

Borton: I will make a motion that we -- that we continue 2021-0003 to the 3rd Tuesday in April. The number escapes me, but our esteemed Council President might have that in front of him.

Bernt: That would be the 20th, Mr. Borton.

Borton: To April 20th and in making the motion, Mr. Mayor, again, I -- if we are stuck procedurally we are stuck. If the waiver is not an option, I make the motion hoping that Matt's able to -- to persuade Nampa-Meridian to make the request for this modification to actually go away. I would hope that's what can happen. Still allowing us the time to make sure there is clarification in our code, if necessary, but we will continue it, but, again, I am hoping that it goes away, so with that I move that we continue it to that date.

Hoaglun: Second the motion, Mr. Mayor.

Simison: I have a motion and a second. Is there any discussion? If not, all in favor signify by -- oh, do I need a roll call, Mr. Nary?

Nary: Voice is fine.

Simison: All in favor signify by saying aye. Opposed nay. And we will continue it until the 20th.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Thank you, Matt.

Schultz: Thank you.

3. Public Hearing for Shafer View Terrace (H-2020-0117) by Breckon Land Design, Located on the East Side of S. Meridian Rd./SH 69, Midway Between E. Amity Rd. and E. Lake Hazel Rd.

- A. Request: Annexation of a total of 40.48 acres of land with R-2 (10.66 acres) and R-4 (29.82 acres) zoning districts.
- B. Request: A Preliminary Plat consisting of 50 buildable lots and 10 common lots on 39.01 acres of land in the R-2 and R-4 zoning districts

Simison: Our next item on the agenda is a public hearing for Shafer View Terrace, H-2020-0117. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next application before you is request for annexation and zoning and a preliminary plat. This site consists of 39.01 acres of land. It's zoned RUT in Ada county and is located on the east side of South

Meridian Road and State Highway 69, midway between East Amity Road and East Lake Hazel Road. This property is part of Shafer View Estates Subdivision to the south recorded in 2002. It was deed restricted and was only allowed to be used for open space for a period of not less than 15 years from the date of recording of the plat. That time period has since lapsed and it is now eligible for development. The Comprehensive Plan future land use map designation is low density residential, which is three or fewer units per acre. The proposed annexation is 40.48 acres of land with R-2 zoning, which consists of 10.66 acres and R-4 zoning, which consists of 29.82 acres, which includes adjacent right of way to the section line of South Meridian Road and State Highway 69 and to the centerline of East -- East Quartz Creek Street along the northern boundary of the site. A total of 50 residential dwelling units are proposed to develop on the site at an overall gross density of 1.76 units per acre, consistent with the associated low density residential future land use map designation for this site. Although the proposed density is more consistent with an R-2 low density residential zoning district, the applicant is requesting R-4 in order to provide a transition in lot sizes between the existing rural residential subdivision to the south, Shafer View Estates, and the future urban residential subdivision approved to the north Prevail Subdivision, zoned R-8. Larger lots are proposed along the southern boundary adjacent to rural residential lots that gradually transition to smaller lots to the north. A common lot that contains a 41 foot wide easement for the McBurney Lateral separates the proposed lots from the existing rural lots. If you can see the -- this little line through the -- horizontally through the middle of the project, that is the McBurney Lateral. The proposed plat is shown as a resubdivision of Lot 4, Block 1, Shafer View Estates, and is proposed to consist of 50 buildable lots and ten common lots on 39.01 acres of land and should be developed in three phases as shown. The third phase is under separate ownership and consists of one 10.66 acre lot that is proposed to develop separately with the Apex development to the east. Two accesses are proposed via East Quartz Creek Street, a planned collector street along the northern boundary of the site. Direct access via East Shafer View Drive, an existing local street along the southern boundary of the site, is proposed for the lots south of the McBurney Lateral. An emergency only access is proposed between the cul-de-sac and East Shafer View Drive. Access to the R-2 zoned portion of the site is anticipated to be provided from the east with the Apex development and that is the Brighton development that was recently before you. Direct lot access via South Meridian Road and State Highway 69 is prohibited. The proposed street sections accommodate on-street parking on both sides of the street, which should be sufficient to serve guests in addition to driveway parking on each lot. There are no improvements planned to the CIP or the five year work plan for Meridian Road or nearby intersections in the next five years. Development of the subdivision is required to comply with the subdivision design and improvement standards in UDC 11-6C-3, which includes block face standards. The face of Block 3 exceeds the maximum block length allowed and does not provide a pedestrian connection, other than the emergency access drive, which may serve as a pedestrian connection between the proposed subdivision and East Shafer View Estates to the south and that is this area, if you can see my cursor right here. The applicant is requesting Council approval of a waiver to allow Block 3 to exceed 1,200 feet due to the existing site constraints that include the following: Number one. The narrow configuration of the subject property. Two. The location of the McBurney Lateral, a large waterway and irrigation facility that

runs along the southern boundary and through the western portion of the proposed subdivision and, three, the existing Shafer View Subdivision that abuts the site to the south, south of the lateral, which does not include any pedestrian pathways or stub streets to this property. If not approved the plat should be reconfigured to comply with this standard and just a note it's the -- this is Block 3 right here and it's measured from this center section right here -- basically right here to the cul-de-sac.

Perreault: Sonya, I'm not seeing your cursor.

Allen: I'm sorry. I have got two screens in front of me and it was -- it's a little unclear what you guys are looking at. Can you see it now?

Simison: Yes.

Allen: Okay. Sorry about that. So, it's measured from right here and it's the whole face of this block right here. A emergency access road for the Fire Department is -- is proposed between the end of the cul-de-sac and East Shafer View Road, but it is not a public access and that is this location right here. A ten foot wide detached multi-use pathway is proposed along South Meridian Road and State Highway 69 within the street buffer as required in the pathways master plan. A detached sidewalk is proposed along East Quartz Creek Street. A combination of attached and detached sidewalks with parkways is proposed within the development. A 35 foot wide street buffer is required along South Meridian Road, an entryway corridor, and a 20 foot wide street buffer is required along Quartz Creek, a collector street. Noise abatement is required to be provided for residential uses adjacent to State Highway 69. A four foot tall berm and six foot tall SimTek wall is proposed as noise abatement in accord with UDC standards. A minimum of ten percent qualified open space or 3.9 acres and one site amenity is required to be provided with the subdivision. A total of 4.05 acres or 14.27 percent is proposed, along with four site amenities consisting of a multi-sport court, tot lot, gazebo shade structure and a segment of the city's multi-use pathway system in excess of UDC standards. A mix of six foot tall wrought iron and six foot tall solid vinyl fencing is proposed adjacent to common areas. Wrought iron fencing is proposed along the McBurney Lateral. Two waterways cross this site. As I mentioned, the McBurney Lateral, a large open waterway within a 41 foot wide easement along the southern boundary of the site and through the western portion of the site and, again, that's this area right here, and a 30 foot -- 38 foot wide slough and drain on the eastern portion of the site that the applicant has confirmed with the Boise Project Board of Control is not within an easement and that is this area right here. The UDC allows waterways to remain open when improved as a water amenity, as defined, or linear open space. The Council may waive this requirement if it finds the public purpose requiring such will not be served and public safety can be preserved. The applicant is not proposing to improve the McBurney Lateral as required in order for it to remain open and request a waiver from Council to allow it to remain open and not be piped. A six -- six foot tall wrought iron fence is proposed along both sides of the waterway to deter access to the waterway and to ensure public safety. Conceptual elevations were submitted as shown that represent the style and construction of homes proposed within the development. The Commission recommended approval of the

proposed project with conditions in the staff report. And I will just go through a summary of the Commission hearing. Jon Breckon, Breckon Land Design, the applicant's representative, testified in favor. No one testified in opposition. Marvin Ward and Gayle Ward commented on the application and Mary Wall, Breckon Land Design, the applicant's representative, submitted written testimony. The key issues of discussion were as follows: Concern pertaining to safety of access to Lots 2 through 5, Block 6, accessed via Shafer View Drive, with the configuration of East Shafer View Drive and change in grade in that area and that is these lots right here. Preference for one acre lots to be provided on the south side of the McBurney Lateral consistent with adjacent existing one acre lots in Shafer View Estates and, again, those are these lots right here. The applicant testified they are willing to add more landscaping at the entry to the development near the South Meridian Road and State Highway 69 and East Shafer View Drive intersection. Key issues of discussion by the Commission were as follows: They were in favor of the provision of additional landscaping at the entrance of the subdivision at the intersection of South Meridian Road and State Highway 69 and East Shafer View Drive as offered by the applicant. Possibility of reducing the number of homes in the area south of the McBurney Lateral, Lots 2 through 6, Block 6, to enhance safety in that area and just to note, the applicant did submit a revised plat and landscape plan and plans that did reduce the number of lots in this area by one from four to three. They did have concern pertaining to lack of comments from the Idaho Transportation Department and we have since received those and I will go into those in just a bit. They would prefer a better transition in lot sizes to the south, specifically Lots 15 through 17, Block 3, and maybe lose a lot and that's what I just referenced. They did lose a lot. Discussion regarding the proposed amenities. Opinion that the style and size of the homes should be compatible with adjacent homes in Shafer View Estates. The Commission made the following changes to the staff recommendation. At staff's request they included a condition for the 38 foot wide slough and drain on the eastern portion of the site to be contained entirely within common lots, with fencing required on both sides of the drain consistent with UDC standards. At staff's request they included a condition requiring the common lots containing the slough and drain to have vegetative ground cover to prevent fire hazard and unsightliness if the waterway is piped. At staff's request they modified condition nine to allow the option for the waterways on the site to be improved as a water amenity as an alternative to being piped, as allowed by the UDC, with submittal of construction drawings and relevant calculations prepared by a qualified licensed professional registered in the state of Idaho that demonstrates compliance with the requirements for water amenities as defined in the UDC. They included a condition for the entrance to the subdivision at the intersection of Meridian Road and Shafer View Drive to be improved with additional landscaping as offered by the applicant and the applicant did submit a revised landscape plan showing that. They included a condition for one buildable lot to be removed in the area of Lots 2 through 5, Block 6, south of the McBurney Lateral and that is this area right here. And I actually misspoke just a moment ago. They -- they did discuss removing a lot north of the McBurney Lateral in this area as well and the applicant did not remove a lot in that area. Outstanding issues for Council tonight are as follows: The Commission requested an Idaho Transportation Department review of the project and comments prior to the Council hearing. Comments from ITD are included in the staff report and I will just read through those a little bit real quick. Give the highlights. The letter states a

northbound right turn lane is warranted with the additional trips generated by this development to ensure turning traffic can exit through lanes and turn safely onto Quartz Creek Street. ITD can't require the developer to install a northbound turn lane, as Quartz Creek Street is a public road and instead request proportionate shared contributions to address the need for a right turn lane. All future developments adding northbound right turn lanes to this intersection will be requested to contribute proportionate share as well. Should the developer not be required to contribute their proportionate share, which amounts to approximately 59,358 dollars or 1.01 percent, ITD recommends the city require the developer to install the northbound right turn lane to ensure the safety of the traffic -- traveling public and citizens in and Shafer View Terrace and Prevail Subdivisions. If Council determines one of these options should be a requirement for this development, a provision should be included as such in the development agreement. Written testimony has been received since the Commission hearing as follows: Two letters, one from Charles Boyd, in opposition to the lot sizes of the four parcels accessed via Shafer View Drive. Would like lot sizes at least one acre in size comparable to the one to 1.24 acre lot sizes in Shafer View Estates. And as I mentioned earlier, the applicant did reduce the number of lots in that area from four to three. They have safety concerns pertaining to driveways so close to Meridian Road and the topography in that area, which creates poor visibility. There is an immediate incline for Meridian Road. He requests that the number of lots be reduced from four to two in that area to ensure no driveways are placed near the top of the hill. Written testimony has also been received from Deborah Boyd and she does have a lot of the same concerns as Charles Boyd and these letters are both in the public record for your review. Staff will stand for any questions Council may have.

Simison: Thank you, Sonya. Council, any questions for staff? Okay. With that ask the applicant to, please, come forward and I assume that they are in the waiting room, Mr. Clerk.

Breckon: I'm online, Mr. Mayor.

Simison: Okay. If you could state your name and address for the record and you will be recognized for 15 minutes.

Breckon: Jon Breckon. Breckon Land Design. 6661 Glenwood Street, Garden City. Am I able to share my screen, Sonya?

Allen: Yes. You should be able to share your screen, Mr. Breckon. Thank you.

Breckon: Okay. Sorry. I have a brief presentation here on PowerPoint. Much of it is somewhat redundant to what Sonya already presented. Anyway, I will move forward here. Shafer View Estates. Here is a small exhibit of the site location and its relation to adjacent developments. Apex to the east. Prevail to the north. Existing Shafer View Estates to the south. Part of our request is to annex into the city and here is just an adjacency map depicting the existing city limits and how we are adjacent to that. This is a zoning map for reference. You can see the existing Shafer View Estates, which are the large one acre lots to the south and how we are attempting to transition in between those lots and the R-

8, which has the 8,000 square foot lots to the north. We are presenting R-4 for the majority of this site and, then, R-2 to the east. For reference, these are the schools that would service the subdivision. Mary Mac Elementary on Amity. Victory Middle School. We are here to the northwest. And Mountain View High School relatively close by. Also for reference emergency services, Fire Station No. 6 on Overland is within the response time, as well as Meridian Police Station. Here is more graphic depiction of the site. This is a good example. It shows the differential on lot sizes and these three lots here, which are the closest are on the south side of McBurney Lateral and closest to the one acre lots are about 30,000 square feet. So, very close to an acre in size. And, then, these lots on the north side of the McBurney are -- are also pretty good size, varying from, oh, about 14,000 to 19,000 square feet and, then, we have the smaller lots closer on the north side. I also add that, you know, part of the challenge of this site is the layout of it, kind of odd size, the lateral kind of weaving through and there is also substantial grade change as the grade slopes off down to the east and it also slopes off to the northwest. There is about, oh, 13 feet -- between 15 feet of fall through here and that was also one of the challenges in laying out the property. The graphic depicts the open space, both qualified open space, as well as common open space and here is -- here is -- this is a good depiction of where that transitional network that we are -- that we are trying to achieve. You can see the larger one acre lots here. We have the 14 to 18 thousand. Actually, these -- these go up to about 30,000 square feet and, then, these ones are the ten to 12 and, of course, Prevail is that R-8 with about eight -- eight thousand square foot lots. This is a graphic of the highway frontage. So, currently ITD right of way and, then, the landscape treatment, as well as the pathway that's proposed. Meridian Road, a borrow ditch, and we have got some -- a very nice landscape treatment that provides a four foot berm, as well as six foot solid wall of this product style here, this SimTek fence. This is very similar to what is being installed to the north along the Prevail Subdivision. Amenities. We exceeded that. There is only requirement for one amenity. However, you know, we would like to -- we would like this to fit in and provide multi-use pathway, a tot lot, multi-sport court and, then, we have got also a seating area. Here are some examples of the housing style you expected in line with what is existing at Shafer View Estates and this is just a brief summation of waivers and exceptions. So, as Sonya mentioned, the street access waiver, two access points on Quartz Creek Street, just due to the challenges of connecting. The piping of the McBurney Lateral. I guess I could add to that in that did meet on site with the Boise Project Board of Control with Tom Ritthaler and discussed what options would be there. His words were that he would prefer no improvements of the lateral and -- and as such we were actually -- we were hoping that we could put a pathway and some landscaping and -- and beautify it, but he said the Boise Project does not allow those sorts of improvements. So, we are attempting to comply with the code and that we are providing wrought iron fence all the way around it. Then the block length waiver was the other waiver that we are requesting, just due to the geometry here, trying to make the site work. I would stand for questions.

Simison: Thank you. Council, any questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a quick question, Jon, on that last comment with the -- the open vision fencing. I'm looking at page 12 of the staff report and getting myself a little sideways. Is the request that the lateral remain open and -- but the fencing will be placed -- is the fence outside the easement so the Boise Project Board of Control wouldn't be subject to messing around with it?

Breckon: Mr. Mayor, Councilman Borton, yes, it is -- it would be placed along the property lines at the -- at the edge of the easement and so there would not be a conflict with the irrigation district. I did not bring any photos of McBurney Lateral, but I guess I could also share a little bit more on in that, you know, dimensionally the easement is 41 feet, the ditch itself is about seven to ten feet wide. It's rather broad. It's not super deep. You know, it's -- it's -- it's -- it's -- it's wider, just to -- you know, effects of time I suppose. Probably maybe four -- four feet deep, five feet deep. The other thing I guess, you know, some of the site challenges only go into detail on and some of the constraints that we had to deal with on the east side in particular is that McBurney is piped across actually this gentleman's lot and it comes to some structures in this location and goes to -- there where it splits and a portion of it is utilized by the pressurized irrigation system and pump station for Shafer View Estates and, then, it is piped further to the south and, then, the remainder is distributed or goes to the McBurney Lateral and off of that we have a headgate that would be utilized for a pressurized irrigation system for this proposed -- proposed development, part of which we are also -- we were recommended by Boise Project to provide an irrigation pump pond and, then, there is also a couple of headgates in this vicinity that were used for surface watering fields and one actually provides water to the Prevail Subdivision and their pressurized irrigation system. The remainder of it goes to the west and to the last user on the line on the other side of the highway. So, just some details there for consideration.

Borton: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I think one thing that would be helpful for me is just to get your perspective on the safety issues around Shafer that we heard from in some of the public testimony and how -- how you can try to address that.

Breckon: Yes. Mr. Mayor and Council Woman Strader, the majority of the safety concerns had to do with the connection to the highway. If you have driven this there is a rather abrupt grade change from the highway and, then, you go up on Shafer View Drive. This first straight stretch and, you know, part of the concern there is this is also a bus stop for the schools. In addition to that -- that grade change, there is some landscaping and signage on the south side and some landscaping on the north side that I assume were installed as part of Shafer View Estates and a good portion of that is -- you know, it's --

it's -- it's been a while since that was installed. Many of the trees are much larger than they originally installed. Evergreen trees somewhat overgrown and they are not helping with the views as you -- as you drive out to turn either right or left onto the highway. The highway here -- I believe the speed limit is 55, so people are zipping by there pretty good and, then, you know, with that grade change, if you can picture it, there is -- you know, it's almost like a terrace that sticks out. So, there is -- there is a substantial slope directly adjacent to the road that slopes down from -- from the -- the hillside there down to the Shafer View Road and so, you know, we would definitely like to address that and that was a part of the discussion and what we are depicting on the landscape plan to minimize any concerns there, you know, they are probably -- expect there needs to be some regrading, as well as redo the landscaping on both sides and, then, we will see the other concerns -- well, I think that was the main -- the main concern there. The -- let's see. Was there anything else? Well, there was -- originally we had -- we had four lots along this frontage here and that was part of that discussion that there would be four access points on this stretch of road that's, you know, already a bit of a challenge and that it would potentially be unsafe for families with children that have access onto Shafer View Drive and so, you know, we have accommodated that and went from three blocks to four, which was the request. Originally the lots came over and touched -- well, almost touched on this side much closer. There was just a very skinny landscape strip in between. So, we would broaden that out and provide more separation for these folks here. Beg your pardon?

Strader: I'm sorry, I didn't mean to interrupt you.

Breckon: Oh, no. No. I was just going to add that there is an existing drainage swale in this location and, then, you know, to address -- but there is also an existing drainage swale down here in the corner that would need to be reworked as part of these improvements. Of course we would need to bring utilities over and provide curb, gutter and sidewalk along the frontage.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, just so I can understand, is that street pretty sloped, then, and the concern is that cars won't see the kids walking and, then, I guess if you could also address if there will be a sidewalk along there and where the kids would, then, be waiting for the bus.

Breckon: Mr. Mayor and Council Member Strader, yes, there -- there would be a sidewalk along the frontage. It would tie into the pathway along the highway. The -- the big -- the majority of the -- the grade change is really just right in this entry-exit throat and -- and just, you know, as you pull down, come down the hill and there is a bit sharper drop off at the end and due to that drop off, you know, you really can't see down the highway either way until you really nose out. I mean you got to get to the end. So, if there were -- for example, if there were cars stacked here, you know, if you had two or three cars, the first car would be fine, they would be up and ready and queued and you can see just fine, but the second car would be in a position that they would not be able to really see down the

road either way and so that's -- that's -- that's a big concern there is the visibility. Anyway, we have a little hesitation about proposing modifications here. I mean we would like to make it better, but we would like to get some feedback from ITD. We wouldn't want to propose something and, then, ITD comes back and, you know, wants to do something else. So, we were hoping to get a little bit more direction in the ITD staff report, but it's -- it's a little bit vague. As I understand they are conducting a study right now on how far to widen Meridian Road and so, you know, we are kind of waiting on that.

Strader: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Breckon, I just wanted to know your thoughts on the proportionate share on Quartz Creek Street. Are you willing to participate in that right turn lane?

Breckon: Yes, Mr. Mayor, Councilman Hoaglun, yes, we are willing to share that.

Hoaglun: Thank you.

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

Johnson: Mr. Mayor, there were no advance sign-ups.

Simison: Okay. Well, if there is anybody in the audience who would like to provide testimony on this item, if you come forward and state your name and address for the record or if there is anybody online who would like to provide testimony, please, use the raise your hand feature and to indicate and we will bring you in for testifying. Sir, if you would like to come forward and state your name and address for the record.

Ward: Marvin Ward. 152 East Shafer View. First house in the subdivision of Shafer View Estates. I testified at the Planning and Zoning, concerns about --

Strader: I'm sorry, we can't hear you online.

Ward: Okay. My fault. Talked about the safety that -- the raised elevation of the road, as that elevation raises and it makes a hard right and a hard left within 50 yards or so like that, it's -- it's a sight problem. Entering the subdivision you are coming off of Meridian Road, you know, fairly fast to get across the traffic. Putting houses there has been a concern of the neighborhood and also for myself and with all this development going around us, increased traffic on Meridian Road is, obviously, going to impact that as far as ingress and egress of the subdivision. Of course, another concern that kind of came to light in our home a week ago is emergency services. How fast can we get emergency

services to this area based on traffic patterns that are coming and the development that's going around there, it's -- it's a concern. I know that the developer has talked about five to eight minutes. I don't know that that is accurate. Based on our experience with emergency services it's closer to ten. You know, heart attack or not breathing or stuff like that is tough, so -- of course, the biggest concern is losing the country feel that we have out there with smaller homes around us and we are concerned about that. But these -- these three lots that are going in facing to Shafer View are definitely an access concern, a safety concern for those people that are moving into those houses with that coming in there. Most of the people in the subdivisions will not let the children stand there waiting for the bus, just because of the safety concern. They usually sit in the car and wait for the bus to show up, because people are coming and going and the speeds that are there, so -- and, of course, with the highway district stuff coming along we don't know what that's going to do, how that's going to impact the -- that intersection and that are along there, so just, you know, concerned about those things and wanted to share my thoughts and opinions on the safety and the development of that particular corner and making that work for us, so I appreciate your time, Mayor and Council, and hopefully we can work through this and make it work. So, thank you.

Simison: Council, any questions? Thank you. Is there anybody else in the audience that would like to provide testimony? Mr. Clerk, do we have anybody raise their hand online?

Johnson: Mr. Mayor, we did not.

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

Breckon: Yes, Mr. Mayor. I -- to address Mr. Ward's concerns. I think you -- to reiterate some of the points already made. You know, the access point there, we fully intend to make appropriate modifications to improve the access and the visibility into the property. I might note that, you know, currently Shafer View Estates there is 15 homes, so a relatively small cross-section as far as traffic flow and we have addressed, you know, previous concerns, you know, making these lots larger -- substantially larger, close to one acre in size, so that they will fit in with the existing development. Response time. You know, did look that up based on the city's data for emergency services. It is three to five minutes and I will stand for any further questions.

Hoaglund: Mr. Mayor?

Simison: Thank you. Councilman Hoaglund.

Hoaglund: Mr. Mayor, to Mr. Ward's point, Mr. Breckon, I'm assuming that because of the size of these three lots that people would not be backing out of their driveway onto Shafer View, they would be pulling out front say, is that a safe assumption?

Breckon: Mr. Mayor, Councilman Hoaglund, yes, I fully agree. If we were to pull up an aerial view of the existing Shafer View Estates, you know, one acre lots are -- are very large by today's standards and fully expecting that these three lots that we are proposing

will be of a similar nature and architectural design, as well as site design, and, yeah, here if you look at the -- oops, it went away. If there was the color plan that we had you can see the aerial photo of these one acre lots and these -- these are substantial homes, you know, with -- most of them have drive-through driveways, as well as auxiliary buildings or guest homes adjacent, swimming pools, and, you know, water features and they are -- they are very nice and -- and they all have substantial accommodations for multiple vehicles, guest parking, and, you know, on-site circulation I guess is what I'm trying to explain.

Hoaglund: Mr. Mayor?

Breckon: So, yeah, I expect that -- you know, and that's the intent of these -- these lot sizes, that these will fit in with these folks here and, you know, be able to build a similar type of home and have similar amenities and, you know, have your drive-through driveway or, you know, whatever they would like and be able to turn around on site in any case.

Hoaglund: Mr. Mayor, follow up.

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Mr. Breckon, is there a way that those driveways -- and I know we don't have the site plans or where the house is going to be, but can the driveway be configured safely that it has view of -- it does sound like -- and that's the one thing we don't have much experience in Meridian is dealing with hills, that's just not something we have many of. So, is there a way to locate those driveways to maximize visibility?

Breckon: Mr. Mayor and Councilman Hoaglund, yes, sir, I absolutely agree that that's fully possible. One of our niche services that we provide to the public at my firm is hillside development within the city of Boise and Ada county and so we routinely design homes -- nice estate homes, large estate homes in the hillside and have to address those types of concerns and while we have some grade change here, you know, we are talking five or six feet, this is easily mitigated with the space that we have available here on these sites. There is -- you know, I -- I don't see any issue, you know, with laying these out in a way that can accommodate those sorts of improvements. There is -- there is plenty of space to accommodate it.

Simison: Deputy Chief, I see you probably want to address the time response that you are -- with reference or maybe something else.

Bongiorno: No. Yes, please, Mr. Mayor and Council, if I can share my screen. Sonya, if you want to share or -- awesome. I was frantically trying to pull up data while you guys were finishing up and I didn't -- I didn't catch it in time before you got to Mr. Breckon. To address Mr. Ward's information, we did recently go on a medical call out in that area and that particular call was an eight minute response to that location. As it stands, this subdivision, just like many of our other ones, just sits on the edge of our five minute

response to goal. Again, if we build the -- if we have the opportunity to build the fire station around the corner, this is what that area will look like once the south station is built. So, with that we are super close, but the response we had the other day was eight minutes to that location.

Simison: Thank you, Deputy Chief.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think that it's important also to note that -- and I'm glad we are having this -- this discussion this evening. Appreciate the presentation and such. I did want to make sure that the applicant is aware of -- of the statement that was made at our Council a couple of weeks ago in regard to the property tax legislation that's currently being discussed at the -- at the Capitol. Just wanted to make sure that the applicant was aware of that statement.

Breckon: Mr. Mayor, Councilman Bernt, yes, we were -- we were made aware of that by staff.

Simison: Council, just in light of that comment, that I think also at least from a practical standpoint where we -- my concern regarding ITD's even letter and approach -- and I really would encourage us to not just wait for the property tax, but also have a further conversation about ITD. What we have seen on Chinden, which is we have a -- an area of Black Cat that didn't get a right-hand turn lane built that is experiencing concerns out in that area that we are trying to work through. You know, getting access off of these interstates is going to be a challenge. Now, I'm not a traffic engineer and I don't live in the subdivision, but, honestly, I don't know the value of a right-hand turn lane -- I would assume that most people are not coming from Kuna, but I could be wrong, you know, so -- so even from a practical standpoint about the access issues or access expectations, but the ITD has had this conversation about proportional share costs encouragement. They don't have a -- they don't have a way to require it. I'm not even sure what the expectations would be when they would ever build it. Would they build it only after they get 99 percent more of contributions from other people to -- to do that? But when you already have other areas -- others in that area developing, who really becomes the additional contributors to that right-hand turn lane and I think that's an important question. If a right-hand turn lane is desired by Council or in some sort of access, you know, what is the best mechanism by which to achieve that and when and whether it's further clarification from about when that would or should occur from a proportional cost share from this developer or anybody else, that -- that to me is a big question mark, because if it's -- if it's warranted, well, when is it warranted and if we are waiting for ITD to do it, well, we see what happens when we wait for ITD to do anything in our community. It may not happen for a decade or more. So, I think that that's an issue that Council -- I would encourage Council to really consider when looking at that element and do we have enough data even to talk about this tonight.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. You know, I think it's a good point. I -- I am concerned when the traffic situation is bad enough that folks don't want kids to wait for the bus. We are hearing a lot of feedback and the letter wasn't -- really didn't provide a lot of guidance. So, maybe this is an opportunity for the applicant as well, just to really -- maybe city staff could -- could also try to do what we can, but maybe we can get more clarity from ITD on those -- those aspects. I -- I tend to agree. I -- yeah, I think it's a concern. I appreciate the information about the driveways, though. That did make me a little more comfortable.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to hear the applicant's thoughts on what Chief Bongiorno shared and, then, any other -- hopefully they will share any other comments they have about what -- the concern that you had just stated. Is that -- is this an appropriate time to have them do that?

Simison: Yeah. I will let the applicant determine if they think it's appropriate. Yes.

Breckon: Mr. Mayor, Council Woman Perreault, I'm sorry, I didn't -- I didn't quite understand the question.

Perreault: If you had any thoughts or comments to share about Chief Bongiorno's presentation regarding the response time from the Fire Department and also anything you might have to add about the Mayor's comments regarding ITD.

Breckon: Yes. So, regarding the Chief Bongiorno's comment, yeah, I mean I guess that stands, if they had a direct response to eight minutes, we are surrounded by city limits, so I would hope that the new fire station will go in on Lake Hazel very soon, so that we can keep our response time down below five minutes. As far as ITD, yeah, I was -- I was greatly disappointed that we did not receive more direction from them in their staff report and, you know, unfortunately, we didn't get it, we only got it just in the last few days and so that didn't really give us time to contact ITD and maybe press them for more clarification or direction. So, you know, there is -- there is some comments in there -- I mean there is a potential that they would require additional right of way dedication, which, you know, could substantially impact the frontage design. You know, the school bus drop off is an existing condition. We would like to address and make appropriate modifications to this access, but, you know, we can -- and we can -- we can suggest options. In the end that design will need to go in front of ITD for their review and comment and we fully expect to work with them in compliance to make this a safer access. ACHD will also weigh in on the design. This is an ACHD roadway, as, you know, all the roadways would be designed to ACHD standards as public roads and so, yeah, we are willing to -- to work

with these agencies to -- to make this a better access, not just for our three lots, but for the -- for the existing neighbors. You know, just a point of clarification, this is about 400 feet, this frontage here, just for reference.

Simison: Council, any further questions, comments, observations, actions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: There is a lot fantastic with this project. I really think it's a good looking project and I -- and among a lot of things that I like about it I appreciate it's larger lots and its R-2 zoning request I think is spot on. The elephant in the room remains some of the assumptions which these types of projects are built upon, understandably so, and that is the funding stream that we have necessary to serve them. So -- and Council President Bernt brought it up that one of the challenges, Jon, is -- is for the hopefully brief future we have a -- a potential generational change in -- in funding available to the city. So, when we talk response times, for example, or even a location of a fire station, for example, all of those plans have been premised from years and years over a funding stream that is now in grave jeopardy with the legislature and a particular bill that's -- well, while they are in session it remains. So, the concern that existed a week ago I think continues today. It's something that makes me only comfortable with a continuance, because there could be -- if legislation is passed that's proposed, there could be seven figure reductions annualized that grow exponentially and that jeopardize our ability to maintain those various levels of service that -- that we are trying to hit for a project like this and it would impact this project and -- and elsewhere around the city. So, it's such a drastic funding concern that I couldn't proceed on anything other than continuing to -- you know, it's mid late April, hopefully, everything's completed by then. This legislation hopefully fails and we can continue as we planned for years and years and years. Long term, very fiscally conservative responsible planning. It's the very reason that we can rely on and applicants like you can rely on response times and -- and our commitments to locate fire stations and have adequate police service, among all of the other services that are necessary to make Meridian as great as it is. We are in great jeopardy of losing that. So, to act on one application impacts all of them and -- and everyone already in the city. So, it's just a long way to try and give some context, Jon, hopefully to help you understand the challenge that Meridian's in -- frankly every city is in this challenge, but this is a big big deal and I don't think we can proceed at all until that issue is resolved, at least not responsibly, and I wouldn't -- I wouldn't suggest, Mr. Mayor, that we necessarily close the public hearing. If it -- if it were to be continued -- and in fairness to the public and the applicant, I think we are still forced to be on a prudent pause.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Borton nailed it on the head. He was very eloquent in his description and

nothing further to add to his comments. Just -- I just wanted to say, Jon, you know, setting the concerns about access aside, unfortunately, our hands are tight on this one. So, I'm glad that you were made aware prior to this public hearing from staff. So, that is what I wanted to make sure in my previous comment. Thank you.

Perreault: Mr. Mayor?

Breckon: Councilman Bernt, is it -- I guess I'm a little unsure as to how we proceed. Should I request a continuance at this time or what is appropriate?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Jon, it's totally up to you. That's something that you need to decide for yourself and for your -- for the folks that you represent.

Breckon: Mr. Mayor, Councilman Bernt, I mean if we don't ask for a continuance, then, the expectation is denial at this point; is that correct?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You know, I -- I would never speculate. All I can say is that what Mr. Borton stated is fact, unfortunately, and -- and so I believe -- just going on precedent and what happened, you know, two -- two weeks ago when we heard an application in a different type -- you know, a different part of town, I think that you would probably see similar action. But, again, I -- I would leave that up to you and the folks that are present to -- to make that decision.

Hoaglund: Mr. Mayor?

Breckon: Mr. Mayor, with Councilman Bernt, I would, then, at this time request for a continuance.

Bernt: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, I was just going to say that if a continuance is requested I think -- I would hope the applicant would really try to get some answers out of ITD and along with our city staff, so when it comes back before us, if that's the direction of the Council, then, we can have -- hopefully have some answers regarding their plans.

Simison: Councilman Bernt.

Bernt: Hey, Jon, is there is a -- there a date that you would like this to be continued to that not next Tuesday?

Breckon: Well, Mr. Mayor, Councilman Bernt, yes, beyond next Tuesday -- I'm not clear of when the next meeting might -- might be or when our next opportunity would be to have this resolved. I'm assuming maybe two weeks out at a minimum. I'm open to suggestions from staff.

Borton: Mr. Mayor?

Simison: I would be recommending probably minimum six weeks.

Bernt: Right. Mr. Mayor, I believe that we continued the -- the application from two weeks ago until the 13th. I don't know what the 13th looks like. Maybe the clerk can shed some light on what that date looks like. I certainly don't want to continue all of the applications for the same evening, it could make for a long evening, so I would say minimum the 13th, most likely maybe the 20th, depending on what the clerk says.

Johnson: Mr. Mayor? Mr. Mayor, Councilman Bernt, the 13th or the 20th, either one is open at this point.

Simison: Council Member, I think either one of those, the 13th or the 20th, would work. I don't think we have seen the work out of P&Z yet that would hit those dates, so there are likely -- they will be close, but I think that we don't know yet what else might come, but --

Bernt: Mr. Mayor. And I also feel like we need to be accommodating to these folks as well. So, I will leave that up to Jon and what he feels what he wants, but the minimum would be the 13th of April, Jon.

Breckon: Mr. Mayor, Councilman Bernt, I would request continuance to the 13th, please.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we continue this item H-2020-0117 to April 13th.

Hoaglund: Mr. Mayor, second it.

Strader: Second.

Simison: I have a motion and a second. Is there any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and this item will be continued. Thank you to the applicant and Council for that conversation that will hopefully will allow them to get the answers, let us get the answers, and continue this -- get the needed information so we can enter into these decisions appropriately.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Allen: Mr. Mayor, this is Sonya. Can I, please, have clarification as to what the Council -- what information the Council would like from ITD on this. What I understood was they would like more information in regard to when the turn lane would be constructed, if funds are allocated for the improvement. Was -- was there other items as well?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And, Sonya, yeah, it's -- it's just a matter of what -- what are their future plans, what are the widening plans, what is the time frame this is going to take place. What they are going to do with the funds, as Mayor Simmons had mentioned, you know, how much money needs to be collected for a right turn lane. Is it -- is it 99 percent? When do they proceed with construction at one point. So, there is just a lot of information that's -- that's needed to make that ingress and egress safe. What does that look like? That just helps us and the applicant and the residents who are currently there know what -- what the plan is to -- to make this work and for us to decide do we move forward with that or not. So, it's -- it's just one of those things. The more information they give us the better it helps us. So, as much as you can get, Sonya.

Allen: Thank you, Councilman.

Simison: And hopefully my city attorney doesn't look down on me for how I'm going to phrase this, but, in essence, this process that ITD is trying to go through is an extraction through people to the public through to the development process, so is the rest of the 99 percent going to have to come from actions this Council approves through the development process before that can actually occur, because they don't have any other mechanism by which to collect the other 98.7 percent of the funds for this, unless people voluntarily give it to them or you require it through your actions. To my knowledge.

Allen: Thank you, Mr. Mayor.

Simison: Okay. I didn't get in too much trouble, so -- thank you very much. Council, do we want to take a five minute break?

Perreault: Ten.

Simison: Ten minute break. We will reconvene at 8:05.

(Recess: 7:53 p.m. to 8:07 p.m.)

4. Public Hearing for Chewie Subdivision (H-2020-0120) by Kent Brown Planning, Located at 2490 W. Franklin Road and the Lot Directly North