Mile and, again, fairly close to that first building. Fairly close isn't an exact number. But, again, just hope to give you a little bit of perspective on the lay of the land out here. Thank you, Warren.

Simison: Council, additional questions for staff? Okay. Is the applicant here and like to come forward? If you would state your name and address for the record, be recognized for 15 minutes.

Anderson: Good evening. Good evening, Mr. Mayor, Members of the Council, staff and residents. Aaron Anderson representing Public Storage out of Glendale, California. Give me a sec while he loads up our presentation. So, I have some slides prepared and, then, we can get into sort of some of the discussion you guys are having. I think I can shed some light on some of that conversation.

Borton: Did you say Glendale, California?

Anderson: Yes, sir.

Borton: What's that near?

Anderson: Los Angeles. Oh, there we go. Thank you, Caleb. Okay. I'm going to give you guys a brief introduction to who Public Storage is and -- and how we operate. So, our company was founded in 1972. So, this year we are proudly celebrating our 50th anniversary and if you believe Wikipedia we are the founders of the modern storage industry as you know it today. We are the largest owner-operator of self storage in the world and we have about 3,000 facilities currently in our portfolio and that number grows every month. We operate in 39 of 50 states and at present we have six active facilities in the state of Idaho. Three of those six are located in the City of Meridian and it's important to highlight that this proposal before you tonight is considered an expansion, so once this

project has been completed that number won't change. So, we grow our business in three ways. One is through acquisition where we buy functioning stabilized properties and rebrand them in our image. We third-party manage, so Public Storage operates, but we do not own. And, then, new development. This is where we purchase property to facilitate new ground development and on occasion repurpose existing structures as adaptive reuse. So, we are one of the few, if not the only self storage operator that has a full in-house development team. That includes acquisitions, developers, architects, civil engineers, all working under the Public Storage banner. So, jumping into the project. Our timeline. We started this process back in October of last year and we had a pre-app. Following that pre-app we ended up redesigning our facility. We originally presented a three story building, but what we are presenting tonight is just a single level development. We had a neighborhood meeting in February of this year. We discussed any potential concerns with our neighbors to the north and those who did show up to the meeting were largely supportive of the project and it remains fundamentally the same as it did some six months ago. Following that second pre-app we submitted formal application. Standing before the Planning Commission in July, ultimately ending up here before you tonight. So, taking a look at the project aerial, you can see we are located along Ten Mile. It's currently developed to a single family home, which has recently been vacated by the former owner. Directly to the south that is our facility and it's important to note that we have purchased the property and we closed escrow in October of last year. Looking at the zoning map, you can see we are currently in Ada County, zoned RUT. Our entire -- the entire block here is, essentially, surrounded by the City of Meridian, so absorbing this parcel into your jurisdiction makes sense here. For some further context, you can see how the parcel fits into the future land use map, remaining consistent with the current uses, as well as the city's long-term vision for this particular area. You can also see the proximity of this facility. That little icon on the left of the screen there, that's the water treatment facility, which makes this a good use type and good fit for this area. So, looking at the city's growth area map, you can see this site is located in an area served by all necessary utilities, such as water, sanitary sewer, gas and electric power, as well as fire department services. So, here is a closer look at the aerial of the site and you can get a better idea of what it looks like in its present state. And, then, here is the site with the site plan that we are currently presenting to you tonight. You could see this proposed road location highlighted with the orange dashed line. That's the access road swap. We worked with Planning, Public Works, and ACHD, collectively came up with this proposal to deed a portion of our property in exchange for that sliver of road at 25 feet that's on the south of our boundary. So, the benefits of this configuration. It eliminates a curb cut from Ten Mile. It allows for future access to the northern -- northern parcels as development continues in this area. It provides a path for public utilities that will benefit our project, as well as future and current uses, and it allows for uninterrupted access for the farmer, who currently leases that farmland to the west and for us it creates that contiguous boundary between our existing property and what we are proposing. So, this makes it a more seamless and true expansion of our facility. So, here is a look at the building elevations. These are slightly updated from what you saw on the screen earlier. This was in response to the comments we received from the Planning Commission. So, we added some articulation on that north elevation, which is the one up there on the top. That's our biggest building. And, then, we also added some additional interest on the east and west sides

of the building. So, with that we have reviewed the staff report and we accept all the conditions of approval as presented and our commitment here is to execute the development agreement, to relocate and construct the access road at our sole expense. Provide that enhanced architecture on the northeast and west building elevations. Install the utility connections from Ten Mile for the future uses to the north. And we are also committed to installing a security gate along that Ten Mile access point that we will ultimately install. And we have worked with the property owners to the north and what we have agreed to is to install a privacy fence along their boundary. So, north of the road to screen their view of our property once it's been constructed. And with that we are requesting your approval tonight and thank you for your time and I can answer any questions that you may have.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: What are the square footages of the two buildings?

Anderson: A hundred twenty-five thousand gross roughly.

Perreault: Together?

Anderson: Together. Combined. Yes.

Perreault: Do you know the separate --

Anderson: Individually? Not off the top of my head, but I could certainly pull up a copy of the site plan.

Perreault: So, it's essentially like the size of a large Costco size wise?

Anderson: I don't know what the size of a typical Costco is.

Perreault: A hundred and twenty. Give or take. Okay. I just wanted to get in my mind's eye a feel for, you know, the -- the actual size and the height of the -- of the larger building.

Anderson: I think it's 18 feet to its highest point. So, it's 14, I believe, to the eave and, then, the roof is pitched. So, I think it's 18 to the top of the peak. They are not very tall. Very similar to what's out there at the property next door. It's -- we are trying to match what we did at the property next door.

Perreault: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Could you walk through the architectural changes? I'm sorry, it just didn't --

Anderson: They are subtle.

Strader: Okay.

Anderson: But the previous elevation that you saw just had I believe bear CMU on the north. So, if I could -- I don't know if this mouse will help me out here. I can't point to anything. But the articulation is, essentially, EIFS, so it transitions. This is our architect's attempt at satisfying and trying to establish a little bit of rhythm on the north side of the building.

Strader: So, instead of just one giant wall that looks the same, I guess you have two different materials, but it's still -- I'm going to tell you, I'm -- I'm kind of struggling with elimination of the landscape barrier, even a small one with some trees, just because I look at this and, you know, I -- I mean we have seen some examples of self storage where they fit into the Ten Mile area and they really do have like truly architectural features. This doesn't really seem like it's changed a lot to me.

Anderson: Understood. And I think there is some confusion about this elimination of the landscape barrier. So, the conversation we had at Planning Commission was related to the 25 feet that we are needing to the city. So, we had a 25 -- or 20 foot access road and the original proposal was five feet left over to landscape on the city's side of the property line. So, we still have room between the back of our building and the edge of our property line to landscape. That didn't affect what we are going to do.

Strader: Okay.

Anderson: So, it was really do you eliminate the five feet and end up with a 25 foot road and that was the decision that was recommended at -- at Planning Commission, if that makes sense. I hope that clears it up a little bit.

Strader: I -- Mr. Mayor?

Simison: Council Woman Strader.

Strader: Not quite. So, are -- are you, then, saying because we wanted the road to be wider that that went away or are you saying that you are still going to put in a five foot landscape buffer anyway?

Anderson: We have room on our side of the property line. So, our buildings are not zero lot line. So, the conversation at Planning Commission was related to the 25 feet dedicated to the city and the city wanting five feet of that dedication to be landscaped in addition to what we are going to do.

Strader: Got it. So -- Mr. Mayor, if --

Anderson: I think it was a maintenance question. I'm sorry to interrupt, but I think it was a maintenance issue that the city thought -- or Planning Commission thought was not worth it. So, the recommendation was to eliminate it.

Simison: Council Woman Strader.

Strader: Do you mind walking through your landscaping plan of what you intend to put in and how that might help satisfy the neighbors' concerns?

Anderson: We don't have a full landscaping plan ready to present, but I mean you can see there is a little bit of buffer behind the building, so the dashed line -- I wish I could point to what I'm talking about on the screen. It's very small. I don't know if I can zoom in either.

Strader: I think I see it. It's --

Anderson: So, you see the gap. I mean look to the left of the screen where it says Building B.

Strader: Uh-huh.

Anderson: That's seven feet, I believe. So, that area is available for minor landscaping. But we would certainly be open to planting something in the room that we have.

Strader: We could -- I mean could that -- I'm sorry. Could it be trees? I mean what -- like little -- I mean there is a difference between like little tiny shrubs --

Anderson: Sure.

Strader: -- versus something that's actually going to screen the -- the view of the building.

Anderson: I would have to consult a landscape architect to -- before I committed to planting something back there, but we would be open to coming up with a landscape plan during the CZC process that satisfied your concern.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah, Mr. Mayor, Aaron --

Womack: Nicolette Womack. Kimley Horn. 110 West Idaho Street, Boise, Idaho. 83702. I just wanted to add walking north to south from the properties to the north there was concerns at Planning and Zoning Commission no one would see the landscaping,

because on the north property line of the road there is the fence and, then, there is a 25 foot gravel road and, then, there is another fence before you get to our building. So, they were talking about landscaping between the building and that second southern fence.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. To follow up on the fence. Then, Aaron, on the north side -- so on the north side of the road of that -- that will be the city access point, you -- you have -- you and the neighbors have agreed to install a -- I'm assuming it's a six foot fence and have agreed to the type of fence, whether it's vinyl or wood or what have you, for that particular fence?

Anderson: That's correct. So, one of the neighbors is actually here tonight. We met this afternoon. I have been working with them and we are working to get them an eight foot through Ada county. Vinyl material. Solid. Just to, you know, preserve their privacy, so they don't have to see what's going on on the farmer's road. Yeah.

Hoaglund: Okay. Thank you.

Anderson: But that's separate from our fence, so -- but, really, at the end of the day our buildings really provide security. So, the need for a second fence with a seven foot gap isn't really -- you know, our current facility just sort of backs up to that access road. So, we could potentially eliminate our fence, use that area to landscape, and soften the look of the backside of that building a little better.

Simison: Council, additional questions for the applicant? Okay. Thank you very much.

Anderson: Thank you for your time. I appreciate it.

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

Johnson: Mr. Mayor, we did not.

Simison: Okay. If there is anybody present that would like to come forward and provide testimony at this time, if you would like to do that, or if you are online use the raise your hand feature and we can bring you in for any comments. Okay. Come on forward. State your name and address for the record, be recognized for three minutes.

Bowman: Okay. I'm Larry Bowman. My address is 3475 West Doc Lane. We have the property that's on the west side of their border. We are the ones out in the middle of the field with the barn and our house back there. Five and a half acres. And, really, there is only two bordering neighbors, us and Danny Madsen and he's -- he's in agreement. We -- we both agreed today that an eight foot fence on our side, on our property that they are going to put in would block that, so all we have is -- is a nice fence down there and I think,

quite frankly, trees would be somewhat wasted in that space. I have got enough trees for everybody in here and the hawks love them and all the neighbors and there really isn't anyone else, other than maybe the Wiskus family up there that can even see it. Just -- that's all I have to say.

Simison: Thank you. Council, any questions? And Mr. Madsen is online in case he has any -- wants to refute anything that was said, just so we know he is here listening as well. Anybody else that would like to provide testimony on the item at this time? Okay. Seeing no one coming forward or raising their hand, would the applicant like to close with any final comments? Okay. So, he is waving -- they are waving any final comments. So, Council, I will turn this over to you for conversation, dialogue, and closing the public hearing when necessary.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. I will just kick things off. It seems with the agreement with the neighbors for the fencing and it is such a short strip and having the road that allows access to city property that's under lease and, then, another fence and just a short strip that -- I -- I think it's adequate without the landscaping and appreciate the applicant working with the neighbors and trying to reach agreement and -- and being successful in that makes our job much easier when that happens. Wish it happened more often, but I appreciate all that work and I think it's something that we can -- we can move forward with. So, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I would move that we close the public hearing for Ten Mile Public Storage, H-2022-0016.

Cavener: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglun: And Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I would -- I'm trying to double check here what the DA requirements are, but I think I will just include the staff comments for the DA in -- in the motion. So, after considering all staff, applicant, and public testimony, I move to approve File No. H-2022-

0016 as presented in the staff report for the hearing date of August 23rd, 2022, and that all the staff comments for the DA be included in the -- in the -- in the motion.

Cavener: Second.

Simison: I have a motion and a second. Do I have discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION

- 4. Per Idaho Code 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.**

Simison: And, Mr. Hood, again, appreciate seeing you back here. The next item on the agenda is Item 4, Executive Session.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Per Idaho Code -- I move that we go into Executive Session per Idaho Code 74-206(1)(f).

Borton: Second.

Simison: I have a motion and a second to go into Executive Session. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes and we will move into Executive Session.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION: (6:48 p.m. to 7:12 p.m.)

Hoaglund: Move we come out of Executive Session.

Cavener: Second.

Simison: Moved and seconded to come out of Executive Session. All in favor say aye. Any opposed? All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Mr. Mayor, I move we adjourn.

Simison: Motion to adjourn. All in favor?

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:12 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT E. SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK