

A Meeting of the Meridian City Council was called to order at 6:08 p.m., Tuesday, June 7, 2022, by Mayor Robert Simison.

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

Members Absent: Joe Borton.

Also present: Chris Johnson, Ted Baird, Joe Dodson, Tracy Basterrechea, Kris Blume and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, we will call the meeting to order. For the record it is June 7th, 2022, at 6:08 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

ACTION ITEMS

- 2. Public Hearing for Burnside Ridge Estates (H-2021-0070) by Kimley-Horn and Associates, Inc., Located Near the Southwest Corner of S. Linder Rd. and W. Victory Rd., Including 2365 W. Victory Rd., 3801 S. Linder Rd., and Parcels S1226142251, R0831430030, R0831430022, and R0831430010**
 - A. Request: Annexation and Zoning of 121.29 acres of land from RUT to the R-2 (11.76 acres) and R-4 (109.53) zoning districts.
 - B. Request: A Preliminary Plat consisting of 299 total lots (275 single-family residential lots and 24 common lots) on 119.31 acres of land.

Simison: Next item up is a public hearing for Burnside Ridge Estates, H-2021-0070. We will open this public hearing with staff comments.

Dodson: Sorry, Mr. Mayor. Give me one second to get this fired back up. Okay. Here we go. Okay. This one's definitely not an in-fill, so we will plug through this. As noted, this is Burnside Ridge Estates Subdivision. Applicant will call it Jackson Ridge Estates from my understanding, but it was submitted as Burnside, so that's what staff calls it. The

site consists of six county parcels that total approximately 120 acres of land, all zoned RUT in the county right now. They are generally located at the southwest corner of Linder and Victory Road. Theoretically it's around the quadrant at the southwest corner. The Comprehensive Plan designations on the properties are both medium density residential and low density residential. The request for annexation and zoning before you tonight is 121 acres of land from RUT to the R-2 district and the R-4 zoning district and a preliminary plat consisting of 299 total lots. That's 275 single family lots and 24 common lots on the 119 acres. The proposed plat shows compliance with the UCD dimensional standards for the proposed R-2 and R-4 lots, with an average lot size around 10,000 square feet and five foot detached sidewalks and eight foot parkways throughout the entire development. Three new accesses are proposed to the adjacent arterials, Linder and Victory Roads. Two of these are new collector streets per the master street map, which is shown as South Farmyard, which is the north-south collector and East Holstein, which is the east-west along the south boundary. All other accesses are to the -- sorry. All their access to the proposed homes is via new local streets. The applicant's proposing to stub the new collector street, East Holstein, to the west boundary for future connectivity. East Holstein is also proposed along the entire southern boundary for future connectivity to the south for the future developer there. The proposed north-south collector, South Farmer, provides a stub street to the east property line adjacent to 1995 West Victory Road, which is this parcel here. No other stub streets were originally proposed. Staff recommended a new stub street from Pivot Drive to the north property boundary be included, which is this right here and the applicant has revised the plat to show that. In addition, staff recommended that a new cross-street from South Red Angus Way heading northeast to South International Way across the Calkins Lateral, in alignment with East Drawbar Street, to create a compliant block length was also added. So, staff recommended basically 9 and 12 -- Lots 9 and 12 of these blocks to become a new cross-street. The applicant has not changed that and wishes not to do that and instead is seeking a Council waiver for the additional block length over 1,200 linear feet. The project is proposed to be constructed in five phases per the revised phasing plan, which is here. There is at least two fire approved access points within the phase one. So, there is no limit on the number of building lots for access points. Staff has recommended including the clubhouse and pool and it's open space lot within phase one, but after discussion with applicant staff -- applicant and staff, the Commission recommended the lot and amenities would be constructed with phase two instead, which is with approximately 148 building lots in the first two phases. The applicant has submitted a revised phasing plan showing that, which is this lot here that has the open space. So, between the first and second phase pretty much the vast majority of the open space and amenities will be taken care of. The Calkins Lateral currently bisects the south half of the project site, which is this here. And at the original time of staff report writing I thought that the lateral was going to remain open, which is just my mistake. Staff's conditions were, therefore, not entirely accurate and they have since been stricken to reflect that this will be tiled. The applicant and staff are still awaiting confirmation from the irrigation district on the correct easement width with the lateral being piped instead of being left open and this would be only to confirm if there are going to be any building lot encroachments, as well as to manage the required landscaping within the multi-use pathway that's required along the lateral. Again, staff does have conditions regarding this in the staff report already. The application was

submitted prior to the latest open space standard revisions last October. Therefore, the project was analyzed against previous code. Based on the proposed plat of 119 acres, a minimum of 11.9 acres of qualified open space should be proposed. According to the applicant's open space exhibit, a total of 12.19 acres of qualified open space, which is approximately 10.2 percent, is proposed meeting the minimum code requirement. However, the open space exhibit does not include any of the parkways throughout the development. Now, should the parkways be vegetated per code because per the landscape plan they are currently not, but if additional trees are added and they, therefore, would qualify, staff anticipates a much larger area of qualified open space would be part of the calculation. A minimum of six qualified site amenities are required to be provided per the old open space standards. One amenity for every 20 acres. According to the submitted plans, the applicant is proposing at least eight qualifying amenities. A clubhouse, swimming pool, children's play structures, pickleball court, multi-use pathway, shaded picnic area, public art and outdoor fitness equipment. The proposed amenities exceed code requirements. Further, the proposed amenities would also exceed the current amenity point requirements in the updated open space code. The subject area contains two future language designations as noted, low density and medium density residential, with the MDR designation taking up a larger area of the project, approximately 80 acres versus 39. The future land use designations are not parcel specific, as I try to explain at every hearing nowadays. An adjacent abutting designation when appropriate and approved as part of a public hearing with a land development application may be used. A designation may not, however, go across planned or existing collector or arterial roadways and then -- and they must not be used on a parcel not directly abutting the designation and they may also not apply to more than 50 percent of the land being developed. Based on this policy the low density residential designation can be floated, quote, unquote, beyond the area depicted on the future land use map up the east side of the north-south collector street proposed, which is the South Farmyard. So, in the future land use map these two forty acre parcels are MDR. This one is LDR. LDR can be floated up to this collector roadway. So, this area can be zero to three units per acre. Everything west should be three to eight units per acre. Additionally, the plan does allow gross densities to be rounded up or down. Therefore, with the three to eight it can be 2.5 or higher and we can round up to three and say that it qualifies. West of South Farmyard is approximately 54 acres and it contains 126 units, which is approximately 2.3 units per acre, which does not meet the -- the minimum density of 2.5. Therefore, the staff recommended the applicant should add at least nine additional building lots to meet the minimum density. However, to increase this number of lots in this area it would require the applicant to amend their plat and propose smaller lot sizes that would likely not meet the R-4 dimensional standards. Definitely not the R-2. Therefore, staff recommended the applicant include an area of R-8 and the -- and the area of the plat for Blocks 2 and 3, which would be these two, these eight rows of houses, would allow for some lot sizes smaller than R-4. Now, granted, not the minimum lot size, but just smaller than the minimum 8,000 for R-4. Commission and the neighbors, as well as the applicant, do not wish to increase the number of lots in the plat. I'm sorry. I'm sorry. I have been sick for a few days and my throat is not liking it. Just died a little bit here.

Simison: All right. Let's go ahead and take a five minute recess.

(Recess: 7:25 p.m. to 7:35 p.m.)

Simison: All right. Then we will go and come back from recess and let you continue your comments.

Dodson: Thank you, Mr. Mayor. Apologize, everybody. So, I will backtrack just a little bit. Staff did recommend, in order to meet the medium density residential designation to include an additional area of R-8 lots and increase the density west of the north-south Farmyard Avenue collector street, the Commission, the neighbors, and the applicant did not wish to increase the number of lots in the plat. The Commission, therefore, recommended striking that condition. Now, granted -- well, I guess before I say that -- Council should determine if the proposed plat meets the intent of the comp plan and additional density should not be required. Should the Council determine that density should be added, the project should be continued out so the applicant can revise the plat per my condition or some other format or submit a Comprehensive Plan Map amendment to change the future language designation. At the Commission hearing there was one piece of public testimony that I butchered. I thought that they were not in agreement with the staff report -- or sorry. With the subdivision, the project, but they actually -- the Stetson Estates to the west are actually in support of the project. Following the Commission hearing there was one additional piece from -- I believe a Meridian resident. It also provided support for the project. It's -- and it's proposed density and it desires to not have the R-8 lots either and keep the density where it is. Now, Commission did recommend approval with some modifications. They recommended that Council strike the condition regarding the density, strike a portion of the condition regarding a micro path connection on the west boundary from South Agrimony, which is this street, to this, which I believe I said should be in this location. They struck that condition. They modified DA provision 8.A1B to require the pool with phase two, which has been taken care of. Modified 8.A -- 8.A2B consistent with the discussions between staff and the applicant to offer the option of a shared agreement between adjacent land owners and that is for the east-west collector street along the south boundary. Because currently as it's shown typically it's half plus 12 on your side. They are proposing in lieu of that to do an agreement with the property owner to the south to both develop that. I have not seen this agreement. I understand that it is in place and staff -- I have a condition in there that says that they will either do that or amend the plat to show half plus 12, et cetera. So, we have that condition taken care of. Further, the Commission did recommend that the -- recommend to Council that the existing home does not connect to city services, because there is an existing home on some acreage right here. Well, now -- I'm almost done. I promise. The outstanding issues for Council are quite large typically, which is -- which is not typical. There they are seeking a Council waiver to -- for the required -- sorry. They are seeing Council waiver for the existing home to remain and not connect to city services as noted. Again, Council should determine whether or not the increase in density is required. They are also seeking a Council waiver to allow the block length of Red Angus to exceed 1,200 linear feet and, therefore, strike condition 8.A2D, which South Angus, again, is this road here and specifically when -- our code allows micro paths and pedestrian facilities to break a block length up to a certain point and that is 1,200 linear feet. When it exceeds 1,200 linear feet it -- it can't. You either need a Council waiver or you need a stub -- another

street. So, therefore, staff recommended a cross-street in order to have another pedestrian and vehicle connection across the lateral. Further, Council should determine whether the amount and location of open space within the project is sufficient and Condition 8.A3D should be, then, removed based on the applicant's belief that the proposed lot sizes of R-2 and R-4 offer ample private open space and subsequently less need of common open space dispersed through the site. Council -- well, this is based on staff. Following the Commission hearing I'm recommending that we add a DA provision allowing the existing use of the horse boarding to remain on 3801 South Linder until the property redevelops consistent with the approved phasing plan. Specifically because horse -- agriculture horse boarding cannot occur within city limits. So, that would have to happen with a specific DA provision as time progresses per the phasing plan. In addition, any plat or landscape revisions that are not made part of the Council hearing -- so, like the landscape plan doesn't reflect the plat, I did not receive that in time for the Commission recs to go out, so just some of the clean up things. But I believe the applicant does have the updated -- all the updated plans tonight. And after that I am done and I will not cough anymore.

Simison: Council, any questions for staff?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I have a couple of questions. Thanks, Joe. Could you point out where the connection is for annexation? I think it was noted in their report that Brundage Estates is the only connection. Where is that?

Dodson: Council Woman Strader, that's correct, and that is this entire quarter mile block right here, which is R-4 zoning.

Strader: Got it. And, then, I don't know if we have this in front of us or we could pull it up, but I was curious if we zoom out and we brought up and dusted off our old priority growth areas map, where would this fit?

Dodson: Council Woman Strader, I cannot answer that. I don't think I have ever seen that map.

Strader: Oh. Really?

Dodson: Yeah.

Simison: Council Woman Strader, it does not fit in that general defined area.

Strader: I didn't think so. What was the -- do you remember what the westernmost border was? Of which road that was that we were kind of --

Simison: Yeah. Generally Meridian Road was --

Strader: Okay. Yeah. That's what I thought. Thank you. I just wanted to orient myself in terms of where we could cut that off. So, that's very helpful. Thanks.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question either for you, Joe, or maybe later for the applicant. First, I missed that in the Planning and Zoning about not having the existing home to connect to city services. I remember a conversation that maybe the homes were going to be torn down. Was that -- is that the reason why?

Dodson: Councilman Cavener, so the -- yes. Eventually. They are going to become part of the overall subdivision. So, that's why the applicant doesn't want to extend the water main for the -- really no purpose at -- well, actually, to meet code only to, then, have it be abandoned later on, because it would, then, be within the subdivision.

Cavener: Mr. Mayor, one additional real quick.

Simison: Councilman Cavener.

Cavener: Joe, you know, the -- I appreciate, you know, staff really encourages open space to be kind of centralized. It's not something that I always get really excited about. So, when I look at this and I see all the open space is centralized, is that for the most part -- is that coming as a recommendation of staff? Is that the desire of the applicant? A combination?

Dodson: Councilman Cavener, the open space code really pushes for the centralized open space. Because it is so centralized -- and, again, this is a bigger project, so, you know, you are walking half a mile from north to south through this site. So, my -- that's why I put it in those recommendations to include some smaller, but still sizable -- one lot here is 10,000 square feet of open space and, you know, the south quadrant -- southeast quadrant and the south -- the northwest quadrant, the applicant believes that with those larger lots there won't be as much of a need for that common open space dispersed, because you are going to have a much larger lot. Personally, I guess I can attest to that somewhat. I mean we -- we don't have a -- we use the school, the middle school, because I don't know have a park close by, you know, for our dog. But our yard is large enough that we can play ball with her in the yard, too. So, I get the idea there. But it is both code, as well as I just think the preference of the applicant to consolidate everything.

Cavener: Okay. Thank you.

Dodson: Staff did not make that recommendation.

Simison: Council, any additional questions for staff? All right. Then would the applicant like to come forward?

Young: Good evening. My name is David Young for Linder Holdings. My address is 849 East State Street, Suite 104, in Eagle, Idaho. 83616. I just want to start out with kind of an introduction to -- to who we are. You guys are, I'm sure, very familiar with big developers like -- like Brighton or -- or CBH. You know, that's not us. We are -- we are a homegrown family, you know, family members involved. We all graduated from Meridian High School. We have several assisted living facilities around the valley with four of them located within Meridian city limits. We are also the -- the family behind the -- the Vertical View climbing wall off -- off the freeway. So, the reason -- how we got involved in this is we have been family friends with the Jackson family, which was -- this was the former Jackson family farm, the dairy out on -- on Victory Road. Mr. Jackson has been -- been on that homestead for -- for three generations and he knew that development was coming -- is coming his way. He had it under contract to another developer and had decided to move his -- his operations -- switch from dairy to -- to beef cattle and move his operation to central Oregon. Contracts fell through at the last minute, but he was still obligated or under contract for his Oregon property. He made -- his son made a phone call to my brother-in-law. We ended up coming to agreement and -- and got involved in this project and I think that's important to understand, you know, that we have an attachment. My -- my wife spent many summers on this farm with -- with the Jackson family. My brother-in-law did as well. So, we have a real respect for this -- this land and this project here. And with that respect it comes along that we want to -- to preserve a lot of what is -- is on the property. So, the things that we are going to incorporate in the design are -- are the silos, the -- the grain bins, a lot of the -- the equipment around the property to -- to pay homage to Meridian's agricultural heritage. We acquired the property in -- in mid 2019. This has been a -- close to a three year process from -- from that date. We have acquired a couple of other parcels. It was originally just 108 acres from Mr. Jackson. We acquired another ten acre parcel and, then, another six acre parcel and, then, a development agreement with the -- to try to encapsulate a full 120 acres and not leave a parcel out. We have had numerous preapplication meetings. You know, COVID was right in the middle of all this. That slowed us down. We -- we also hitched our wagon for a short amount of time to Toll Brothers that tried to bring the Cedarbrook development just to the south of this and -- and, then, just working with ACHD trying to get the roads right, trying to get the -- the collector right. That's taken a lot of time. But here tonight we are glad to be here to show you what we have come up with and -- and hope that's something that you want to see in the City of Meridian. So, before you tonight we -- we are asking for annexation and zoning for -- to R-4 and R-2. For preliminary plat approval and also for a development agreement. Just an aerial of where the property lies. In the darker portion in the lower left-hand corner of that red outline, there is a -- somewhat of a valley that goes through the property. So, there is a -- a bit of a drop off down to the lower south -- southeast corner and we do have the Calkins Lateral that bisects most of the project. Our landscape plan. We -- we did want to bring that central -- trying to draw everybody to the center of the -- the project. So, we tried to design streets and roads that -- that laid with the property and also alongside the canal, but also to draw pedestrian and bicycle traffic through micro paths and -- and sidewalks. We are asking to -- to -- for a plat of a hundred and -- or a

preliminary plat that includes 275 single family home lots. Our average size lot is -- is just under a quarter acre. We do have some one acre -- half acre lots, especially along the -- in the R-2 section along the western boundary. Joe mentioned the desire to put in the R-8 zoning. We -- we would rather not do that. If we had to we -- we have brought this slide just as a description -- or a display of where we might be amenable to do that. But we would like to discuss that. And, then, the typical lot sizing for R-2, R-4 and if we had to do an R-8 section. This is showing the -- the connectivity to the -- to the arterials and to our -- to the adjoining parcels to the -- the east and to the north and, then, this is a colored phasing plan that might show it a little bit better the phase one, including all the frontage along Victory Road and phase three including the rest of Linder Road. With that I'm going to turn some time over -- talk about design.

Rose: Good evening, Mayor and Council. My name is Chris Rose, landscape architect with Kimley Horn and Associates. Address is 1100 West Idaho Street in Boise. 83702. Just want to take a moment to introduce and highlight some of the design considerations going into the open space and amenities and -- and trying to create the sense of place and community that Dave was talking about that -- that pays homage to the heritage of the site. As Joe mentioned, the current open space meets -- actually exceeds the requirements for qualified open space. We also provided a breakdown on here with the new amenity point system and we are currently providing over 42 points against the 24 required for a project this size and you will see where those points come in and -- and what we are trying to create with those areas. I also want to emphasize the connectivity, like Dave was saying. We are trying to bring pedestrians in, give them access from all different areas of the neighborhood through micro paths, through the regional pathway to the open space areas, primarily the ten foot multi use path that goes along the Calkins Lateral as a regional parkway shown on this map. Even as we get into entry signage and -- and the monumentation at the entry of the site, trying to showcase what -- what should feel like a remnant of -- of the family farm with the planting, as well as a windmill and some of the materials and traditional spacings of agricultural type -- right behind the windmill you see kind of layout of what would look like ornamental trees in an orchard to feel like it was a leftover piece of the farm. As we got into designing the open space and amenity areas we wanted to do more than just large open grass areas or simple sidewalks. We wanted to provide something that's a little bit special, so all of these amenity areas are themed and trying to, again, pay homage to the heritage of the site. So, instead, of calling something, you know, the -- the -- park or the grass or the playground, these are themed as the garden and the field and the meadow and the corral and the barnyard as these open spaces. Kind of the idea that, you know, on an old family farm this is where the kids would run down to the ravine or go out and play in the natural areas. So, like the garden -- this is the open space that comes in from the primary entry off Victory Road. This is included in the phase one area. This is the area that includes the large blue Harvestore silo that's currently on site as a landmark. A heritage community garden seating and a path with plaques that actually tell the story of the Jackson farm, of the Jackson family and -- and how it came to be here. The field and the meadow -- instead of just a park, this is the -- the large open space big enough for playing sports, for families running around, but also we have tucked away picnic areas, a fitness circuit, a graded meadow with art features, incorporating some of the original grain bins and silos

used as picnic shelters and wayfinding elements within the open space. In addition, some of the seating along the micro paths is intended to feel like old hay bales left out in the field. The corral is kind of the -- the play area, but instead of a traditional playground structure we wanted the area to focus more on nature play and give children more unstructured play with boulder climbers and logs and ropes and water play, kind of more an experiential play area, instead of a structure. And the barnyard, which is the primary social amenity in the community, includes a clubhouse, pool, lawn game area, a community garden plot, pickleball courts and a lighted fire pit area under a canopy of trees right adjacent to the Calkins Lateral pathway as well. So, all these spaces together, when we talk about central open space, kind of drives home the theme that we -- we want this to feel like a heritage site or pay homage to what this site was and to the Jackson family and kind of create that -- that character -- a really special place in Meridian that feels like Old Meridian as well. And now back to Dave.

Young: The clubhouse concepts and we wanted it to feel more like the -- the old barns on the property, so we got -- got a couple examples of that and, then, picnic shelters, again, trying to use some of the old structures that are there on the property, redesign them for -- for use in the park areas. Home designs -- we would like to see -- we are not going to be the home builder on this -- this project. We are going to -- we want to provide space for custom home builders to come in and do nice projects, you know. The home builders -- I'm not having a hard time finding any home builders that -- that want to -- to be a part of this project. It's going to be something -- I -- I feel like it's kind of the answer to -- Meridian's answer to Eagle's fine homes and some place especially on the -- the half and one acre lot some place that some -- some very nice homes can be -- can be built. Lots will be wide enough for three car garages on almost every lot and nice wide laid out homes. Not all farm houses, but modern spin on country farmhouse, craftsman style homes. There are still some outstanding conditions that we can discuss and I'm sure those will come up in questions about the phasing, the -- the -- the finishing of the roads, the -- the existing service to the -- to the home. The cross-street on Red Angus and any additional lot -- open lots that we need to address -- or adding additional lots. We do request a decision on that tonight, the -- if we do need to condition anything, but for -- for annexation of our development agreement and preliminary plat and with that I will stand for any questions.

Simison: Thank you. Council, questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Young, I -- about your third slide in -- if we could go back to that where you kind of had -- I can't remember -- the satellite view. There was also one with -- it was all yellow with the zoning. I had a question about some property. Go -- keep going. Yeah. It was like way in.

Young: Okay.

Hoaglun: The third slide, I think, of the -- okay. Here we go. That -- that one right there.

Young: Okay.

Hoaglun: Got, of course, your parcel in red.

Young: Uh-huh.

Hoaglun: To the south southeast of that is -- is still rural urban RUT. Right directly east of your property we show the connection to the -- to the city. So, that's part of Meridian city limits and you are requesting annexation and that's your contiguous point. That development to the -- to the north, just east of South Linder Road, that kind of is the right triangle type of parcel that's under development, that is not in city limits and --

Young: It is. It is. It is a --

Hoaglun: Okay.

Young: -- Cory Barton or CBH home development and -- and it's probably about 80 percent complete.

Hoaglun: Okay. So, it is that complete half mile. When -- when you talked about the half mile I didn't pick up, I thought it was just the red part that was the connection, but it is from Victory -- West Victory clear to the end of the southern property of your red line; right? Is the -- everything east of South Linder Road is City of Meridian.

Young: Yes.

Hoaglun: Okay. Just wanted to be sure I got that. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: This isn't necessarily in relationship to the project specifics or the conditions that we are considering, but the market has softened intentionally with interest rate increases. As you know, there is a development that I think is going to be somewhat similar called The Keep at the corner of Eagle and Lake Hazel. I'm just kind of curious how you see your phasing and timelines potentially changing and if you have been tracking kind of how they are -- they are selling and their absorption. If you see this taking longer now that -- that we are seeing the softening and not knowing how long it will last.

Young: I appreciate -- I appreciate that question. So, the -- the builders that I have been talking to -- again, they are mostly custom home builders. The backlogs that they have looking for lots -- they have got buyers that have been waiting two years for lots and most of these buyers are not financing buyers, these are cash buyers, and -- and so that's kind

of the customer -- the customer base that we are looking for. On some of the smaller lots it will be a very nice upscale home, but it may be people that are downsizing to a little bit smaller piece of ground or a smaller home, but very nice -- custom nice home. So, I think that market is still there. It might -- it may slow down a little bit, but I -- again, I have had no shortage of -- of talking to these custom builders that just have backlogs of 50, 60 customers waiting for lots.

Simison: And I can speak -- The Keep has no problem moving properties.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Stats that just came out for last month show there was a 50 percent decrease in purchases from the month prior, so just wanted to see what your thoughts were.

Simison: Council, additional questions for the applicant?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: If you wouldn't mind advancing your slides where you kind of show the -- the zoning breakdown of your lots. That one right there. That's fine. So, I want to -- your project's very thoughtful and very well laid out and I appreciate -- I think the previous person who was providing testimony talked about a sense of place. That's something that I get really interested in. Where -- how are we creating community, so that people don't pull into their driveways and create community within their four walls, they are creating it in their neighborhoods, and I think that you have done a really great job of achieving that. I am also sensitive -- and I'm not as concerned about it here, but one of the things that I -- we are seeing a lot of is that these larger lots -- the largest lots are the ones that are most closest to the large open space, where the smaller lots at least appear to be more further away and so I'm just curious to kind of get your guys' thought process around that, because I think so much attention has been made on having this laid out. Was there any discussion about creating maybe like a pocket park or a micro amenity near some of the higher density stuff -- and not that you are creating high density, but in some of the smaller lots as compared to some of your larger lots?

Young: You know -- sorry. Mr. Mayor, Councilman Cavener, I -- we -- we discussed, but the -- the lot sizes we really felt like everybody's going to have a big backyard, you know. I could have taken a different approach and made these a lot smaller lots and maximized the -- the lot count here. We -- when we did the initial look before we purchased the property we could have put 525 homes on this -- on this piece of property. We were especially concerned with the neighbors along the western portion. You know, I -- I attended the meetings when the future land use map was -- was being presented in 2019 and this is one of the -- the areas that most of the time was spent on that night and the

questions from -- from the residents of why medium density on that side and low density on the Linder side, when they really felt it should be reversed. It's -- it's been a -- it's been a hard project to make everybody happy, but -- but we really think that this -- this is the best design doing those large lots adjacent to five and ten acre parcels where we don't have that on the -- on the eastern boundary.

Cavener: I appreciate that context. Thank you.

Simison: Council, any additional questions for the applicant? Okay. Thank you very much. Well, since our clerk is not here, I will see if -- did anyone sign up to provide testimony on this item? If you would like to come forward. State your name and address the record and you will be recognized for three minutes.

Dille: Mr. Mayor, Darcie Dille. 5205 North Sun Shimmer Way, Meridian, Idaho. Hi, I'm Darcie Dille. I'm a real estate professional with Keller Williams Realty Boise and a current Meridian resident. I was born and raised here in the Treasure Valley and have lived in Idaho for nearly 50 years. I was brought in to be a consultant and representative of the project and I was also asked to meet with the surrounding neighbors of the project. From April to October of 2021 we met with all neighbors that were willing and able to meet with us. We met them in their homes. We sat at their kitchen tables and walked the perimeter of their properties. We talked to them about what was most important to them regarding the development of this property. In meeting with them we met some truly amazing people who love Idaho, love Meridian, love the lives they lead here in this valley and were articulate about how they felt about the project. The residents we spoke to just want their lifestyle to be preserved, protected, and respected. They knew the Jackson property would eventually be developed. It was not a matter of if, but more a matter of when and most importantly to them the who and the how. The -- I feel like Dave and his team have been very purposeful about being mindful of the neighbor's thoughts and feedback and creating a community which takes into account their concerns as much as possible. This has been a truly wonderful process for me personally and I have been honored to be a part of it. Being an Idaho native this is a development in which I feel proud to be a part of and I believe it will be a beautiful addition to the south Meridian housing community. I know there are many who would love nothing more than to see the Treasure Valley remain as it is, but I remember when I was growing up that all you could see were lush green beautiful fields and I know that that's when Idaho was truly at its most glorious. But that was my childhood. Unfortunately, when you have something wonderful it doesn't stay a secret for long and I can't blame others for wanting what we have here. We can't shut the gate. People will still want to bring their families here and experience our amazing valley. If development is in our future, then, let's build lovely, upscale, well thought out communities to enhance the beauty that is Meridian, Idaho, and that will contribute to the community and I believe Dave and his team have met the mark with this proposed development. Thank you.

Simison: Council, any questions? Mr. Clerk?

Johnson: Mr. Mayor, I apologize. I was helping some people trying to find an event for parks. Julie Langlois representing an HOA.

Simison: Welcome, Julie. Be recognized for ten minutes. If you can say your name and address for the record.

Langlois: Wow, it's been a while. I am happy to be here --

Simison: And if you could choose one or the other of the mics.

Langlois: I will choose this one. Yeah. It's just great to be back and see everybody. I don't remember the pickleball court in the original plan. I guess I just missed that. Okay. Julie Langlois. 3556 Rustler. As we stated during the comp plan, of course we are disappointed that the city is pushing up to our 20 year old subdivision. During the comp plan revision we lost both on retaining the rural designation and on codifying transitions to larger properties as Meridian developers were adamantly against codifying the transition. So, here we are. The developer and his staff, especially, Darcie, have been excellent to work with. They have been respectful, listened to our concerns and tried their best to address them. However, annexations are important decisions and in our reading of the comp plan we also see a directive to discourage fringe, i.e., outer edge development. If you decide to go ahead and approve Burnside Ridge, we would like to have some input. The transition to our rural properties where we grow crops and raise and process cattle in our fields, while not what we were hoping for, is acceptable. The larger transitional properties were also offered to us early in our discussion with the developer. In addition, it appears that Mr. Young is endeavoring to build a subdivision which creates a neighborhood conducive with a half acre transitional lot. We believe it is unfair to require a change in his carefully planned neighborhood -- neighborhoods, which, by the way, have a long border with Stetson Estates, to meet the city's desired density in the northwest corner of Burnside. Increasing the density of Mr. Young's carefully planned transitional neighborhood will nudge the bar lower for Burnside. As to the micro path from South Agronomy to our eastern border, again, this is a transition issue. We have argued in the past that we grow crops, keep livestock and we shoot, kill, and dress cattle in our pastures. Thus we are asking that no additional pathways leading to our properties be added to the current plan, which was agreed upon by Mr. Young and Stetson Estates. We, as a long established neighborhood, have already had to compromise in terms of size of transitional lots, stub streets and open access to our properties at the Givens easement. Again we understand the city's desire for connectivity, but we are asking for a compromise and that there be no micro pathway from South Agronomy Avenue -- Avenue to our pastures. We have a lot of respect for Mr. Young and applaud his efforts to create a development that truly raises the bar for a Meridian annexation. Burnside Ridge seeks to utilize architectural elements that honor and celebrate southwest Meridian's proud rural story and to retain and protect the inherent value of southwest Meridian and its long term sustainability. Thank you.

Simison: Thank you. Council, questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Julie, you came all the way out here. I can't let you off without a question. So, I appreciate you as a citizen who always comes and provides I think good feedback and thoughts for the Council and your work with the Southern Rim Coalition needs to be commended. I -- I don't -- they didn't -- the Southern Rim did not testify at the Planning and Zoning Commission and I'm just curious if you could maybe provide some insight as to why. This is a type of neighborhood that I feel like the Southern Rim Coalition has been asking for for a long time and I'm just curious why we are not hearing from them about this particular project.

Langlois: I don't know why. I stepped away in January.

Cavener: Thanks.

Simison: Thank you.

Johnson: Mr. Mayor, next is Patrick Connor.

Simison: State your name and address and be recognized for three minutes.

Connor: Thank you. Good evening, Mr. Mayor, Council Members. Patrick Connor. Address is 701 South Allen Steet, Meridian, Idaho. And I just want to testify in support of this project. We represent -- I represent the owner and developer of the 120 acres south of this project. We have worked with Dave and his team at Kimley Horn over the past eight or nine months as we have designed our application, ensuring that we are coordinating everything from utilities to collector streets to ensuring our boundaries match up. It helps that we also share a like engineer, so it makes that coordination that much better. I just want to give kudos to Dave and his team for designing a project that I think really matches the -- the heritage and the character of this area and I think they have also done an excellent job working with the neighbors, us, and the neighbors in Stetson Estates to field their concerns on this project. That's all I have to say about the project and appreciate the time.

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

Johnson: Mr. Mayor, next is Tina Dean. And, then, we have Paula Connelly.

Bernt: I can't wait for the pictures. Do you have pictures for us tonight?

Connelly: No. No pictures this time. Sorry. Good Evening, Mayor, Council Members. My name is Paula Connelly. I live at 3878 South Rustler Lane and I wish that every developer in our county and in the Treasure Valley and specifically in Meridian had as much concern for their neighbors and where they were going to build as the developers here tonight. They have a connection to this land and it makes it feel like a community, Instead of just more sprawl. It doesn't look like all other neighborhoods that we hear

about. They truly have spent a lot of time speaking to us. They have spent a lot of time -- and although we, as a community, on -- on the west side of them feel like we have had some compromises, those compromises have come because of the -- the comp plan, not because they weren't willing to work with us. I truly believe if they could have put in one acre parcels next to us they would have, but they just physically could not fit that in there and I'm sure they will make money at their development. That's what businesses do and should. But they -- they are concerned with the feel, from using several different builders so that it doesn't look like every fifth house is the same. And this valley does need an area that makes it feel like community, so that you will go out and you will be part of your neighborhood. I only have one concern and that's the east-west lateral. I realize that is ACHD. I'm concerned with how straight it is. I'm hoping that there will be lots of mitigation for traffic not using that as a thoroughfare. So, thank you.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you very much for coming this evening. This area has been one of frequent conversation since before the comp plan was passed and we have had multiple different proposals, some of which almost exactly matched the property lines of Rustler Lane. So, I'm curious considering this is more dense, you know, along the east side than some prior applications, what is it about this specifically, other than working well with the developer, that has -- is appealing to the residents on Rustler Lane? Because we have really struggled with understanding exactly what the concerns were on some of the prior proposals.

Connelly: I think some of the biggest things are wanting to use, you know, five or six or seven different custom home builders, so it feels more like estate properties which match the properties in our neighborhood. I feel like they have transitioned well. I also feel like the use of the silos and things like that, the farm equipment, makes it -- it gives it the rural feel that's already out there. Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I just have one question. Sorry. Just one last question. So, I appreciated your comments. I always do. So, my question is I -- I -- it sounds like you are -- you are -- you like the -- the idea of this -- this project, but I -- I can't tell if you are for or against.

Connelly: You know what, my stance just -- much like what Darcie said. We live in an area where we know it's going to grow. Okay? Personally I would love to see it stay just like it is. However, growth is going to come, so we feel like we have gotten to have a say

in this with them working with us and the feel still feels rural. So, does that answer your question? Yes and no? Anything else?

Simison: Thank you.

Johnson: Okay. Mr. Mayor, that was everyone.

Simison: Is there anybody else present that would like to provide testimony on this? And -- or if you are online use the raise your hand feature, so we can bring you in for testimony as well.

McKinney: My name is Wendy McKinney. I live at 6173 Silver Elm Way and I just had to get up. The first time I have been in front of you was Planning and Zoning, February of 2017, for the Linder Village development and I have learned a lot. I appreciate your service. I appreciate all that you have done. But if we could just turn the clock back and have this kind of development there -- it's beautiful. I just really appreciate it. I have a brother who is general contractor in the area. I have a brother who is a doctor in Kuna. I have been visiting Boise since I was a little girl, because my grandparents were here and the last few months I have been mourning the loss of the fields and the silos as I drive out to an appointment and this just brings me joy. Thank you.

Simison: Council, any questions? Thank you. Is there anybody else that would like to provide testimony? And would the applicant like to come forward?

Young: I -- I don't know that I have any additional comments, other than -- than, you know, there is a lot of blood, sweat, and tears put into this over the last few years. It's not often that you get to design a neighborhood that you want to live in, you know. It affords an opportunity to come up with something that I think is pretty special. So, I guess with that I will stand for questions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question, Mr. Young. One of the people that testified talked about the east-west lateral too straight. Are -- are you looking at doing some sort of traffic calming, bulb outs, anything that ACHD approves? I mean you are requesting a waiver for the block length, but what -- what are you doing to kind of not have that be a speedway?

Young: We have incorporated chokers all along the project and -- on any of the longer roads and -- and on that collector. Especially because it is -- it is -- it has a curve at the beginning and just a curve at the end, but providing chokers at the -- where the streets meet to slow down traffic.

Hoaglund: Okay. Follow up, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And I think the other issue was the micro path not coming -- what -- what -- what does that look like? What was -- what does the end of the path look like?

Young: So, I think -- I think that -- sorry, Mr. Mayor, Councilman Hoaglund. I think that path that they are referring to was the one on Agronomy going to -- and I believe that that was stricken from -- from the agreement, so --

Hoaglund: Okay. Thank you.

Simison: Council Woman Perreault.

Perreault: So, perhaps this was addressed and I missed it, but there was a slide in here that showed potential R-8 area and is that the area you are proposing if Council decides we -- we have got to ask for that or is that -- have you changed your mind about -- about doing that? I wanted to get clarity, because --

Young: Mr. Mayor, Council -- Council Woman Perreault, yeah, we wanted to come prepared if we were -- I don't want to say forced to do that, but -- but in all reality, if I was able to bisect each one of those half acre lots, you know, and -- and make them smaller lots, we would have met that -- that condition. There was really -- because it is based on where that north-south collector lies -- that north-south collector has changed position three times with ACHD and it started out on the -- the -- the boundary of the property borderline. Well, that didn't -- that's not going to work out with the neighbors there. We had a canal in the way. We have a house that's 24 feet off the property line there. It was supposed to meet -- it's hard to see on that very top portion up here where it says Victory Road meet Francine Lane at one time and that would have made it -- I would have had half acre lots on one side of the road and 4,500 square foot lots on the other side of the road to meet that -- that future land use. So, we are trying to say that we -- we are -- we are meeting the spirit -- the spirit of that there and -- and, again, if it's predicated on because of where that -- that collector lies, I think we have -- I think we are meeting the spirit of the -- of the condition there.

Simison: Council, any additional questions? I think you have to -- for a few minutes.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm happy to start the conversation. I appreciate the applicant giving us a little bit of a timeline from when they started to where we got here tonight and it's a good reminder that sometimes to get it right you got to go a little slow and appreciate your patience. I touched on this earlier. I love this project. I would love -- wish we could see more stuff like this in our community and I think it's -- I believe it will be a good addition to south Meridian, something our community can be proud of. I really appreciate the -- the thoughtful approach, the little touches to the open space, to the sense of place to create

a community. It shows that even on a big piece of dirt you can do a lot of really cool things to have our neighbors connect with each other and so I'm very much in support of the project. It's also rare that we get public that don't even live near the project to come and testify in favor. I think that's telling that you have created something that resonated with our community. They are going to come down here and tell us they like it. So, appreciate your patience, appreciate your tenacity, and I'm in full support.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just want to give my -- my view. I think my original questions probably were pretty revealing as to where I stand. I want to start by complimenting you. Although, unfortunately, I won't be in support of the project, it's a beautiful project. It's really well thought out. I think it creates a sense of place that reflects the unique character of south Meridian. I love everything that you have done about it. The criticism I have is not something that you can change, it's just a question of timing, and the philosophy that I'm embracing right now and have embraced, even in my campaign, was trying to avoid sprawl and I'm really concerned about this expansion of our city limits. This is not a priority growth area for the city and we need to build housing desperately, but the more housing we build on the edges of our city, the more it exacerbates our existing issues with traffic, people commuting from far away to a new job, lack of services in this area will make it worse and I personally think that we have bit off way more than we can chew in terms of our capacity to educate our kids in south Meridian and I -- just based on the location of the project don't feel that it's ready for annexation at this time. Thanks.

Simison: And if I could just piggyback on your comments. While there is five people I won't be voting tonight, unless someone knows how to split a vote, but I -- I echo your viewpoints on this. I think the gentleman that got up to testify that the next property is ready to go after this one goes -- this is really a key decision for -- I think for this Council is if you are ready to see more development in this area, well, this is a great project to start that. If you are not, well, then, unfortunately, you have to make a decision tonight in a lot of ways. I'm not going to say the next one has to be approved, but if it comes in looking just like this one as good, it will be hard to prevent future annexations and growth in this area and I don't think that the issues that we -- were discussed when the previous area was -- previous application in this area was talked about was really the -- the connections up Linder and the -- the -- the fact that those roadways were not planned or scheduled to be widened four years ago. Granted, less traffic, because there is fewer homes and fewer density, but those issues are still, in my opinion, out there for the -- for consideration and conversation. But it is a beautiful project. I mean I would love to think I could buy a house there, but I wouldn't be able to, but I would like to think I could, but can't, so -- but, anyways, I won't be voting anyways. I could have kept my mouth shut, but I felt it was important to say thank you for Councilman Strader.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I thought I had noticed on one of the slides -- or Joe's presentation that there is a subdivision already approved just immediately south of this one. Did I see that incorrectly?

Dodson: Council Woman Perreault, those are -- it might be leftover preliminary lines from Cedarbrook. They just never got removed. If not, it could be the prelim lines for the application to the south that could come forward, yeah. But there is nothing approved to the south.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: This one truly is -- is a dilemma, you know, what Council Woman Strader talked about and you talked about, you know, we have had a line, you know, trying to keep development at bay and -- and trying to get the in-fill and have it move in an orderly direction and the -- and yet, you know, when I hear from Julie and -- and Paula from previous times I had to look out the window and ask our pigs flying? What's going on out there? I was not expecting that, so -- and the dilemma is this is an outstanding project. The amenities that they are doing, the thoughtfulness they are putting into it, you can tell that there is care going into this project and it sets the bar high if we were to approve this for other developments that follow. That's -- that's what we want to have and -- and I remember back when my previous stint on Council when we were just holding listening sessions, I think, in 2012 or 2013 in south Meridian and hearing these things that they talk about, you know, knowing if it -- if it transitions -- and back then we had no idea it would happen as quickly as it has -- of the open space and the development that does come out there it's going to be quality and taking account larger properties and those types of things and -- and I do feel there are times we are just missing out on some of these larger properties that folks can -- can purchase that are coming to our valley. You know, I used to work for one of the regional health systems here in the valley and, you know, when you have doctors come to the area and looking for homes, there is not a lot in Meridian that they can choose from. I mean it's just -- we don't have that -- those types of -- of -- of places and it would be nice to have more of them, because that -- that adds to that overall diversity, if you will, of housing and like the earlier product we approved, very nice on -- on Franklin Road. It's great. It's a certain price point. These are certain price points. So, trying to -- trying to balance that and having areas that -- that Meridian is not going to be like other communities and just completely high end, but we want to have that -- that diversity and -- and to the point for the R-8, I -- I do think, you know, if we do want to make sure schools and roads aren't impacted, you don't have the R-8. You go with R-2, stay with R-4, and -- and make it a -- a top notch, non-dense development. But it is -- it is hard from that standpoint. I think we all agree it's -- it's a quality development, very thoughtful. But do we -- do we want to cross that line and, Mayor, as you point out, then, the next one will come and the next one will come and there are impacts to that and -- but if -- if we go that route this one will set the bar I think and it's a high bar and it's -- it's one I think that people in south Meridian, as we heard, are willing

to accept. It is a compromise and -- and I understand that. Being on a rural property at one time and now surrounded by -- by houses, it's -- it's -- it's a tough transition, but one that you have to understand and, hopefully, have some control when working with the developer on what that looks like and in this case to their credit they -- they did have some say into that. So, that I appreciate. So, this -- this one is a dilemma.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I -- I don't think I need to say too much. I echo the thoughts of Council Woman Strader and the Mayor, but I -- I -- I do want to say how grateful I am to the developer, because of the deep thought that went into this -- this project. It's -- it's common, in my opinion, to have cookie cutter development -- happens probably more often than we -- than we would like and it's -- it's -- it's really nice to see someone come in with thought and -- and I -- and I -- and I truly believe that it reflects the -- the region and the area. I appreciate the comments that -- that were made by Julie and the other neighbors that are -- that live in that subdivision west of this project. I -- I take -- we always take neighbor feedback very seriously. So, very thoughtful project. For me it's timing. For me it's the impact of future development that will come in this area if approved. So, those are my thoughts. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree this is a -- this is a tough one. I am in favor also of having some -- some larger lots in the south side. We have been asking for those for a long time. I appreciate the incredible thoughtfulness that -- that's gone into the design and implementing elements of our history as an agricultural community. As I'm -- I'm sitting here thinking about the many conversations we have had about this specific square mile and this -- this lot in particular and multiple proposals that have come and I'm kind of scratching -- scratching my head at the support for this one over some of the others that we have seen, especially as far as how the lots line up on the west side and -- but that's not essentially what we are deciding. It's -- it's whether or not this community is -- the timing is right for -- you know, for what we plan with our Comprehensive Plan and with our priority areas. So, as much as I like all that's been done, I -- I am very concerned that we will invite some additional applications and -- and potentially not be able to provide the services to those properties, because we are intentionally not investing in infrastructure in that southwest area. So, at this point my -- I'm leaning in the direction of Council Woman Strader and the Mayor in -- in this regard. I just -- it's tough. Tough decision. But we really need to move forward with the commitment that we have made to the community as a whole as far as where we are growing and so I think that's the direction that I'm leaning at this time.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I say this almost every week. That's what I love about local government. Hearing feedback from my colleagues, wrestling with ideas. It's always why I have been very reluctant about this priority growth area. When you look at this particular project, it's within our fire response times, maybe with the exception of a middle school -- that's debatable -- schools can handle the growth from this. As the one Council Member who lives in south Meridian, I think this is great and this is -- we have heard from so many people in our community about this type of development and Council Member Hoaglund hit the nail on the head. If -- if this generates more growth that's like this in south Meridian, man, let's welcome that. Let's invite that. This is the type of thing that we are hearing from our citizens they want to see more of in Meridian. So, I appreciate the -- the feedback, but I think out of respect for the work that the applicant's done, I'm -- I'm going to make a motion that we approve this application. If you want -- thank you, Council President Hoaglund. I guess first before I would make that motion I would -- I would move that we close the public hearing on Item No. 2, Burnside Ridge Estates, File No. H-2021-0070.

Hoaglund: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Cavener: All right. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I will give my fellow Council Members or maybe staff an opportunity to correct me if I bungle this up too much. After considering all staff, applicant, and public testimony, I move to approve File No. H-2021-0070 as presented in the staff report for the hearing of June 7th, 2022, with the following modifications: That the -- the existing house not have to connect to city services. In agreement with the applicant's request and the Commission's recommendation to strike condition 8.A2A regarding the addition of the R-8. To provide the Council waiver on the block length requirements. Modifying DA provision No. 8.A1D to concur with the staff's recommendation. I'm -- I'm in agreement with the -- where the open space is. I would like to see a little bit more. I -- I think the response from the applicant is sufficient. To add the DA provision that would allow the existing use of horse boarding to remain until the property redevelops, which is consistent with the approved phasing plan, and I think that's it. Any other questions from staff?

Dodson: Mr. Mayor?

Hoaglund: Second the motion for --

Simison: Have a motion and second. For discussion, yes, Joe.

Dodson: There were a couple additional from the applicant. One being the phasing plan of the -- what is it? Oh, wait. I made a slide for this. Hold on. I thought ahead. Never mind. Oh, yeah. That does -- no. The additional one would be regarding the phasing in the terms of the frontage improvements. Staff currently has a provision -- a condition requiring that all landscape buffers and/or recon -- sorry -- constructed along the Linder Road and Victory, the applicant is proposing to do that with the caveat of -- they are including Victory, but not Linder, except for basically per the phasing. So, they want to do the frontage per the phasing. So, phase one will include the Victory Road improvements, a portion of Linder, but, then, not in front of the existing home and, then, not until phase -- I believe three or four for the southeast corner.

Cavener: Mr. Mayor, just for clarification?

Simison: Councilman Cavener.

Cavener: Staff's recommending all of it to occur within phase one?

Dodson: Yes. That's typical. That's why we include it.

Cavener: Mr. Mayor, I'm in agreement with staff's recommendation on that. So, that's why I didn't make that modification in my motion.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Was there anything in the motion that had to do with the condition about Red Angus Way to exceed 1,200 linear feet?

Cavener: Yeah. Mr. Mayor, I believe that was captured within my motion.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Would you -- would the -- would the motion maker include the applicant's agreement to -- that traffic calming will be conducted on that? It's part of the record, so I don't know if we need to do that, but that would be part of -- part of -- part of it, so --

Cavener: Correct.

Simison: Okay. Is there further discussion on the motion? Okay. Clerk will call the roll.

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

Simison: Two ayes. Three no's. Motion fails.

MOTION FAILED: TWO AYES. THREE NAYS. ONE ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will make a motion. I'm sad to make it. It is a beautiful project, but that being said, after considering all staff, applicant, and public testimony, I move to deny File No. H-2021-0070 as presented in today's hearing date for the following reasons: The first reason is it's not in the city's best interest at this time. The rationale for that, as described previously, is that this is not a logical expansion of city limits at this time. The property that connects through annexation doesn't even have a plat recorded, since it was approved in 2016. At this point it -- it doesn't make sense to extend development here and I could -- I could go on, but I think that's the basic rationale.

Bernt: Second.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just wanted to say that we have made the same decision on other applications that this isn't particular to -- for me this is not particular to this developer and -- and really has nothing to do with how well it's designed. It's just simply that we have told other applicants as well that this isn't the right time because of the decisions that we have already made as a city that are bigger and above and beyond this application. So, I just wanted to state that, so that it doesn't become a concern that it has something to do with this particular application.

Simison: Is there any further comments? Then Clerk will call the roll.

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

Simison: Three ayes. Two no's. Motion passes. Thank you.

MOTION CARRIED: THREE AYES. TWO NAYS. ONE ABSENT.

Simison: Council, do we need to take a break? Okay. Let's go ahead and take a ten minute break before we go into the remaining items for the evening.

MEETING ADJOURNED AT 10:02 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____/_____/_____
MAYOR ROBERT E. SIMISON DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK