

A meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, July 26, 2016, by Mayor Tammy de Weerd.

Members Present: Keith Bird, Genesis Milam, Ty Palmer, Luke Cavener.

Members Absent: Mayor Tammy de Weerd, Joe Borton and Anne Little Roberts.

Others Present: Bill Nary, Jaycee Holman, Caleb Hood, Sonya Watters, Josh Beach, Warren Stewart, Berle Stokes, Dave Jones, and Dean Willis.

**Item 1: Roll-call Attendance:**

Roll call.

<u>      </u> Anne Little Roberts	<u>      </u> Joe Borton
<u>  X  </u> Ty Palmer	<u>  X  </u> Keith Bird
<u>  X  </u> Genesis Milam	<u>  X  </u> Lucas Cavener
<u>  O  </u> Mayor Tammy de Weerd	

Bird: Good evening, everybody. It's 6:00 o'clock. I'm going to call this meeting of July 26th, 2016, City Council meeting to order and roll call, please, Madam Clerk.

**Item 2: Pledge of Allegiance**

Bird: Thank you. Now, if you would all stand we will have the Pledge of Allegiance.

(Pledge of Allegiance recited.)

**Item 3: Community Invocation by Pastor Troy Drake with Calvary Chapel**

Bird: Next we will have community invocation by Pastor Troy Drake of Calvary Chapel. Thank you, Troy.

Drake: Council Members, let us pray. Lord God in Heaven, we just want to acknowledge tonight that you are God over Heaven and Earth and all things and we just, Lord, ask that you would bless this country of ours. Thank you for the freedoms that we have in the United States and also in the city, this community that we live in and so, God, because of that we just ask that you would bless the citizens tonight to keep him safe, Lord, so we also ask that you would protect those who protect us, the law enforcement officers, the firefighters and paramedics, God, as they go about their duties to serve us and, lastly, Lord, we just pray for our City Council meeting here tonight that you would help these folks carry out their duties, those elected officials that serve our city, and that you would give them great wisdom and lots of grace as they attend to matters of the city, both small and great. So, be with them and we appreciate

you and just acknowledge that you are our God and it's in Jesus' name we pray, amen.  
Thank you.

**Item 4: Adoption of the Agenda**

Bird: Okay. Thank you, Troy. Council, next item is the adoption of the agenda.

Cavener: Mr. President?

Bird: Mr. Luke.

Cavener: 5-D, the proposed resolution is 16-1152. No. 9 under ordinances, the proposed ordinance is 16-1701. And with that I would move that we adopt the agenda with the President to sign and Clerk to attest.

Milam: Second.

Bird: You have heard a motion to adopt the agenda as amended. All in favor say aye. Any opposed? Pass.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**Item 5: Consent Agenda**

- A. Approve Minutes of July 12, 2016 City Council Workshop Meeting**
- B. Commercial Real Estate Purchase and Sale Agreement for Well Lot #9 Expansion for the Not-to-Exceed Amount of \$35,000.00**
- C. Data Exchange License Agreement with Intermountain Gas Company**
- D. Resolution No. 16-1152: A Resolution of the City Council of the City of Meridian, Idaho, Setting Forth Certain Findings and Purposes to Declare Surplus Property and Authorizing the Mayor of the City of Meridian to sell a 2005 Ford Explorer to the Kuna Rural Fire District.**
- E. Final Order for Hill's Century Farm No. 4 (H-2016-0072)**
- F. Findings of Fact, Conclusions of Law for Harmony Hills Assisted Living (H- 2016-0061)**
- G. Findings of Fact, Conclusions of Law for Brundage Estates (H-2016-0001)**

- H. Amended Development Agreement for Fall Creek (MDA-H-2016-0009)**
- I. Final Order for Heritage Grove No. 4 (H-2016-0071)**
- J. Final Order for Whiteacre Subdivision No. 1 (2016-0073)**
- K. Final Order for Kenners Subdivision (H-2016-0079)**
- L. Final Plat for Normandy Subdivision No. 2 (H-2016-0084)**
- M. Final Plat for Normandy Subdivision No 3 (H-2016-0085)**

Bird: Item 5 is the Consent Agenda.

Cavener: Mr. President? Again, with 5-D being 16-1152, I move we approve the Consent Agenda.

Milam: Second.

Bird: Okay. We got a motion to approve the Consent Agenda. Madam Clerk, will you call roll call, please.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, absent.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**Item 6: Community Items/Presentations**

**A. Valley Regional Transit (VRT) Lifestyle Service**

Bird: Okay. Item 6, Valley Ride Transit. Lifestyle service.

Morris: Thank you, Mr. President, Council Members. My name is Todd Morris and I'm a regional planner at Valley Regional Transit and I'm here to talk to you tonight about a new initiative that we have been working on titled Access to Independence and it's a lifestyle transportation service that's designed to address the needs of seniors and persons with disabilities. So, I will provide you with a brief kind of overview on -- on the process that's led to the development of this solution. So, Valley Regional Transit worked with various kinds of partners within the Treasure Valley, Boise State University, Boise At Home, various senior centers, and the list is kind of provided here on how do we develop a proactive solution to address the needs of seniors and persons with disabilities. We know this is a population that is going to be growing significantly over the coming years and how can we develop a service that is going to adequately deal with and support their needs. So, it led us to, essentially, developing

the design criteria, which led -- which consists of, okay, we want to ensure that it's going to be able to provide access to quality of life services, you know, trips to grocery stores, trips to hair appointments, essentially ensuring that we can provide that. Easy access to those daily needs. In addition to that, the service needs to focus on integration into the community. We want to be able to find an outlet for these individuals to be able to interact with their community and their surroundings and, finally, the service is going to need to be convenient, reliable, and familiar and these are kind of the core concepts that we worked with over the past couple of months that led us to the development of what we are calling our lifestyle transportation services. Since this is a service that is community-oriented and actually community operated, where we seek out to partner with local organizations to actually be the service provider for the -- for the service. It's going to designate small service areas, essentially addressing that key component of convenience, reliability, and familiarity. It will also be able to, essentially, designate a vehicle and a driver to that service, again, focusing on the familiarity of the service. And, finally, it's going to be able to be provided free -- free transportation to any location that's located within that service area. So, throughout this process we, essentially, designed our lifestyle solution and we started to think about what communities we want to look to effectively pilot this solution and as you can see here, the City of Meridian is that kind of big white area in the middle with limited fixed-route public transportation. So, this is an ideal candidate for us to initiate this lifestyle service. So, what we first did is we went out and started to talk to members of the community. We formed a Meridian Transportation Taskforce and I believe there are some members here today that are a part of that taskforce and we, essentially, reached out to members of the community, providing kind of a general overview of the solution and asked them if this was available to you how often would you use it. We got pretty -- pretty positive numbers in terms of the proposed amount of usage for the service. The next steps were to look into, okay, well, what are the destinations that you would absolutely have to include within each one of these service areas, so we have participating providers essentially provide a list of the top ten destinations and, then, we simply took those destinations and mapped them out. So, it's from this kind of data set that we were able to start. We included some additional information from them. It was a key priority to be able to transfer between the two service areas and so we have adopted that criteria into the service design and, then, there is also a key function to develop social trips, essentially, where we can designate that every -- every Tuesday morning we are going to be doing trips to Walmart -- to Walmart or Walgreens, essentially, to kind of develop that -- that social atmosphere that could be associated with using the service and there is just another overview of the solutions that we are -- or, excuse me, the destinations that were developed and that finally led us to taking a look at all that information, analyzing it, and effectively coming up with a northern service area and a southern service area. As you can see here, essentially, the northern area is that -- is that area in green and, essentially, it extends just passed Highway 26 and, then, along the east side to -- essentially that's Cloverdale Road and, then, all the way down south. The southern area extends to Amity Road along the -- essentially the Meridian city limits down to Black Cat at the western-most extent of the service. In addition to that, we are also looking to partner with the Meridian library on Cherry Lane to, essentially, establish that transfer point

