

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, April 20, 2021, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Dave Miles, Steve Siddoway, Mike Barton, Joe Dodson, Mark Ford, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is April 20th, 2021. It's 6:10 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Next item is our community invocation, which this evening will be given by Christopher Ellis. If you would all, please, join us in the community invocation or take this as a moment of silence. Mr. Ellis.

Ellis: Thank you, Mr. Mayor and Council Members. Let us pray. Dear Lord, we just thank you for this day, this beautiful spring day that you have brought us in Meridian, Idaho, and, Lord, we ask that you would just come and just bless our city. Lord, I pray that you would just pour out your wisdom on all of us and, Lord, I pray that you will just give us guidance during this time and, Lord, I ask for the wisdom of Solomon to be on us as we debate and talk about what to do with the resources that you have provided for us and, Lord, I pray that you would just be in the midst of our conversation, be in the midst of our planning and, Lord, I pray that you would guide and direct us. Lord, we just lift you up and we honor you and we thank you today in Jesus name, amen.

ADOPTION OF AGENDA

Simison: Thank you, Mr. Ellis. Next item is the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I don't see any changes to the agenda, so I move that we adopt the agenda as published.

Hoaglun: Second the motion, Mr. Mayor.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: And for the record Councilman Cavener joined us -- 6:12? I wasn't -- yeah. Perfect. Mr. Clerk, do we have anyone signed up under future meeting topics?

Johnson: Mr. Mayor, we did not.

DEPARTMENT / COMMISSION REPORTS [Action Item]

1. Mayor's Office: Fiscal Year 2021 Budget Amendment in the Amount of \$2.5 Million for the Design and Construction of the Linder Road Overpass

Simison: Okay. Then we will move into our Department/Commission Reports. The first item is the Mayor's Office Fiscal Year 2021 budget amendment in the amount of 2.5 million for Linder Road overpass. I will turn this over to Mr. Miles.

Miles: Good evening, Mayor and Council. Can you all hear me?

Bernt: Yes, sir.

Miles: Okay. Provided you a memo, as well as budget amendment and some project information for this budget amendment for Linder Road overpass. So, hopefully, I will be brief and, hopefully, the information in the packet may have answered some of your questions or maybe spurred some questions and, then, we will turn it over to you all for really conversation and consideration. As you know, Meridian citizens are prioritizing a more connected community and the city is focusing on partnerships with our transportation infrastructure projects, including the fact that Linder Road has been prioritized as our top priority under the ACHD integrated five year work plan. As you recall

back in November we sat down and sent a joint letter with Ada county and ACHD encouraging ITD to advance this project and we recently received a preliminary scoping summary from ACHD that actually gave us some dollar figures around the project to the tune of 21 to 22 and a half million dollars roughly. With that the request is pretty straightforward. Allocation of -- requesting allocation of two and a half million dollars of city funds to Linder Road overpass, which is about 11 percent of the project costs with the intent that this will help advance the project in the local and state transportation infrastructure projects, that TIP and the STIP through COMPASS and ITD, and I will stop there, maybe take any questions and have any conversation, turn it over to Mayor and Council.

Simison: Thank you, Mr. Miles. And just to add in from that standpoint, we have been having this conversation for several years since I have been involved as a staff member and as Mayor and it really is about -- everyone always asks what is the city's investment in this -- in this priority project. This is the dollars that have been in the -- our CFP, two and a half million dollars for this project. It would be part of the FY-22 budget year, but, honestly, we -- we would like to convey the city's commitment to this project sooner rather than later. With all the conversations occurring regarding the state legislature and potential bonding authority, you know, potential stimulus, our transportation package coming out of the federal government, it's in our best interest as a community to get this project into the state's TIP and STIP and putting money to the table can help make that happen, so that if funds become available they can move quickly -- as this project, if nothing else it gets it on the -- on the docket for consideration. Any dollars that will be expended will be done through contracts that we will have at some additional time frame with either ITD or ACHD. So, no funds will be expended, but it does put our commitment out there for our partners and the community regarding this road project. So, with that happy to take any additional questions or comments.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: One, credit when credit's due. Appreciate you bringing forth this budget amendment. This has been a hot topic of conversation for a number of years and appreciate you and Dave bringing it forth. But my question is what would be the process for when funds would be expended? Is that something that -- I can't anticipate you would come to us for an action item, but what's the process that we know -- okay, we have committed and, then, here is the dollars that are going to actually be spent?

Simison: I can speak from my standpoint. Until we have the item listed in the STIP or TIP and the dollars that are identified -- because we don't know if this would be money that would be for ACHD or ITD, whether it be for -- you know, when we did Locust Grove it was for right of way purchase. So, it was done in advance. If they asked us to do preliminary design and construction documents, you know, again, I would just envision that being a contract with them for that purpose. So, until we have something in writing, some sort of agreement, you would not see any dollars being sent to any other agency

for any other purpose.

Cavener: Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: And I know that you would -- and Mr. Miles in the Mayor's office would already do this, but just keep Council abreast and funds spent and where that -- what that look -- what that looks like. I know that that would never be an issue and I know that you would do that anyways, but just on the public record that would be -- supported the -- our citizens perspective and so they can understand the process. I just wanted to bring that up.

Miles: Absolutely.

Simison: Council, any further questions, comments, items for discussion on this item? Or a motion.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, I would move that we approve the fiscal year 2021 budget amendment in the amount of 2.5 million dollars for the design, construction of Linda Road overpass.

Bernt: Mr. Mayor, I second that.

Cavener: Second.

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

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

Simison: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

Simison: I want to say thank you to Council. I think this will be the right step forward to continue getting us where we need to go as a community.

Bernt: Yeah. Agreed.

Simison: Appreciate it.

Miles: Thanks, Mayor and Council. Have a good evening.

2. Parks and Recreation Department: Discovery Park Phase 2 Amenities Update

Simison: Next item is the Parks and Recreation Department Discovery Park phase two amenities update and I will turn this over to Mr. Barton.

Barton: Good afternoon, Mayor, Council Members. Chris, I have a blank screen.

Bernt: Mr. Mayor? That's what I was going to say. If you are comfortable taking off it would be helpful. Thank you.

Barton: Perfect. Thank you. Thank you. I am here this evening -- or this afternoon to discuss some -- some updates that we made to the design that was presented to Council on March 16th. As you remember -- we will just kind of back up and go over some of those -- some of the designs that we initially started with for phase two of Discovery Park -- we had an active area, a teen area, and, then, some multi-use fields, which are multi-use diamonds that can be converted to either diamonds or rectangles and, then, each one of the -- the breakdown of each one of those areas was pickleball courts and basketball courts. We had a pump track designed in here. One of the things that we did hear from Council is that in addition to the pump track, that there was a desire for an upgraded bike park commodity, as well as maybe an enhanced pump track. The -- this was the area that was presented with diamonds and multi-use fields and, then, also a teen area that included a raised seating area, some half court basketball, and a -- what we were calling a skate spot. So, a place to skate and -- and scooter, but not a full skate park. Council -- we talked about that and it was the desire of Council to come back with -- with a more robust skate element to this park, which is what we have done. So, from that you can see some of the design changes that we made. We have taken the active area -- and I have got an enlargement of each one of these, so you can see. But, really, keep in mind that these are -- these are conceptual at this point, but it's a good idea just to gauge the level of amenities that's desired and generally the overall layout. So, we have got the active areas still there. We have -- we have taken -- they have kept the basketball courts. We have added a couple of tennis courts, which was discussed with Council and, then, of course, we have the six pickleball courts and the community garden. The multi-use fields didn't change at all. The teen area -- we have added the skatepark to that and, then, also added a bike park down in the lower right-hand corner. So, this is an enlargement of the active area. You can see the pickleball courts. We have added tennis that would have dual striping, so it can be used for either pickleball or tennis. So, we would have a total of eight pickleball courts. Have two full court basketball courts. And, then, connecting walkways. And the -- and the shape and general configuration of the community garden changed a little bit based around this, but that amenity is still in design. So, the -- the diamonds in the multi-use area didn't change from the March 13th design. We feel that there is a large community need for this and one of the things that's

always been talked about with this site is that this was the -- this is a softball complex site and really this will be the last softball fields that we see being built in Meridian in the foreseeable future. So, we think this is a really good opportunity to get these fields in at this time, have them lit, congregate them all on one site, where a lot of our fields right now, if we have tournaments in the city, they are broken up between multiple sites and there is never that -- that -- that real strong tournament feel that you get by having all these -- all these co-located on the same site and like we talked about at the last meeting, these -- these are truly multi-use, so there would be rolling fences. The lighting could be interchanged between diamonds and rectangles. Base -- so, you could switch between football, lacrosse, softball. In addition to that it could be used by little league baseball. You know, there is no outfield fences for that length, but we hear so many times that some of these organizations all they want is field space and that they will just make a field work. If you have a diamond for me we will make that work. There is just a real need. So, in addition to that, like I said, we -- there was quite a bit discussion around a skate park and this is a -- this is a representative sample of what could fit in this teen area. This is a skate park that's kind of dropped into this design -- is the skate park that is in Star and that -- that is the one. It's 14,000 square feet. You can see the general layout and the number of amenities with that park. So, it's -- it fits really nicely. What we are finding with skate parks and, then, once we get to the bike park is that's a -- it's a very specialized field where landscape architects and engineers don't design skate parks. Skate park designers and builders do the design work, as well as some of the bike parks. So, we can -- we can kind of get into that, some of the delivery methods that we would like to use as a design build, contracting for at least the two portions between the skate park and the bike park and these -- these are -- these would be unique. So, we would have to write some contracts. They are allowed by statute to -- you know, we are allowed to use that design build process. So, that would be a good delivery method to get the best product.

Simison: Mike, are the stars optional? I mean I think that's the city of Star. We don't need that, do we?

Barton: Yeah. So, that's -- yeah. Good -- great question, Mr. Mayor. Like I said, that is -- that was taken from the plans that we got from Star. So yeah.

Simison: I was just going to mention -- one of the things I heard from a cousin of mine in Arizona that Tony Hawk has a foundation that specifically works on bike and skate parks that we may want to reach out to.

Barton: So, this is the bike park area, so what we envisioned for this area is a connecting walkway, possibly a picnic shelter for spectator area. In touring some of the local facilities we learned that the pump tracks really functioned better when there is two of them, because you can separate skill levels that way and, then, even some of the straight line tracks, if you can get different skill levels that can be identified with -- as people relate to ski areas where you have black, blue, and green for different -- different levels, so there is a lot of -- quite a bit of design work that fits into this area or that would go into this. The area that we have conceptually dropped this into is 3.75 acres and it can flex a little bit, so we can get up to four-ish, four and a half. The Albertsons family bike park in -- in Boise

is a total of seven acres. It has two pump tracks and a very robust dirt track for bikes, but that also includes parking, it also includes some buffer area. So, we think that on -- just in terms of scale that this would be comparable to that. So, a lot of amenities, a lot of different uses. Again, we like to see parks that we build fit a variety of demographics. You know, we like the multi-generational aspect of some of these where you can come to the park with your family and you can -- there is something for everyone. You can play pickleball, go to the playground, bring your bike and so we think this is really -- kind of checks all those boxes. So, as far as next steps, we would like to finalize design development, go into construction documents, submit for a CZC application and, then, the delivery method of issuing an RFP to evaluate and select two different design build firms, one would work on the skatepark and one would work on the bike park. That -- that delivery method for both those amenities is consistent with other cities that have done skate parks and bike parks in the area. The city of Boise, their bike park was -- was done through an RFP, but the RFP was issued by the Albertsons Foundation, it wasn't the city, and the same holds true for Rhodes Skate Park. But there is -- you know, that -- that is a -- a viable option for us and, then, of course, finalized permitting. It's our hope to budget for construction in FY-22, which would mean we would want to bid it later this -- later this fall, early winter, contract and break ground early in the spring of '22. So, with that I would be happy to answer any questions you might have.

Simison: Thank you, Mr. Barton. And, of course, that assumes including the FY-22 budget process for all this?

Barton: Correct.

Simison: Council, any questions?

Perreault: Mr. Mayor?

Simison: Councilman Perreault.

Perreault: Thank you, Mike, for that great presentation. I -- in general I really like the -- the changes. I really think it's a great idea to expand the pump track into its own area and it didn't feel like it fit in the other uses in the last design, so I think that four quadrant field really balances that out and -- and I think there is -- you really heard what we were saying and I appreciate that very much. The one question I have is, however, just looking at this, it looks like that this might increase the cost quite a bit. So, can you -- do you have any estimates for us of where this -- is still fitting into the budget or would we have some significant adjustments to consider?

Barton: Mr. Mayor and Council Woman, those are -- that's a great question. I appreciate the positive comments. We are not prepared to discuss budget this evening. We -- we would really, you know, like to settle on a design and, then, start working through some of the takeoffs and, then, come back to Council at a later time and discuss numbers. I know that construction costs are accelerating right now and we do have a lot of work to do to -- to fit this into what our existing impact fee account might be at the moment and

that's our goal. So, really, I think tonight's -- the goal of tonight is to say, yeah, that's it. I mean this is really a good design. This is what the community desires. It's -- there is something for everybody here and if we can build it all at once we would love to. If we need to maybe create a phase three or a phase four, I think that is one possibility. What we have done in the past when we bid is we -- we structure the bid so we get the base project and, then, we do bid alternate and depending on where things come in, if they are favorable, then, we can approve some of those alternates. So, yeah, not -- not an easy answer, but I guess the short answer is we will be back.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To tie into that question, Mike, the design build is -- it's unique at least for us. You mentioned an RFP. As part of the RFP process I'm going to require the submitter to give a cost estimate based upon the concepts that you are including in the RFP, which I know still has to be created, but we will at least be able to provide you that framework as one of their required submittals.

Barton: Yeah. Mr. Mayor, Councilman Borton, that's a great question. The answer is yes. They will provide qualifications and a -- and a price.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I mean a price in the sense that there is not -- it's not been designed yet, so they are somewhat estimating, I assume. They are not bidding on it. But at least enough of a ballpark to give you some criteria as part of your selection?

Barton: Yeah. Correct. And, for instance, the -- the skatepark can be both design and representative samples of what could be built and for at least for that one you can talk in terms of square -- square foot price. So, if you want 14,000 square feet, it's this price. If you want 10,000 square feet it's less.

Borton: Okay. Mr. Mayor?

Simison: Councilman Borton.

Borton: Yeah. But -- Mike, I appreciate that. I don't want to -- I wouldn't want to draft components of an RFP here, but because it seems somewhat different, the process that you create and Finance creates and Legal to get through this, so long as that is -- you know. And the RFP is drafted with some careful particularity to address those elements, that's really critical on this front end as part of the selection process, so --

Barton: And, Mr. Mayor and Councilman Borton, it seems like what -- so, we can't hire a

skatepark builder-designer to design it -- where we can hire them to design it, but if they design it they can't bid on it. So, the best one -- we want the best ones -- the best companies that have produced the best result to design it. We also want them to build it, which is a little bit problematic, because we can hire -- Grindline, for instance, did Middleton and Star and Rhodes skatepark and Grindline is an expert designer. They are also an expert builder, so -- but if we had Grindline design the park, they couldn't participate in the construction. So, that -- from that standpoint it kind of ties our hand.

Simison: Mr. Watts, you look like you are wanting to say something.

Watts: Yes, Mr. Mayor. Councilman Barton, we are still in the process of -- of designing the process and documents to go along with it. The RFP will have to have a measurable award criteria and we are going to look into that and as Mike said, the statutes do not allow us to hire a designer to design a project and, then, build on the construction -- bid on the construction as well. That is against statute. I have discussed that with the Legal Department just to confirm that they saw the statute the same way I did. So, under Mike's scenario the design build process would be the only other alternative to accomplish having a designer and -- do the design and construction. But, like I said, we are still in the early processes of designing the processes and the documents, so my process will be to amend our purchasing policy to allow for design build, then, create a process and documents simultaneously. I have got several sample contracts and I shared those with Legal. Ted's got a couple as well and we are going to review those and come up with the best agreement for the city and incorporate those into our RFP. So, it will be somewhat of a process before we get to solicitation.

Barton: Thank you.

Simison: Council, any further questions or comments for Mr. Barton?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A couple of quick questions. First off, Mike, thanks for bringing this back. This is awesome. Appreciate taking the feedback from Council and making some changes. This is great. My questions were about the community garden and I recognize that this is conceptual in nature. Do you anticipate with these changes that the community garden would get larger, smaller, remained the same size?

Barton: Mr. Mayor, Councilman Cavener, they are roughly the same size as the initial design.

Cavener: Great. Mr. Mayor, just one additional if I may.

Simison: Councilman Cavener.

Cavener: Mike, in one of the images I notice there is like an outdoor workout area. I can't recall if we have touched on that and if I have just missed it, but I noticed it's in close proximity to the -- the playground and just trying to understand kind of the -- the purpose that that would serve in conjunction with the playground.

Barton: Yeah. Great -- great question. Councilman Cavener, that's -- we have recently located outdoor fitness equipment near playgrounds and it seems -- it seems as if people that bring young kids to the playground, instead of just being stationary on a bench, that they like to workout maybe on a -- on a strider or recumbent bike or something like that. As their kids are running around they may as well get on something and get a little exercise at the same time.

Cavener: Fair enough. Look forward to checking it out. Thanks, Mike.

Barton: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Mike. I love that there is something for everybody and it feels really balanced and especially compared to the last version and I like that we are maximizing a city asset and really getting full use out of this regional park. Maybe that saves us from building smaller parks and to your point maybe this is a destination and -- and we figure out how to pay for it along the way and take our time if we need to, but I -- I think it's really headed in a good direction and I appreciate the -- the redesign.

Barton: Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Yeah. I couldn't agree more with what my Council Members have said in regard to listening to feedback. I can't tell you how many of my son's kiddos -- or friends have mentioned to me how badly they wanted a skate park in this part of town and it's -- it's just going to give kiddos something to do, you know. Get them to the park. Not a better place if you ask me. And so I have a lot of friends also that have been down to St. George and other places who have experienced their bike parks and so this is just something unique and not to take away from the baseball diamonds and the softball fields, because they certainly serve a purpose, but it's really nice to see something other than baseball fields and softball fields.

Simison: Council Woman Perreault.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. One more question, Mike. So, the -- could you bring up the slide that shows the active area, please. I'm curious about the balance of the tennis-pickleball courts to the basketball courts and is that based on like actual number -- numbers from the Parks and Rec Department of usage for the pickleball and tennis? Do we have that kind of data? Because I kind of feel like maybe we could go a little wider on the pickleball, maybe add another basketball court. I mean it seems to me like just as -- you know, like basketball is played by maybe a lot more of the population than pickleball. Maybe I'm way off, but I'm curious if there is actually any like number -- numbers or data that we have from the Parks Department that would support one or the other in terms of usage and HomeCourt and kind of how we track it.

Barton: Yeah. And that's -- that's a -- that's a great question. I know pickleball is --

Bernt: Hugely popular.

Barton: They are. It's huge. I mean it is --

Bernt: Hugely popular.

Barton: -- blowing up. In -- in the wintertime HomeCourt is -- is packed every single --

Bernt: Hugely competitive. It's an old man's sport. It's where we can -- as us old guys who have the big beards, compete. That's how we compete. Pickleball and golf course. That's the only places where we can compete now. You got to give us something.

Barton: It's --

Perreault: Mr. Mayor?

Barton: Yeah. The pickleball is -- I like the dual use aspect of the two extra courts, because we want the courts busy all the time. So, that -- that provides an amenity to both tennis players and pickleball players. But, yeah, that's a great question. It is -- go to -- go to HomeCourt sometime, it is just --

Bernt: Competitive.

Barton: -- crazy busy.

Bernt: Yeah.

Cavener: Mr. Mayor?

Simison: Council Woman Perreault, you were looking to say something else?

Perreault: Yes. Thank you. Just one more thing. I just -- you know, the only reason I'm

asking this is because I -- I don't know if it's a fad or if it's here to stay, but basketball has been around a long long time and it's not a personal preference of mine, I just -- I want to know that like whatever we build, whatever, you know, is really going to get some use and I do -- I really appreciate the dual use of the tennis and pickleball court, that extra that was added for sure, because I feel like having tennis out here would be really important. But I just -- I don't know. I kind of would be interested in seeing -- like just something that supports that, so that we know we are really on the right track with -- you know, yes, we know in general that it's really popular, but -- you know what I mean. If we are going to spend quite a bit of funds I would like to -- if we have numbers. If we don't I wouldn't suggest like an extra effort to do that, but I just throw that out there.

Barton: One of the -- Mr. Mayor and Council Woman, I think we can -- we have those numbers. I'm not prepared to -- I didn't even bring them with me, but I know we can get them for you. Now, as our liaison to the department, we can certainly provide those numbers for you.

Perreault: Thank you.

Simison: And just to piggyback off of that, I think one of the things that -- while we don't necessarily want to ask West Ada to provide this for us, West Ada does have tennis courts and basketball courts, at least their middle schools on their own. So, there are several other areas where you can go enjoy those, but there are no pickleball courts and they are not striped for that purpose either. So, that amenity does exist in other parts of our community during nonschool hours and during the summer when there is at least access to it. Councilman Cavener.

Cavener: Thanks, Mr. Mayor. And I just -- Council Member Perreault, I -- I think shared some of your concern early on, but to Council Member Bernt's point, this is a game that is traditionally played by a lot of our more seasoned residents, which I had a chance to review the -- you know, Brian McClure, on our staff -- Meridian demographics trends and it's that 55 to 64 and 65 to 84 that we are seeing some of the largest amount of growth increases in. So, to me I look at it as kind of providing an amenity for a population that's continuing to move into our community. So, I appreciate your perspective, because -- because I got there initially, but I think because we are seeing such a strong increase in people who would like to play this game move into our community, it's important that we have it in all different corners of Meridian.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I think, Mike, overall great design and great effort done on making the changes. It looks great. Now we just have to see what the cost is going to be. As to the pickleball, I just have anecdotal evidence when we walk in the evening and go through Reta Huskey Park, they have three pickleball courts and one who -- and, yeah, there is some kids usually playing -- shooting baskets, but the pickleball courts are always usually full as this

weather has warmed up. The neat thing, though, is, demographically, there are families playing. I mean, you know, the kids are playing with their parents and I mean that's great to see and I have even seen teens out there playing pickleball and having a good time. Now, I'm to the point where, yeah, softball in the day was the best thing in the world and, then, it was basketball. Now I'm glad to see you got bocce ball. Yeah. That's where I'm headed now, so -- anyway. I think it's a -- it's a great design and we will just -- we will just see where we end up. So, thanks.

Simison: And, Mike, if I could say kudos as well on the feedback and the -- and that and we will see what we can accommodate or not in FY-22 and beyond.

Barton: All right. Thank you for your time. Thanks. Thanks for the good feedback. Appreciate it.

3. Parks and Recreation Department: Movie Night and Teen Movie Night Pilot Program

Simison: Thank you. Council, next up continuing with our Parks and Recreation Department theme this evening, Movie Night and Teen Movie Night pilot program. I'm going to turn this over to Director Siddoway.

Siddoway: Thank you, Mr. Mayor, Members of Council. Speaking of giving kiddos something to do, we are pleased to come before Council tonight and talk to you about some ideas related to Movie Night and to seek your feedback. Movie Night is one of our favorite events and we have been running it now for around 15 years. We -- we pride ourselves on -- on innovation and trying to adapt to the current needs and direction and we are constantly trying new ideas with just about everything we do and as you -- many of you will recall, as we went through the last strategic plan -- and I was up here about every six months giving strategic plan updates, one of those strategic plan items was to go through our current programming and to look for gaps and one of the primary gaps that was identified during that process in the strategic plan was to -- was that the teens are one of -- one of those main underserved populations in our city. The teen area in Discovery Park that you just saw is one response to that and what we are wanting to talk about tonight with a possible switch from our regular Movie Night to kind of a split between half regular movie nights and half teen oriented movie nights is -- is another idea. Last month we presented this idea to our Parks and Rec Commission and they endorsed the idea to -- and suggested that it move forward as a pilot program for 2021, so we can see if it is -- is something that would be popular with this age group and before I invite Renee up to give you more details about the proposed program, I -- I just want to mention myself on the record a huge thank you -- well, first of all, to Renee for all she does. But second of all I want to say a huge thank you to Sparklight, formerly Cable One, who has been our title sponsor for this program since its inception. Really grateful for them and they are -- and the thank you to all of the sponsors. There is other sponsors as well, single night sponsors that allow this program to be offered to our community at no net cost to the citizens of Meridian, which we have been really proud of. So, with that I'm going to turn this over to Renee to tell you about the -- the proposed program and seek your feedback.

White: Thanks, Steve. All right. Mr. Mayor, Members of the Council, it is so good to be in front of you talking about old fashioned events. As Steve said, we spent 2020 talking about how to engage the community in innovative ways and we did a lot of that that wasn't face to face and so now we are getting back to some face to face types of events. So, I'm really happy to be here. So, while we spent some time thinking about events and what the objectives of our events were, what the goals were, we did a little bit of analysis of Movie Night. So, yeah, we are here to talk about a new idea, a pilot program. What we would like to do is take Movie Night and split it in half. It was really born from -- from the 2016 -- or 2018 gap analysis that we did. We really realized that teens are highly underserved in our community. When Movie Night started in 2007, if you can imagine it was before The Village was built. It was before Wahoos and Roaring Spring was built. I'm told that Steve was an interim director at that time. So, it was even before Steve's time. And it was certainly before Kleiner Park and with Kleiner Park we have seen an abundance of events that are produced by the community. So, I really believe that Movie Night at that time met a need. We were innovative. In the -- in the meantime our surrounding cities have copied our model. You see movie nights in Kuna, Nampa and Boise. So, you know, what we would really like to do is take the city resources that we have, try to meet a gap that we have found and attempt to move forward with something. So, we know that teens flocked to Movie Night. We know that they come out in droves and they come out to be social. They are -- they are not there to watch, you know, Frozen II or any of the other movies that we are presenting for families, they are there because they get to interact and we spend an awful lot of our time asking them to sit down and be quiet. The majority of them are not bad kids, they just -- they have nowhere else to go in our community that's free, where they can interact and be social and -- and really do their thing. So, what would Movie Night look like if we split it in two. If we offered something for the teens. So, the idea is that a teen night would be hosted within Meridian HomeCourt. With that we have the ability to do something that our local police have asked multiple times, which is find a way to put a perimeter around them -- around the teens, so that we can -- if they are asked to leave, if they get highly disruptive and are doing illegal behavior, that we can ask them to leave and that they actually have to go. So, the idea is that we offer a variety of games for them. So, it's really not just a movie, we are going to -- we would like to do pickleball, basketball, spikeball, board games, perhaps do a -- some sort of a media challenge with making some TikTok videos, take advantage of the fact that we can project it up onto our Movie Night screen. The idea is that we really find ways to engage teens. We know that they are a tough tough group to program for, so we are -- you know, we are -- I am not trying to make them sit down and participate in anything that's structured, but allow them just to come and -- and really be kids and, you know, hopefully, as a pilot program we can change as we see things happening, maybe new trends. The Commission's feedback -- the Parks and Rec Commission feedback was prizes and food. So, we will see about what we can do to incorporate those things. So, a couple of the things that in creating this what are our challenges. Well, we don't know whether the teens will actually come. You know, we don't -- HomeCourt is a facility that is tucked away in a bit of an industrial place. We would like to change the hours of the traditional movie and so it's a little bit earlier. We know that they -- there is something special about coming out to the park at night when you can hang out that you are not allowed to do any other place. So, is this going to be

attractive to kids? Well, we are going to work our -- you know, really hard to try and do that. Will it be attractive to sponsors? I have had some current struggles with getting sponsors for our Movie Night because of the disruptions that teens to have caused. It has not gone unnoticed that -- that teens are beginning to overwhelm the numbers and -- from families. We certainly still have a good contingency of families that come and watch it, but sponsors are starting to notice the influx of more teens and if -- one of the other challenges or unknowns is if we take Movie Night and we offered every other Friday night, rather than every Friday night, are we hurting ourselves as far as attendance for Movie Night, you know, I don't know. One of the indicators of success, though -- so, what -- you know, when we evaluate this what are we looking for to know whether it's working and I think the biggest is that the youth will be attending, that the attendees are well mannered and that the event stays financially sustaining. That's a big one and we had really -- you know, we -- as we evaluated whether or not we could offer teen night in addition to Movie Night, you know, we were looking at the financial cost of that, the fact that we are having some troubles with sponsors and not only that, but our resources of staffing and not only staffing from our parks and rec group, but also from the police department and in my conversations with them, they said it would be a real challenge to staff both events if we were offering both of them at the same time. That being said, of course, money can change both of those things, so -- we don't really need to talk about the security measures, because, really, I'm very interested in just getting feedback from all of you, what your thoughts on this program and whether -- whether you think this is a good idea and we should proceed.

Simison: Thank you, Renee. Council, questions, comments, thoughts?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you so much, Renee, and I love the idea of teen programming. I wish we were in the -- still in the Coronavirus discussions. I know outdoor events seem much safer than indoor events. Do we -- can we implement COVID protocols for an indoor teen event and is this really the right timing with COVID for this summer I guess is my main concern.

White: Yeah. No, that's an excellent question and so we have done an awful lot of analysis about COVID procedures for events in particular. One of the tactics that we use is we can use a registration process, which allows us to limit the number of teens that are inside. We would certainly work with CDHC for how many people -- I know it's less than 50. So, we would -- you know, like I said with the registration process we can limit that to whatever the current guidelines are for -- for that. You know, we are -- I'm beginning to feel pretty optimistic with the fact that -- that our numbers are dropping, vaccines are available, you know, I feel like events can begin to cautiously come back. So, those are our -- you know, whether or not we can ask for masks and social distancing inside HomeCourt, I think that would be a real challenge.

Bernt: Impossible.

White: I was using Sergeant Harper's language. It's a real challenge, so --

Bernt: Mr. Mayor?

White: Thank you for the question. I don't know if I have answered it satisfactorily.

Simison: Councilman Bernt.

Bernt: Kiddos aren't going to register.

White: Huh?

Bernt: The kiddos aren't going to register. They are just going to show up.

White: Yeah. But we could get their parents to.

Bernt: They are not going to do that either. They are just going to show up.

White: It's a free event. Yeah. Well, we could -- so, we could -- I'm sorry, that was me echoing. Because it is a hard perimeter we can let in exactly the number of people and, then, turn the rest away. I -- you know, obviously, never want to do that, but if people knew in advance that that was the -- the case and, you know, we are currently working on registration for our Unplug And Be Outside, because we weren't sure whether we were going to be able to do ten or fewer and we are getting people registering and all of our classes and camps for the activity guides, people do register. So, it's not -- it's not unheard of that -- that people have to register for things and especially in this day and age. Yeah. That's why we are calling it a pilot program.

Hoaglun: Mr. Mayor?

Cavener: Mr. Mayor?

Simison: Let's go to Councilman Cavener.

Cavener: Thanks, Mr. Mayor. Renee, appreciate you bringing this to us. You know, this kind of feels like an operational question, not necessarily something that comes before the Council, but I appreciate you at least soliciting our feedback on that. I know you have got a long track record of process improvements, both in and out of City Hall, so I like at least being asked the question and I guess a couple of thoughts that I wanted to share. One, everything you are presenting for the Teen Movie Night sounds really really great. I'm excited about all of it. But I'm 40 and as my 14 year old tells me, all my ideas are quote, unquote, cringe. So, that worries me that something that I think is great might not be as well received by our teens and so I don't know if -- if you have kind of vetted this with like the youth council or for having teenagers saying we want our own event. So,

that's -- that's the first piece. The other piece that I think is really important is that Movie Night needs to be predictable and so this kind of every other week approach I think makes it challenging for families to kind of have that predictability. That's what's made Movie Night a success. Where other cities kind of do it, you know, quarterly or kind of, you know, here and there, we have always kind of owned those Friday nights in the valley and I think that's a tribute to a lot of our success. So, that's a piece that I just -- I want to share. And, then, the other part is just -- I appreciate that we are calling this a pilot. It doesn't feel a whole lot like a pilot to me. It feels like we are peeling this band aid right off and we are going to do half the events for teens and half the events for families, that teens will still likely attend, and so I -- I struggle that this is really a true pilot and if we -- if we did want to pilot it, I guess my suggestion would be let's do it once or twice or do it two or three times and maybe do it in -- in August when it's later in the summer and -- and Movie Night starts later and let's demonstrate that this is something that really could be supported by our teenagers in Meridian, like Movie Night has been really supported by families and teens as well. So, again, I appreciate being asked the question. Those are some of the thoughts that I have kind of come up with as -- as I have kind of thought about this particular question.

Simison: Councilman Hoaglund.

Hoaglund: Thank you, Mr. Mayor. I didn't know if Renee wanted to respond in any way.

White: No. I wanted to thank Councilman Cavener for his comments. Certainly a pilot program could be done on a non-Friday night. Yeah. I agree.

Hoaglund: So Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Renee, I -- I like the idea -- and, again, to Councilman Cavener's point, yeah, if I like the idea, then, I don't know if the teens like it. But one of the things you guys do a very good job at is marketing, letting people know of when things are happening and -- and folks will show up for those things and so I think if you alternate nights I think you can make it work, it's just a matter of the marketing that's done and one of the things, too, I thought of --- to -- to that end is, you know, to start off a successful program you might have to offer incentives. You know, for teens that's free stuff. That's pretty much for anybody. Free stuff. But maybe to get them to go to HomeCourt and letting them know and maybe the registration process it enters you into a drawing. So, those types of things that create that, hey, I will register, here is my e-mail, here is my phone, you know, all those things that -- that create that -- that incentive. I do think this would be a pilot if you -- if you do it in -- in my perspective during the summer and, then, we have got enough data to go yes or no for next year, you know. So, I don't mind that it's a -- for the summer and you divide it up. Again, it depends on how well you market, but you guys have shown you do a good job at that. So, I think there is potential here.

White: Thank you.

Simison: Any other Council have comments before I make any comments? Councilman Perreault.

Perreault: Thank you, Mr. Mayor. When Director Siddoway chatted with me about this this last week we just had a very brief conversation, but one of the questions he asked was whether I thought it would take away from our current Movie Night program and I mean I don't know about you all, but I attended Movie Night when my son was younger and -- and we usually would pick two or three during the summer and that was about all that we would be able to get to with all the other activities that are going on. So, I don't know how many families actually attend to Movie Night every single week. I would guess that probably not a lot, so I didn't feel like that alternating the Friday nights would -- would be harmful to the current, you know, Movie Night program that we have had going on for so long, but I really appreciate Councilman Cavener's statements, because I did -- I did let Steve know I thought that I would want to test it out for one season and see, but I like the idea, too, of -- I don't know, maybe potentially having fewer. Although on the other hand it would be a lot easier for us to get data on a pilot program if we had more nights on which to track that information, so -- that was all.

Simison: Thank you. Councilman Borton.

Borton: Mr. Mayor. Renee, you have got a track record of being exceptional. I trust you and your judgment. I'm all in. Your work's great and if it doesn't you let us know. We will make it happen.

White: Thank you, sir.

Bernt: We make it happen, Captain.

Simison: Well, Council, I will share my two cents on this conversation. I would much rather put on to -- put on separate additional things that may have a cost as a pilot, as compared to rolling back the current service that we provide through Movie Night. Now, Councilman Cavener and I talked about this earlier today. I mean would it be -- could you stop doing Movie Night at weeks six or seven and, then, just roll on and finish these off. But I don't want, as we come out of COVID, the community feels like we have cut this in half. Since last time we had a Movie Night we have had -- we have had ten to twelve thousand new people move to Meridian on the conservative side from that standpoint. So, I think that people are going to be looking for the opportunity to get out and have experiences this summer and I'm -- I personally don't want to sacrifice what Movie Night has meant to this community. Even though I'm willing to expand and ask Council to put in the resources necessary to pilot these Teen Movie Nights from whatever that sounds like. I assume since it is an enclosed area that MAV Security would probably be sufficient in order to patrol an enclosed inside area and manage, as compared to Meridian Police Department. So, hopefully, that resource would not need to be doubled up, but there is only one Renee and I get that from that standpoint. So, what I would ask is that I work with the director to come back with any potential funding costs and let Council consider that next week about if we were to not reduce our Movie Night -- Cable One -- or Sparklight

Movie Night program and add in two or three pilots for a Teen Movie Night during the summer and identify what that might look like.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I asked a question, Renee, when you were thinking about programming for teams, knowing -- yeah, unfortunately, we are still in COVID as much as we wish it was over. You just told me that you can't insure masks and social distancing. What about a team zone adjacent to Movie Night, so that it's outside. It sounds like the teens are still going to go to Movie Night, if there is only 50 of them allowed at HomeCourt. I know the police probably don't love it, but is there a way to have a teen zone that's near Movie Night, but not as disruptive? Was that considered?

White: Thank you. I appreciate the -- the question. So, Movie Night being 15 years old, having people come that aren't watching the movie and they are disruptive isn't a new -- a new occurrence. My understanding is the previous event coordinator tried to put them all into one of the tennis courts at one point and there was a fight, as there typically is, and they were -- the police were unable to get into the thick of the kids to break up the fight and so it was really our police department that requested that we not do that ever again and I will also say that, you know, I have requested that police be present at pretty much every event that these young people come. There was one summer where they were available at all but one and, of course, there was a fight at -- and it was the first one and at 7:00 o'clock before the movie started there was a fight. I don't -- I don't think these are bad kids, but I also, you know, feel the need to keep both themselves and the community safe and, then, with some of the other recent incidents I don't feel comfortable doing anything without some police presence. MAV Security takes care of the please sit downs, thank you for -- you know, for coming, but -- you know -- and kicking them out and, then, what they do is they escalate any sort of actual issues to the police, who, then, either issue a trespassing ticket or call parents and ask them to leave. So, MAV Security is really more -- and we are no longer using MAV. But that security system is really more of a crowd control and any bigger issues, then, get accelerated to the police, who that is their -- that is their job to handle.

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: So, I'm going to -- I know Council Member Bernt likes hats, so I'm going to put my emergency manager hat on and I know COVID's been mentioned, so the numbers are still pretty high at this point, 500 to 650 cases per week in the valley. We are still at 17.26 per 100,000 which is high. When this whole thing started we were like at six per 100,000. So, numbers are still high. So, someone mentioned waiting later until summer -- later in the summer. I also would agree with that as well. And, then, adjust for COVID as necessary. That would be my recommendation. So, thank you.

Simison: Thank you, Deputy Chief.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Renee, there is only one way to find out. You know, wish we could have a crystal ball and look into the future. If we did I certainly wouldn't be sitting in this chair right now doing what I do. So, I -- you know, I -- sometimes you just got to go do it. So, if that's what you want to do and you want to try and go get her done.

White: Thank you, Councilman.

Simison: Mr. Siddoway.

Siddoway: Yeah. Mr. Mayor, Members of Council, hearing the discussion tonight, you know, one thing I just wanted to point out -- it's not too late for us to pivot either way; right? If we want movie night to just be regular Movie Night, it's not too late for that and we are, obviously, in -- you know, have been talking about and planning the -- the split. The -- this idea of maybe piloting fewer and later in the summer sounds interesting to me and I don't know how many -- you know, maybe Renee and I talk afterwards, but just off the top of my head, you know, at least thinking about, you know, what -- what if we just made at least the last movie night a Teen Movie Night pilot. I don't -- I don't know if one is enough, but -- but we could -- why don't -- why don't we take this feedback and I will get back with the Mayor with a proposal.

Simison: I think that works. Perfect. All right. Thank you, Renee. Appreciate it very much.

White: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I just want to remind the parks director, I appreciate that input. The Mayor is your boss, but we control your budget, so just -- just --

ACTION ITEMS

- 4. Final Plat Modification Continued from March 9, 2021 for Baraya Subdivision No. 5 (MFP-2021-0003) by Matt Schultz, Generally Located South of W. Franklin Rd. and East of S. Black Cat Rd.**

Simison: Which is why I asked for more money. Okay. With that, Council, we will move on to our action items this evening. Our first item up is a final plat modification continued

from March 9th, 2021, for Baraya Subdivision No. 5, MFP-2021-0003. I will turn this over to Mr. Dodson.

Dodson: Mr. Mayor, that is not my project. I am --

Simison: Okay.

Dodson: -- not really sure who is presenting that or not presenting it.

Simison: Mr. Nary?

Nary: Mr. Mayor, I spoke with Sonya today and, basically, this is a final plat that was set over simply because there was a question on whether or not the fencing that was required in our code would be allowed. He has -- Mr. Schultz has looked into that. Nampa-Meridian has told them they will not allow fencing in that location. Because of that we actually have a -- a UDC amendment coming through. Actually, it was heard by P&Z last week to allow these in areas where there are linear recreational space. So, we can go ahead and move forward. He isn't -- he cannot legally build what we are requiring. So, therefore, there is no reason to hold up his final plat at this time and because of that we are changing our code to fit that to make sure we line up with the -- the irrigation district.

Simison: Okay. So, there is no staff or applicant comments this evening, is that what I'm gathering?

Nary: There is really no staff. I don't know if Mr. Schultz is on the line.

Simison: He is. I'm just trying to make sure we -- do we need applicant comments?

Nary: Yeah. Unless he has some comment that was -- that was the staff's position that we can move forward.

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

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: A quick question that Bill can probably answer is with that code change is it because in this particular area it is going to be improved as linear open space and that with the new code will require the fencing obligation to go away?

Nary: So, Mr. Mayor, Members of Council, Council Member Borton, so legally he can't build a fence where we tell him -- where we tell him where we want it, because the irrigation district has an easement there, so --

Borton: Right.

Nary: -- he legally can't do it. So, we can't require him to do something like that. But because of that and because we have had these occasional interactions like this, we felt it was important to change the code and it is a linear recreational space that he is constructing. It's a pathway. So, he -- so, he can go ahead and move forward with it, because I don't see a reason to prevent the final plat from being approved at this time.

Borton: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: To follow up on that question, Bill, then, there are some requirements with that linear recreation area space in terms of slope and those types of things. That is something that staff will make sure is -- is -- is followed to our -- to our standards?

Nary: Mr. Mayor, Members of the Council, Council Member Hoaglun, absolutely. Yeah. The staff will still have involvement with it, it's just the fencing piece doesn't need to be done.

Hoaglun: Okay.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will make a motion if there is no further discussion. Mr. Mayor, I move that we approve MFP-2021-0003 as presented in the staff report of April 20th.

Perreault: I second that motion.

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

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

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

MOTION CARRIED: ALL AYES.

Simison: Thank you, Matt.

Schultz: Thank you.

5. Public Hearing Continued from March 23, 2021 for Ambles Run

Subdivision (H-2020-0124) by HomeFound Group, Located ¼ Mile East of N. Locust Grove Rd. and ½ Mile South of Chinden Blvd.

- A. Request: Annexation and Zoning of 2.88 acres of land with an R-2 zoning district.
- B. Request: A preliminary plat consisting of 6 single-family residential lots

Simison: Next item is public hearing continued for March 23rd, 2021, for Ambles Run Subdivision, H-2020-0124, and I will turn this over to Joe.

Dodson: Thank you, Mr. Mayor, Members of the Council. Not entirely sure how much you want me to go over, since we went over this the first time. The applicant did submit a -- an e-mail or a letter to Council with a short update. It was updated I believe yesterday or maybe it was this morning. They all blend together now. Regarding the HOA and I will leave that update to the applicant, but other than that if you guys have any questions I can answer them. I did not plan to present, but I can.

Simison: Council, any questions for Joe based on that? Okay. Then I will turn this over to the applicant. Mr. Miller.

Miller: Thank you, Mr. Mayor and Council Members. This is Michael Miller. Can you hear me?

Simison: Yes. Can you state your name and address for the record.

Miller: Yes, sir. Michael Miller. My address is 6300 West Tierra Lane, Boise, Idaho. 33704. So, this is our project. You can see the landscape plan there. We came to you guys last month for six half acre lots over there in northeast Meridian. At the Council's request, which we are grateful for, we took some time and we went back to meet with the neighbors -- specifically the neighbor to the east of us, Dale Hope, and we also met with the HOA president of the Dunwoody Court and we sat at the table. It was a humanizing experience and we talked about the development happening in the area, what they would like to see and what we would like to see. Dale Hope presented a plan for five lots. So, we would decrease those lots on that eastern border there to two and keep three on the western border. We conceded and said, okay, the HOA president said he would take that back to the HOA for a vote. We asked for a vote. We didn't get a vote in that -- the future of our land. We just heard back from the HOA yesterday and they do not want the five lots and not willing to compromise down to five lots and so, unfortunately, I don't have a compromise for you tonight. What you have before you is what we plan to do, six half acre lots. There is some more findings that we have had as we continue to discuss with the HOA and we will continue to discuss as we go forward, but I think with that I will stand for questions.

Simison: Council, any questions for the applicant? Okay. Seeing no questions, Mr. Clerk,

do we have anyone signed up on this item?

Johnson: Mr. Mayor, we have two. Both indicate they are representing the HOA, but first is Jeff Wilding.

Simison: Thank you. If you would come forward and state your name and address and if you are representing the HOA you can be recognized for ten minutes.

Wilding: Thank you, Mr. Mayor and City Council. My name is Jeff Wilding. I live at 1842 East Dunwoody Court and I am the HOA president. We did as Mr. Miller stated, we did meet with -- with him and as we discussed there was a discussion around a five lot subdivision on Lot 26. I told him I would take that to our HOA. We did not receive enough votes to approve a variance to our CC&Rs for the five lots. Just a recap. Remember, this is 2.88 acres and our CC&Rs hold us to one acre lots for sub -- sub -- for development of that 2.88 acres. So, from a legal perspective that means two homes. The original intent of that property, because a lot line was moved, would have been three homes. So, when they -- when they asked us to go and talk to the HOA about the five lots, I put that before them and it did not receive enough. I did not want to come back to this City Council, who had asked us to go and work out a compromise and want to come back empty handed. I put out another vote and said to the HOA would you be willing to go to four lots. Remember, that's a compromise for us, because legally it's two. Original intent would have been three. Let's go to four lots. And so I did communicate that to Mr. Miller and the HOA did come back on that four lot compromise with more than enough -- more than 51 percent of the neighborhood agreed that we could provide a variance to Mr. Miller and his project to go to four lots and so we think we have compromised. We do want to see that land developed. We would love to have those lots in -- or those folks on Lot 26 and the upcoming development of Lot 28 continue to be part of our HOA at Dunwoody Subdivision and so we think that that is a great middle ground. Are there questions?

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I thought my video was off. So, I -- you know, we are not here to discuss the -- the workings of your homeowners association and that's a private matter, but I am curious -- curious. Just in general if you are asking the applicant to be compliant with a set of CC&Rs, but that applicant isn't a member of your association or a voting member of your association, I want to understand how that works. I mean it sounds like you are expecting the applicant to be compliant with the conditions and restrictions, but they are not permitted to have a vote in -- on the board as a member of your -- it sounds like all of the neighbors -- am I understanding correctly that all of the neighbors -- or at least the ones that could be in attendance voted on this and it wasn't just a board decision? So, could you help me understand that, just because, you know, again, we are not here to referee what's going on in the association, but I just want some clarity of the process.

Miller: Thank you, Council Woman Perreault and Mayor and Council Members. So, the -- the Lot 25 and 26 -- and this goes to another legal issue that I think we are probably ready to look over and I think -- and I see some heads nodding. Those were never supposed to be separated on the sale of Lot 25. It precludes in our CC&Rs that they can be sold separately and the Millers sold that lot separately and so there is a new resident that lives in lot -- the home on Lot 25 and the residents -- and it states in our CC&Rs -- are the people that vote. It doesn't expand. So, in other words, there should have never been the separation of those properties and now that there were Mr. Miller wants to have a vote, but he's not a resident there. Yes, he owns the land, but in our CC&Rs the -- the voting process is that the residents that are living in the homes are the people who vote. So, that would be my answer as to why Mr. Miller was not included in the vote, because he is not a voting member of the HOA, because they moved. But remember that split of the lot -- if that would have never happened this wouldn't even be a discussion. But, again, I don't want to burn that up still. It's -- it's the fact that he is not a resident there, nor those that he represents and we have 16 people in our subdivision and I got 16 votes. Does that help explain it, Council Woman Perreault?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yes, it does. I'm curious, though, the -- the voting members for Lot 25 -- I mean in my opinion if they -- I know there might be different residents there, but if that lot broke -- broke off -- split when it wasn't supposed to, perhaps their vote is not, you know, valid, but that's -- that's not a -- that's not what we are here to determine, but I just wanted to understand all of the things I have read on this application and the last hearing that we had I needed clarity on that, so that we could get some -- you know, for me I want to be able to say, yes, I feel comfortable making a decision on this or, no, I think that the parties need to go back and have some further discussion and that's why I wanted to understand that.

Simison: Thank you. Any further questions? Okay. Thank you very much.

Johnson: Mr. Mayor, we have Terri Pickens.

Simison: It looks like she is online. If you would like to state your name and address for the record.

Pickens: Thank you, Mr. Mayor. Terri Pickens Manweiler. 398 South 9th Street, Suite 240, Boise, Idaho. 83702. I am the attorney for the Dunwoody Homeowners Association and I was asked to come before you today to explain the legalities of what the project brings and the status of it and I have already gone over the legalities of the split and that in the previous hearing, but I did want to address the comments in the letter -- the e-mail that was produced by the applicant regarding his nonability to vote and I applaud Council Woman Perreault for bringing it up, because it is an issue and it is an issue that the HOA has to deal with. Whether the lot is recognized as a separate parcel for the county

purposes is different as to whether it's recognized as a separate parcel as to the homeowners association and it's legal dynamic. They are two separate lots for the county tax purposes. However, under the CC&Rs and the way that the homeowners association has always operated, that Lots 25 and 26 were one residential lot with one residential vote. If there was an opportunity under the CC&Rs for those to split, it would have had to have been done through the homeowners association and at that time at -- when the split was done, there would have been an assignment and a new residential lot would have been formed creating an additional vote. That didn't happen here and so Mr. Miller, while I appreciate he still owns the property or his mother owns the property, they don't have a vote as residents of the homeowners association under the CC&Rs. While I know that puts them in a bit of a conundrum in terms of having a say as to whether or not they get to subdivide their lot -- they should have gone through the process the first -- correctly the first time and they didn't and that's just a consequence that they are paying now. The -- the fact that the homeowners association did have a vote, would agree to a compromise on four lots, really is as best as we could hope for or promise Mr. Miller and his proposed development, because that is not the plan that is before this Council today. We would ask that the Council reject the plan and ask them to resubmit a different plan that would come -- that would comply with the city code or -- and the county code, but would -- but would also satisfy the problem that the homeowners association is facing and that is if this lot -- six lot subdivision is approved they have absolutely no choice but to go to the district court and seek redress and that redress would come in the form of injunctive relief to prevent the actual construction of a six lot subdivision. Despite the comments made in the e-mail from Mr. Miller, I am quite confident that the CC&Rs do apply, that the one acre lot restriction on the property will be enforced by the district court and that puts them in a much worse position than if they just make the compromise that the homeowners association has put forth. So, with that, again, we do ask that the Council deny the application, because it is our position that it's going to become moot, because there is not going to be an opportunity for the construction to actually commence on a six lot subdivision in the Dunwoody Homeowners Association and I will stand for questions.

Simison: Thank you. Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just a question, Ms. Pickens. Just something that Mr. Wilding said that I just -- I just found curious is if I was a renter in that current subdivision I would have a vote on the HOA. Because it said -- it was stated that it is the resident who has the vote.

Pickens: Mr. Mayor, Councilman Hoaglund, thank you for the question. So, how most homeowners associations operate is the owner of the property is considered the resident under the CC&Rs. The owner can certainly give his proxy to a tenant and that tenant can vote on behalf of the owner. The owner is the -- considered the resident under the CC&Rs.

Hoaglun: Mr. Mayor, Ms. Pickens, thank you.

Pickens: Thank you.

Simison: Council, any further questions? Okay. Mr. Clerk, did we have anybody else sign up?

Johnson: There were no other sign-ups indicating they wished to testify.

Simison: Okay. Well, if there is anybody in the room that would like to provide testimony on this item, if you would like to come forward now and state your name and address for the record or if there is anybody online that would like to provide testimony you can do so by using the raise your hand feature and we can bring you into the meeting to provide comments. Seeing nobody in either fashion wishing to provide additional testimony, I will turn this back over to the applicant for any final comments.

Miller: Thank you, Mr. Mayor and, thank you, Council Members. Jeff Wilding. We -- you know, we have been at this project for eight months talking about the legality of the split and CC&Rs and those issues are something that we believe that should be handled outside of this hearing tonight, but some important things to keep in mind is that the split happened with the HOA knowing about it and they at that time didn't have -- they don't have any bylaws. I still haven't seen any bylaws. The actual articles of incorporation -- incorporation, excuse me, for the HOA were filed a month ago. So, it didn't even legally exist until a month ago. So, if we are looking at the legality of how the process should be for voting for lot splits, et cetera, we have some serious issues and our lawyer maintains that we are homeowners there. We don't have homes there yet, because we need to be annexed into Meridian, but that we -- we are entitled to a vote. We are either part of the Dunwoody HOA and, therefore, subject to the CC&Rs, or we are not. They can't have it both way -- both ways and it also calls into question the fact that, you know, they have, you know, stated that we are rushing this project forward, but we have taken -- we have taken our time with this project and the fact that they have only filed their articles of incorporation a month ago calls into question, you know, their motives as well. After sitting down to speak with them, I -- I grew up in that neighborhood and when I drove to school I drove down Eagle Road when it was two lanes and there was no development at that time and having seen the development happening around it now, I actually very much sympathize with those homeowners there. There is a lot of, you know, traffic coming through, they have new lines drawn and Locust Grove is getting busier, but we are presenting six half acre lots tonight. It's a good plan. It's a good plan that provides a diversity of development. There is a lot of open space. Reducing two more homes so that those lots can be larger, ostensibly, just the yards can be larger, it seems to me that it becomes a little bit elitist at a certain point, to be frank. Why exclude two more possible homeowners the chance to live in a really beautiful community because they have these fears of development. What we have is six half acre lots, R-2. You don't see a lot of this. We stand confident in our position, not only in the plan, but in the legality of our position. So, with that I think I will stand for further questions.

Simison: Thank you. Council, any further questions or comments at this time?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a comment. I appreciate the parties having taken some time to try to visit and give it the old college try to see if there is some way to -- to see eye to eye on resolving the conflict, but it hasn't happened. Their remarks with regards to the factual disputes between private parties and issues to be taken to court, that very well may happen, but this isn't the court for that, frankly. The private dispute is something that's purely private. So, the application before us is a lawful application that the city is entitled to act on and can act on. If Mr. Miller is subject to a suit from a private entity, that will be resolved in that proceeding, but not this one. There is a variety of times where we could have a dispute between private parties that -- that is outside the bounds of our purview and our review. This is an annexation and zone and that's it. So, I don't agree or disagree with what Ms. Pickens Manweiler had raised, frankly. This isn't the forum to try and resolve that dispute between the HOA and Mr. Miller. If that ever comes up it will be somewhere else. So, I say all of that, because I don't think trying to reconcile what did or didn't happen is relevant, frankly, to the decision we have to make. I think our decision is this annexation zone are appropriate, in the city's best interest, and if they have a legal dispute after the fact, then, that's between those private parties. So, I'm comfortable to proceed on the record before us.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to offer a little bit different take and explain my perspective. I remain uninterested in stepping over an HOA in Meridian. My common sense reading of it is that it was one acre lots and I don't think it's in the city's best interest to potentially become legally entangled in a private dispute. I also feel that a compromise was offered by the HOA and I'm a little disappointed that Mr. Miller hasn't taken it, but it's certainly his right not to, but I don't think it's in our best interest to move forward as a city with this dispute happening. So, I have a different take on it and I would be voting against the application tonight.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: From my understanding we -- we have three options. We can approve. We can deny. We can continue. I don't think that will happen. But I want to ask Mr. Nary -- we have -- there are two parts to this request. One is annexation and zoning with an R-2 zone and the second request is a preliminary plat consisting of six single family residential lots. I suppose another option is we could do the annexation and zoning and

not take up the preliminary plat. Is that an option?

Nary: So, Mr. Mayor, Members of the Council, Council Member Hoaglund, yes, that is an option for the -- for the Council to consider. You can simply annex the property and give it a zone. Those two actions are required to be done together. You don't have to agree with the plat that's being proposed and you can deny that and they count -- the applicant does need some direction from the Council as to what you would like to see. If you don't want a six lot subdivision of this type and you are going to reject it, then, the applicant has the right to ask what did you want instead.

Hoaglund: Thank you, Mr. Nary.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question for Joe. Joe, again, going through the staff report I don't think there is any issues that are necessarily outstanding for Council on this application if Council were to move forward; is that correct?

Dodson: Councilman Cavener, that is correct.

Cavener: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: If there is not additional discussion at least yet, I will move we close the public hearing on H-2020-0124.

Bernt: Second.

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

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor, for just the discussion start --

Simison: Councilman Borton.

Borton: While Councilman Hoaglund brings up an interesting wrinkle, I'm generally supportive of it as -- as described earlier with the annexation, zone, and -- and the plat itself and if there is a different proceeding that resolves it, the dispute between the two of

them, I can't reconcile and resolve that here. I think that's -- that's a full litigation issue that has a lot more facts and angles and turns than we will ever get and I have litigated these things and it's complex. So, it's for that reason that I'm comfortable proceeding today.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I tend to agree with Council Member Borton. In many cases I wish the -- the conversations that happened this week ago -- or this week happened a month and a half ago. You always hope that folks can sit around and come to a conclusion that works for everybody and appreciate both sides doing their best to try and make that work. I don't have any issues with the application as presented. I'm happy to be supportive of it tonight.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with Council Members Borton and Cavener. I don't have any opposition to the annexation, zoning request, and the plat as it sits, but I would like to invite Mr. Nary if he has any additional advice for us -- I do have concerns about approving this with -- where it is with -- with the -- you know, what's happening in that neighborhood, but I don't know if we have any legal obligation or -- or -- you know, I don't know that -- that -- that there is any issue on the city's part. I think -- I agree with Councilman Borton that it's a private matter, but just curious if Mr. Nary wants to speak up. If he doesn't, then, that's okay, too.

Nary: Mr. Mayor, Members of the Council, I don't really foresee the city being engaged in the legal issues between them. So, although as Council Member Hoaglun asked the question, can you approve the annexation and not the plat, you certainly can. He will either have the legal ability to build these six lots as he's requested and he will have to resolve the issues with the Dunwoody Subdivision to do that or he won't have the ability to do it. So, it really isn't going to involve us. Really at the most is he is going to request a building permit and we are going to get some legal notification saying don't issue it or he is going to get a notification that he can't use it. So, I don't really foresee any real involvement from the city's perspective. It's just messy and that's where I think Council Member Strader was coming from. It's a little messier. But, again, he will either have the ability to build this or he won't. What we do won't have any effect on -- on that outcome, as Council Member Borton has stated.

Simison: And, then, I will just weigh in here from my perspective. I tend to fall with Council Woman Strader's position that while I understand, at least in my own legal opinion about who has got what and who has what responsibility and not, I do feel like if the city moves forward we are just setting up neighbors to sue each other one way or the other. But maybe that's going to happen anyways and that's -- that's the unfortunate situation that I

feel like this city is in, is we are being asked to make a decision where we know someone's going to sue somebody at the end of the night and maybe it's going to happen regardless of which way the decision goes. So, that's unfortunate to be for the city, but I don't -- it would be nice if there were more to get this right, so that everyone can avoid -- sorry, attorneys on this call -- the legal fees.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I -- this is an interesting application. I -- I tend to believe for myself that it -- I just -- I probably am not in support of this application this evening only because of the messiness and the dumpster fire the situation is. I mean at the end of the day I don't want to annex a dumpster fire into -- into our city. We don't need it and -- and I -- I would -- I would -- it's just too messy. So, it's not ready to be annexed into our city and until then -- maybe by not annexing this into the city maybe it will create more collaboration between these two parties. So, that's my point of view. Go collaborate more, figured it out, and come back to us.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I don't know if this is a question for Joe or Bill, but if we deny this they could not come back with an application for a year for this property?

Nary: Mr. Mayor, Members of the Council, so the -- the application for the annexation can be reapplied. There is no prohibition. What the code says you can't come back with substantially the same application for the plat, so -- so, yes, that there is a one year prohibition. Now, again, it's a staff call on if it is substantially the same plat that's being requested. So, it just depends on what it looks like.

Simison: Councilman Hoaglund.

Hoaglund: So, if we turn it down and the applicant wins in court, he will have to wait to come back with the substantially same plat; is that your understanding?

Nary: Yes.

Dodson: Agreed.

Hoaglund: I -- I guess, Mr. Mayor, to comment, then, I -- this -- these are difficult decisions and it's not any fun. If I were to look at this and what we heard -- the presentation of what's being presented and the neighbors were fine with it, I'm inclined to support this application. Single family homes on a half acre -- I'm sure we have had this happen before -- that application's up, people will be jumping for joy going, yes, that's what we

want in our neighborhood, so -- but this is a different neighborhood and they are one acre lots and, you know, having single family homes on acreage are getting much rarer to have in our community, so I like the fact that these are half acre lots. Will they be one acre lots? I don't know. I mean that's a market analysis and I'm not in that position to say. I married into a dairy farm family and we kept an acre and it's a big lot. Lots of maintenance. Looking at it -- if the neighbors are in opposition and a half acre nicely appointed, we have seen what they are planning on doing, it will start the development for the other properties behind it and I think went to the -- to the west. That's what makes it a difficult decision. If -- if I just look at this taking it at face value, yes or no, I would be a yes. If it doesn't implicate us in any legal issue, I'm -- you know, we will -- we will just see what plays out in court. If we deny it will it ever come back to us and it remains vacant property, because -- you know, I'm -- I don't know what the applicant will do and that's none of my business. So, I just have to figure out what my vote would be with an application as presented and how it fits our community, although it doesn't fit that particular neighborhood that are one acre lots. So, like I said, these aren't always easy decisions.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Mr. Nary, can correct me if I'm wrong, but if the Council does see fit to -- I see a couple options I guess. See fit to approve the annexation and zoning and the plat, it is my understanding you have the power to limit the number of lots and per the four lot that the HOA proposed, you -- you could approve it with that. Second of that if -- is my -- also on my understanding of the process, let's say you approve the six lot at the pre-plat, our code does allow a final plat to have a reduction of building lots without having to go through a Council meeting. A public hearing. So, there could be potential that we approve the pre-plat, the applicant and the HOA have further discussions, maybe even litigation, I don't know, but -- and, then, the applicant eventually settles on the four lot, they can final plat that within two years and that should be -- that would be no harm, no foul. Not to throw a wrench in all your plans here, but I can assure you when I saw this get assigned to me I thought this would be the simplest one of the year and so far that is not the case.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, I really appreciate you speaking up, because that was exceptionally helpful. I feel like that was very helpful to me. I know the plat -- the preliminaries expire after two years, although the annexation and zoning would be permanent, so that's sort of been in the back of my mind as we have talked about, you know, this is not something that the plat isn't tied to this property indefinitely, but I appreciate the clarification that the final plat could be modified. Now, is it just a reduction in the number of lots or if there is other modifications -- I mean how much different can that final plat be and is that something we need to consider or not?

Dodson: Council Woman Perreault, that's a great question. It is my understanding that as long as the road stays in the same place and it's just a reduction of building lots, there are no common lots, so that wouldn't matter either. But addressing building lots that it would just -- I could improve it at staff level and, then, obviously, we would come before you guys on the Consent Agenda in the future.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Not to make it more complicated, too, but Council Member Hoaglund asked, you know, would this come back. So, Joe's suggestion and recommendations is excellent, because that -- that is a factor that it can -- they can either work this out to allow the six or five or four or three or whatever it ends up being and we can approve that. If -- if you don't approve it, then, it will remain in the county. They could split it in the county and it's two lots as -- as the Dunwoody Estates -- or the Dunwoody Subdivision would prefer and there will be two houses built in the county, it won't be in the city. So, that's your outcome. Whether that's a good or bad outcome, that's what happens, that it would -- that if it remained in the county it would, then, get split in the county and they would have -- be two more homes built on a septic and a well in the county right next to a city subdivision. But all of Dunwoody is anyway, but these are the ones that are immediately adjacent to Vienna Woods, I believe.

Dodson: Mr. Mayor?

Simison: Joe.

Dodson: Just to clarify, the -- with the HOA they could split in two lots, but it is zoned RUT, so it's already under the minimum five acres. So, Ada county will only let them build one home. They could ask for a rezone, but because they are adjacent to city zoning, I -- Ada county would probably just kick them back to us.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: It's a shame that we closed the public hearing, because I think if I were in the applicant's shoes I would -- I don't know, I -- it might -- it might be interesting to hear their opinion. The vote is very close and at this point time is money and so if there is a lawsuit that could take a long time to move forward and -- and there is the aspect of maybe it gets approved, possible to denial, in which case that -- that also costs more time. I don't know. I guess I didn't hear him offer up a compromise earlier of a smaller number of lots, but just thinking out loud. I don't know if anyone else would be interested to hear the applicant's feedback at this point and reopen the public hearing.

Simison: Council, would -- let me ask Mr. Miller with a thumbs up if he would like to make

any further comments after hearing this. So, do I have a motion -- a motion to reopen the public hearing?

Borton: Move we reopen the public hearing.

Cavener: Second.

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

Miller: Thank you, Mr. Mayor and Council Members. I realize that this is a very complicated situation. I have been in it for eight months and I'm tired, too, and I have a lot of sympathy to the Dunwoody homeowners and the five lot compromise was presented to us by the homeowner right adjacent to us in the Dunwoody Subdivision. So, he most likely voted yes for five lots and we still like that land. Four lots as we continue to incur lawyer fees and time, it just becomes less -- just less -- the numbers don't look as good. But, you know, maybe some more time to talk with the community would be -- would be helpful. I do believe that we can come to a consensus. The table that we set at at Jeff Wilding's house was friendly and collaborative. We weren't able to meet with the rest of the HOA at that time. We weren't invited to that meeting. But we ended up going to Dale Hope's house afterwards and, you know, we do have a spirit of collaboration despite how, you know, quote, unquote, messy this is. We still believe that these -- these lots whether it's six or five, provide some really beautiful open space lots for that area. That will be a good blend between Vienna Woods and -- and Dunwoody. So, if you do approve us tonight, I can promise we will continue to have the conversations. Thank you.

Simison: Council, any further questions or comments at this time?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I apologize, Mr. Miller. I'm just a little dense maybe, but are you asking for a continuance or would you like us to vote on your application?

Miller: Thank you, Council Woman Strader. I would like for you to vote. Thank you.

Strader: Thank you.

Simison: With that, Council, do I have a motion to close the public hearing if there is no further questions for Mr. Miller.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing.

Cavener: Second.

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

MOTION CARRIED: ALL AYES.

Simison: Council, do I have a motion?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think we should vote on Joe Borton's motion from earlier.

Simison: We have yet to have a motion from Mr. Borton. We have had comments, but no motions.

Borton: Mr. Mayor, I can make a motion. I just -- I appreciate hearing the dialogue from fellow Council Members on this annexation, even the small parcel is a pretty serious deal and a big commitment from the city to -- to bring any parcel in, large or small. So, if there is -- I don't have concern, but if there is a pretty strong concern from three or four of us, that's a big deal to me. So, I'm supportive of the application, but I just am not certain that my fellow Council Members are there, which -- which matters.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I think one of the things I heard that -- that really kind of puts me to one -- to -- to approving this is the fact that by the annexation and approval it could go to court and they can't develop it, that's fine, but we control that -- that property moving forward. Anything that happens there if -- maybe if he goes to four, the water, sewer, all of that, it's -- it's ready to go. We can service that, we can do it and -- and to me that makes a difference. It's -- it's in Meridian now. It should be a part of Meridian officially and, then, we will see what -- what happens down the road.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Just one quick thought. I don't know if my fellow Council Members know this and I don't know how accurate I am in this, but I'm fairly certain that now our Planning

Department has a say in -- or at least collaborates with the Ada county planning and zoning -- or the planning department in regard to, you know, development that are close to our city services and are annexed property in the City of Meridian. So, if your concern is that, you know, we don't have any control of this property, I mean we sort of do to a certain extent still, so just wanted to make sure that we are all aware of that.

Simison: I would concur that I think we have sufficient influence in the future of this property.

Bernt: Right.

Simison: I'm not concerned about how it would possibly develop absent that.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: The public hearing is closed; correct?

Simison: Correct.

Borton: Mr. Mayor, I move that we approve H-2020-0124.

Cavener: Second.

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

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

Simison: Four to two. Item passes.

MOTION CARRIED: FOUR AYES. TWO NAYS.

Simison: Okay. Thank you very much. Council, let's go ahead and take a five minute break before we get into the next item. We do have a full room, so we will want to restart right at 8:05 if we can. So, we are in recess.

(Recess: 8:00 p.m. to 8:07 p.m.)

6. Public Hearing for Movado Mixed Use (H-2020-0123) by FlexSpace, LLC, Located on the South Side of E. Overland Rd. Between S. Eagle Road and S. Cloverdale Rd.

A. Request: Conditional Use Permit for a multi-family development

consisting of 66 attached units (56 units on 4225 E. Overland and 10 units on Parcel S1121121011) on 6.8 acres of land in the C-G zoning district

- B. Request: A Development Agreement Modification to modify the concept plan approved with the existing agreements (Inst. #2017-12608 & #2018-012456) to include a mix of multi-family and commercial uses on the remaining 6.8 acres of the Movado development

Simison: All right. Council, we will go ahead and come back from recess. 8:07 for the record. And next item on the agenda is public hearing for Movado mixed use, H-2020-0123. We will open this public hearing with staff comments.

Dodson: Thank you, Mr. Mayor -- Mayor. I don't know what word I just said. Mr. Mayor and Members of the Council. As noted, the application before you now is for the Movado Mixed Use Development. The two applications before you tonight are for a conditional use permit and a DA modification. I will go over briefly just the -- what's around it so that we are all aware. To the north of the site is RUT zoning and single family residential that's still in the county. To the east is the city of Boise and some undeveloped land, but it does have some mini storage approved there. To the south is R-15 zoning and the Movado Subdivision with -- some -- directly to the south is attached single family. To the west is more C-G zoning with multi-family apartments. As noted it is part of the Movado Estates Subdivision. Movado Greens -- it's been modified a couple of times. It is part of the mixed use regional Comprehensive Plan or I should say future land use designation. The summary of the request is as follows: As noted it is for a conditional use permit, which is for a multi-family development consisting of 66 attached units, 56 units being on the west side of the Movado Way and ten units on the east side of Movado Way and is on 6.8 acres of land currently zoned C-G. This request also includes a development agreement modification to modify the concept plan approved with the existing agreements and shown here to include a mix of multi-family and commercial uses on the remaining 6.8 acres of the Movado development. The request is for the purpose of including a new development plan for this area of the Movado Greens development to consist of both commercial and residential uses, instead of solely commercial. The existing DA includes a concept plan for this area from 2017 when the property received DA modification to change the number and lay -- the number and layout of apartment units west of this site and along Overland, now known as the Silverstone Apartments. The existing concept plan depicts a number of office, retail, and general commercial buildings. The applicant believes the existing concept plan for this area of the agreement is not feasible. The applicant states this is because the site is separated from the Eagle-Overland area by residential and is too far east to accommodate 56,000 square feet of commercial space. Therefore, the applicant is proposing a new concept plan depicting three commercial pad sites and 66 multi-family dwelling units in the form of townhome style dwellings. Staff supports the reduced area of commercial within this area of the overall development. The commercial area is now proposed to hold approximately 27 and a half thousand square feet that is shown completely along Overland Road, which helps with the visibility. In the western half of the

site the commercial is separated from the 56 units of the multi-family residential by a shared driveway that has -- is the access to the public street network for both of the commercial and the residential uses. It also connects to the west of the Silverstone Apartment site. In the eastern half of the site the applicant also shows a larger commercial building. That's also along Overland with the remaining area of the lot shown as parking and the ten remaining multi-family units on the southeast corner of the site. The applicant presented a thorough case for this area of the mixed use regional designation to lack true viability as a premier location for 56,000 square feet of commercial area due to its location being more than half mile from the Eagle-Overland intersection, which is the central hub of the mixed use regional area. Some commercial should remain on these parcels, but staff does agree with the applicant that the proposed amount with the incorporation of townhome style multi-family is adequate to meet a majority of the mixed use policies. Access is proposed via driveways that connect to South Movado Way, a collector street, that currently exists and bisects the property. The driveway within the northwest section of the project -- so this driveway here -- will connect to the driveway stub from Silverstone Apartments directly to the west as noted. This driveway acts as a border between the proposed commercial buildings and the multi-family townhomes, but also offers the integration. South of this driveway are the drive aisles for the 56 -- for 56 of the 66 multi-family townhomes with the required parking located on both sides. The southeast portion of this area contains a segment of drive aisle that is over 150 feet in length, which would be this overall length there, which, technically, requires a fire turnaround in the terminus. Instead staff recommends this segment be reduced in length to not require the turnaround and save a ton of space. Therefore, a few parking spaces in this area may need to be removed to accommodate this. Overall the residential portion of the site proposes 139 parking stalls, exceeding the 132 required. The east side of the development proposes an additional commercial building, as well as ten more multi-family units with driveway accesses to Movado Way, one in the north and one in the south that aligns with the public road to the west and will also align with a drive aisle access to the Boise property to the east. The submitted site plan shows more than the minimum parking required and drive aisles that meet the UDC and fire department requirements for the commercial portion of the east site. The proposed dwellings at the very southeast corner of the project are placed with minimal room to spare surrounding the buildings, but do appear to show compliance with dimensional standards, including parking. According to ACHD, the proposed driveway connections meet their district offset policies by being 220 feet from the intersection of Movado and Overland. However, these two northern most proposed driveways will not meet offset requirements should the Overland and Movado intersection ever be signalized in the future. In this case these two accesses, which to be clear are these two driveway accesses here, would be limited to right-in, right-out accesses only and the applicant is aware of this potential. The proposed site plan appears to show compliance with all UDC requirements for both the commercial and residential portions of the site, except for that one area of the drive aisle previously discussed. The multi-family development is required to provide common and private open space based on the specific use standards. The applicant's open space exhibit only shows the 56 units on the west half of the project and they show approximately 135 square feet of private open space per unit, which exceeds the 80 square feet that is required by code. Staff recommended that prior to the Council meeting the applicant

show the ten units on the east side with a new open space exhibit, but that was not presented to staff. The common open space is to be shared between all 66 units and the submitted plan shows 19,561 square feet of common open space being provided, which exceeds the requirement based on the size of the dwellings, the number of dwellings of 16,500 square feet. The open space exhibit also does not show an area of land that is on the east parcel, which is approximately 2,000 square feet and would be qualifying, which would be -- I'm sorry. Which is that area just north of the ten units on the east side. The revised open space exhibit should have shown that area as well. The proposed open space consists of a buffer between the multi-family residential, which is here -- between the multi-family residential and the existing attached residential to the south, a MEW between two of the eight-plex units or eight-plex buildings, a plaza area along the Movado Way that contains the amenities and other small areas throughout the site that meet minimum dimensional standards. Despite the proposed open space exceeding the minimum required by code, the only area large enough for a more active open space would be that area south of the plaza that abuts Movado Way that is approximately 3,000 square feet in area. The seating area proposed by the applicant is shown on the revised site plan should provide an additional area for commercial users to sit and relax, which is this area here, which was added after some discussions with the applicant prior to the initial publication of the staff report. Furthermore, the development -- the developer of the subject parcels is the same as those for the rest of Movado Estates and Movado Greens directly south of the development. It can be assumed that these residents will have the opportunity to utilize the existing pedestrian network to access those other and larger open space areas within those -- within the Movado development. It has not been confirmed or denied by the applicant. Based on the 66 proposed units, a minimum of three amenities are required. The applicant has proposed three amenities, one from each category, as required by code. These three are an enclosed bike storage, which is here, a plaza area and a coffee kiosk, which would be the building here. The applicant submitted conceptual elevations of the eight-plex units and since the staff report publication has submitted conceptual elevations for the units on the east parcel. All elevations show two story structures with varying roof profiles along the roof lines and mostly lap siding exteriors. Staff will analyze all elevations for compliance with the architectural standards manual at the time of design review submittal, which is required for attached units. Furthermore, staff has recommended a condition of approval that the same design elements are incorporated in both the multi-family and commercial areas of the site to ensure integration and concurrency in design. Future commercial buildings will also require design review. A side note to this is that prior to the Council meeting -- I believe it was yesterday -- I received additional elevations from the applicant showing that they are willing to make the lower -- the southern units single story rather than two story. I will let the applicant go into more detail about how that will work as well. At the Commission hearing the Planning and Zoning Commission did recommend denial of the subject applications, which, again, are conditional use permit and development agreement modification. There is a lot of neighborhood opposition and I'm assuming they are here tonight as well. The main issues provided by the public were the quality of the proposed amenities and the lack of area for children to play. Concern over no updated traffic study being required, as well as the assumed increase of traffic from additional multi-family units. The value of adjacent homes being brought down by the proposed

multi-family development. The proximity of the two story buildings to the existing single story homes south of the site, which I think the applicant presumes they have mitigated that and issues with -- I should say the property was approved commercial and so they would prefer commercial over residential. The Commission discussed all these items. To be precise, the overall difficulty of losing the commercial area to residential -- specifically more multi-family. They discussed how the proposed coffee kiosk works, which is intended to be a self serve, but is stocked by the property management company. The challenge of revising a master planned community that was approved with a certain amount of commercial in order to incorporate more residential and, again, lose some of the commercial components. Lack of integration of the proposed residential and commercial and a question of do the proposed changes match the comp plan, which was one of the -- the reasons for denial. The Commission did not change any staff recommendation, but staff did make some revisions based upon discussions prior to the Commission hearing and those are noted through strike -- by strike through and underline changes in the conditions of approval and are related to some of the changes from the revised site plan that was received. Again, to be clear, Commission recommended denial for the following reasons: That it does not fit with the Comprehensive Plan. That the proximity of the proposed two story apartments to the existing homes is too close and that it does not fit with the existing character of the neighborhood. Since the Commission hearing ten pieces of public testimony were submitted, nine against, one in favor. The issues presented in the ones that were against the hearing -- or against the application cite the same issues as presented previously and presented during the Commission hearing. The one in favor discussed the viability of the commercial by a commercial developer. I hope you all had the time to read those. Following that I will stand for any questions.

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

Bernt: Hey, Joe. Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Joe, did you -- you mentioned that the applicant had provided some new elevations and such. Are we going to see those or did -- okay. I will wait. Thank you.

Dodson: I presume Hethe would have that covered, but the initial review of it is going to be the same type of thing, lap siding and adequate modulation.

Simison: Council, any other further questions for staff?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question maybe for -- I guess for Joe. I know that we didn't get necessarily -- is the letter that we got from West Ada reflective of the new impacted students that this

change would bring or does that letter speak to the way the -- the way the plan was originally approved?

Dodson: Councilman Cavener, I'm not entirely sure if the two story to single story change, if that's what you are referring to, loses any unit. I have not been told that. Regardless, it -- the West Ada letter is from previous, so it would be a base off of 66 units.

Cavener: Thank you.

Dodson: You are welcome.

Simison: Council, any further questions?

Cavener: Mr. Mayor, one more if I can.

Simison: Councilman Cavener.

Cavener: Joe, in your report you touched on the multi-family and the commercial would need to have the same design style, is that what I heard you say?

Dodson: Yes, sir.

Cavener: They are wanting the buildings to essentially look alike, is that what I'm understanding?

Dodson: Councilman Cavener, it's part of our -- both the Comprehensive Plan and our architectural standards manual to -- mostly the mixed use policies to have some of the architecture and materials match residential when they share the same site.

Cavener: Okay. Thanks.

Dodson: They should not match completely, obviously. That would not be the goal.

Cavener: Right.

Dodson: Just to have some of the same elements.

Cavener: Just wanted to make sure I heard you correct. Thank you, Joe. Thank you, Mr. Mayor.

Dodson: You're welcome.

Bernt: Like a roof maybe would be --

Dodson: Maybe we could all have a cabana. That could work.

Simison: All right. With that we will ask the applicant to, please, come forward and state their name and address for the record and be recognized for 15 minutes.

Clark: Thank you, Mr. Mayor. And it's good to see everybody and live and in the flesh. It's been a number of Zoom hearings for me. We even set up a Zoom studio in our office to be able to handle it, so this is nice to be back in person. Hethe Clark. 251 East Front Street. Representing the applicant Conger Group. This is an application that helps get a very successful project over the finish line and it helps add another needed housing type in the city. As you might know, Movado has been a great project on over one hundred acres off of Overland road. But despite our best efforts the 6.8 acre site that's on the north of the project has been slow to develop. So, you know, I think it's important for us to jump in and just really focus on why we are here. Let's -- let's just put that out there very first. If you look back at the original approval, the original approval included 56,000 square feet of commercial. That was a lot for this location. It was not dictated by the city by condition of approval, it was something that the seller wanted and so it was included in the original proposal as a result. Since that original approval, this has been aggressively marketed and really to -- to no success and for a number of reasons. Joe really hit a lot of this and so I don't want to repeat his words, but it is -- it does have this double edged sword of it's in the general vicinity of Overland and Eagle and you have Silverstone to the west, you have the Eagle View Commons the BVA is working on to the northwest, you know, they are going to be attracting the large kind of custom users that might be able to sit into that second tier and when I say second tier I'm talking about the second row of commercial that we are looking to replace with some of these townhomes. So, I -- I think as we talk about that, I think it's important to understand what is allowed on this site as a C-G zone. So, it's C-G, general retail service commercial. Allowed uses are per the -- or per the code, quote, largest scale and broadest mix of retail, office, service and light industrial uses. So, what does that -- what does that mean? That means that it can have light industrial. That means that it can have flex space. That means it can have fuel sales. It can have a carwash. It can have vehicle repair sales, rental and service. It also has -- because it is C-G we want to encourage commercial development, so it has smaller setbacks. It has a 65 foot maximum height. There is the 25 foot landscape buffer to residential. But, otherwise, this is not -- I think Joe put it this way during the Planning and Zoning Commission meeting -- this is not a, quote, unquote, soft zone. This is a zone that allows a number of -- of relatively intense uses and Joe's description I think is absolutely spot on. So, let's -- let's look at what we are proposing. This proposal affects, again, this 6.8 acres on the north. It would be converted to a portion to townhouse rentals and, then, we would retain 27,500 square feet of commercial with about 13,000 -- let's see if our mouse is going to come back here. It doesn't look like it. Okay. So, there is about 13,000 square feet in the building that's on the northeast that you can see on this plan, about 75 -- 7,000'ish right there and 7,000 in the other. So, in other words, commercial will still be there, but it will be there in a footprint that we think can actually be marketed successfully and I really want to stress something about the housing type that's being proposed. These are not apartments. These are townhouse rentals. They are not the imposing, you know, stacked apartments that you would -- you would generally picture and have been developed elsewhere. They are more expensive to build, but they are very popular and it's something that we really don't have much of in this market. It's

something that I really like that, I'm kind of -- it brings back memories for me, because I lived in a -- in a townhouse rental for the three years of law school and my first kid was born there. You know, I think this is a great product. There is a good reason to do it. And as Joe mentioned -- mentioned it's going to have targeted amenities. It's going to have a plaza area. There is going to be carports. There is going to be an open barbeque and picnic area. And, then, we are going to have what Joe called the coffee kiosk. It's going to be an indoor kitchen that's going to be controlled that the property manager will address and stock. I think it's a really cool idea. And, then, we also have a bicycle barn for the residents. So, all of the amenities are covered. You know, one thing that I -- I want to hit up front, too, is the issue of traffic. So, as you know, when Movado was approved there was a traffic impact study that was completed. The mitigation was identified at that time. With this proposal and the replacement of the -- of townhomes for what was previously commercial, the overall number of trips that will be developed -- generated by the development actually reduces by 330. So, the -- the traffic has already been approved. That's why ACHD approved this at the staff level and I will just say, you know, for what it's worth, we are in agreement with ACHD's conditions. We are also in agreement with the other agency conditions and I will talk about this more later. We are in agreement with staff's conditions that are still in your staff report. As Joe mentioned, we were concerned with the original conditions of approval and we discussed them with staff prior to the P&Z hearing and this is why this -- what resulted as a result of that was this plaza area that you see here on the screen. It was an idea to create yet another amenity, which is a seating area that would be shared between these two commercial buildings on the north part of the project. So, that leads us to the P&Z hearing and some of the concerns that were discussed. You know, obviously, that meeting covered a lot of ground. Joe has mentioned some of those issues. I will focus on these issues here and, then, we can circle up on any other questions that I might leave unaddressed as we go through it. But the issues that I'm going to really focus on are the loss of commercial area, the relationship between the -- this -- these existing single level duplexes on the south boundary of this 6.8 acres and, then, the -- what was referred to as the challenge of modifying a development agreement in a master planned community. So, let's talk about a loss of commercial area and -- and Mark Bottles is here, so I don't want to steal all of his thunder and you have received a copy of his letter in your packet. You know, we know that commercial is a priority, but it really has to be in the right location and in the right amount to be successful. It -- this, as Mark is going to discuss further tonight, you know, just hasn't proven to be the right amount and in the right location. You know, we are not making this request lightly. You know, despite a great market for the last four years we just haven't been able to make this work in this location and that's why we are asking to reconfigure. So, Council Member Bernt, I think this will help answer your question about the -- this is the design for the single levels. So, if we are going to make this change, you know, I know that Council wants to make sure that this is going to work. So, we need to look at how the project transitions and its relationship with the adjoining properties. So, let's start with the properties to the south. On the south we have single level duplexes. Those are the existing neighbors to the south in the Movado Greens area. In order to ensure that there is no inconsistency whatsoever in terms of housing types, the applicant is proposing to reduce the townhomes on the south boundary to single level only. So, what does that mean? That means that in addition to only being single level, we also

reduce our number of units by six. So, we go from 66 townhome units overall for the whole property down to 60. About ten percent of the -- of the residential units are -- are sacrificed to make sure that there just is no question about that. There really is no inconsistency. This is very much like on like and it shows the -- the commitment to make sure that that's addressed. I think it's also important to look at this from the perspective of how it interacts with the properties to the west and to the east. So, on the west you have the multi-story apartments. You can see they have the roads that align and we are going to be using the same service aisles. With regard to the question of a potential closure at -- which I'm sure might come up as a question, you know, if the light is ever signalized in that -- those northern most accesses become right-in, right-out. First of all, it really needs to be there to make the commercial viable, but there is also the ability to go out to the west and out through the apartments if that ever is right-in, right-out. I think, Council Member Bernt, I saw you make a note on that one. So, I thought I would try to hit that one up front. So, on the west we have this consistency that those apartments were planned. The drive aisles come across right where the commercial was shown before. On the east we have self storage against -- let me say that again. To the east the city of Boise has approved a mixed use project. That's what you see here. That includes self storage that would be against our commercial building on the northeast. There is commercial that's up against Overland providing the same kind of visibility that we are talking about here and, then, there are four-plexes on the south that match up with our townhomes. So, aligns with that perfectly as well. So, overall we have apartments to the west exactly as proposed. On the east we have the self storage against our commercial and on the south we have restricted ourselves to single level townhomes against single level duplexes. So, it's, again, very much like on like. It fits within the area and it's more than generous with that -- with -- by adding that single level restriction. So, finally, I'm talking a little bit about whether there should be a modification to a development agreement and the P&Z expressed some discomfort about whether -- you know, under what circumstances modifications to development agreements should be allowed. You know, we get the concern. You know, development agreements are important, they provide for predictability for developers and for the neighbors and for the city, but, you know, we all understand that as time goes by circumstances change. There is a need to course correct, especially in large multi-phase applications. No one's crystal ball is perfect and that's why the city allows for DA modifications under appropriate circumstances and per UDC Section 11-5B3. So, in other words, the question is not whether a DA can be modified, the question is whether it's appropriate in this case and we think it's appropriate. You know, obviously, we wouldn't be here if we didn't think so. Again, we have been involved with this project from the beginning. The residential to the south has been a great success. We are very proud of it. This isn't a matter of coming up with a whole different concept and changing the face of the development. In fact, what it is is trying to take a great project, protect that entry with a use that we know is consistent, and make it work for everyone, while getting that commercial property in a place where it can actually be developed. Again, the amount of commercial that was proposed here was excessive. It was just too much. The second tier doesn't work. It's been tried. This honors the original entitlement with appropriate compromises to make sure that those neighbors to the south are protected and it matches the property to the west and the east and reduces the overall -- overall traffic impact. So, with that I will wrap up. A couple

items that I would just mention on the kind of technical side. On -- there are two applications that are in front of you. Of course one of them is the conditional use permit. So, obviously, with a conditional use permit we are focused on the impacts to the neighbors, we are focused on the impacts to public services and in both instances those impacts are mitigated. With regard to the standards for a DA modification, we think in this instance we have shown that the -- the original plan has been tried and it's appropriate to take a shot at something different. And, then, as a final note, you know, while we were disappointed with the P&Z recommendation, as I mentioned we are in agreement with the staff conditions of approval that are already in the staff report with the red lines that were included. So, we are -- we are not asking for any changes to those staff conditions. So, with that I'm happy to answer questions.

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Hethe, I just wanted to explore the traffic issue a bit. It sounds like that's kind of a point of contention with what I have read. You know, when -- when the traffic -- I noticed you said when the traffic study was done it did reduce the number of trip -- trips and, you know, that was the original entitlement, but, you know, that was for something that never existed. So, now we are dealing with -- with traffic and one of the things I read there was the fact that there might be someday a light at Movado and Overland and if there is, the offset requirements, if it's signalized, will not be met. Do you have a Plan B? What -- I mean that's kind of a situation where we are following that traffic and if they do signalize it -- can you give me your -- share your thoughts with me on that?

Clark: Yeah. Mr. Mayor, Council Member Hoaglund, so I think you are asking kind of two different questions there. The first is, you know, the -- and maybe it makes sense to back up and talk about how the original traffic impact study was done and, then, proceed from there to present day. So, the original traffic study was done based on the overall entitlement. That overall entitlement included X number of residential uses, plus 56,000 square feet of commercial, and as with any traffic impact study, there is an ITE trip generation schedule and folks plug those numbers in and speaking of crystal balls that's how they end up with the traffic generations that -- that ACHD studies and, then, uses to determine what kind of mitigation is required at the end of everything. So, that was done with the original entitlement. In this case when we came to ACHD with a reduction by half, approximately, of the commercial, they looked at that and said, okay, based on these same trip generation schedules, that actually reduces the overall traffic impact by 333 trips. So, in other words, as a result we don't need you to do another traffic impact study, we don't need you to look at mitigation again, because you have actually reduced your overall impact. So, with regard to the question of a future light at Overland, that would be based on background traffic that's generated and counts and these signal warrant analyses that ACHD does. If at some point ACHD determined that there is going to be a stoplight that's required there, then, those two northern most wouldn't be eliminated, they

would be right-in, right-out and, then, in that instance folks -- primarily in our two -- that probably be the most affected would be the two smaller commercial buildings on the west and those would have two options, they could either go out to the east and do a right and loop back or they can go out through the apartments and up to -- where there is an access to Overland.

Simison: Council, additional questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Mr. Clark. The -- the other concern that I consistently saw with the public testimony was the use of amenities in other parts of the development by the residents in this new area. Would you be able to address that for us?

Clark: Mr. Mayor, Council Member Perreault, so each of our phases within the development include unique amenities that are -- are catered to the type of person or type of user that would -- we are hoping to buy -- buy homes there. So, in other words, they all stand on their own, they all provide their own amount of amenities. In this case we expect that our users are only going to be using the amenities in this location, because they are targeted for those folks. It's all part of one master association, so we can explore whether there would be common use, but our anticipation is that they are going to stick to the amenities that are being provided here.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Talk to me about what these townhomes -- like the design standard that you will be using in regard to the materials, you know, the finishes, what they are going to look like. And the reason I asked that question is it's not uncommon I would say where maybe sometimes the design standard isn't quite up to par to what maybe we spoke about at a Council meeting and they are built and they look terrible and so Movado is a nice subdivision, I mean I have drove past it, drove inside it, it's nice. It's not -- everything about it's really nice. Mr. Conger done a great job over there with his building team and so I would like some assuery, but not -- and that was hence the question earlier wanting to know what these townhomes are going to look like and what type of finishes are going to be used and so do you guys have anything to show tonight what that is going to be like or what -- what that's going to be?

Clark: Mr. Mayor, Council Member Bernt, so just to be clear, because these are all attached --

Bernt: Right.

Clark: -- residential product or commercial, we are subject to design review on both. So, the city is going to have an opportunity to review all of that and so we are going to develop a design that is going to be complimentary to the -- to the rest of this -- of the subdivision. We are not going to cut off our nose to spite our face.

Bernt: I would never -- and, you know, I apologize, I didn't mean to say that, you know, there was a potential of, you know, Conger, you know, or who else -- the builder, whoever is going to be building, I'm not saying that there is a lack of trust, but I hope I didn't -- I hope it didn't come across that way. If I did I apologize. It's more like -- I just wanted to know. I don't know if I could say it any different than that.

Clark: Mr. Mayor, Council Member Bernt, it's -- like I say, the city is going to get another shot --

Bernt: I know.

Clark: -- and it's going to be as high quality as the rest of Movado.

Bernt: That's all. Perfect. That's all you had to say.

Clark: There you go.

Bernt: All right.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Real quick question. Hethe, when I look at the previously adopted or approved plan to the issue of access onto Movado and the fact that it could become right-in, right-out, if it's lit, it appears as though that same concern already would exist with the plan as previously approved with -- you know, may head to the west through the apartments to the access to Overland, so that concern seems to be the same here as it already exists; is that correct?

Clark: Mr. Mayor, Council Member Borton, yeah, that's the status quo.

Borton: Okay. All right. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Mr. Clark. One of the comments that came up in Planning and Zoning was about the integration of uses and sort of seeing that true mixed use. Can you talk to me about how you are trying to address that here with this current design?

Clark: Yes, Mr. Mayor, Council Member Strader. Thanks for the question. So, in terms of integration of uses, you know, sometimes that's a -- kind of an eye of the beholder type of thing, obviously. This -- the current status quo, right -- or the existing approval has single level duplexes with a fence and, then, because it's a C-G zone if you were to put any commercial development just north of that there is at least a 25 foot buffer. So, as it exists there is really not much integration at all. What we are talking about doing is applying a situation where we would have single level duplex that's existing next to single level townhomes, next to two level townhomes moving into the commercial. So, from our perspective we think that this actually provides a flow and an integration in a way that's actually better than what is currently there. If that answers your question, Council Member Strader.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, I think what you are addressing is the transition of uses and becoming a more intense use as it approaches the commercial, which makes sense to me. I guess I -- what I'm hoping for is a flavor for how -- how the residents here could interact with the commercial use and the kinds of uses you are expecting and how that might interact and support each other, if you have any insight there.

Clark: Yeah. I mean that's -- that's a good question, Council Member Strader, and that's always the -- the difficulty with mixed use projects is there is an element of -- if you build it hopefully they will come. You know, in this case, you know, what we have right now is an instance where the commercial is just not getting off the ground, so there is just not a chance for the integration. We think that a smaller, more focused commercial area on the north, with area pathways, which you can see shown on this map, not only from the south, but also from the west, actually provides for the opportunity for that to be there and what -- what do we expect to see, you know, one possible user for the 13,000 square foot building on the east, you know, that could be a flex space user that's next to the self storage. It's kind of off separated by itself. You know, the -- the types of users that could go into a 7,000 square foot single story building could be a light office, could be a dentist's office, those sorts of things that folks might be able to walk to.

Strader: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Hethe, if I remember correctly, a big chunk of Movado is kind of age marketed, for lack of a better word. Is -- is that the intent with these townhouses as well?

Clark: Mr. Mayor, Council Member Cavener, well, we -- I wouldn't say -- I mean certainly

it's not age restricted. Targeted for sure. We think that this is going to be people starting out, it may be, yes, empty nesters and that's why the amenities that we are looking at here we think makes sense. It's going to be walk over, hang out at the barbecue area, use the little kitchen, you know, park your bike in the -- in the bike barns. So, certainly we have a target audience in mind and that's where the amenities were -- that's why the amenities were specifically chosen.

Cavener: Mr. Mayor, a couple other questions if I may?

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. So, Hethe, the letter from West Ada School District was kind of a head scratcher for me saying your project is going to generate, what, like -- was it four students, if I remember correctly? And that just seems odd for me and I'm curious if you can speak to that or maybe I'm -- my notes aren't correct. It just -- it seemed like a very very low number.

Clark: You know, I -- Council Member Cavener, why don't I look that up for you. I don't recall it saying four students. I do recall, because I -- we always have the conversation with Council Member Strader about the capacities and it showed that the capacities were there and even before Owyhee High School comes online, but I don't recall the -- the six student reference, so maybe I can look at that and address that.

Cavener: And I will go back through my notes maybe here in a minute.

Clark: Okay.

Cavener: Mr. Mayor, one more if I can.

Simison: Councilman Cavener.

Cavener: Thanks. Hethe, this coffee kiosk amenity is a little different. That's not something that I think we have seen before us and I'm hoping you can maybe give us a flavor as to why that was selected as the amenity and what you hope to achieve by offering that in your development.

Clark: Yeah. Mr. Mayor, Council -- Council Member Cavener, it's -- it's a unique amenity. It's not one that I have seen before. It -- the way that it would operate is that would have keycard access, so residents can get to it and go in and it would be stocked by the property management company. It would be adjacent to a seating and plaza area, so you could go in, you know, if there is a coffee machine in there you can get a cup of coffee, come back out, sit, hang out in the plaza, plaza would have Wi-Fi, so it would be a nice gathering space for folks. So, you know, we are looking to provide something that's unusual in the market and, you know, we think that we can -- we can make it work with the keycard access and with the property management oversight.

Cavener: Okay. Thank you.

Clark: And it's -- and I would say it's a little different to look up at real life people here and, then, teeny tiny postage stamp people on the screen and watch for questions, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to really give more of a comment than a question about the coffee kiosk. So, first of all, I am currently living in an apartment as my home is being remodeled and I got to tell you I don't get on my jacket and my clothes to walk outside to get a cup of coffee I can make in my house, but what I would do is I would go there if I needed a space to work remotely, because I had other members of my family that were also working remotely or at home or whatnot. So, I wonder if that with Wi-Fi there maybe it has some stations to work from, but I know for myself, now living in a multi-family apartment for the last six months and, you know, having been a homeowner for a really long time it's been good for me to have this experience and learn a lot more about what I would do and not do in those situations and you all -- let me just say I -- while I was searching for this temporary housing option I realized that there is almost nothing like what you have described, because there is a lot of 800 square foot, two bedroom homes and there is a lot of, you know, 16, 17 hundred square foot townhomes that are three bedroom and they are renting 2,000 dollars a month and there isn't a lot in -- in the middle and so as far as that goes I think the size that was chosen and whatnot was wise, but we will -- I will get -- share my thoughts more a little bit later when you are finished with your presentation, but please take those comments for what they are. I think that would be a great space to use for people to work remotely and not just grab a cup of coffee that they probably would make in their own -- in their -- in their house, being quite honest.

Clark: Yeah. Mr. Mayor, Council Member Perreault, really appreciate your comment there and -- and I just -- I want to make sure that the -- the coffee kiosk concept doesn't kind of take on a life of its own. What we are talking about here is almost exactly like what Council Member Perreault described. The idea was have a place where people can go, go sit down, maybe -- and like maybe get a cup of coffee, but it's going to have, you know, some kitchen areas, people are going to be able to rent it out to use it for picnics, that sort of thing. But it would provide folks with an option to go outside and work and -- and have a little bit of a recreational amenity there and in terms of the -- the market, you know, we couldn't agree more. We -- you know, I can't think of another location like this that is proposing this kind of product. So, we think it certainly fills a niche and I can't emphasize enough that that means with this there is five housing types within the Movado Subdivision. That's pretty cool. So, with that I'm happy to answer any final questions.

Simison: Council, any further questions? Oh. And for the record, just -- under normal circumstances this would generate 48 students under the parameters that are used, which would be four per grade, Councilman Cavener as -- unless they are somehow doing a different calculation than they normally would. But that's .8 would be your number.

Okay. All right.

Cavener: Mr. Mayor, thanks. Again I think there is a -- maybe a different number included in the -- in the letter.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: I apologize I did not review that prior to the meeting and I do not -- I have a vague memory of looking at that and thinking that the number was low, but I do know that they do not use .8 anymore, they did change based upon multi-family and I believe they reduced it. So, I think it might be .6 or lower now for the estimated kids for multi-family developments.

Simison: Okay. All right.

Strader: Mr. Mayor?

Strader: Council Woman Strader.

Strader: Mr. Clark, maybe another question in your opportunities to interact with neighbors and even for this meeting. I know it's not design review, but do you have anything that would sort of indicate what the townhomes would look like? I just want to give you the opportunity if you do have something, because where you have some neighbors that may feel things have changed, I would think that could give them some comfort around moving forward. I just wanted to ask if you have something available.

Clark: Mr. Mayor, Council Member Strader, so this is an elevation of what the single level townhomes would look like and, again, we are trying to make sure that this is fully consistent with the -- the look and feel of the rest of the project and, again, it will be subject to design review by the city for both the attached residential and the commercial and, then, Joe has in his -- in his slide deck the -- the two story elevations as they exist right now and so I'm going to ask him to bring those up.

Strader: Maybe a quick follow up while we are doing that. So, would that be consistent with the rest of Movado in some way and tie in with that neighborhood? You know, give me a feel for that. Does that mean that there is a certain type of heart stone facade on these townhomes? Does that mean that the color palette is somehow tying in with the rest of it? I mean if you have a flavor for how you normally would do that in a master planned community to have that consistency, I just think that would be really helpful.

Clark: Mr. Mayor, Council Member Strader, so you have on your -- on your screen the -- the two story elevations. You know, this is going to be as -- I -- I understand where the question is coming from. Again, it's more of a design review question, but I get where it's coming from and we certainly want to make sure that people have some comfort there.

It's going to be as high quality as the rest of the project. It's not going to be, you know, vinyl siding or anything like that, it's going to be, you know, consistent with and tie in with the architectural styles that you see both to the west and to the south.

Simison: Council, any further questions for the applicant? Okay. Thank you very much. Mr. Clerk, I assume we have some people signed up for -- to provide testimony this evening?

Johnson: Yes, indeed, Mr. Mayor. We had 20 people sign in, seven indicating they wished to testify and I apologize if I mispronounce any names, but first is Gary Dudlicek.

Simison: Okay. Well, as your name is called if you can, please, come forward and state your name and address for the record and you will be recognized for three minutes and following your testimony Council may have an opportunity to ask you any questions. So, if you can remain standing for that purpose.

Hoaglun: Mr. Mayor, as he is coming forward --

Simison: Councilman Hoaglun.

Hoaglun: Real quick I just want to give Councilman Cavener the lay of the land here, since he talked about age related housing and, Mr. Cavener, since they are very small on your screen that you can see the audience, it's a crowd, certainly age related for that housing development, ages 30 to 50. So, I just want you to know that, so -- we don't ask your age when you come to testify.

Dudlicek: You need our name and address or not?

Simison: Yes. Name and address, please.

Dudlicek: Gary Dudlicek. I live at 4333 East Vacheron in Meridian, Idaho. I'm new to the neighborhood. Moved from Illinois. One of those outside people. So, there is a lot of stuff that's been discussed. I have got some things that I thought were important. Maybe it's already been covered, but I will just mention it. The 25 foot buffer I agree with. I think it needs to have a heavy vegetation screen. You know, we got plenty of arbor vitae and evergreens you can plug in there, because I know I appreciate the ones in my backyard and my backyard is still my backyard. Parking spaces. I'm having a hard time because of the size of the plans that are available that I printed out. I printed out everything. You can't really tell everything, because I'm saying if you have a multi-family unit right now everybody's got one to two cars, you are going to end up with three and four and you are going to have heavier traffic than everybody talks about, because in the southeast end of where I live they are putting up 80 more units. Guess what? Every house is going to have three to four cars. Okay? Now, you need a play area -- I know was mentioned for kids. We have one in our site already at the west end of Vacheron or in the area. Okay. But the thing is, the kids would have to run probably -- or walk probably 500 feet or more to cut through from the new area, through the big apartment buildings, to get to ours or,

what's even worse, is they will have to go down Movado Way to get to the new one and cross a heavy street, because you are going to have a lot of traffic running down that. My question is who is responsible for the liability when you have a poor kid get hit because he wants to go to the playground. He needs to have one in their own area that they can -- that the parent -- parents don't have to worry about them. And the other question I haven't seen anyplace -- I don't know what -- but, you know, based on the situation what's the -- what's the impact to the school system? Are we talking about -- how many kids that are going to go in there? Somebody's got to pay for that and support that situation and is the school system aware of what's going to -- what's going to hit them or like I have had in previous situations, the locations of the school says nobody ever told us anything, but, guess what, we got to educate them and I'm glad to see single level at the southern border backing up to the rest of the other houses that I live with, but I still think you need the vegetation, because once you look over the top you are going to see the multi-level buildings over there, which are probably going to be 60 feet tall or somewhere between 40 with -- with two stories. And I think the hard part is going to be in this type of environment -- and I have never lived in one -- is trying to give somebody open space. That's going to be a tough one, because I think based on my numbers you are going to need 14,000 square feet of open area. So, when I walk outside I can say this is my area --

Simison: You need to -- yeah.

Dudlicek: So, that's going to be a hard part. I don't know how to answer that question for you.

Simison: If you can please --

Dudlicek: I can't think of anything else.

Simison: Okay.

Dudlicek: I appreciate the time. Thank you.

Simison: Council, any questions?

Hoaglund: Real quick, Mr. Dudlicek. Sir. Sir. One -- one question.

Dudlicek: Yes, sir.

Simison: Councilman Hoaglund.

Hoaglund: Just wanted to ask -- on the vegetation, because there is different types, are you talking about putting up trees that block the view or shrubs or, you know, firs versus deciduous where the leaves drop off? What -- give me some idea when you talk about vegetation.

Dudliceck: Trees are nice, because they change their identity, you know, twice a year. But the evergreens are nice, because they are always out there and I appreciate -- in my backyard I have got I think five evergreens or one maple -- or one pear tree. I have been -- I have enjoyed the colors right now. They are going to be disappearing shortly. But the evergreens are always there and there is something nice about looking outside and seeing nature -- not another brick building and not a vinyl wall or, you know, a big building in your backyard where you turn around and all I see is bricks.

Hoaglund: All right. Thank you. Appreciate that. Thank you.

Johnson: Mr. Mayor, next is Jane Quick.

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

Quick: My name is Jane Quick. I live at 4312 East Vacheron. My back fence backs up to this property.

Johnson: Ms. Quick, can you pull the microphone down to you? Thank you.

Quick: Sorry. My concern before and probably again is the building being very close to our back fence, because our master bedrooms are in that back yard fairly close. I don't know how many feet it is. That -- and the traffic is already terrific on Overland, even at like 4:00 o'clock in the afternoon and I think the traffic for more apartment buildings there is just going to be unbelievable. Thank you.

Simison: Thank you. Council, any questions?

Strader: Oh, Mr. Mayor, if she is still available.

Simison: Ma'am, we do have a question for you. Council Woman Strader, go ahead.

Strader: Thank you. The applicant made a change, so there will be single story townhomes on the southern part of the property, then, there would be I'm assuming our standard 25 foot landscaping buffer, as opposed to the way it's currently zoned, you could have a 60 foot commercial building. Do you still really feel that you would like to stick with the existing plan or do you think with some modifications that this could work for you, since it's single story now. Does that make you feel any better?

Quick: I think that is better than -- than what was proposed previously, because you had parking all along our fence area and I was concerned with car noises all night with our -- you know, again, our master bedrooms are all in the back of that property and -- so, I -- I assume that it would be different from what was proposed before.

Strader: Thank you.

Simison: Okay. Thank you.

Johnson: Mr. Mayor, next is Carol Ogburn.

Ogburn: Mr. Mayor and Council Members, I have learned a lot tonight, so thank you and you can probably tell from my accent that I moved here from the south and I'm glad to be in Meridian. I have been here for a year now. I have a couple of --

Simison: If you could state your name and address for the record.

Ogburn: Oh, I'm sorry. Carol Ogburn. 4261 East Vacheron Street in Meridian. First of all, I really am concerned about the traffic. I know twice in the past week I have gone out to Overland and there has been traffic to the west all the way to the stoplight at Cloverdale backed up and that's just recently and this would be a lot more traffic. Plus in Movado there are all these places that haven't been built yet, so that definitely is going to be more people and more cars that way. So, that's something that I'm concerned about. In the proposal this seating area on Overland between the two business districts seems kind of strange to me. I can't imagine sitting there with all the traffic on Overland with the seating there. That doesn't seem very healthy and it doesn't seem like it would be very good as far as having a comfortable conversation. You have mentioned -- someone mentioned that Movado has a lot of great attributes and I agree that it does. I'm a walker and I have been to the neighborhood's to the south and what I have noticed in those neighborhoods, though, number one, both of them have huge big green areas that were there for the community, a pond, other picnic areas and other bigger larger children's areas, which we do not have in Movado and the other thing I noticed is that we have two invasive species, those Bradford pears and forsythia planted everywhere in our community and that's not in those other developments. So, I'm a little concerned as to the quality that we are talking about here in our area and in the other areas and those are my concerns. Thank you for listening and thank you for your service.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor, question for Carol.

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. Carol, I know when the applicant was speaking earlier -- and it was a little hard for me to follow, so I'm curious in the room how it came across. The applicant seemed to indicate that because this is a multi-family -- the change to the multi-family, as opposed to the commercial, will reduce the amount of traffic, was that what you understood from their testimony today or did you understand it to be something different?

Quick: I understood that that's what they said, but I really have great doubts about that and I wonder -- you know, I just don't see how that can happen.

Cavener: Okay. Thank you, Carol.

Quick: And I'm just comparing the traffic now to the addition of all of these units that would

come there, plus the commercial area.

Cavener: Got it. Thanks and welcome to Meridian.

Quick: Thank you.

Bernt: Mr. Mayor, one question.

Simison: Councilman Bernt.

Bernt: I just wanted to know if the folks in Meridian are as nice as the folks in the south.

Cavener: There is a Meridian, Mississippi, Council Member Bernt.

Bernt: Mississippi.

Simison: Mr. Clerk.

Johnson: Mr. Mayor, next Joann Gormley.

Simison: If you can state your name and address for the record, please.

Gormley: Joann Gormley. I live at 4372 East Vacheron in Meridian and I'm all about pickleball courts. I would love to have them there.

Simison: If you can speak into the mic, so the people online can hear well. You're good.

Gormley: Can you hear me?

Bernt: Perfect.

Gormley: Okay. My concern has been when I moved after 50 years I had a flyer that said commercial and because I'm really old I thought that's what it would be. It didn't say subject to change. So, that's kind of got me confused and two weeks after I moved there Mr. Evans started this same procedure.

Bernt: Right. I remember that.

Gormley: So, it's kind of been going on for a while, but I do -- am concerned -- to me commercial traffic is going to be more of an even flow. When you have 50 people or 60 people all leaving at once or coming home at once, it's -- that's what causes congestion and to me with commercial it doesn't and your officer that was here with Mr. Evans after the traffic thing and they said, oh, it wasn't that bad, the officer that drove by there said -- it's in your minutes I think that it's atrocious.

Bernt: Chief Lavey.

Gormley: So, that's my concern on the playgrounds and I'm just happy with what is, I guess. Thank you.

Simison: Okay. Council, any questions? I think you are off the hook.

Gormley: What now?

Simison: Well, you are all good.

Gormley: Okay.

Simison: Thank you.

Johnson: Mr. Mayor, next Jim Price.

Simison: State your name and address for the record, please.

Price: My name is Jim Price and I'm at 4297 East Vacheron and I'm kind of one of the first to move in there. It was before the apartments started and part of the sales pitch that we received that that was all going to be commercial, which turned out to be false. There seems to be a play on words here, because we were all told that what's now being referred to as duplexes -- single family duplexes, we were told were going to be single family townhomes. So, from what we have heard on our last session here and what we are hearing on this one, we seem to be playing on words on what the use is going to be and what you are going to play to and -- and not and what -- the residents they already have. The other thing is the original master plan apparently had that all as -- as commercial and in so doing they were trying to satisfy zoning I would hope and to get approval and, then, they came back to want to put some apartments in there. I don't know the timing of that, because I only moved here a little over two years ago for work, but that's all we hear out of the realtors and the developers -- the developers now have had two major meetings -- well, the one -- one was in the driveway on the vacant property. The other one was at Title One and it was a full house, full of opposition and we heard a lot of promises. One of them was if they got enough opposition they weren't going to change -- try to change it to more apartments. That doesn't seem to be an honest statement as well, so -- and the other -- one of the other things that I heard when we were going around on our welcoming committee for the rest of Movado Greens, was that we are already getting incidents of property damage, drunk drivers, and the apartments have just started filling, at which we are also concerned that that's going to overload the play -- minimal playgrounds we already have and what is the liability -- who maintains the liability of those playgrounds when outside children come over and get their selves hurt. Or teenagers come in, as they often do, and rowdy -- get a little rowdy, who has the liability of that? That -- as described that one playground directly south of the three story apartments now is in our homeowners association. So, liability is a major concern.

Simison: If you can, please, summarize.

Price: My three minutes are up. I overdone it last time. I have here 35 signatures against this from people in the Movado Greens and the Village that are against this and that couldn't make it tonight. We don't have enough chairs for them if they did. So, if you would like to have that.

Simison: Yes. The clerk will take that from you.

Price: Okay. Thank you for your time.

Bernt: Thank you.

Simison: Council, any questions? Thank you. Appreciate it.

Price: You had a question?

Simison: No. No questions. You're good.

Price: All right. Thank you.

Johnson: Mr. Mayor, next is Jan Nye. Jan.

Nye: Hi. My name is Jan Nye and I live at 4300 East Vacheron and my main concern is -- I am backed right up to whatever they are going to build there. Little -- little ones. How high are they going to be or -- I saw the pictures, but I still wasn't quite sure how that was going to be and I already -- through my bedroom window already see the one light coming from the previous apartments, so I'm just concerned -- you know, mainly that. I just -- I want something there. Maybe it will cut down on the dust or whatever. I have lived in Meridian twice and I love Meridian, but when we purchased our home they said it was going to be all commercial and even what he says it doesn't help us. I mean we were hoping for a coffee shop or a little restaurant or something that we could walk over, ride our bikes, that we could use, too, or -- you know, I know out in -- further out in Meridian they have some little -- little grills and stuff where you can walk and if you wanted to have a cocktail you didn't have to worry about Meridian police coming to get you, because you could walk right home. So, my concern is to the -- the traffic and they are coming across and using our kids little area. They have come across where -- they did have two big rocks there when they were building this, but they have taken the rocks down. Trucks are coming off there and that one -- it's Hill Street I think it is. It comes around this way and the street is just this narrow and they are -- after 5:00 you can't even get down that street, because they are parking two and three cars here and two and three cars here and, then, going out -- and I went out today and was going to turn right onto Overland and the light was backed clear down to where I was turning out. So, that's my concern is the traffic and the lights shining in our bedroom and whatever. So, I appreciate your time. Thanks.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mrs. Nye, I think we will have Mr. Clark answer your question about the height of those townhomes.

Nye: Okay. That would be perfect.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Jen, real quick. I had a question, too.

Nye: Oh, I'm sorry.

Hoaglun: And this is similar to what Council Woman Strader had asked someone else, because that's the dilemma that -- that kind of faces us is if we leave it commercial they could build a two story commercial behind you and -- and in this case now the developer is saying he will lower it to one story and, hopefully, they will address the -- the vegetation issue, but --

Nye: I appreciate that and I'm -- you know, as long as it's one story I have no problem, but I don't want a two story, three story looking in our backyard, you know. And so that was just, you know, my concern.

Hoaglun: Sure. Oh, yeah. Completely.

Nye: I have a -- I have a little pug and if there is any noise in the backyard -- every neighbor knows that he's barking. So, that's just my concern.

Hoaglun: Thank you, ma'am.

Nye: Thanks.

Simison: Thank you.

Johnson: Mr. Mayor, next is Mark Bottles.

Bottles: I'm just thankful I get the opportunity take this off for a few minutes. Mark Bottles at 839 South Bridgeway Place, Eagle, Idaho. I do have to open up by the slide by Hethe where he mentioned that I was unsuccessful for quite a few years at getting this done. So, I guess I'm going to have to go home and tell my wife I'm moving from tennis courts to pickleball.

Bernt: That a boy. Now we are talking.

Bottles: So, anyway, I was kind of laughing at that. But I have represented the Bienapfl family farm out there for many many years and -- and Bill and his family had requested

that that front kind of stay commercial at the time when they went to develop it. I'm representing them now actually. That's why I'm here on behalf of them. And so was hoping that we could get commercial uses there and our -- our firm has worked hard -- diligently since 2017 working to get some retail and that. As you know, with Silverstone and El Dorado, that those projects have been around for a long long time. I was involved in sales there and in the back of Silverstone they still have a lot of land they are trying to develop. They have actually redeveloped it to other kinds of apartments and other things, as you are well aware, and with BVA coming online tenants that we have talked about -- and those are great projects. They are all great projects. But the tenants that we have got they have wanted to move to those areas even that we have talked to and tried to attract them, we have been very aggressive on pricing on ours to try to get them there. So, it has been a challenge from a marketing standpoint from trying to get that and anytime you get second tier on a cor -- corridor or two, we are still pushing to get things up onto Overland and -- and to try to get the coffee shops and to get the little neighborhood grill that's locally owned, those kind of things here. But to really get that second tier that's tucked in behind there becomes a challenge where ever -- where ever you are at and so I mean there is historical things throughout our valley that that's been a challenge and -- so, anyway, I just want to bring that up and, again, I wanted to come, because with the Bienapfls we have worked hard to try to get there so -- and I do love pickleball. I'm not picking on that. My wife says I need to move to that quickly after too many tennis injuries, -- so, anyway, thank you so much.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Quick question for Mark. Mark, my assumption is you -- it would be your preference that there is more commercial, it's more of an opportunity for you and your business, but I want to make sure that I'm hearing you correct. Is it your take that the continued development of the Eagle View Landing across the road is going to make what is already a challenging commercial lot even more challenging to market? Is that your testimony tonight?

Bottles: When you -- you are saying across -- Council Member, across the street, are you talking what BVA --

Bernt: BVA.

Cavener: Correct. Yes, sir.

Bottles; Yeah. I -- I am more familiar with what they have got going along the freeway and that. I have not stayed up closely on that. I guess what you are talking across the street, I mean I'm not involved with BVA on that across the street. But that's -- the tenants that we have talked to have directed to ourselves that they want to be on that side of the street closer to the freeway. So -- on that. So, I don't know if I -- am I answering your question there?

Cavener: You are and you will have to forgive me, Mark. My -- my naivete would be is that, man, more commercial development in that area would be a good thing. It would help this project potentially gain some commercial tenants. So, your testimony tonight is that it is actually -- contrary to that is helpful. It creates some realities versus my perception. So, it did answer my question. Thank you.

Bottles: Yeah. And, honestly, just from a marketing standpoint -- I mean I would like to keep marketing and we make our revenues on leasing those and selling those commercial buildings, you know, whether they are one stories or two stories, but, you know, from that standpoint my goal has been with Mr. Bienapfl and their family, you know, to obviously get this -- get this -- this property moved. So, the developer had, you know, come with an application that Mr. Bienapfl and the family thought was, you know, a good fix. I love Movado, the developers that have come forward, because I have worked with them -- sold them all that ground in the back for the residential development. Great developers as you all know in our valley here and the builders that they have assembled, so -- anyway, any other questions?

Simison: Mark, just to help me understand, what type of businesses have you been marketing to? What -- what -- for these last years? My understanding -- and I could be wrong, but Silverstone is built out. They have done their last -- the large building on that property. I don't know if they have other smaller opportunities, but they have -- they have spec'd out Silverstone. That's not to say they can't redevelop something, but I'm just kind of curious, is Silverstone competition or what -- what is it that would be -- you have been looking out for that property that has not been successful.

Bottles: Yeah. No. Great question. I know in the back part of Silverstone -- and correct me if I'm wrong --

Bernt: No. You're right.

Bottles: -- but they -- they had moved in the back -- I mean big chunks of dirt that they could not move.

Bernt: You are right.

Bottles: The developers, as you know, are probably one of the most successful office developers in the valley and -- and let me tell you, I know that's -- they build it to hold it for themselves and they chose to sell that to a multi-family developer and -- and go that direction. And, then, really, we start -- we started to get more momentum. When BVA came on across the street -- and I will just tell you, I don't know where they are at. They may be there. But we had a mental hospital that wanted -- that looked at our site. I had a concern, honestly, as a marketing agent going, oh, my goodness, we need help. We need mental hospitals more than ever and don't get me wrong, you know, on that. But we have had those kind of users come and I have had go to the sellers -- is this the direction you want to go, because it would probably fit in the office zoning, but I don't know. But we have looked at different kind of users to come into play and so I do think

with the advent of that coming in -- there is, as you know, down over across from the high school there is a bunch of retail in there that's done well and leased up well and that's, honestly, Mayor, what we were targeting, trying to get those kind of users in there and it just has been -- we thought with the residential getting built out, as those things came together, even the apartments getting built next door, that would come a little quicker. I still believe we are going to get that achieved up front. I'm concerned about that second tier, you know, truthfully, in getting done there. So, I hope I'm answering your question there, but --

Simison: Yeah. I was just kind of curious what type -- if it was more, you know, office buildings for business or, you know, places that people could walk to, because they were going to have services there.

Bottles: Yeah.

Simison: What that was looking like.

Bottles: So, we -- just to let you know from a marketing standpoint, it's been coffee -- you know, those kind of users. The neighborhood bar and grill type thing that we have been going after. The other things that we have gone to is we have talked to gyms, athletic facilities, you know, just local -- you know, local ones and that. We have had interest from flex space users that more want the -- you know, the -- kind of the retail front, but it has a roll-up door and so there has been -- as you know in the valley there has been a lot more interest in that throughout the entire valley. You know, it's a little low -- a little bit different type of construction as you know. So, we have had some interest in that -- that area for that kind of use that's a little more -- what but I would say -- I don't know if I would call light industrial, but that -- along those lines, so -- but we have -- and we have talked -- you know, we are also marketing for the dentist, orthodontist, and all that growth, but it's -- that area -- chiropractors. It's been pretty saturated in those business parks and so, again, I just -- and, then, when BVA come on and started expanding, which they have a great project, awesome developers, they are going to bring value to the community. It's just that -- that's continued to kind of chip away, so -- any other questions?

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

Bottles: Yep. Thank you.

Johnson: Mr. Mayor, there are no others who indicated they wished to testify.

Simison: Okay. Well, if there is anybody else in the audience that would like to provide testimony, please, come forward at this time and state your name and address for the record and if there is anybody online that would like to provide testimony, if you can use the raise your hand feature and we can bring you in at the same time as well.

McConaughy: Thank you so much. My name is Glenda McConaughy. I live at 4309 East Vacheron Street in Meridian and it was very interesting, Mark. I appreciate what you

shared there. I -- you know, I drive down Overland from Eagle towards where we are and Silverstone is amazing and -- I mean it's such a great -- there is so much traffic along there that if there is commercial buildings there in that area that they want to do the family units, to me it seems like a wonderful place for offices and a grill or whatever. So, it's a little bit hard for -- has been a little bit hard for me to understand why that would not be selling for commercial use. Another thing that I just was thinking about -- or listening to the initial presentation -- he was saying multi-family units are going to be there, which multi-family units -- to me that means, you know, couples moving in, having kids or -- or, you know, coming in with their kids, which is great. But they do need parks and there is going to be a bike barn, they are going to need a place to ride their bikes. So, you know, if I was living there would I go down the sidewalk along Overland or would I go into the neighborhood. Of course I would go into the neighborhood. No parks nearby that they can go to, other than in the neighborhood that we have there. So, I don't know. Could -- could they somehow have a park in there. I don't know. Something for -- for -- it's the amenities and the space that they have there it's -- to me it's not sufficient for -- for kids and families. Okay. Yeah. And I know that, you know, the HOA that we pay -- which is pretty significant for our neighborhood -- takes care of the parks and the walkways and everything. So, I guess I'm kind of protective of it. Okay. I think those were my main things. Also when they built them Movado units that they have now, the houses that we live in and the other -- the Village and the Estates, they have the one exit, which I know we talked about last time, which is to Overland along Movado Way. They didn't plan one out to -- I can't think of that street. The street to the side, what is it? Cloverdale. Right. And so they did that with in mind that there were commercial buildings there, so -- or going to be commercial buildings. Now if there is more units, you know, it's -- it wasn't the initial plan. So, there is just some points. Thank you so much.

Simison: Thank you. Council, any questions?

McConaughey: Okay.

Simison: All right. Thank you very much. Mr. Clerk, you should have one person online. Okay. Would you state your name and address for the record.

P.Price: Patricia Price. 4297 East Vacheron Street in Meridian and Glenda -- she kind of went over a lot of the things that I was going to say about them not having an outlet to Overland for the houses and the rest of our thing that they are building to the east of us and so the only way out is down Meridian or through some other houses through the commercial area. So, they are going to be coming down Meridian. That's the only way. And with more apartments there and it's bad getting out of there. It's bad getting out and it's bad getting in and I appreciate the coffee that they -- shop that they were going to have or an outlet, but there is going to be kids in those apartments and it's natural for the kids to go where the playgrounds are and they have no -- nothing there to do. They are going to be in ours and they are going to be down the streets and having to get over there. It's not fair to them and it's not fair to us. We are older, we got into a neighborhood where it was going to be a nice quiet, we thought, neighborhood, but it seems now that we are going to be very busy and it's scary to get out on that street and with the traffic -- and we

do have a bus stop right up at the end of our street for the kids. So, with more traffic going down Movado, which is where the bus stop goes, it's going to be scary for those kids and that's what I have to say. Thank you.

Simison: Thank you. Counsel, any questions? Okay.

Johnson: Mr. Mayor, we have Vera Joe Bustos online.

Simison: Okay. Vera, you -- you are unmuted. If you can state your name and address for the record you will be recognized for three minutes. Vera, we can't hear you if you are trying to speak.

Johnson: Mr. Mayor, it appears there is no audio setting for Vera Jo.

Simison: Do we have a way to communicate to try to get a different phone number to call in?

Johnson: I will get that up on the screen for her while we allow our next testimony.

Simison: Ma'am, if you would like to state your name and address for the record.

McClay: Martha McClay. I live at 4286 East Silverking in Meridian and that's in the Village at Movado. My husband I have lived there for three months. Before that we lived in Boise for 30 years. So, I looked up -- I was curious today, I wanted to see what the mission statement for the City of Meridian is. Here you go. Meridian will deliver superior service through committed equipped employees dedicated to the stewardship of the public's resources, while being a vibrant, livable, and connected community. The vision for Meridian is by 2035 Meridian will be the west's premier community in which to live, work, and raise a family. Sounds -- I -- that's great. I'm happy about that. We also have parallel to that. We have a growing city. Everything's growing in the Treasure Valley and we have development, we have private enterprise competing with this vision. That's how I see it. Private enterprise is what our country was built on. I have no argument with private enterprise. But if we are talking about a livable community for me that does not include spending ten minutes trying to make a left turn onto Overland from Movado or watching kids from the apartments, the townhomes, the rental properties, trying to navigate down Movado when there is a lot of cars on it to get to the only playground that's near where they live and to say that those -- the proposed townhomes are not going to have young children in them is to me so unrealistic. I mean we have already said nobody has a crystal ball. So, I would anticipate there would be families living in those townhomes and those children need more than what is planned here for this development. They need a place to play. So, I would replace the coffee kiosk with a playground. To me the coffee kiosk sounds like just bad coffee probably for one thing and -- and who wants to go -- I mean you can use your laptop at home. I mean I just don't see it. So, the other question that's in my mind about this -- again, this is about the vision for this community for Meridian to be a wonderful place to live. We have to rely on a certain amount of trust. Do we trust that if these commercial pieces of land that are being set aside aren't sold for commercial

purposes. Are we going to come back and say, well, we have got to build more residential, because we got to sell this land. We got to get this developed and we need more apartments there. And, again, we come back to the -- to the same problem. We have got too much traffic. We don't have enough amenities for the kids living there, for the people living there. So, I'm opposed to this plan as it exists. I think it's short sighted. I think it's very short sighted. That's the end for me.

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

Johnson: And, Mr. Mayor, Vera Jo is online. It looks like she has audio.

Bustos: Yes. Can you all hear me now?

Simison: Yes, we can. If you would state your name and address for the record.

Bustos: Vera Jo Bustos. 4050 East Le Coultre Street. I am in the Estates and I am sorry about technology. I swear sometimes it just fights with us more than it helps us and I just want to clarify, I am just so thankful for everybody sharing and I just want to clarify I am in my early 30s and probably I'm going to give a different perspective and not sure, forgive me if this has already been covered. I know it's been a long time. But my question is -- five points here. The first one -- what about the pool. Will these all -- the new development have access to the pool. I feel like it's already overrun with the current residents. And, second, I just feel like why are the businesses to the west of the apartments -- there is so many residential businesses there, but by the east of Silverstone Apartments, why is that an issue. Why do we feel like that wouldn't be able to be filled with commercial businesses? I think of Gramercy Park. I believe that's to the west of us. And there are so many successful commercial businesses on that second tier within the Gramercy Park area and I just feel like once people know what's there people are going to be curious, what is in there? It is a nail salon? Is there coffee? Is it a neighborhood bar and grill? Is it an athletic gym. If you can build something relatively fun people will go. And, again, I agree with all the other testimonies on traffic and playgrounds as well and we are planning on having a young family of our own and that is a huge issue of mine and some of the other testimonies have also shared that there are still plenty of homes to be built within Movado, within not only the estates, but also the Greens and even the Village isn't even full yet. So, again, the playgrounds have been a common problem that we have all kind of been talking about and, then, I just also think about the type of renter that the townhomes would attract and would that be sufficient for the wonderful people who have all testified today that backup to that. Is that going to be a college student who is going to throw parties? I could not imagine having my parents backed up to something like that. I couldn't imagine my grandparents backed up to something like that. They were sold on the idea that it was going to be commercial and as a small business owner for myself I can only imagine if I sold somebody on the idea that this was going to be commercial and I went back on my word, that's just not good business. Thank you so much for your time and I look forward to your questions.

Simison: Thank you. Council, any questions? Okay, Vera, I think you are off the hook.

Appreciate your testimony.

Bustos: Thank you so much.

Simison: Is there anybody else who would like to provide testimony? If you could, please, come forward. Your name and address for the record, please.

Toschi: Dee Dee Toschi. 1970 South Gedalia Lane. The Village. And I have lived at the Village for over two years now and one of the selling factors was that there wasn't going to be anymore apartments, other than the one already dedicated by Dave Evans. So, I decided to buy based upon the master plan. I do not -- I have been involved with apartments where there is more -- and I noticed the townhouses here are called apartments. I would be one of them. They are more transient. There is more problematic issues. I know. I was a social worker. I went into a lot of apartments and it's not something I'm wanting to live by. I moved away from that. I'm from southeast Kansas and I love Meridian. When I came into it I saw what it had to offer. I liked the facade. I liked the building. I liked the aesthetics. But I don't like what's being proposed now. To me it looks like glorified apartments with Walmart parking. I mean their parking does not fit into our facade. Also with the -- if there is a light, which I see -- traffic -- traffic is horrific. The crystal ball has a crack in it. It is horrible. So, I'm concerned if they put a light up there right only -- right in-out, I live right off of Movado. My -- I face it. So, I'm going to be forced to go around into the apartments and around where there is kids. No, I don't like that. That's about all I have to say. Thank you.

Simison: Thank you. Council, any questions? Thank you. If you would like to come forward.

Rognlie: My name is Dave -- Dave Rognlie. 4291 East Blueberry Lane. And let me shut that off. It says take your pills. And a lot of us are taking our pills. A lot of us have gray hair. A lot of us moved here under the understanding that this was our forever home. We didn't want to move again. We -- we knew what we were getting into at the time. Commercial again out front. We -- we just -- we just love it here. It's a -- it's a -- the Village is a great -- great place to live and so is the other areas of the Village of Movado. The -- the biggest problem I see is traffic. Sooner or later -- I mean traffic is never going to get -- go less. How are you ever going to reduce the traffic on Overland? Especially when you put all that stuff in across Overland over there, the businesses and everything that's over there. Pretty soon we won't be able to get out of the Village -- I mean we can get out of the Village on Movado Way or we can go out the back gate and work our way around to Silver Springs -- Silver -- whatever it is. Silverstone. We can even go out across the canal through three other subdivisions and get out to Eagle.

Simison: That's how I get into your subdivision, just so we are clear.

Rognlie: Pardon?

Simison: That's how I come into your subdivision.

Rognlie: Yes. Yes. And we are starting to see more -- more of that. In fact, ours -- we are starting to see -- not much yet, but people turning into our gated community to go through and get over into the Silverstone. Or go the other way and we are going to have to start blocking the -- the gates 24 hours a day at some point or something. But, like I say, we have all moved here as our forever home. Most of us. It's getting harder and harder to drive the older I get. I'm going to be 74 here in about three or four days and I wonder about myself sometimes and the older you get the more you wonder about yourself and trying to get out onto Overland, even if you are just trying to turn right, if the traffic is backed up from Cloverdale, which is where it's usually backed up, it gets really difficult and that's now. As soon as we get -- you know, we got 104 homes in our subdivision. The Village. So, that's about 200 cars. If you add all the cars from the apartments over there across Movado Way, the rest of Movado, it's just not going to work. It's not going to work. Get us -- get us a stoplight there on Overland. That -- that will appease some of us. Thank you.

Simison: Council, any questions? You are good. Thank you. Is there anybody else that would like to provide testimony on the item? Okay. Council, before I ask the applicant to come forward, is there any other questions you wanted to ask anybody? Councilman Hoaglund?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: There was the lady that was -- that called in, she did have a question about existing homeowners being able to use the pool and I know that Mr. Clark and Mr. Conger were talking, so I don't know if they heard that. So, when Mr. Clark comes up if he can answer that question for the online caller I would appreciate it.

Simison: All right. Well, with that, then, we will go ahead and ask the applicant to come forward.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Before Hethe comes up could I respond to a couple things just for your benefit?

Simison: Absolutely.

Dodson: All right. First, I did find a letter from West Ada and it is a single digit number of seven projected students. They changed their ratio to .1 of the student generation. Clearly I don't work for West Ada, so I don't know why they did that or when, but that is now their number and I think I have seen that multi-family. So, that -- that is correct that the -- Councilman Cavener noted that it is a low number of projected students. Secondly, the -- the high disparity between the C-G zone as it is now versus the potential of what's

being proposed is -- is significantly less than what is being proposed. In the existing development agreement there are no height restrictions per the C-G zone, so -- and the landscape buffer would be 25 feet and you would have a -- you could have a 65 foot building next to your backyard and it would be pretty, because I would make it so, but it would still be 65 feet with a six foot fence, you are going to see 55 feet of that, so -- even with the buffer. So, just keep that in mind. Second, with the traffic counts I promise you -- I understand your concerns and I'm not a traffic engineer, but I do live here, too. So, I get it. But based upon the applicant testimony, as well as what we have heard from ACHD that if this land sits here this is only going to get worse and if we build as commercial it's only going to get worse and so what is -- what the applicant's proposing is actually less than what that is approved for. With the light that's a much bigger discussion. It is my understanding that ACHD does not have plans currently to signalize the intersection. You have to hit a certain number of traffic and trip counts to -- to warrant that kind of capital improvement. They are not there yet, despite what everybody sees and I completely understand again. But ACHD controls that handle, not -- not us. But I did want to just touch on those few things for Council and the public.

Simison: Okay. Had a request for a break before we ask the applicant to come up and finalize stuff, so let's shoot for a five minute break, but no later than a nine minute break. So, we will take a recess.

(Recess: 9:51 p.m. to 9:58 p.m.)

Simison: Council, we will go ahead and come back from recess. Mr. Clark, the time is yours whenever you are ready for ten minutes.

Clark: Members of the Council, Hethe Clark. 251 East Front Street in Boise. It's been a long night and I will try to kind of go rapid fire here and answer as many questions that I heard that -- and, then, if I missed something just jump all over me and I will see what I can do. So, one item had to do with the buffer between the south -- the -- the duplexes on the south and the townhomes that we are proposing on the north and there may have been some confusion there. When we are talking about duplexes on the south, those are, obviously, two units. The townhomes are six units to a building, spread across three buildings there. In terms of that separation between the two buildings, the R-15 duplexes to the south have a 12 foot rear setback. We have self imposed a 25 foot setback between our townhomes and the properties to the south. That's the same setback that would have been required if we would have put in something commercial. It's not required for the single level townhomes that we are talking about here. In addition, there will be just a -- I think it was Mrs. Nye that was asking about that. There will be evergreen and deciduous trees implanted in that buffer between the -- between the home. So, there will be certainly an adequate buffer there. In terms of heights. Heights will match. So, you know, approximately ten feet to the eave, matching rooflines. Meridian, as you know, has single family residential building code standards that control that, but they will match. In terms of open space, Joe hit this and I -- and -- but I kind of want to emphasize it a little bit. So, our open space plan shows 19,000 square feet of open space. That -- there is 16,000 square feet that's required, but in terms of the count, we exceeded the entirety of the open

space requirement just on our western portion. So, we actually have more than the 19,000 if you include the eastern portion and that was the point that Joe was trying to make. So, there is lots of open space well in excess of what code requires. With regard to traffic -- and, Council Member Cavener, I apologize if I was confusing on that. The -- the simple point is that the change to multi-thousands -- 27,000 square feet of commercial will reduce the overall traffic impact and that's why ACHD is not requiring any additional mitigation. This is certainly something that folks should pay attention to. It's something that folks should talk to ACHD about, but let's be clear as Mayor Simison mentioned, this is an interconnected neighborhood. There are other ways for traffic to get out. It's functioning as it's supposed to right now. There is another point a few times about who would live there and who would -- who would live in this project and, then, some -- some related points about that. So, we are marketing and catering to the type of adult audience that would like to use our coffee area, kitchen place. If we were looking for a younger family oriented demographic we wouldn't be doing one and two bedroom. That's why we chose the amenities that we identified. Those amenities do exceed code. We designed this with enough and the type of amenities for this project to be able to exist on its own. It stands on its own merits. With regard to the pool question, there is a key card that's required for those pools. We had not intended to grant access to those amenities to the residents of these townhomes. You know, if the Council's direction is for us to require cross-use, we still have grantor rights, we can do that sort of thing. But the intent was for this to essentially stand on its own. So, let me just wrap up by saying a couple last points. We added the single story limitation on the townhomes. I think that was a very big deal and we did that to make sure that it exactly matches the duplexes on the south. That is significantly less impact than what could happen if there was a C-G development with the existing entitlement. But I think the bigger point is that right now we have what I would call a final chapter in an otherwise decimal project that needs to be closed. We are asking for your help to get us across that line by allowing the change to the concept plan to put in additional -- to put in these townhomes while still preserving 27,000 square feet of commercial in a way that we think will jumpstart this and get it across the finish line. And I would just point out once more that we are in agreement with the conditions as staff has currently proposed. I guess I should state that that would be with the addition of the restriction of the single story on the -- on the southern boundary. With that I'm happy to answer any follow-up questions.

Simison: Thank you, Hethe. And just for the record, my statement was one because -- not because I appreciate going in that way, it is connected, but that's how I find it the best way to get into that neighborhood, quite frankly, because the other way seems to be very problematic and troublesome for me to get there, so -- Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Mr. Clark. So, I understand you have an argument that you are trying to target a group of people to rent these townhomes that may not have children. On the other hand, there are plenty of folks that would have kids that would want a one

or two bedroom townhome. Is there anything you can do to add a small amenity, some sort of a play structure to this development, that might speak to that concern? It sounds like there is a lack of play areas in general in this area and are you willing to do something to help with that?

Clark: Mr. Mayor, Council Member Strader, yes, we are -- we are happy to explore that. You know, something that we have done in -- in other developments are things like climbing boulders, you know, we think that that has been a successful use. So, if that's the Council's direction, we are happy to consider that and do that.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question, Mr. Clark, along the same lines. I was going to ask about the playground, because I'm confused about -- they talk about the kids using the playground from the existing apartments already and the other development, but this is going to be, as you noted, a standalone -- have their own amenities and those types of things. But it does sound like there might need to be something there that caters -- because there will be a few kids there, I'm sure, just the way it works. It would be nice to have something that kind of fits that to help them out. But kind of address that. But I was curious about the playground and the neighborhood park and how that fit together or -- if those were connected at all or if that was completely separate.

Clark: Mr. Mayor, Council Member Hoaglund, if I understand your question, there are amenities that are part of the -- kind of the mas -- all of these -- this project is part of a master association. There are, you know, public pathways and streets that connect to all of them, people can get to all of them. You know, when it comes to this project in particular, if it's the Council's direction that we need something that's more youth oriented, we are more than happy to -- to add in the -- in the plan.

Hoaglund: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Hethe, can you walk Council through just kind of the -- the proposed heights for all the different uses, both the commercial side, the duplexes and the townhouses, what the proposed heights on each of those are going to be?

Clark: Mr. Mayor, Council Member Cavener, so on the single story -- and I may need some assistance from my more builder oriented parts of my team here. But on the single story, the -- yeah. Why don't I hand it off to Mr. Conger.

Conger: Mr. Mayor, Members of the Council, Jim Conger. 405 -- well, no, it's 4824 South

Fairview Avenue. Sorry about that. Council Member Cavener, so walking through the single levels, which will be on the south boundary of the townhome rentals, would be -- city code is 25 foot for single level. I believe we will be slightly underneath that, but we will match the heights of the existing single level duplexes. As we move into our two story product that has -- you know, starts to get in -- in the place of 34 feet or so. I don't have that exact dimension. Again, as Hethe noted, that will be ferreted out also through design review. But they are labeled on our exhibits that are submitted on record and we don't anticipate that changing. We have put a lot of effort into this design of these townhouse rentals. When we get into the commercial, as we keep going towards Overland, the two 7,500 square foot buildings we have -- we have noted as single level in -- in our application that -- that's in front of you and that is still what our goal is. That is sufficiently parked per code and exceeds code a little bit at single level. As you go to the other side -- or east of Movado Way that more bigger commercial building is -- is the potential of two story. We have not committed either way on that, but would stay within the C-G zone. Obviously, out on Overland we would probably be at a two story maximum. That has sufficient parking for two story, but, again, that is still an unknown quantity. Mark Bottles and I have a lot of work to do to figure out who our users are on the front. As much as we are excited to keep 27,000 square feet, we still have a lot of work to do to -- to make that successful. Hopefully that answered your question.

Cavener: Thank you, Mr. Conger.

Simison: Council, any additional questions for the applicant?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Quick question, Hethe. The components on the east side, can you comment on what landscaping, if any, and the height where the commercial became residential?

Clark: Joe, could you bring up the slide there? Mr. Mayor, Council Member Borton, I think it would be easier to have a visual here to make sure everybody's looking at the same thing.

Borton: Perfect.

Clark: The layout. So, Council Member Borton, I think you are referring to the prop -- or the portions of the project that are east of Movado?

Borton: Correct.

Clark: Okay. And those are all two story proposed -- yeah. So, those are all two story townhomes. So, they would be within the height limits that Mr. Conger just mentioned. For proceeding further north that's the longer -- larger commercial building that could be potentially two stories, but I think it's important to point out with regard to all of that what

it's adjacent to on the east, which is the Boise city approved mixed use project and it has self storage against the commercial areas and the parking lot and, then, it has a couple of four-plexes against the townhomes there on the east.

Borton: Okay. Thank you.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Just for reference, the elevations that were submitted show top of plate for the two story at 19 feet. So, add seven to ten feet for the pitched roof and you will be under 30 feet for the two story units.

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

Clark: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I do have a question for ACHD. I want to give Kristy a heads up that I will be asking a question, but I do recall now -- we do a lot of reading when you prep for these meetings, so sometimes it's like, okay, where did I read that and someone testified -- I think was Mrs. Gormley -- when she said Mr. Evans' name and I went ah-hah, that was it. I think when that original development was proposed they were to be apartments and that's when the traffic study was done. So, that's why the traffic count was higher, so -- so that's why it's reduced now and so that -- that just took me a little while to -- to recall that why -- well, why is that lower, what was -- what was the cause of that? So, going from apartments to townhomes and commercial definitely would be less than what was proposed in the original. I wasn't around for that, but that certainly has -- has an impact. But, Kristy, there -- there certainly is an impact and, as you know as we do, traffic in Meridian with the growth and just people moving across the valley, we are right in the middle of the valley, there is lots of traffic and what would trigger a light at Movado and Overland, is it all dependent upon the traffic coming out of Movado or is it also just the stream of traffic on Overland itself to allow people to migrate onto Overland to get to that access. Can you -- can you kind of enlighten me, please?

Inselman: Council, that's a -- that is a very good question. That would be a great question for our traffic engineers on what would warrant a signal, but it definitely would be something that Movado traffic is going to generate more so than -- than Overland to get that -- that flow of traffic going. So, additional traffic on there could warrant a signal to get -- to get those turning movements. Another thing that could warrant a traffic signal could be accident history. If there is an issue with people being able to get in and out of a particular area may warrant a traffic signal in that location. I know that has been

discussed as a potential. We typically will have -- on a mile segment you will see a mid mile signal on a larger arterial such as this, so that you can get people in and out of development. So, yeah, there is -- there is many factors that go into it. But, yes, traffic on Movado is definitely one of them. Traffic history is one. And just the movement of -- of vehicles is another.

Hoaglund: Good. Thank you, Mr. Mayor, Kristy. So, just to comment further. So, if further development occur -- occurs at the site, as I think is planned to down the road, that may help, but that's the thing, you have to grow to -- before you get these things and for our newcomers, just in case you don't know, Ada County Highway District in the '70s voters said, hey, instead of every city in the county having their own highway district, let's create one entity for the whole county and they will manage all our roads. So, just -- just so you are aware of that. So, they are a partner of ours, we work together, but at the same time we don't have the ultimate say in how these things go, so -- and that's why it's important to pay attention to ACHD. They do have elected commissioners and someone you can talk to as well. So, Ada County Highway District. ACHD. So, appreciate that, Kristy, and, you know, that -- that -- that is an issue. It -- there will be times -- and we are experiencing this throughout our community where there are times of the day where it's just difficult to move. Not just here, it's -- it's everywhere. So, love to have enough money to solve the problem, but not there yet.

Simison: And while I'm not a traffic engineer, I do know that when we talk to ACHD about a light out here at Broadway, their numbers were about a hundred vehicles an hour sustained over like eight hours in the day in order to achieve that number as an example. So, that's some of the criteria. Council, further conversation?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Perhaps it might -- in light of our earlier agenda item closing and reopening a public hearing has often sometimes been the case with us, perhaps maybe leaving the public hearing and give Council a chance to deliberate for a little bit.

Bernt: Agreed.

Cavener: So, Mr. Mayor, I will -- if I may I'm happy to start.

Simison: Mr. Cavener.

Cavener: Thank you, Mr. Mayor. First, I just -- Mayor, you would be able to confirm for me, but at least watching from home it looks like this is the most attended City Council meeting we have had in probably over a year --

Bernt: Right.

Cavener: -- and I just wanted to thank all the members of the public for coming out, being neighborly. It's really exciting to see so many new residents in our community that are getting involved in the public process and sharing their feelings and opinions. I wish I could have been there to see it in person. A couple of things for me. I think it's always a -- a high threshold that we have to look at when we are going to revise a DA and that was kind of how I went into at least reviewing this -- over the weekend reviewing the Planning and Zoning Commission minutes and especially when you have got a Planning and Zoning Commission that unanimously recommends denial, it's like, boy, I want to take a hard look at this. There is a couple of things that I think that got lost in the Planning and Zoning Commission that I appreciate the applicant reiterating here tonight that for me I think are a benefit for this part of Meridian. One, we get some buildings that are built in that area at a -- at a lower height than what we could have seen on the commercial access. I think for the folks that live in Movado that -- that's a benefit. In addition, I -- I sympathize with the folks that live in this part of town and the challenges with traffic. Eagle Road, for those that are new, has long been the -- you know, Eagle and -- you fill in the blank -- is one of the busiest intersections in the state and, clearly, we have got a lot of traffic that's going on and getting off of Overland and it's impacting them. But this change of use would lower the traffic counts and to me -- I look at that as a -- as a big win, not just for the people who live in that area, but for all the people who live in south Meridian and Boise. I will be -- I'm interested to have the conversation with Council about an added amenity or replacement amenity. It's kind of what led to my conversation about the number of students that this application would generate. I think we all sometimes see, you know, information that comes and we are not experts. Again, I'm not a traffic engineer. I'm not an expert on what, you know, land use will generate for schools, but I have never seen the low, but I also trust the district's giving us accurate information and so I'm -- I am struggling a little bit to say we need to put an additional amenity for what would maybe be seven students. The other piece that I think is really beneficial -- and I appreciate Council Member Perreault's questions tonight and her kind of showing a perspective that's unique. I think when I first got elected I always asked myself with the land use application would I see myself living there and if I couldn't say yes, well, then, it was really hard for me to be supportive. But what I have learned over the past eight years is that there is lots of different types of housing options, some that are good for the Cavener family, some that aren't, and I think Council Member Perreault, you did a masterful job of helping me see a perspective of -- you are exactly the type of user that this type of housing would attract. This isn't -- you know, I know we have got neighbors that are their forever home, but for a lot of folks these people are going to utilize this project while they are building their forever home or while they are remodeling their forever home. So, I appreciate you sharing that -- that insight. I think for me generally I'm supportive of the revisions. Would love to have a further conversation with my -- it's time for me to go to bed as my lights are shutting down around me. But would love to hear kind of your feedback perspective particularly as it pertains to some of the public testimony tonight and with that I will shut up and turn back on my lights.

Simison: Well, Councilman Cavener, I'm going to give you just some perspective on something else to consider as we look at this. I notice -- and I don't know if -- I have seen this before, but in the document that was sent around by Miranda this week -- or late last

week on the transportation projects, I did notice that Overland and Eagle was scheduled for improvements, that they are talking about having that -- expanding that intersection to be larger. I would at least propose this. While commercial may have taken a while to this point, perhaps having no development occur in the short term is the best option while we wait for additional transportation improvements at that intersection. Not to say that they couldn't develop if they get a user, but there is the perspective of less -- more now versus less for the future until the road has additional capacity around that area. Food for thought. I'm just putting that out there that there are benefits because I think that if it goes multi-family it's going to generate a lot more traffic sooner than perhaps commercial has proven it may take longer. Just perspective. That's all we are -- that's all we are providing.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I appreciate you sharing that and I'm glad that we left the -- the public hearing open. It may be prudent later on to invite Hethe back up to maybe share what some of their construction timelines might look like and how those may intersect. So, I -- I appreciate that background. I wasn't aware of that.

Simison: Like I say, I'm only taking on what I read, so --

Strader: Mr. Mayor?

Simison: Council Member Strader.

Strader: I will jump in. I started with a bias in the beginning of wanting to see commercial. I think we have a lack of commercial in the city. I think a lot of Council shares that view. I also am very sympathetic to the idea that a master planned community ideally would stay consistent and I don't think it's City Council's role to solve for a lack of market demand for a certain product type as we are developing our city. That being said, I'm weighing that with -- I think we have a huge need for housing and an affordability crisis. A transportation corridor is one of the few places that I think density makes sense. We have a lack of this specific housing type for townhomes. I have a family member who is looking at townhomes right now. It's very hard to find them in the city. So, I personally understand that. We have a complete lack of those. I also think that if we make a few changes this would solve a lot of the heartburn that some of the neighbors are having. I think, you know, you -- you could have -- if Mark Bottles is to be believed, you could have ended up with a 65 foot mental hospital overlooking your backyard and let's hope there would have been a few guardrails in between here and there. But it's a -- it's a pretty serious change to limit that southern border on the townhomes to single story. So, I think for me I think if -- if we can keep that limitation on single story, they have offered up the 25 foot landscaped buffer, which is above the requirement, we can also add some type of a play amenity, a play boulder or something, I think if it's seven kids, ten kids, I still would like kids in Meridian to have a place to play near their home. With those three things I think I would be supportive of this, just waiting that we have a need for housing of this specific

type and just the overall need in the city. That's kind of where I'm coming out for now.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I very much appreciate Councilman Cavener's statements, because as a real estate broker I have the opportunity to meet a lot of folks who are moving here for the first time who have a variety of housing needs. I know a lot of very successful folks who rent and so I -- I have a -- perhaps a very different perspective about what -- you know, what that means and I don't always necessarily associate townhome rentals as being something that brings in a negative impact and so surely there are additional impacts to a community when you have multiple -- multiple people living in smaller spaces and smaller quarters. That's just kind of a thing that is human and so I wanted to say -- I just wanted to clarify we -- we kind of threw out the word multi-family a lot and we threw out the word apartments a lot, but I don't see this as -- this is not an apartment complex to me. This is townhomes that, you know, when -- we talk about townhomes you can kind of have a duplex townhome and, essentially, the difference is -- most people think of duplexes as single level and townhomes as two story and, then, really, they are -- they are -- they are the same exact thing in that there are two homes that are connected, attached to each other, and the ground is owned by the resident. These are townhomes that are going to be used as -- as -- as investment, but -- and -- and there is a few more of them connected together, but there is only six in the building. So, I think when we -- when we talk multi-family I'm thinking a three story building with 12 units or, you know, 16 units and you really have people kind of living on top of one another and that's not how I see these structures at all and there is a significant lack of them, but the thing that has surprised me most about this conversation this evening is, you know, we listen -- we listen to members of our public and -- and have these communications and conversations every week and it is surprising to me that we actually have homeowners who are considering having commercial close to them rather than residential. So, normally, we are having these conversations about how, you know, folks don't want a commercial building near them, that they want less commercial near where they live and so I just -- it's kind of thrown me off a little bit tonight to -- to hear testimony for the reverse. It's been really an interesting application and also agree that I really appreciate the members of our public coming out and sharing their thoughts, because that's how we make great decisions. What I -- what I was hoping to hear -- and I didn't feel like I really heard is -- and not that it's the public's responsibility to do this, but I was really hoping for some -- some really solid, you know, ideas about what they would feel would work if the -- you know, in this project how they would feel being made to feel comfortable with this, there is things that the developer could do and so I did hear the play structure which -- which the developer has already agreed to. The developer has already agreed to -- to limit that height of the housing that's up against the attached units to the south. So, I just -- I was listening all evening and trying to hear -- is there something that we could ask for that would -- that would give a sense of relief and as far as the traffic goes, I'm really feeling for the folks who came and gave testimony -- gave testimony. I wish there was something that I could, you know, or -- or ask or recommend to help

alleviate some of that, because I'm in a similar situation pulling out onto a busy street from community, from my neighborhood and it's becoming increasingly common all over the City of Meridian, not just in the areas where new construction is coming in. So, all that to say in general I agree with Councilman Strader that I would like to see more commercial in our community as a whole, but when -- I think when this original DA was put together there wasn't an anticipation or a plan for the BVA property to the north and that has likely significantly changed the uses for this. So, all that being said for the most part I am in support of the application and the modifications that were suggested this evening.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, just a few comments about our hearing tonight and -- and the folks got a chance to -- they got a two for one deal, you know, buy one get one free. You got to hear the first one that we had a long discussion about and -- and it's classic and this is what we deal with every week and that is properties come in, there is people who live there, people who want to build or do something different and, then, there is a conflict, because it's not quite exactly what we wanted and we have to figure out and weigh it, will it fit, will it work, are there ways that we can compromise to make it work. The traffic one is -- is going to be there for a while. We haven't figured that one out and I know from the standpoint from -- from the people in the neighborhood and Movado, you did your due diligence. It's a master planned community and you went and you looked and said what's going to be around me. You do a lot more than a lot of people do. They move into a place and a road goes through, well, where did that road come from? Well, it's been -- that sign's been there for a long time, you know, there is going to be a through road here someday, but you guys did your due diligence and that's -- that's what really makes this hard, because you relied on what was said and what the plan was and, then, I do have to say from the developer standpoint they are not -- not doing a bait and switch, they weren't trying to sneak something by people, it truly is -- it looks like to me a change in the market conditions, you know, things aren't the way they used to be and we all know that, you know. If we go back a year plus, the world was a different place. So, we have to weigh those changes. Is it enough to say, okay, we need to revise this. So, those are the difficulties. So, when I look at this they come forward with -- with this plan, knowing it will -- will be -- it will be different and it will have an impact, as would not doing something. If it's full commercial and maybe at some point in time Mark works his magic and he can fill a whole commercial in the second -- second level, it's -- it has an impact. So, when weighing that I look at a couple things. One, their willingness to reduce the folks who are on the back fence to a single story with the property. I think that's big, because now you don't have someone peering down into your backyard, they have got -- it sounds planning on adequate vegetation. The -- I think their willingness to add a play area is a big deal and -- and I'm not -- it doesn't have to be a super tot lot or anything, but I just think something that allows kids to climb boulders or some little activity. There is that single kid there and they have friends over and they can go outside and do something. One thing -- I know there was some comments about being -- they are rentals. That's the other thing that has changed in this market. We are seeing it all over Meridian. People are not

necessarily buying. One, they can't afford it. They can't -- they -- they have got good jobs, they are working families, but a down payment on a 400,000 dollar, 450,000 dollar home is so difficult now and so they are going to rent for a while, but they want something nice and we are seeing that throughout our community. There are some really nice rentals coming on and it's -- it's different. I would never would have thought of -- I wouldn't want to rent my whole life and I don't think they plan to, but they want something nice and -- and so we have to think a little differently about that. But even in a single family neighborhood, two houses down from where I live, very nice home, someone bought it, it sold here a couple years ago. Well, it's a rental and young people are living there. All seven vehicles that line up there, you know. So, even townhomes, single family homes, we are not immune to that and I feel for these kids, because they have got jobs and they are starting out in life and what do you do, you know, so -- and they are actually -- I have talked to a couple and they are pretty nice. They aren't very good at basketball. I watched them. But anyway. So, those are -- those are some of the things with the added setback, reduced heights, doing a play area. The traffic as -- as I mentioned, I love to do something that will change in time and it will be interesting, Mr. Mayor, your comment about changes to that intersection. I had not heard that and, you know, that's -- it gives you pause, but how long will that be. Sometimes the planning process takes a while, but I don't know what they are going to do. So, I -- I'm -- I'm open to -- to supporting this. I can see that there will be some good things and there will be some negative things, but overall for the community and on the whole I can support this application.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just wanted to clarify that the report that Miranda Carson on our staff had presented, that -- that is in design in 2025 and it is an unfunded project. So, it's still quite a ways out.

Simison: Correct. Yes. I knew it wasn't imminent and that was my point. I don't expect it to be the solution to actually -- by the time it gets built I fully anticipate what develops on the north of Overland to probably outpace the improvements by the time it's done anyways. But it's just -- the point to that area's changes that are coming one way or the other. But thank you for identifying that.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I just want to say thank you to the folks who showed up this evening. This has been respectful dialogue and that's something that as a Council and -- that we really appreciate, so I wanted to say thank you not only to the folks who showed up from Movado and other places, but the development community as well. So, one quick thought. My fellow Council Members have spoke in detail about it, so I won't go on too far, but as -- as -- as a Councilman there are times when I like to bounce ideas off my wife and a lot of

times she's -- she says, Treg, you are crazy or, Treg, what in the world are you thinking or every once in a while she will say, Treg, you are a genius. But that doesn't -- that doesn't happen that often. I'm here to tell you that. Maybe once or twice at the very most. But she -- she works in the insurance industry and she's an insurance agent. She does property and casualty. Little -- a little private place down in -- business down in Utah. She works remote and -- and down there they insure -- this is all they insure. If you go down to Utah in some of the more dense populations off the freeway when you are going south, you will see -- this is all you see, but it's even higher and she's always told me -- she's like, Treg, how come you guys don't have any townhome projects in the City of Meridian, because they bridge a gap that we don't have. They bridge a gap between the apartments that we are all used to, to the single family dwellings that we -- we have all over the place and it's -- and townhomes bridge that gap between -- like Councilman Hoaglund said -- I agree with him one thousand percent, we have a housing crisis in our -- in our -- in our area where it's difficult to put a down payment on something. I think every day -- I remember when my dad told me the same thing when I was young and I have a 20 year old daughter who is about ready to graduate from college and when I was in her shoes he would tell me is, Treg, I have no idea how you are going to do it and now I almost think that for my daughter. I look at her and I'm like, God bless you, kiddo. I have no idea how you are going to be able to afford this and so it's these type of units that we -- that -- that -- that is being presented that actually help people and a diversity of housing in our -- in our community is essential and I get that it's not what was presented to you folks when you bought your homes and that's the -- that's the crap part and I -- and -- but at the end of the day I believe it offers something that's going to be less dense and it's going to create less traffic going forward. What's going to happen at Movado Lane and Overland? Something that we can't as a Council -- that's the reason why you have elected us and it's the reason why we have relationships with our friends at ACHD, we will reach out to them and you have my word that tomorrow I will reach out to my friends at ACHD and we will -- we will start this conversation, we will see what it looks like. But I -- at the end of the day I believe this -- this project meets the bar of -- of -- of replacing a little residential where commercial was originally designated. I believe it does and I know that there is folks out in the audience right now that are looking at me thinking I'm absolutely out of my mind and I -- and I get that and we can agree to disagree and if you want to talk after I can explain more, but I appreciate your respect, I appreciate the dialogue, it's been good tonight. I support the tot lot or the kiddo amenity. Those are my thoughts. I believe I will be voting in favor of this this evening.

Simison: Well, since -- since you talked about a housing product we don't have in the area and we all know Councilman Milam was the queen of the tot lot --

Bernt: Right.

Simison: -- I may start my own crusade and that's to talk about condos. You know, that's one of the things that I think that we are truly missing in this area, because condos actually provide a way to -- for lower cost homeownership to allow for other things and so I will say this to -- this will be my first time in a public meeting saying I encourage you to consider condos in this project, as compared to a for rent type of product. Something to

consider. That will become my new thing, that anyone that comes into my office in advance to say what do you think about this project, I'm going to say show me some condos in this project. So, there you go. Development community, you have heard it. That's my new mantra. So, maybe someday I can get a condo in a project.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I forgot I was going to say one thing. There was -- there was something about this development that I was scratching my head over and, actually, our southern lady I think pointed that out and -- and that was the bench between the two office buildings. I -- I know staff I think talked to them about that, but I just have to say you would not find Forrest Gump sitting on that bench. It just is not the same. But it's a nice amenity, but along Overland Road those things are just going to -- you know, whatever, so -- but you're right. You're right.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Are we at the point that we can close the public hearing?

Bernt: Yes, ma'am.

Simison: Absolutely.

Perreault: I will make a motion that we close the public hearing for the Movado Mixed Use Application, H-2020-0123.

Bernt: Second.

Strader: I will second the motion.

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

MOTION CARRIED: ALL AYES.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Jessica, are you going to make a motion?

Perreault: I am. I was curious if Councilman Borton had anything to say. He's been a little bit quiet.

Bernt: He will have an opportunity.

Perreault: If he doesn't, I will --

Bernt: He will have an opportunity. Make the motion.

Perreault: I move that we approve the Movado Mixed Use Application, H-2020-0123, for the hearing date of April 20th, 2021.

Bernt: Would the motion maker include an amenity geared toward kiddos?

Perreault: Yes.

Bernt: Then I second that motion.

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

Strader: Mr. Mayor?

Simison: Councilman Strader.

Strader: I'm not sure if we need it or not. Do we need a condition that the southern townhome properties be limited to one story or is that already covered elsewhere?

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: That is not covered within the staff report, as that change was just proposed recently. So, I would recommend adding that as a new DA provision.

Simison: Would the motion maker --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I will officially amend my motion to include a children's amenity and also to limit the height of the southern most residential to single story in line with the single story that's to the south in the development.

Simison: Does the second agree?

Bernt: Yeah. Yes.

Simison: The second agrees. Is there additional discussion on the motion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, any other items under future meeting topics?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A couple of thoughts. One, I know we have got an upcoming joint meeting with West Ada. If there is room on the agenda to get a little bit further explanation on their analysis around multi-family and the amount of kids that it generates, I think it would be helpful just for us to be presented as to how they came to that conclusion and, then, the other topic -- and -- and, Mayor, I will leave this to you and the Council President to discuss. I don't think in the years that I have been on Council we have ever heard from anybody from Nampa-Meridian Irrigation District and I think it could be beneficial if we have either a joint meeting with them or a presentation from them about ways that we can better collaborate with that agency. I recognize that sometimes their mission is different than our mission, but their area is our area and I would like us to see if we can find a better way to collaborate with them on some of our other land use projects in the future.

Simison: Okay. We will ask either Miranda to follow up in a memo or otherwise on the first item, unless they want to bring it in. I know we want to -- with the tour plan -- in fact, you probably -- I don't want us to get bogged down in meeting topics, if we can just provide that information in another way, so -- okay. All right. With that do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

Hoaglund: Second the motion.

Simison: Motion and second to adjourn. All in favor signify by saying aye. Opposed nay.

The ayes have it. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 10:47 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK