

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

MOTION CARRIED: ALL AYES.

Simison: Council, would we like a ten minute break before we go into this last one? Okay. With that we will take a recess until 8:15.

(Recess: 8:05 p.m. to 8:16 p.m.)

**7. Public Hearing for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.**

- A. Annexation of 128.21 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (19.85 acres) zoning districts.
- B. Preliminary Plat consisting of 371 buildable lots [single-family residential (215 detached/102 attached), townhome (38), multi-family residential (14), commercial (1) and school (1)], 42 common lots and 6 other (shared driveway) lots] on 124.81 acres of land in the R-8, R-15 and C-G zoning districts.

Simison: All right. Council, we will go ahead and come back from our recess and next item up is a public hearing for Prescott Ridge, H-2020-0047. I will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next applications before you are a request for annexation and zoning and a preliminary plat. At the December 1st hearing of last year the Council moved to remand this project back to the Commission for the outparcel at the northeast corner of the site adjacent to the commercial development to be included in the annexation area and development plan for the site and that is -- if you will remember it was this -- oops. This area kind of right in this red area here at the northeast corner. Since that time the applicant has acquired the outparcel and submitted updated plans that include the parcel in the development area. The staff report has been updated accordingly. The Commission heard this project on January 21st and recommended approval of the updated plans and the annexation boundary. Mr. Mayor, would the Council like me to go back through the whole application again or is everybody up to date on this and would you like to proceed forward with just that update?

Simison: Council, so you have a -- which version would you like, all or just the update? One all. Two update.

Borton: Update.

Cavener: Mr. Mayor, I have read through the staff report, reviewed our conversation, Planning and Zoning. I'm good with just the update.

Simison: There you go. Update. Just the update. Just the update.

Allen: I just did the update. I was done, Mr. Mayor.

Simison: Fair enough. All right.

Allen: You either get that or you get the long version. Nothing in between.

Simison: All right. Well, with that, then, that say -- Council, do you have any questions for staff at this time? Okay.

Bernt: No questions, Mr. Mayor.

Simison: Okay. Then with that we will ask -- invite the applicant to come forward.

Johnson: Mr. Mayor, he's on his way in. He is getting unmuted now.

Simison: And if you can state your name and address for the record.

Connor: Yes. My name is Patrick Connor. My address is 701 South Allen Street, Meridian, Idaho.

Simison: Okay. You are recognized --

Connor: I am having trouble sharing my screen. It says another participant is sharing. So, I would like to have the opportunity to share.

Simison: We are getting that corrected.

Connor: Thank you.

Johnson: You can try now.

Simison: All right. And you will be recognized for 15 minutes.

Connor: Great. Thank you so much. Thank you again for having us tonight, Mr. Mayor, Council Members. As Ms. Allen said, we were remanded back to Planning and Zoning on January 21st. We added in the one and a half acre parcel, which we acquired. It's now fully part of this project. There are some changes and when I get to those I will call them out. And improvement given a lot of the comments that you all made last year, improving the project and giving this thing another go ahead through Planning and Zoning and through our neighborhood meeting. So, the project is called Prescott Ridge. The location of the project is south of Chinden Road and east of McDermott. The future land use map shows the majority of the property is medium density residential with the north part of the property as mixed use regional. Just want to point out the far west side, this mixed use regional area, it has some existing homes that are located in the county that

are within that mixed use regional area. The current zoning map -- we have general commercial to the north and R-4 and R-8 to the south and to the east. Our requested zoning boundaries are shown here. Like I said, the majority is the R-8, which is almost one hundred acres. About 20 acres of commercial and R-15 of 8.82 acres shown in orange are multi-family and townhome portions of the project. The preliminary plat is the same as you see before. We have 371 buildable lots. Two of those lots -- one of them is a school parcel and one of them is the proposed medical campus on the north part of the property. We have 309 single family homes, ninety of which are potential zero lot line homes. Thirty-eight townhome lots. Eight single family attached lots within that townhome community. We have 14 multi-family lots with proposed four-plexes on each one of those lots and 32 common lots. We have 12.43 acres of qualified open space. One of the questions that you all had last time was how much open space did we have without our buffers and so we did that calculation and we came up with just over ten acres or 12.7 percent, which is over the -- the required open space. Our amenities -- we have many scattered throughout the community. We have one central park in the middle with a pool and tot lot and clubhouse and, then, the kind of scattered around we have three small tot lots, pocket parks, and a dog park area. Recreational pathways, which I will get to next, are a big part of the project and big desire of our community members. One big change I will get to in detail was Council Member Strader I think suggested to have a pocket park or a playground just for the multi-family portion of the site. So, that was one thing that we accommodated for. Here is some shots of -- and renderings of our amenities. A large clubhouse and a pool with a large tot lot and there is the smaller tot lots that are scattered throughout the community. Connectivity. What's shown here is pathways that are through common lots that kind of break up the larger blocks to increase pedestrian connectedness and also recreational opportunities. We do have a ten foot Parks Department pathway, which runs from the north part through the medical campus, through the site, which connects to the future school site on the inside of the property. We also have a ten foot pathway along Rustic Oak Way to the south of us to the Oaks North Subdivision. It connects to the already constructed Parks Department pathway along Chinden. The phasing plan is shown here, specifically phase one is shown here. It's almost the full extent of the property, giving us two points of access to McDermott and to Chinden. This is the main point that we worked with the city on and with the Parks Department on to ensure fire life safety access and having two points of access to the community. Also as this slide shows, once the full build out of Rustic Oak Way is done and this collector is installed it will serve Oaks North to our south and it will improve the response times of fire and ambulance and response times to Oaks North as well. So, the investment that we are putting forward in the first phase will now just positively affect us, but positively affect our neighbors as well and that was important to us. Peregrine Heights is a private subdivision to our west. They currently have a private road that only has access to Chinden. We will intersect with them to the south and we want to ensure that they have emergency access in the future and so we have offered to have -- and to build them a gate that has an Opticom device to ensure that they have, you know, the fire department and this plan was approved by the fire department. We worked with the neighbors on what sort of gate that they would want as part of their community. Here shows all of the housing types that are scattered throughout our community. As you can see we have about five different product types. The majority of them are this mixed 45,

50 and 60 foot homes that you see in yellow. We do have the smaller located in the blue areas, which are 40 foot lots and most of them have the option to be single family detached as well to kind of break up the streetscape. This was a really good offer by the city to an idea to help us kind of diversify our product line and help appeal to a diverse number of buyers. In green you will see we have the townhomes there and, then, also the red is the multi-family. These large lots centered around the existing Peregrine Heights community are shown in purple. And these lots are 70 feet to one hundred feet wide. Working with the neighborhood over the past year -- over -- over a year we have -- we are asking for a condition to have these nine lots of single story to help diffuse the impact of their -- on their view corridor of -- of the mountains and this is something that they have asked for and we are willing to work with them and given them the single story houses to help lessen the impact. Here is some examples of our typical home elevations. These are for our 50 and 60 foot lots and these are attached singled family lots. And these are the different clusters of our residential areas. The townhomes and single family as shown here. This is one particular area that we focused on early in the project and met with Planning and Zoning twice on to ensure this is the best possible layout and have two points of access both to two different public roads, both to roughly go to the south. There is 46 total units with three different product types in here. Twenty-nine rear load townhomes, nine front load townhomes and, then, eight single family attached. Each of these come with a private yard. Each have a two car garage and a parking space in their driveway. In addition there is 15 overflow spaces here on the west side of the central MEW located here. We also have this private park -- or not private park, but it's a community park over here as well for more kind of programs and cookouts -- potentially a fire pit. We will keep this MEW open for more kind of spontaneous recreational opportunities. Here is an example of the rear load townhomes, the front load townhomes and the duplexes on the south side. Here is an example of some MEWs that we have done as a team around the country that function in a community and giving folks that live in an area without a large yard an area to recreate together. And here is some examples of the townhome gathering area, the community grill picnic area, outdoor seating and the fire pit. Now, this particular site plan changed slightly and improved thanks to the good comments from you all. We added two areas of public gathering space. We have a playground here in the bottom corner, as well as a community mailbox center, and we have a gathering space here. The finer details of this site plan will be made during the CUP process when this portion of the project comes up. This is something that we really are excited about. It's a big improvement and we are glad we had the opportunity to go back and make the adjustment to these lots and shifting them. We were able not to lose any units, but will add this -- this amenity. Here is some renderings of these four-plex units. For all of our homes, townhomes, multi-family and for single family we are committed for a hundred percent energy certified. Last year we led the valley with Brighton in the number of homes that were a hundred percent energy star certified. This cuts down, obviously, on energy emissions, but also on cost of -- energy costs for our homebuyers. Here is an example of our design center, which all homebuyers are able to come in here in Meridian to choose all the details of their home and, then, here are some shots of our interior. Lastly, the medical campus there. This is the reason why we were remanded back to Planning and Zoning and we were able to purchase this 1.3 acre parcel, which is located here in the northeast corner. We were able to rotate this building

based on suggestions from our neighbors to help with alleviating some of the conflict of their view. We know a view sometimes can't really be protected, but it is something that we wanted to ensure if -- if there is something we do we could accommodate some of their concerns there and also this building is now 537 feet from the property line. Per code when -- with the residential use and general commercial use, I believe the building can be up to 25 feet. So, we are significantly beyond that with this medical office building here, which is a four story building with retail and restaurant on the first floor, which I will show you the rendering next. The hospital building here is still three stories tall. We have tried to integrate and mitigate the impact of this medical campus with some green areas and outdoors seating, as well as a large 30 foot buffer on the corner, which the pathway will snake around the whole site to integrate with the residential community, as well as the greater community outside on Chinden Road to the Parks Department -- parks ten foot pathway. Because we have this full corner now part of the site, we are able to have two points of access to Rustic Oak Way. This first access is a right-in, right-out only based on distance from the signalized intersection and, then, this access here is a full movement access. We still have the fire access road that runs to the northwest of our property. This intersects onto Serenity Lane, which per their plat, is a private road for access of -- emergency access for all parcels adjacent to Serenity Lane. Here is a shot of the medical campus. This is the four story building here with the retail and commercial on the first floor, as well as a three story hospital building here located in the center of the site. Here is some shots of some of the outdoor accommodations that we are trying to provide here for the medical campus to both integrate it within the community, but also mitigate the impact of having a commercial use next to a residential area. We -- there is a letter written to the city as part of the record of some comments that are still outstanding with the city and I just -- or with the medical campus and I just want to talk about some of them. One of the concerns is the hospital would have nowhere to grow and the response to that is the existing medical campus has no intent to grow beyond this 15 acre site. It will be built in over three phases and over multiple years. Another comment was that ITD, when we are not allowed -- or access for emergency access road in the northwest corner and that HOA would not allow access, we did talk to ITD about having some right-of-way encroachment. They did not deny our access. Also the 15 acre parcel that is on -- Peregrine Heights Subdivision, which was part of their recorded plat in 1995 as Lot 18, Block 1, and on this plat there is a note that says that Serenity Lane is designated as a private road for the purpose of ingress-egress, utilities, and emergency vehicle access. Another concern of the Fire Department says a frontage road is not required. The city code is what is requiring the frontage road, not the Fire Department. Another comment from the neighborhood was a hospital just asked for -- for more stories. The proposed site plan can't change once approved and there is a height limit of 65 feet. So, there will not be additional stories there. Also there was some comments about not having to rush the project and I just want to say that in April 2020 is when we first submitted this project. We have had three Planning and Zoning hearings and this is the second time we have presented to Council. Four neighborhood meetings. Three drafts. Countless conversations. On and on. So, we think a lot of the concerns that were brought up with this project with the neighbors have been addressed. We have accommodated a lot of their concerns and we are really proud of where we are at today in bringing this project to the city. In addition, the --

Simison: Mr. Connor, if you could wrap up your comments.

Connor: Sure. Thanks. The comp plan does support the residential. Like I said, we have accommodated over and beyond what is required. So, just to conclude, thank you all for having us present tonight. We are happy to have the 1.3 acre parcel as part of this project and we just really think this is a premier project for northwest Meridian and we -- we look forward to being part of the community. It was -- it was well received by Planning and Zoning. I think we have given this almost ten months of going through this public process. We have made a lot of changes and a lot of improvements and with that I stand for questions. Thank you.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Mr. Connor. I have multiple questions, so, please, bear with me. I will probably have some follow-ups as well. When I first started reviewing this again I was thinking I had never heard this application before, because there is so many changes and, then, when I went through and started recognizing some of what we had heard a few months back and realized that I had a lot more questions than I did last time, which is always a good part of the process. So, the -- and I apologize, but I know some of these things were gone over with the Planning and Zoning Commission and I did not have a chance to fully review their -- their transcript. So, the first question I have is -- and -- and if the Mayor would permit, would it be possible for me to ask the applicant a question, have them answer, and, then, allow me to continue to ask those questions or would you like me to ask all the questions at one time?

Simison: If you have got a list, go back and forth. I'm not going to make you go through me, so --

Perreault: Okay. Thank you. So, my first question is, you know, when I -- it's a unique -- it's a unique project. It's unusual to have residential this close to a medical campus, of course, and so, you know, I think of a hospital as a big working functioning facility that's not that different from any big commercial facility and so you have stated that there will likely be an entire bottom floor of retail and restaurant and so I'm wondering if you could show us where the loading trucks -- where -- where trucks will be coming and going in relationship to the residential and if you could take us through what looks like, because I -- in addition to, you know, just noise, there is going to, obviously, be a lot of movement and lighting and whatnot.

Connor: Absolutely. So, this -- you can still see my screen; correct?

Perreault: Yes.

Connor: Okay. Great. This is the large hospital here. The loading zone is on the south side. Right here. That's also the area of any sort of trash or drop off traffic will be located right here. Initially the iterations of the hospital was oriented clockwise 90 degrees and so the loading zone was on this side. We had a lot of strong opposition that the loading zone was too close to the existing neighbors -- from the neighbors and so we rotated it here. For the four story retail and commercial use, which is required or recommended for the mixed use regional zoning, I don't think this building has been fully set out as far as the -- where the loading zone would be, but given it would be a -- a restaurant and a store and maybe a pharmacy, the loading zone would be probably through either side -- part -- the west side of the south side. But just in this parking general area. As far as the lighting that you brought up, we will fully comply with the city's shielding policy to kind of take care of the dark skies initiatives and have those lights -- you know, making sure they are the not distracting or shining into neighbor's backyards. As we go through the conditional use process that we went as well for this medical campus, we can get really narrow on the type of -- of lights that are going to be recommended for this particular area. With this being a medical campus I just want to kind of clarify. It's -- we call it a boutique medical campus, because it's primarily going to be for women's health and pediatric services and outpatient services. So, there won't be a particular lot of overnight stays. It's really just for surgery. In and out. Typical operating hours are 7:00 a.m. to 4:00 p.m. to schedule those -- those surgeries and operations. So, it's -- it's really kind of a low impact hospital use. It's not a trauma hospital. There won't be a ton of ambulances and helicopters and things going in here. Those will go to St. Al's and St. Luke's. This is really a kind of a more regional boutique medical campus with more neighborhood friendly operating hours. And if there is any other questions on the medical campus I would love to talk about it.

Perreault: Yes. Thank you. So -- so, the hospital itself where -- where the loading is going to happen, primarily there is going to be supplies being loaded in there. Obviously there will probably be a cafeteria in that building. What -- what is the -- are there -- are there limitations on loading -- on hours? Are there hours for trucks to load and unload and, then, what is the distance from the building there where the loading is to the -- the closest residence?

Connor: I have right here from the residence to our west it's 172 feet. I don't have the exact measurement from this edge to here. I imagine it's probably about 140, 150 feet. Again, the setback per code was 25 feet. We are trying our best to move the building as far away from residences as possible without affecting the ability for the hospital to function and moving traffic and having, you know, people to park safely if they need to in case of emergencies and access for patients. As far as operating hours for the -- for the loading zone, that's something I think we could potentially talk about in the conditional use permit process. I'm not aware of -- of other requirements of other medical campuses in other communities for loading zones, but I would imagine that they would only come during operating hours. Typically in the morning or the early afternoon. But we can have that as a -- as a potential condition in the conditional use permit process.

Perreault: Okay. Typically conditional use permits are decided by our Planning and

Zoning Commission, so that's not a decision we will likely have a say in, but I would like to see those hours limited for sure and -- yeah. I would like to see those hours limited and likely you probably haven't had that conversation frequently, because it's rare to have residential this close to the loading zone of a hospital, so I wouldn't be surprised if you hadn't had that conversation before. Okay. The second question I had is about the emergency care and you said that there would not be a lot of ambulatory services required, because it's not going to be a trauma hospital -- emergency hospital. However, one of the decisions before us tonight is the -- the entry into this and it being used for emergency service. There is a 90 -- what, 95,000 -- 100,000 square foot hospital being built just to the north of this and I am sure you probably have watched the presentations and I'm guessing you -- you watched the decision that was made for that property to the north and the conversations that were had about requiring that applicant to create an arterial type of street to enter into the hospital -- to the development in exchange for not being able to access Chinden directly and so is that something that's been a conversation that you have had? Because I -- I would make that expectation. I would expect that we would have a similar requirement for you as we created for them, which is that the -- the entrance to -- if you are going to request emergency services is -- let me preface that -- that that -- that decision before us this evening that we would have the same expectation as the applicant to the north. So, just curious your thoughts on that.

Connor: Sure. I will just chime in real quick. So, the Rustic Oak Way off of Chinden Road is our -- is our access point to Chinden and so, yes, the medical emergency services would access not directly onto Chinden, because ITD did not want direct access to Chinden, other than off of Rustic Oak. So, that is our route for medical services. Again, this emergency area is really only required based on the level of surgeries and operations that they would be scheduling in this hospital. It -- most of the time it would function similar to a primary health for, you know, flu shots, vaccines, things like that. People that need stitches or broken wrists can come here and -- and get those items addressed. So -- did you want us -- I also have Stephanie Leonard here. She can probably give some more commentary.

Hopkins: Hi, Council. Stephanie Hopkins now, but -- our address is 9233 West State, Boise. 83714. In response to Council Woman Perreault's question about the exception to access to an arterial roadway, we are asking for a similar exception from the Council tonight to allow us to use Rustic Oak as our primary access for any emergency access that would be required. The -- it would be very similar to the Pollard Subdivision that was approved to the north as far as that exception and I think Sonya included something in her staff report to that effect. We do have a representative as well from the hospital that would like to speak and I think she's in the waiting room, too, if it's appropriate for her to enter.

Perreault: I just have one more quick question. I'm sure Council appreciate that and, then, the Mayor can respond to that request. Stephanie, good to hear from you. So, the -- the other question I have, then, is can you share I guess a bigger picture understanding of the need to add this facility when we have another hospital coming in just across the street? And, then, I have this what if question that may never ever happen, but I have to

ask it. If by some chance we -- you were to have ambulances that were to arrive at this intersection from both hospitals at the same time, how is that going to work with priority and how is that going to work with -- with -- I assume they will probably -- well, I know for a fact that there will be a light going in there, if I remember correctly from the Pollard application. How is that going to get prioritized on a -- on a highway -- a state highway with two hospitals across the street from each other?

Connor: I think that's an excellent question for Betsy Hunsicker to answer as far as how those ambulances -- ambulances or EMS's are going to make that decision on which emergency services to access either side and I will just real quick before Betsy hops in -- so, I didn't include a slide, but it showed how -- yes, we are well aware of the hospital across the street and the -- the argument that -- that I believe in is that we have the opportunity based on the location of the intersection of the two highways to create a regional medical area with two different medical providers. From a consumer standpoint it would create more competition between these two medical providers and potentially bring down costs and, hopefully, increase the quality of care. That's kind of my standpoint. The user that we have for this site welcomes the competition and, in fact, kind of enjoys it, because there is an opportunity for some sort of collaboration, as well as it -- it creates a foundation of jobs and tax base in this particular area, which can spur future development for -- whether more restaurants or more commercial properties, parks, things like that, it creates this regional hub of medical area that, you know, you may go for pediatric services to our campus and you may go for orthopedic services to the other campus based on, you know, how people are -- how the market perceives these medical campuses and what populations they serve and what services they provide. I think it's a good time for maybe Betsy to chime in, if you can invite her into this conversation.

Hunsicker: Hi. I'm in. Can you all hear me?

Simison: Yes, we can.

Connor: Yes.

Hunsicker: Hi. My name is Betsy Hunsicker and I'm with HCA Healthcare. So, I will try to kind of answer a few questions that I heard kind of over the last couple comments. So, first of all, EMS agencies have protocols for how they manage, you know, they both arrive and who goes first and whatever. So, EMS agencies have protocols for -- for how they would manage that. Secondly -- so, we were initially partnering with VBA on the project to the north. So, we were the hospital partner on that project. For a variety of reasons we had not moved forward and have moved to this location. So, if they have a new hospital partner I'm not aware of that. That doesn't mean they haven't -- they don't have a new hospital partner, but -- but that is I think from my perspective, you know, one data point is part of this. As far as the loading dock and the hours, typically Patrick was right, typically our -- our deliveries come in the mornings during -- I mean they come, you know -- they are not coming at 5:00 a.m., but they do probably start around 7:00, 7:30, and, you know, they go through early afternoon for any kind of food truck -- you know, food delivery service or other supply loading services and, then, and -- and that is fairly easily managed

with those trucks. I think those are the main questions that I wanted to weigh in on.

Simison: Council -- Council Woman Perreault, did you get your question answered?

Perreault: Thank you. Just one -- one more. So, with the -- with the expectation of the Pollard Subdivision having a -- almost a boulevard type of entry into their development, is that something that you would consider doing? I really would like to see those -- I would like to be -- to see it be consistent on both sides of the highway, considering the nature of the projects. Is that something that the applicant would consider if Council so requested?

Connor: This is Patrick again. To answer your question, we have coordinated with the developers of the Pollard Subdivision in ensuring our alignment on our streets does line up. In talking with ACHD and working with them, the width that is shown here is suitable. I think Pollard is looking more for a grand entrance. As far as the number of lanes coming in and out was suitable for the traffic flow that is going to be generated by the community and the -- and the medical campus. We have expanded it with the acquisition of this 1.3 acre parcel. We did -- we did widen the space a little bit more, because we were able to do that. But we are limited to our east of our project, because it is still privately owned. But we have gone as far as we can keeping that alignment in line with the Pollard Subdivision and their boulevard to the north. Like I said before, we have worked with them and ACHD ensuring that our intersection is aligned well, so when that light does come in later this year or next year it will function correctly as an operating intersection.

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

Hoaglund: Mr. Mayor. Mr. Connor, I was reading and I can't remember if I read it in the Fire Department report or if it was part of the application packet that along McDermott, the development there, is outside of our -- or right at the five minute boundary response time and I was reading some things that you are going to put in AEDs or some items like that in the clubhouses. Was that going to be in all the clubhouses?

Connor: Council -- Councilman, we just have one clubhouse here located in the middle of the project and we will have an AED device as recommended by the Fire Department.

Hoaglund: And follow up, Mr. Mayor.

Simison: Councilman Hoaglund.

Hoaglund: And, Mr. Connor, I don't know if you were able to tune in earlier to our -- to our Council session that -- about our discussion about possibly not being able to build a fire station in north Meridian, depending on what the legislature does to property tax revenue. What -- what additional changes would you make to this development to ensure that these residents would have suitable emergency access and items to help them protect their property? If we are going to have future growth there is lots of applications that have already been approved and now if we can't go forward with a subdivision -- our fire station

to service this subdivision in a timely manner, that creates additional pressure on residents.

Connor: Councilman, absolutely. It's -- it is something that we would hope to continue to work with the Fire Department to determine what their needs are to ensure adequate fire-life safety, because that's -- that's the number one priority and that's -- that's why we committed to providing the two points of access to McDermott and to Rustic Oak Way because of that question of making sure that that's the best it can be, fire, life and safety. As far as what else I could do to solve the problem, I don't have any answers today. I think we are all on the same page of the impacts of this proposed legislation. Obviously, I think it's in our best interest to work together with our legislators to ensure we are all making the right decisions for our whole state. As far as fire, life, safety, we would, obviously, work with the Fire Department to see where their needs are and how we can help. I'm sure you can get pretty creative in different ways. I don't have any direct answers today, but we would ensure that's number one priority.

Hoaglund: Mr. Mayor. Thank you, Mr. Connor. If I might, I want to --

Simison: Councilman Hoaglund.

Hoaglund: -- like to ask Deputy Chief Bongiorno just to make sure my memory is correct. Is that within the five minutes, chief, or was that McDermott portion of it outside the five minute response time for our current fire station that would service this area?

Bongiorno: Mr. Mayor, Councilman Hoaglund, if I can take over the screen I will share the map with you.

Johnson: You can do that now.

Bongiorno: It's coming here. You guys let me know when you can see it.

Hoaglund: Got it. Thank you.

Bongiorno: Okay. So, this is the -- the current -- obviously, the slime green is our five minute response time as calculated by our GIS group. So, right here is -- is Levi Lane and, then, the -- the roadway that Patrick had talked about, you know, coming through and tying into McDermott. So, the five minute response -- it kind of does this point right here, because the road ends. Levi Lane just ends and doesn't go through. So, once they push this road through, the five minute response time will creep in probably about equal to what's Serenity Lane is. So, it will -- it will come into roughly about right here and, then, all of this area, including part of the Oaks, is outside of our response time as -- as it sits right now. The other problem we have, which kind of exacerbates the issue, is we can't make that left turn onto McDermott, because it's -- it's -- that movement isn't allowed at this time, so -- so, what Patrick said is true, it will help us, because we will be able to go up Levi Lane and get into this area that's not covered. For view -- sorry if I'm moving this around too much. The property that we are looking at that we own for a future fire station

is this one right here is where this lot is, if you can see my cursor moving. So, this one would be almost a direct shot to come in the back way off McDermott to assist with fire coverage. So, as it stands, yes, a good majority of this is outside of our response time. Obviously, the hospital area that we have talked about will be fire sprinklered and it's a hospital, so we are good there. His apartment area -- all of those will be sprinklered and this area right here where the townhomes are, unless they are built off the IRC, they would not need to be, but if they are built off the IBC, then, those would be sprinklered as well. So, that's kind of where we are at. And -- and, yes, I did recommend, because of the longer response times that they put AEDs in their clubhouses or, you know, somewhere appropriate. So, that way we have fire and life safety covered if possible.

Hoaglund: All right. Thank you, chief.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe just a few comments for Patrick and the applicant team. I -- I do appreciate some of the changes to your plan. I appreciate the changes to the multi-family, especially to make sure those kids have a place to play and a little more breathing room. I appreciate the changes, you know, to the layout and the buffering and how you have tried to work with the neighbors. I -- you know, just to sort of give you a feel for how this example fits through this proposed legislation that may come -- may come to pass and kind of the discussion we had previously, if I'm just looking at this holistically, this is at the limits of where our city is now. For this to be successful we need to have another ladder truck that could get here quickly. We need to have fire service that could get here in a reasonable amount of time, which requires another fire station. Right now the nearest police substation is I think nine miles away, if I read that correctly. We need to extend the McDermott sewer trunk. We need to extend water services here. And I'm probably leaving things out. So, there -- there is just a huge amount of investment that we would normally make as a city for a project like this to be successful, but because this is an annexation we would potentially only capture 75 percent of the property tax revenue associated with this project and so that's where I'm having a lot of heartburn and it's not your fault and we don't want to be in this position, but I think it -- that is a big struggle for me right now with not understanding fully what will happen with this legislation, but feeling like, as Councilman Borton said earlier, our city is sort of at a turning point and at kind of critical moment with how we are going to evolve going forward and look at growth. So, I just wanted to sort of share those thoughts with you. We were talking about taking what we were calling of pause on approvals and decisions on these types of projects. Annexations especially. You know, do you hope for us to render a decision this evening or do you -- you know, would you prefer a continuance ultimately on this project or how are you sort of looking at that in light of that legislation and how we are looking at things?

Connor: Thank you, Council Woman Strader. Yes, I completely understand your standpoint. I appreciate the feedback that you gave to us last time we met with you all. As you can see we made a lot of improvements based on a lot of your comments. So, I

just want to say thank you for those. Yes, obviously, we want this project to move forward. We would like for the project to be approved, obviously. You know, if there was an opportunity to have our approval contingent on this bill being -- being denied, that's something we would be open to. Obviously, I think that your decision tonight potentially will be delayed, at least that's kind of what I'm picking up on. But I would like you all to consider this project, you know, without the elephant in the room. But holistically tonight how it stands, how it fits in your -- in your city and the positive impacts of it and, then, once we understand the legislation more and once it kind of goes through its process in the statehouse, you know, as -- as more of us from local governments come in and -- and work with our city legislators, I think it's going to look a lot different and I think that the cost of development should pay for itself and that we don't want to put anyone in any pain financially, the city or individuals. So, we definitely heard your comments before and we totally respect your decision to continue it. I would -- it would be great if we could do a condition of approval based on the outcome of this bill. That's up to you all to decide and discuss. I think that kind of summarizes what -- what I feel about it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you for -- for seeing that. I -- I have never seen us condition something on a piece of legislation and I -- that just -- that makes my head spin on how that would -- how that would work. I can only speak for myself. I think the changes that you have made to the project have been good and have moved in a better direction. You know, for me the -- the biggest hang up is the elephant in the room and so I -- I -- if I were in your -- I can't tell you how to proceed on it, but if I were in your shoes I would ask for a continuance at this time once I had the feedback on the changes to the project. That's just me. As a business woman that's what -- that's where my head would be at and I'm just one -- one of many. But thanks for those comments.

Connor: Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I agree -- I agree with Councilman Strader's comments one hundred percent, Connor -- or Patrick. I -- that elephant is pretty big that's in the room. He's not small. He's pretty big. So, I -- it's bad timing, honestly. So, I think I just would -- we were pretty clear in our message at the beginning of our meeting today, so I -- I'm with Council Woman Strader on this one.

Connor: Mr. Mayor, if we can, can we continue to talk about the project and the other feedback from anyone else and likely at the conclusion of that we can consider a continuance. I just want to make sure that -- assuming we keep functioning as a -- as a state and a city as normal, that we can, then, bring a really positive good product to you

guys and I hear all comments, so when we come back from being continued you have an even better project.

Simison: Yeah. Patrick, we have people who are online to testify as well, so we are going to hear from the public. We are going to take all the testimony. We will consider -- we will continue the conversation, so we will get that feedback and viewpoints from that standpoint. So, Council, any further questions for the applicant? Okay. Then with that we will go to our public testimony. Mr. Clerk, do we have anybody signed up in advance to provide testimony?

Johnson: Mr. Mayor, we had nobody signed up in advance, but we do have several people online.

Simison: Okay. If there is anybody that would like to provide testimony on this item at this time if you could, please, use the raise your hand feature at the bottom of the Zoom platform and we will bring you in. I see we have one person so far.

Johnson: First is Sue Ropski.

Simison: Sue, after you unmute yourself if you could state your name and address for the record and you will be recognized for three minutes.

Ropski: Hi. Can you hear me?

Simison: Yes, we can.

Ropski: Hi. My name is Sue Ropski. I live at 6262 North Serenity Lane. That would be the second lot as you turn into Serenity on the east side. I have lived here since 1998. I, as well as many of my neighbors, continue to have issues about the frontage road. I'm a registered nurse and I know what it takes to staff a hospital that's going to be open 24 hours a day taking care of 60 in-patient beds. That staffing parking lot is in the back behind my home. My concerns are the shifts they are going to be turning in on Serenity and taking that frontage road to zip into that back parking lot and go into the staff lot. So, I'm concerned about the lights that will be shining 24 hours a day point in. There is no barrier between the first lot, my next door neighbor to the north, and so I have concerns about the safety, the noise and the lights, for the employees and the use of that back road. My -- my other concern is -- first I want to thank you for the really nice sidewalk you have put in for us. I actually use that sidewalk and walk down to Costco now, but one of my concerns is that I'm now going to walk in on a sidewalk that's going to be between Chinden Road on one side and a frontage road on the other side, so it's a pedestrian -- it's -- it doesn't leave you feeling the safest on -- especially on days that there is -- there is a little bad weather. So, I just want you to take the safety into account also and I -- the other question my husband brought up was he had commented that a floor in a building has to be almost 11 feet. So, if that building is 65 feet tall is it really only going to be four stories or is there a chance that they may extend it upward. So, Mayor and Council, thank you for giving me a few moments of your time.

Simison: Thank you, Sue. Council, any questions? Okay. Appreciate it. Is there anybody else online who would like to provide testimony at this time?

Johnson: Mr. Mayor, no hands raised at this time.

Simison: Okay. Would the applicant, then, like to make any final comments?

Connor: Yes, I would, Mr. Mayor. So, thank you, Sue, for your testimony. Just for some clarification, the -- what you called the frontage road is -- it functions like an emergency access road and so there will be no cut-through traffic or anything like that from staff or anybody. There will be significant signage. We have had some conversations with the Fire Department on whether we can gate this emergency access road. I think that's still up for debate. We would have to have sufficient turnaround. But we fully intend to make sure we are not encouraging anyone to use this access as -- as a -- as access into the hospital. As far as the lights shining, during the CUP process we will have a photometric test to ensure that there is no light leakage into the residences. And also I don't know if I mentioned this earlier, but we will have an eight foot masonry wall along the property line to the west side and the south side and along here and that's required per code between commercial and residential use. So, that will definitely cut down on any sort of noise, any other site nuisance that may be between the two different uses and, lastly, the comment about the -- the height of the buildings. Per -- per the zoning category it's 65 feet maximum. The medical hospital building is three feet only -- or three stories only and the medical office building is four stories and won't exceed 65 feet. And then --

Hopkins: I will just add, too, that if we -- this is Stephanie again. If we -- if we did want to modify those heights we would have to modify the development agreement to be consistent with the new elevations or concept plan that would be the result of changing this building, so --

Connor: I think that's it.

Simison: Okay. Thank you very much.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To that last point any -- if there were to ever be a request to modify a development agreement to -- to make that ask, that would be a future public hearing as well.

Simison: Thank you for --

Borton: Even though that's not the intent, but that is all done in public if it ever does happen.

Simison: Thank you. So, Council, this -- you know, back to the conversation of -- from

my standpoint I do like this project, the changes that have been made. I think it was a wise decision to remand back and get the issues addressed, so we knew what we were moving forward with. Whether it's legislative -- whether it's legislative or the conversation Council will likely have in a couple weeks -- or about a month regarding our decision on future fire stations, we would at least know in theory either -- if we are going to do one or two or which one is going to go first in the north or the south potentially. There is a lot of good questions that I think the Council will get answered here in the next six weeks that would really allow a more informed decision, whether it's monetary or otherwise, for this area, both for the applicant and for the city, quite frankly, from that standpoint. So, with that any further comments, questions, suggestions, directions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I think it's wise that -- that we -- to address the elephant in the room as it regards to potential legislation that could impact us. From our discussion, my takeaway earlier today, is the fact that we do have to know what we are dealing with. Certainly this project has -- has improved. There is very good elements of it, but at the same time we might not be able to provide essential services to areas of our community and before proceeding with that I just feel more comfortable if we would continue this. If we look at six weeks that is April 13th. I took the liberty to check with our city clerk and that is an open date at this time. So, I would move that we continue this item and leave the public hearing open on H-2020-0047 until April 13th, 2021.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I second that motion.

Simison: Motion and a second. Is there discussion on the motion or further feedback for the applicant to consider between now and then?

Bernt: Luke, are you --

Cavener: Mr. Mayor?

Bernt: There you go.

Simison: Councilman Cavener.

Cavener: Thanks. Sorry about that. Just for conversation, I know it is sometimes common that when we continue an item we limit the continuance for additional public testimony in a more limited scope. I don't know if that's something that we would want to consider. Again, looking at maybe the precedent that we may set with this particular

continuance to try and be consistent as possible over the next few weeks. So, if we want to leave the public hearing open I'm certainly supportive of that. If we wanted to limit it for additional testimony about how potential legislation could impact this project -- I would be curious to hear how the rest of my colleagues feel.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: In my opinion we -- I don't feel like there is a need for additional public testimony on the application itself. I mean the reason that we are having a discussion about the continuance is not related to this application and so I would be comfortable with Council continuing it and just making a decision on the application at that future meeting. I don't -- I don't -- like -- like Councilman Cavener said, you know, curious to hear what my other Council Members have to say, but I don't know that the public will be necessarily discussing property taxes in relationship to this application specifically.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I'm open to -- to, you know, what Council wanted. My thinking on this and making the motion with leaving the public hearing open is just the fact that just in case -- I don't think there will be additional testimony or changes or anything that comes of it. It just allows us to keep the record open and hear from the public if they want to weigh in on this, but I think the developer has gone to great lengths to include feedback and to rectify where they could on -- on many of the issues and it's I think more just kind of a courtesy to leave it open, as opposed to closing it and having the hearing on the 13th to make a -- hopefully a final decision.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: The Council could also stipulate that the public hearing may remain open, but only new -- testimony based on new information would be accepted. So, that way if there were something related to the legislative actions or something -- and, then, the applicant wanted to weigh in on how they aren't going to impact that way, you still have that ability, but it's just on new information, not the whole project.

Cavener: And Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know that as a body we value public testimony. My thought was merely out of respect for the public. If we -- again, I don't know what's on our agenda over the next

few weeks, but if you have a particularly contentious public hearing where, you know, individuals have come to the Planning and Zoning and voiced their concerns and they come to a City Council meeting, they voice their concerns, that they feel obligated to come to the continued City Council meeting that's really designed to focus about pending legislation and so they feel that they may need to come and voice those same concerns again. So, just -- that was where -- where my mindset was is I want to be respectful to the public's time. I think that it is our intention to -- to take these public hearings like they are a complete hearing with waiting until we have some clarification on one particular element before we render a decision.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: And I think Councilman Cavener raises a good point, especially about the point that how we handle this one kind of sets the tone for the rest of them and with Mr. Nary's advice, I would amend my motion and make it that we continue H-2020-0047 to April 13th and limit public hearing items to new -- new items only. Any public hearing would be related to new items. Mr. Nary, is that --

Simison: Does the second agree?

Nary: Based on new information. So, new information.

Hoaglun: I'm sorry. Based on new information only.

Simison: Does second agree?

Bernt: Second agrees.

Simison: So, we have got a revised motion. Is there further conversation on the motion at this time? If not, ask the Clerk to call the roll.

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

Simison: All ayes. Motion carries and the item is continued. Thank you for the conversation and look forward to seeing you again in April.

MOTION CARRIED: ALL AYES.

## **ORDINANCES [Action Item]**

- 8. Ordinance No. 21-1918: An Ordinance (H-2020-0087 – Spurwing Sewer Easement) for Annexation of a Parcel of Land Being a Portion of Lot 2, Block 1 of Spurwing Subdivision as on File in Book 69 of Plats at**