where we would be able to -- because there is overlap between the two service areas, so we, essentially, would be able to take the individuals to the Meridian library, have them hang out for 20, 30 minutes while they are waiting for that second vehicle to take them to the next destination. Brief overview of how the service model is going to work. As I mentioned before, we are partnering with a community organization that's acting as a service provider and we've identified Harvest Church, which is just down the street, to be the -- be the service provider and so, effectively, as they are -- as in assuming that role they are going to be providing the drivers, reserving the trip requests and kind of providing the overall administrative functions of the service in coordination with Valley Regional Transit, which will provide some additional assistance. So, here is kind of an overview of the service model where individuals needing a ride will actually contact Harvest Church. Harvest Church will, then, insert all those rides into a database that allows our service at Valley Regional Transit to generate the manifest and, essentially, alleviate that burden on behalf of Harvest Church and, then, we can, essentially, add -- just upload that onto tablets that are mounted in their vehicles for their drivers to follow. So, all the -- each vehicle that's going to be designated in the service is going to be equipped with an accessible passenger -- accessible wheelchair lifts and the capacity will seat up to 14 passengers and the service hours, as you can see here, are designed to be from 9:00 a.m. to 3:00 p.m., Monday through Saturday. So, the -- I guess this kind of jumps into the -- the next agenda item, effectively, in looking at the addendum. We are looking to utilize funds that have been dedicated to Valley Regional Transit, essentially, engage them and activate them in order to support the implementation of this service. As you can see here, that will consist of the procurement of two accessible vehicles, the marketing and administrative support, as it's going to be a fundamental -- the success of this program is to ensure that we have -- we build up a sound -- I guess a following and a -- and a robust education of the community members on the services that's now going to be available. And, then, driver training costs to kind of bring Harvest Church up to being a high-quality service provider and, then, just general start-up costs that are associated with -- with that process for Harvest Church. This is an overview looking at the operational cost of the program moving in. The program is set to begin in October and because it's going to be a new kind of piloted program, Valley Regional Transit is -- is allowed to match the funds at, essentially, an 80/20 match with our federal support and as you can see there the ask for 2017 is right around 40,000 dollars to support the operations of the program and that number jumps up to 96 moving to 2018 as that match will move to a 50-50 match. But it is the intention of the program to continually be advocating for the service and identifying new financial partners to be able to make up the additional support needed to support the program's operation. And just a brief overview of the -- the schedule moving forward. This -- this presentation was presented to the Meridian Transportation Commission. They recommended approval to City Council last week and we are going to be orienting Harvest Church and kind of kicking off some of the startup training initiatives and, then, moving forward. The biggest hang-up that's I guess causing us to push back to an October start date is we will need to purchase two new vehicles and the procurement process for that to take place. It's going to take about four to six weeks from the time that we can actually

activate the funds. So, again, looking at a pilot launch on October 24th. I guess I will stand for questions.

Bird: Any questions, Council?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: A couple questions. Todd, thanks for being here. I think this is -- I have been working trying to find a safe and reliable transportation mechanism for seniors and the population for about eight years, so I'm interested in this. My question is on the community party element.

Morris: Yes.

Cavener: What happens -- again, I think this is new for the community partner -- if this is something more than they are able to handle, they have -- you know, they have to go in another direction, what happens at that point?

Morris: So, essentially, we are signing into a year contract with Harvest Church. If -- if halfway through the year they are starting to look like they're not going to be able to continue the service moving into FY-18, then, essentially, Valley Regional Transit would go out and seek to try to find an additional community partner. I think that there is -- there is a vast majority of partners out there that would, essentially, jump at this opportunity to kind of serve their community. So, that would be the plan moving forward is to just identify an additional partner.

Cavener: Mr. President, follow up?

Bird: Go ahead.

Cavener: Todd, I hate to push back on that, but I guess -- if that proves to be unsuccessful ultimately will VRT be responsible in making sure that if people are requesting rides that they get rides?

Morris: Sure. Because the operations that are currently in place for transportation within Meridian is actually provided by Valley Regional Transit, although it's at a very limited scale. If we were to move forward and, essentially, did develop a demand and put this service out there, ultimately that is something that Valley Regional Transit could ultimately provide. However, we are confident that we would be able to identify additional partners.

Cavener: Mr. President, maybe one additional question then. And I preface this that we were in our budget hearings last week and, obviously, the topic of making sure that every dollar is accounted for came to light and I appreciate you kind of giving us the

option to forecast dollars that might have to be spent in future years. I think every time Kelli comes here I -- I ask her about ridership and usage and -- and I guess what I'm looking for is from your perspective -- a year from now you're going to come back and say this was a success and we want to continue doing it. At least that's my hope.

Morris: Yes.

Cavener: Have you guys quantified what that number is as far as rides or riders that --

Morris: A successful program is going to be 20 one-way trips per day per service area. So, a total of 40 trips -- a total of 40 trips across the city and so what I do want to provide is, as I mentioned before, is Valley Regional Transit does currently provide a service in Meridian for this population. They, essentially, kind of kicked in November out of necessity of there was just simply no options available into Valley Regional Transit, to assume that role. As you can see it was, essentially, kind of skyrocketed from that point with really no marketing whatsoever out there. So, that's what we are -- so that's kind of the -- I guess provide some confidence in us that we are going to be able to satisfy that demand. As I showed in the implementation costs, we are committing a significant amount of resources to the marketing -- effective marketing of this program.

Cavener: Thank you.

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: I am -- I'm a little bit confused about the slide with the -- all of the finance -- there we go.

Morris: Excuse me. This one?

Milam: Yeah.

Morris: Uh-huh.

Milam: So, 2017 --

Morris: So, 2017, the funds are going to be made available at an 80-20 match, because the program is a pilot program and so you see for each service area there are roughly about 100,000 dollars. The local contributions needed are only about 20,000 dollars, because it's at an 80-20 match. Moving forward that 80-20 match turns into a 50-50 match and that's --

Milam: I didn't mean to interrupt you. I guess my first question was why they stay the same year by year if we are having the cost of the vehicles in the first year, are we adding vehicles every year?

Morris: No. So, the costs shown on this slide are strictly the operational costs. It's assuming that we have secured the 60,000 dollars to support the implementation of it and this is what the ongoing operations of the service -- which includes preventative maintenance and administrative support for the program for that FY-17.

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: I think my only other question was -- I think you have administration and marketing in one. Did you have a breakdown of those or is it one --

Morris: Both of those items are, essentially, combined as it's going to be a significant amount of resources that are going to be provided on behalf of VRT to support the marketing initiatives.

Milam: Do you have a breakdown of how much would be marketing and how much would be administrative support or --

Morris: I do not at this time. I know that we -- we wanted to factor in some additional support for -- for administration, but we have marketing costs that are going to make up approximately 20,000 dollars of that.

Milam: Okay. Thank you.

**B. Addendum No. 1 to FY16 Cooperative Agreement Between Valley Regional Transit and the City of Meridian for Lifestyle Service**

Bird: Any other questions? Okay. Thank you, Todd, very much. Council, we do need to enact on Item B?

Hood: Mr. President? Right here.

Bird: Oh. Caleb.

Hood: Just to be clear. So, the second item on the agenda after the presentation is, essentially, what you see on this slide. It is an addendum to the current agreement that the city has with Valley Regional Transit and here is a breakdown of what that 60,000 dollars that's already in this budget for what was the Saturday fun bus, to be reallocated, repurposed to get the start-up costs for the '17 -- potentially '18 and potentially '19 off the ground and running. So, this slide I think does a really good job

of your next action item, if you so choose to support the service, where that -- were those funds would go.

Bird: Thank you very much, Caleb. All right. Anymore discussion on anything?

Cavener: Mr. President, seeing no other discussion, I would move that we approve addendum number one to the FY-16 cooperative agreement between VRT and the City of Meridian for this lifestyle service.

Milam: Second.

Bird: We have got a motion and a second to approve the addendum number one to the FY-16 cooperative agreement. Any discussion? Hearing none --

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Mr. President, I just want to point out that it takes a lot of federal dollars to run this program and the federal government does not have money to be providing to the program, so I'm voting against it.

Bird: Any other discussion? Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, nay; Little Roberts, absent.

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

**Item 7: Items Moved From the Consent Agenda**

Bird: Okay. We had no items moved from Consent Agenda.

**Item 8: Action Items**

**A. Approval of the Amended Revenues and Expenditures for Fiscal Year 2016 in the Amount of \$90,410,071**

Bird: Thank you, Todd. We will move into Action Items. A is the approval of amended revenues and expenditures for the fiscal year 2016 in the amount of 90,410,71 dollars. I think we all -- I don't see Todd here, so -- any questions or discussion?

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: And maybe you can explain this a little better to me. I was hoping Todd would be here to just tell us about it anyway. But the -- so, is this what 2016 is adjusted to after all the budget amendments that we have done? Is that -- okay.

Bird: That's what it is.

Palmer: That's what I thought. I just wanted to make sure.

Nary: Mr. Bird? Maybe I could add a little bit more to the record to assist the public as well. So, you established a budget last year. Implemented October 1. These have been all -- whatever budget amendments have occurred through the rest of this fiscal year and, then, we need to -- we will republish a new ordinance establishing the FY-16 budget. At the same time we will also be bringing forward on the next item an established ordinance for the FY-17 budget, so --

Bird: Any further discussion? If not, I would entertain a motion.

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: I move that we approve the amended fiscal year 2016 budget to an amount of 90,410,071 dollars.

Milam: Second.

Bird: Okay. We got a motion and a second to approve the -- Item A. Any discussion? Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, absent.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**B. Approval of the Tentative Proposed Revenues and Expenditures for Fiscal Year 2017 in the Amount of \$119,946,412**

Bird: Okay. Item B is the approval of tentative proposed revenues and expenditures for fiscal year 2017 in the amount of 119,946,412 dollars. And the reason that it's 27 million more than what we actually had on July 20th is this includes all the carryovers from fiscal year '16 that we had, so that's where that amount come up for -- up to.

Cavener: Mr. President, before making a motion, because there is so many people that are in the public, I'd ask you to look at our budget and come and comment at a public hearing. It seems that less than one row combined in the years that I have been

involved with City Council have come to testify. We have a full house of people motivated about our community, so I would encourage you to come on August 30th and provide your feedback to us and with that, Mr. President, I move that we approve the tentative proposed budget for fiscal year 2017 in the amount of 119,946,412 dollars.

Milam: Second.

Bird: Okay. We got a motion and a second. Any discussion?

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Mr. President, having just been elected in November I made several campaign promises that I would never vote for a tax increase or a budget that included one and given that we have so much public here and that I tend to stick to my campaign promises anyway, as weird as that is, I will not be voting for this, as it includes a two percent tax increase to pay for it.

Cavener: Mr. President? Just to give some light of sharing commentary, this is the published budget. It's not our final budget, and when our community comes and shares their feedback, that number can go down. So, we hope that they do that.

Palmer: And Mr. President?

Bird: Mr. Palmer.

Palmer: I feel that it's an inappropriate budget to put forth to the public, that we should have been more responsible in the first place and brought them a balanced one without a tax increase.

Bird: Any other discussion? Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, nay; Little Roberts, absent.

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

**C. Public Hearing for Gibson Amity Property (H-2016-0036) by CLG, Inc. Located 357 E. Amity Road**

- 1. Request: Annexation and Zoning of Approximately 5.864 Acres of Land with an I-L Zoning District**

Bird: Okay. Next item is 8-C, a public hearing for Gibson Amity Property, H-2016-0036, by CLG Incorporated. Staff. I will open up the public hearing and staff. Josh.

Beach: Very good. Good evening, President, Council. This, as you said, is an application for annexation and zoning for the Gibson Amity Property as you see here on the map. The site consists of 5.864 acres of land, which is currently zoned RUT in Ada County. Is located at 357 East Amity Road. To the north is East Amity Road and property zone RUT in Ada County. The Simplot storage facility here. To the east is vacant property zoned RUT in Ada County. To the south is vacant land zoned R-4 and to the west is a proposed storage facility, zoned I-L. A little history on this. Gravel mining operations were approved through -- through Ada County. The comprehensive future -- the Comprehensive Plan and future land use designation for this specific property is mixed use nonresidential. The applicant requests annexation and zoning of the 5.864 acres of land with an I-L zoning district, which is consistent with the mixed-use nonresidential land use designation. A concept plan was submitted that depicts the two industrial buildings, one approximately 16,500 square feet and the other 15,00 square feet and associated site and landscape improvements. The three buildings will operate as a contractor's yard, so the applicant will need to meet the specific use standards for the contractor's yard set forth in the UDC. Cross-access is required to the property to the east in accord with the UDC. The cross-access is only required to the property to the west if that property develops with something other than a storage facility, which was a condition of approval for the Citadel Storage facility as well. The applicant is requesting to delay the connection to city utilities until they are available for connection. Based on discussions with the Public Works Department the public utilities will be extending to this area, part of a planned capital project. The water extension is tentatively scheduled for completion this summer. Design work is underway for the sanitary sewer and construction will be completed by approximately December of 2017. Utility connections to the site are contingent on these extension plans. The development agreement will restrict the site from being developed until the services are available, unless the Council allows the applicant to move forward with a contractor's yard prior to the completion of the utility extension. Staff recommends a minimum 20 foot wide driveway with a minimum five foot wide pathway slash sidewalk is approved from the proposed site to the property to the east. This will enhance interconnectivity between the site and the future development of the adjacent property. A 25 foot landscape buffer is required along Amity Road. The city pathway master plan indicates a multi-use pathway crossing the subject property within the pipeline easement. Because the easement bisects at an angle and the applicant is proposing to operate a contractor's yard from the site, both Planning and Park staff believe the ten foot multi-use pathway is better suited along the south side of East Amity Road in lieu of a five foot wide detached sidewalk that would otherwise be required. Therefore, staff recommends that a ten foot wide multi-use pathway be constructed on -- on the Amity frontage and a pedestrian pathway easement be provided as well. The pathway should be detached from the curb and have landscaping between the curb in the pathway. Elevations were not provided with the subject application, but any new buildings are subject to the city's architectural standards manual. The site is developed with three existing buildings and staff is requiring the existing buildings to be

brought into compliance with our current design standards or removed from the property. There has been no written testimony since the Commission hearing. Commission did recommend approval with conditions. A summary of the Commission public hearing -- the applicant Tamara Thompson was in favor. There was none in opposition. No comments were received. Again, written testimony was received by the applicant Tamara Thompson. I presented the -- the application. Bill Parsons also commented on the application. There were no key issues of public testimony. Key issues of discussion by the Commission were timing of the architectural improvements for the buildings that will remain on the site. Timing for redevelopment of the property. Condition 1.1.1C regarding cross-access to the parcel to the east and whether it was appropriate. Removal of the existing telecommunications tower that currently exists on the site. The Commission changes to staff recommendations are as follows: Modify condition 1.1.1C to read: Reciprocal cross-access to the east will be granted when the property is annexed to the City of Meridian and is developed as a compatible use. Modify condition 1.1.1D and 1.1.1E to require these improvements within six months of connection to city utilities. Modify condition 1.1.1 K to require the existing buildings to be brought up to city code and design review within six months of sewer and water connection and that the communications tower be removed upon annexation. And there are no outstanding issues for City Council. With that I will stand for any questions you have.

Bird: Thank you, Josh. Council, any questions for staff? Okay. If not -- is the applicant here? Please state your name and address.

Thompson: Mr. President, Members of Council, my name is Tamara Thompson. I'm with The Land Group at 462 East Shore Drive in Eagle. I'm here tonight representing the property owner. As Josh stated, this property was part of a larger trucking gravel yard operation that was permitted through the county. Since that time the property has reconfigured its -- its property boundaries, they did a boundary line adjustment to configure some of those -- reconfigure some of those and that conditional use stayed with the gravel mining operation that is to the east. So, this property is sitting there vacant currently and because utilities are coming they would like to bring it into the city and not process another conditional use permit with the county. So, in -- in stating that we have read the staff report and are agreeable to the conditions, with the exception of timing. The utilities for water are going in currently and are slated per the staff report to be done this summer 2016. The sewer is slated to be completed by December of 2017. So, we are about 18 months on the outside date of that. So, the intent is that we would be able to get immediate use and occupancy and that the timing that the Planning and Zoning Commission came up with within six months of being able to connect to utilities that the buildings would either be removed or brought up to the architectural standards for the City of Meridian and -- let's see. I can go through each one of those if you want. And, then, the other one is the 1.1.1C, a reciprocal cross-access to the east that currently it is a trucking operation, a gravel mining truck trucking operation and to give that cross-access now they could just come and say we want to start using your access and we don't feel that that's appropriate. That when that property is annexed into the City of Meridian and is redeveloped as a compatible

use, that at that time a cross-access would be granted and, then, the same thing on the west. Although Josh did state that the storage facility, if it is developed as a storage facility to the west, if that redevelops as something other than a storage facility, then, there would be a reciprocal cross-access. The staff report doesn't state it clearly, so we would just like that to state that it would be reciprocal if it's not a -- if it develops as something other than a storage facility. And, then, the timing that the Planning Commission is recommending to you as far as bringing these improvements on the architectural side within six months and -- of connecting to city utilities. Other than that we are in full agreement with the staff report. It's really just timing and -- and to be able to immediately use the property and occupy it. And just the long-term -- the shop that's currently there is -- is a really nice shop and it has some nice equipment in it. That is likely the only building that will remain. The others would be removed. And as far as removing the cell tower, that is something that they are willing to do immediately also. So, with that we are consistent with the future land use map and a contractor's yard is an approved use within the I-L zone. I also want to mention -- I don't -- I don't know if Josh mentioned it, but the full -- the south -- the southern part of the property has a large gas pipeline easement that runs through it. So, no buildings would ever be able to be built over that. So, a contractor's yard is a -- is a nice use to put on top of that. So, with that we are asking for your approval tonight and I will stand for questions.

Bird: Council, any questions for the applicant?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: Tamara, can you maybe review for us condition 1.1.1D, number two, specifically related to connection to the city and the removal of the -- or the updating of the -- the exterior structure? I just want to make sure that I had heard you correctly on that.

Thompson: Mr. President, Councilman Cavener, so to -- your question is 1.1.1D, as in dog?

Cavener: D as in Dog and E as in Echo I think.

Thompson: Okay.

Cavener: With the improvement and -- this would be related to the -- the removal or updating of the improvements on the property in conjunction with the connection to the city.

Thompson: Yes. So, the utilizes are going in and currently the utility -- the water service is going in along Amity. I don't believe the sewer service has been -- that alignment is set in stone yet, so in order to do the street widening and the landscape buffer, the pathway, not knowing where those utilities would -- would come into the

site, if it's going to go along the frontage or come in from the side, we are asking for those to be delayed until those utilities are in, so improvements aren't made that, then, have to be revised or cut through, that type of thing. So, we are -- we will do them. My client will do them. They are just asking until the city utilities are in, everybody knows where those are, that that be delayed until that time.

Cavener: Thank you.

Thompson: Did that answer your question?

Cavener: Provided a lot more clarity. Thank you.

Thompson: Okay.

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: I'm still confused on a similar area I think. So, this is -- the improvements are within six months of being connected. So, that would mean after -- six months after the utilities are in, then, they would be done and you're saying that's too soon, that's not -- what -- I'm just -- I'm not sure exactly what your --

Thompson: Okay. Mr. President, Council Woman Milam, this is -- the way that -- the dark bold underlined is -- is fine with us.

Milam: Oh. Sorry.

Thompson: But that's how it was originally stated, so we need Council to approve the revised text.

Milam: Perfect. Mr. President? So, you're okay with everything the way it's written as a recommendation from -- from P&Z and from staff?

Thompson: Yes, ma'am.

Bird: Any other questions? Thank you, Tamara.

Thompson: Thank you.

Bird: This is a public hearing and we had nobody signed up on the sheet, but if anybody would like to testify, please, come forward. Seeing none, Council, what's your pleasure?

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: I move that we approve H-201 --

Bird: First close the --

Milam: Oh. Sorry. I was going to rush into it. I move that we close the public hearing on H-2016-0036.

Palmer: Second.

Bird: Okay. We have got a motion and a second to close the public hearing. All in favor say aye. Any opposed? Ayes have it.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: I move that we approve H-2016-0036 with all staff and applicant comments and accepting the -- the changes to staff recommendations as noted.

Palmer: Second.

Bird: I have a motion and a second to approve H-2016-0036. Any discussion?

Cavener: Mr. President, just for clarification --

Bird: Mr. Cavener.

Cavener: -- if I'm not mistaken, I think the applicant had requested a slight variation to the change on number E, 1.1.1C. and I just want to make sure that the maker of the motion and the second are incorporating that as well.

Milam: Yes.

Palmer: Yes.

Bird: Any other discussion? Hearing none, Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, absent.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

- D. Public Hearing for Pope's Garden (H-2016-0006 REVISED) by Iron Mountain Real Estate Located at 2662 E Magic View Drive**
- 1. Request: Amendment to the Comprehensive Plan Future Land Use Map to Change the Land Use Designation on 5.28 Acres of Land from Office to Medium High Density Residential**
  - 2. Request: Annexation and Zoning of 5.28 Acres of Land from the RUT to the R-15 Zoning District**
  - 3. Request: Preliminary Plat Approval consisting of (Nineteen) 19 Building Lots, (Four) 4 Common Lots and (One) 1 Other Lot on 5.28 Acres of Land in the R-15 Zoning District**
  - 4. Request: Conditional Use Permit Approval for a Multi-Family Development Consisting of 76 Dwelling Units in the R-15 Zoning District**

Bird: Okay. Next Item, 8-D is the Pope's Garden, H-2016-0006 revised. I will open the public hearing. That's for Sonya?

Watters: Thank you, President Bird, Councilmen. The next applications before you are a request for annexation and zoning, a Comprehensive Plan map amendment, a conditional use permit and a preliminary plat. This site consists of 5.28 acres of land. It's zoned RUT in Ada County and is located at 2662 East Magic View Drive. This property was previously planned as Lot 5 in the amended Magic View Subdivision. The Comprehensive Plan future land use map designation is currently office for this property. The applicant is proposing to amend the future land use map contained in the Comprehensive Plan to change the land use designation from office to medium-high density residential as shown. Annexation and zoning of the property is also requested with an R-15 zoning district, consistent with the proposed future land use map designation of medium high density residential. A conditional use permit is requested for a multi-family development and the proposed R-15 zoning district. The site plan depicts 19 four-plex structures with a total of 76 dwelling units. Just a side note. If you remember this project, it did come before you previously. The applicant amended the site plan, the landscape plan, and requested it be remanded back to the Commission for their new recommendation on the plan. So, just an update on that. The proposed R-15 zoning district will accommodate the proposed multi-family development with a gross density of 14.39 dwelling units per acre. The proposed R-15 zoning provides a transition in zoning and uses from the west from Waverly Place Subdivision with attached single family residential homes in R-8 zoning and further to the west from Woodbridge Subdivision with single family residential detached homes in R-4 zoning and from the north from Greenhill Estates subdivision with single family detached homes in R-1 zoning in Ada County. That property is designated as low

density residential on the future land use map. That provides a transition and zoning in uses to the future office and commercial uses to the east and south of Magic View Drive. The preliminary plat consists of 19 building lots, four common area lots and one other lot. There is an existing home and accessory structures on this site that are required to be removed prior to city engineer signature on the final plat. The proposed plat depicts access for the development via two points on Magic View Drive at the southern boundary of the site. This is the -- excuse me -- revised plat here on the side. This is the one that you saw previously. The right-hand side is the most recent one. Access is right here where my pointer is at and here. Magic View is designated as a local street west of South Wells Street and that is the street that comes up here from the south and as a collector street east of Wells where the access is proposed. Council approval of the east access via Magic View is required, as the UDC limits access to collector streets when access by a local street is available. A minimum of ten percent or .53 of an acre of qualified open space is required in accord with UDC standards. A total of 21.5 percent or 1.13 acres is proposed. A minimum of five qualified site amenities are required with this development. The applicant is proposing a tot lot with children's play equipment, a hardscape plaza area with seating, three 50 foot by 100 foot open grassy areas and a fitness facility as amenities in accord with UDC standards. The unopened right of way at the northwest boundary of this site for Hickory Way was previously required to be extended south from Autumn Way, is now required to be improved by the developer with a minimum 20 foot wide pedestrian/bicycle and emergency access. And that was this section right here that was dedicated for right-of-way in Greenhill Estates. One concept -- building elevations were submitted as shown for the proposed four-plex structures on the site in four different color schemes. Building materials consist of horizontal and vertical lap siding with stone veneer accents and architectural shingles. These elevations are conceptual only and not approved with this application. Compliance with the design standards contained in the architectural standards manual is required, which require more variety between structures. The Commission made a recommendation of denial at their hearing. Kevin Amar and Kent Brown testified in favor. There were several that testified in opposition as follows: John Overton. Jim Voorhees. Mary Rockrohr. Kelli Barber. Ian Sodine. John Stefan. Dale Sharp. Ron Peterson. Katie Smith. Lorrie Somazzi. Katherine Jones. Ronald Vance. Celeste Fox. David Ballard. Andrea Stoffel. Kelli Ketlinski. Kevin Elhe. Brent Belliston. Roger Tebow. Gloria Nanney. Larry Andrews and Jean Fox. Written testimony -- a petition from the neighbors was received. It is in the public record. You should have a copy of that. And also a letter from Walter Pooley. The key issues of the public testimony were an objection to the change to the future land use map from office to medium-high density residential. Not enough transition from the R-1 neighborhood to the north to the proposed multi-family development. Increased traffic generated by multi-family development and impact to adjacent residential areas and concern regarding management of the apartments if the structures are on separate lots under different ownership. The key issues of discussion by the Commission were the appropriateness of a multi-family development in this area versus office as currently designated. Traffic impacts on adjacent developments and streets generated by development of this property and maintenance of the backside of the berm along the north boundary of the site. The Commission

voted to deny the subject applications based on maintaining the integrity of the current plan and addressing traffic issues in this area before any zoning changes happen. One of the outstanding issues before Council tonight is the Commission requested the Mayor and City Council send a letter to Ada County Highway District requesting an analysis of the land use and traffic patterns in this area to address existing and future traffic pattern concerns. This request was discussed with the Transportation Commission and they have also agreed that an analysis for long-term land use, access and connectivity needs to be done of this area. Written testimony has been received since the Commission hearing as follows: Jane and Samuel Snyder. They request denial based on the impact to the proposed development on the existing traffic problems in this area. Request ACHD provide the traffic -- traffic solution before more development occurs. A petition from Woodbridge Homeowners Association with 227 signatures. They request denial based on the impact of traffic on nearby subdivisions, school class size, and student-teacher ratio. Utilization of existing nearby subdivision amenities without support by this development and preference of office uses per the current plan. A petition was also received from the homeowners in Greenhill Estates Subdivision to the north with 42 signatures. They state that the proposed plan does not provide enough transition from the R-1 neighborhood from the north to the proposed R-15 development. Increase traffic. Effect on established neighborhoods and infrastructure and preference of office uses per the current plan. Staff will stand for any questions.

Bird: Any questions for staff at this time?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: Sonya, can you just maybe briefly summarize for us what changed before the initial proposed application versus what we are seeing today?

Waters: Yes. President Bird, Councilman, if you look on this plan here on the left, the previous preliminary plat, it did show right of way for the extension of Hickory down to Magic View. That has since not been required by Ada County Highway District. So, the applicant has removed the right of way, put in a pedestrian and emergency access here at the northwest corner of the site, and they have removed the multi-family units that were proposed along the north boundary and just put that in common area with a fitness facility, kind of clubhouse affair right here on the north boundary and, then, they have made more of a linear open space here. Those are the -- those are the major changes.

Cavener: Thank you.

Bird: Any other questions of staff at this time? If not, applicant.

Amar: Good evening, Council Members. For the record my name is Kevin Amar. My address is 1548 West Cayuse Creek Drive in Meridian and I'm here tonight to present Pope's Gardens. It's been a long time getting here and a number of different hearings and I know we have a lot of fans in the -- in the room with us, so I will try to be concise and present this application on a few different levels. So, some of the things that I want to talk about are actual project design, how we got here tonight, what changed from the previous application. Why we chose this location, the actual project location, and why we chose to request a Comprehensive Plan amendment in this location. Obviously, traffic is a concern and we want to address that, compared to other potential uses for this property, as well as look at the Comprehensive Plan and why we feel it's appropriate to request a change in the Comprehensive Plan in this area. So, I'll start with the project design. The project, as it sits, has a proposed 76, sorry, can't do math here real quick -- 76 units. This project has fewer units than the previously proposed project. We did reduce the units in addition to the other changes that Sonya made. We had a number of neighborhood meetings with people, also private discussions with neighbors trying to identify how do we be as compatible as possible and so some of the other changes we made and the second most significant ones really resulted from a joint effort between neighbors and -- and our planner Kent Brown in working with ACHD and trying to eliminate that -- that road, the main thoroughfare road of Old Hickory Way, which really eliminates any traffic ever going through the Greenhill Estates Subdivision. There still will be an emergency access and pathway, but it is for pedestrian access, as well as emergency access only. It will not be used for day-to-day traffic, so no traffic will -- will go from this site into Greenhill Estates. The other major change that we were able to do is increase our open space significantly. Required as ten percent. We are well over double that on open space and we are able to not only increase the open space, but also spread those buildings out, so the overall project inside wasn't as dense. We were able to increase the open space and eliminate any living units along the northern boundary, along Greenhill Estates. I will address the -- the leasing facility and the clubhouse shortly and, then, we also were able to increase significantly the open space interior to the project. So, there is a great amount of usable open space with this -- within this project. On all matters this project exceeds the minimum standards for multi-family development in the City of Meridian. So, that brings me to project location and actual project type. Why did we choose this location, knowing that it's going to be controversial and we are going to have neighbors. So, as we looked at this site and we look at why we want this location, we looked at a number of items. Traffic is a big deal, knowing that -- how do we get to and from this site. We looked at employee influx into this area, what is the nighttime -- what is the nighttime population versus the daytime population. That's important for us, because if people are driving to that area we feel like we can capture those people and keep them in that area, thus we already have a built-in base, as well as we have fewer vehicle trips per day overall on the roadways, because people are already traveling to that area. And, then, we looked at overall employers. We have got a significant number of major employers in this area. We have St. Luke's. We have Scentsy. We have the business parks on the south side of the freeway. There really is a number of very large employers in this area and this is the core business district. This is an area that's going to continue to grow. It is adjacent to Eagle High

School -- I'm sorry. Eagle interchange. It's far away from Eagle High School. It's near Eagle interchange, as well as Eagle Road, both areas that move people to and from the valley and throughout the area. It's also within walking distance to a bus stop and so for those reasons we looked at the site and determined for us, for this project, it would be a good location for -- for multi-family. It's similar to other projects we've done in that it has other -- it's close to employers, like our other projects, and they have been very successful and done well. So, the traffic -- so, let's talk about traffic. Traffic for this site -- and we initiated a traffic study. This does not -- this project doesn't require a traffic study, because the size is not large enough to have a requirement from ACHD to have a traffic study. We knew traffic was going to be an issue, so we initiated our own traffic study. Traffic for multi-family is less intense than traffic from other uses that would be in this area. Office is a higher intense use. Medical office is a higher intense use. Retail is a higher intense use. So, we feel like -- and based on the traffic study also -- the traffic with this project will be less intense than other things that the neighbors are advocating. We know that to be true based on not only the traffic study, but also fees that ACHD charges for offices versus multi-family. Fees for offices are much higher for impact fees than they are for multi-family, simply because they generate more traffic and we have some slides that we can show that and I will go through a PowerPoint presentation in a moment. The Comprehensive Plan. This area is designated as L-O on the plan. This area has been designated for -- as L-O on the plan for many, many, many years. At the time that this area was designated as L-O you could build multi-family in an L-O zone with a conditional use permit. Any -- any multi-family project requires a conditional use permit in the City of Meridian. So, although the neighbors want to stick with the plan as it is -- as it sits, when this plan was proposed it allowed a multi-family component to it. Knowing that, in a core business district, in an area that the city expects and wants more intense growth and more employment, they also want a place for people to live. They don't want people to have to drive to this area constantly and based on that this area -- this L-O Comprehensive Plan prior to an amendment a few years ago, allowed for multi-family. Now, there has been an amendment to the Comprehensive Plan. It's no longer -- there is no an actual multi-family zone that was lacking before. The integrity of the current plan is a great one. This provides the transition that we need. And I want to read some of the comments from the staff report that talk about why this is a location that is appropriate for multi-family. And this is quoted from the staff report. Because of its location in close proximity to St. Luke's Medical Center and hospitals, nearby shopping centers, The Village and Crossroads at Eagle and Fairview, and major transportation corridors, this property is ideal for providing higher density housing options. Another statement is: Although staff believes that the proposed residential development is generally compatible with existing single family uses, staff does recommend more transition in density and housing types along the northern boundary. That was a change that we were able to make with the new proposal that we have. We have eliminated the -- any housing along the northern boundary, thus eliminating any impact or reducing impact to the Greenhill Estates. We did include a fitness facility and leasing office along the northern boundary. That is a single story fitness facility and leasing office and it's -- it won't have living -- it's not going to be as great of an impact as a living unit along that northern boundary. What we were also able to do

along the northern boundary is include a berm and, then, put a fence on top of that berm. So, overall they will be with a berm and a fence, approximately nine feet of buffer in addition to additional trees and other things that will be required to plant with the landscape plan. We will and tried with a landscape plan even to locate our trees and the landscaping in such a fashion that they are compatible with the existing trees that are out there. So, as everything grows up there will be more of a buffer between the two sites. So, Sonya, if we can go to the PowerPoint. Will I be able to control it tonight do you think?

Watters: I think so.

Amar: Okay. I don't know if I know what I'm doing, but -- so, the -- we talked about the Comprehensive Plan. One thing I want to find here -- and I talked to you about employers -- I don't know how to control it. Can we talk about -- can you go to the overall site plan? Page seven. That one. So, what we know, based on some demographics that we were able to get, is nighttime population. People that live in this area during the evening, there is about 5,200 people within one -- one mile of this area. In the daytime -- total daytime population of this area is 21,000 people. So, we know that there are 16,000 people that travel to a one mile area of this location. We know that traffic is -- there is a lot of traffic into this area. What we are trying to do is capture some of those people -- a few number of those people. We only have 76 units and keep them in that area, knowing that they will stay there. We will have nurses and staff from the hospital, people that work at -- potentially Scentsy. We will have lots of those people that they don't want to travel. We are building another project. It's in Boise. It's across the freeway from St. Alphonsus. It is still under construction and we are getting applications and information and requests from those people that work at St. Alphonsus. We know that people don't want to travel too far from their home. In addition to St. Luke's, we have one of my favorite stores, the Harley store. They are in Silverstone. There is El Dorado. There is -- there is all these employment areas that are around there that there really isn't any apartments at all in this area and so we feel in the Comprehensive Plan that change is appropriate. We feel that the change in the layout that we have with the additional buffering, that change is appropriate. With the development of this project we will improve both Wells Street, as well as Magic View, increasing the drivability of the area. So, we -- we appreciate your time. We request approval and we request that this plan be given consideration as it -- it is a thoughtful plan, we have worked with staff, we have changed it with staff, we have changed it with neighbors, we have changed it with ACHD and we know everybody doesn't like it, but we also know that this fits within the city's Comprehensive Plan and it fits within the city's growth pattern and what they are looking for. And I would stand for any questions.

Bird: Council, any questions for Mr. Amar?

Cavener: Mr. President?

Bird: Mr. Luke.

Cavener: Kevin, talk to me a little bit about the -- the ownership model. Is this a property in which your company is going to retain ownership and handle the management? Is this a facility where many different owners are going to own many different units -- and I think we have seen in certain cases some of those are managed really well and others I think people would wish they would have a do over. So, I'm curious if you could articulate -- I think staff referenced that a little bit and in their opening remarks and maybe you could articulate a little bit more than that for us.

Amar: Yes, sir. Mr. President, Commissioner Cavener, we have done it a number of different ways as far as who owns it in the end, but in the beginning it's all set up the same. So, whether there are 16 different lots and different people could own all those -- a different person can own all of them or if there is one ownership group it still is required, because we set up the CC&Rs. It is still required that there is one management company. I do not own a management company. We have gone out and hired a management company that specializes in multi-family management. So, all of the people who own it, again, whether it's a single ownership group or multiple owners, all play under the same rules. They all have the same rental rates. They all have the same, you know, requirements for pets or for outdoor storage, but some of the things we saw and that were frustrated by, as the economy started turning around and as we were building more and more of these, is some of the -- some of the projects, you're right, they were -- they were managed really poorly and we had multiple management groups and it seems like the management groups would fight within themselves. This one will be required by CC&Rs and everybody that buys in there, again, whether it be one or everyone, they are required to have that same management group. We did another project in Meridian called Touchstone. It was -- I think it was 14 lots with the anticipation that it was going to be multiple owners. It was one ownership that came in and bought all of it. Regardless of that, it is still required to be managed by one property management company and it's been very successful. It's worked out wonderfully.

Cavener: Thank you.

Bird: Mr. Palmer.

Palmer: Mr. President. Mr. Amar, what is the anticipated rent range for the property?

Amar: Mr. President, Councilman Palmer, rents currently, based on this type of product in other areas, will be about 950 dollars a month.

Bird: Any other questions? Thank you.

Amar: Thank you.

Bird: This is a public hearing. We got some sign ups? First one up John Overton. And I understand you're speaking for the HOA, so we will give you ten minutes, if that's okay.

Overton: Present Bird, Council Members, City Staff, John Overton. 1922 East Bowstring in Meridian. Live in Woodridge representing the HOA tonight. Not, of course, speaking for every member of the subdivision, but trying my best. We have a -- a litany of issues with this development, not the least of which is what we consider to be the complete misuse of the word transition. We have an R-15 being put in next to an R-8 being told that's a good transition, even though it's next to R-1 and R-4. We have the belief and understanding that if this R-15 is approved and this comprehensive land map is amended, every other one of these five acre lots is going to turn around immediately, because we know what the hot seller in the market is for the R-15 or new R-40 high-density residential applications. This has been touted -- this area has been touted by the Mayor in State of the City speeches as part of the medical corridor for this city. Just two months ago we opened a brand new medical building on the corner of Magic View and Allen Street. It's doing what it's supposed to do under the plan that this Council and previous Council have approved. Now, we have got to talk about traffic, because one of the scariest things about where we are at is traffic, because we have a square mile of Meridian with one road going through it and that one road, as we sit, runs through Woodridge. Now, I don't know if Justin Lucas is here from ACHD and I'll call him out if he is, but I did confirm with Justin that every road in Woodridge -- and this is important -- every road in Woodridge is still a residential local street. Magic View Lane west of Wells is still a local street. Magic View from Wells to Eagle Road is a collector and that's important when we are talking about where we want to put medium and high-density residential houses. We don't want to and I don't believe your intent has ever been to approve a development that's going to push that much more traffic back into a residential neighborhood. So, let's talk about a road. Some of you have heard of it. It's called Eagle. It has some of the highest traffic counts in the state. Coming off the interstate is some of the highest traffic counts and they come right to a stop at St. Luke's Lane. Now, we already have a difference -- an issue, something that makes us a little slower to respond to things, because you're dealing with ITD and ACHD on any issues with traffic and trying to do roadway engineering. At the same time we have the intersection that it is one of the most reset signals in the City of Meridian due to emergency vehicles and ambulances coming to and going out of the hospital. Every time that happens St. Luke's Lane just backs up farther. It is not uncommon, as it sits today, to see traffic back up down St. Luke's Lane and back onto Allen Street and that's where we are at right now. So, those people choose sometimes to go to Woodridge quite often and when you drive into Woodridge you come to a stop sign at Woodhaven. You go left. You go right. Sometimes it's a race, because it's just about the same distance either way you go until you get to the bridge back on the other side and get onto Woodbridge Drive. Now, when Woodbridge was first built -- and I bought there 14 years ago -- the initial plan looks different than it is today. We had a pod style on the first phase with a road going straight through it, which is Woodbridge Drive. As the second phase was developed it was changed and Councilman Bird and even the City Attorney may recall why it was changed. All I recall

was the term traffic calming was used, because we didn't want to have Woodbridge turn into the newest expressway going through the city. But in doing that it pushed the traffic through and in front of all the houses to slow that traffic down, permanently making those local streets. When this plan was first developed -- and I know it's not here today, but I have to bring it up, there was a road into Greenhill Estates and that's relevant for me, because I stand in this room as one of the people who grew up in Greenhill Estates. Thirty-six years ago I used to drive from Greenhill Estates to the corner of Wells and Magic View, back my truck up on the road that dead-ended in their driveway and visit my best friend who lived on the corner. The roads have not changed in 36 years. All we have done is we have slapped up three stop signs and we hope and we pray that people will abide by them. You're welcome to come there anytime and watch as people blow through that stop sign all day long. Is it a law enforcement problem? It's an engineering problem. It was never designed 36 years ago to become a three-way stop and it's never been changed, because we have been developing these without an overall engineering solution. So, let's bring it into traffic safety. I know you just heard the applicant talk about all the great things this is going to do. Unfortunately, I disagree with about 99 percent of what he just said. See, we got destinations versus traffic generators. These businesses, these medical core businesses, they are destinations. You make an appointment, you go to the doctor. Almost all these light office medical buildings are destinations. Those people come from all over the valley to come have an appointment. They drive home. What they are talking about putting in with medium density residential and the potential for more of these, is traffic generators for driving to school or driving to work or driving to the store. They are driving to the speedway. They driving to the dog park. They are driving to City Hall. They are driving to Flying Pie, Wahooz, Roaring Springs, maybe even the police department. Did I mention that every entity I just mentioned they have got to drive through Woodbridge to get to? These are traffic generators. That's what this medium density residential development will do. The applicant talked about a 75-25 split of traffic at the P&Z hearing, but he stated that 75 percent of the traffic would be headed towards Eagle Road. We find the traffic finds the least traffic to fight with and they stay away from Eagle Road and while I believe his numbers, 75 and 25 are correct, I think he's got them backwards. I think we are going to see 75 percent of that residential traffic pushing back to Woodridge, because different times of the day it is a bear, even if you get to turn left out onto Eagle Road to go northbound, it's backed up. It's backed up at Franklin all the way back up to the signals. If you don't believe me come visit. It's a very interesting place to park while you think you're driving. Now, Woodbridge Drive has issues when it comes to kids. We have a busload of kids. In fact, a full busload of kids that go to the elementary schools every day when school is in, but Woodridge Drive was not designed like a lot of subdivisions, it has one sidewalk on the north side and the amenities, the pool and the park, are also on that north side, but half those kids have to constantly be crossing that to get to that sidewalk. There is a lot of foot traffic by a lot of little kids and a lot of parents and a lot of families to safely get around Woodbridge to get to the amenities we put inside. More traffic doesn't make that safer. Now, I know property rights are very important to everyone in this room. They are no less important to us and I know it's been said that we have got to always look out for the property rights of the person who is selling this property and

while I agree with that, I really have to ask myself -- that one property owner is selling to a developer who is building, who selling and moving on, where we have over 300 property owners who have made, in most cases, the largest purchase of their lives in this community and are the ones left to handle the aftermath of this development and future developments if this one goes through. Now, we are not anti-development. I want to make sure that's clear. We haven't been from the beginning. We were victorious in both Planning and Zoning meetings and we stated anytime we are not anti-development. We believe in development. We also believe you have a good plan. We want to keep it. We don't want to see a rezone. We don't want to see an amendment to the comprehensive map as it now sits. We think it should stay the way it is. We think it's the best decision for that area. We think it's a smart decision. If you look at the city comp map -- and I know we just said there is other areas of the city that don't have any apartments. Well, excuse me, I have seen this map. There are designated areas throughout the city comp map that are designated for medium and high-density residential, but here is the best part, they are designed to empty out onto arterial and collector streets and never impede and increase traffic into a residential subdivision. They are designed that way and that's why you chose it as a City Council to have them built that way. I understand what he's trying to do. It's the wrong location. I would happily drive him to another location and show him a better place if I thought it would help. When it comes to planning -- my last point. Long-term planning in the city is what's made it successful. I get it that apartments are selling right now. I know they are the hot thing. But we don't just put high-density residential at Ten Mile and the interstate because it's the hot thing. We've had a plan for ten to 15 years on how we want to see that develop. So, we stick to the plan. Our request is simple. We request that you deny the rezone, deny the comprehensive map change, deny this application. We believe very strongly in this and it comes from the city and we believe it as neighbors in this city, we want a place to live, work, and raise a family safely. I stand for any questions.

Bird: Any questions for Mr. Overton? Thank you.

Overton: Thank you.

Bird: We don't need that. Okay. John Stefan is against. Did he want to testify? Okay. Thank you. Celeste Fox.

Fox: I'm Celeste Fox. 582 South Woodhaven Avenue. Meridian. I live in Woodbridge. Can you hear me?

Bird: Thank you.

Fox: Good evening, Council Members. I am really impressed with the thought and care that went into creating Meridian's Comprehensive Plan. This document seeks to encourage health and well-being of community and evaluate impact of growth in all land use decisions for existing, as well as future residents. We don't understand why P&Z staff recommended approval for this project in their report. The city's emphasis

on high-density housing in this location is trying to fit a square peg in a round hole. We understand that housing to accommodate medical offices and businesses should be in areas that make sense, but this does not. In the Comprehensive Plan examples for apartments to show direct road access, not one that requires driving through a single-family subdivision and the Magic View-Wells intersection has not been addressed at all. To add traffic from high-density apartments within 100 feet of this intersection would make this a nightmare forever. This is about trust. When I bought my house in 2003 we trusted that offices would be our neighbors. Office is defined as opportunities for low impact business areas. P&Z's staff report does not consider Woodbridge or Greenhill Estates. It's like we don't exist. We do exist. We need to be cared about. Woodbridge is a wonderful combination of varying size and price of homes that allows families to move up to larger homes or retirees to downsize without having to leave the community. We also have quite a few renters, both of smaller and larger homes. We consider Woodbridge a model for what Meridian is looking for. I'm asking you to, please, see us and see our unique setting and what the overall impact that rezoning would have to us. Thank you.

Bird: Any questions? Thank you. We -- we did give Mr. Overton as a representative of the HOA, so if you don't have something new to bring up -- we will read your name. If you feel you have to testify, please, come forward, but if you don't have something new we'd appreciate it. Just -- okay. Bette Monteith is against. Thank you. Catherine Jones.

Jones: My name is Catherine Jones. I live at 435 South Truss. Of course, that's Woodbridge Subdivision. I'd just like to add a couple of things of -- Community In Motion developed a checklist to go through developments to make wise decisions and I'm sure you've all read this. The things that pop out to me are the fact that the complete street level of service in the proposed area should maintain current automobile level of service and I think this particular development would increase traffic in that particular area. Also Mr. Amar talks about his traffic study and he conducted his own, so, you know, he has a little conflict of interest there I would think and I found a traffic impact analysis and what it talks about is even if the development does not generate the threshold of level trips, a traffic analysis may be necessary under the following conditions: High traffic volumes on surrounding roads that may affect movement to and from proposed developments and I think we have that in our little area. The lack of the existing left turn lanes on the adjacent roadway at the proposed access drive. Inadequate sight distance from access points and I believe this particular development has restricted -- restricted sight. There are two exits, but the curvature in that particular road and the amount of parking along that road would limit the ability to see oncoming traffic. The proximity of the proposed access points to other existing drivers or intersections. The development that includes a drive-thru operation. Okay. Those are kind of the technical things. Now, I'd like to speak personally. I have been a lifelong educator in Idaho -- southeast Idaho mainly. I moved up here to be close to grandchildren. And Woodbridge is beautiful. If you haven't been through we are like a little oasis nestled between Eagle Road and Locust Grove. We are beautiful. But with that comes some danger. We have, in essence,

two routes that come into Woodbridge Drive. Woodbridge Drive has one sidewalk on the south side of the road. Children meet their buses on that road. Is that my time limit?

Bird: Yes.

Jones: Okay. Well, let me just summarize by saying, you know, back to school time used to be very exciting for me, but this year I'm fearful, because I'm afraid some little kid is going to get hit on Woodbridge Drive. So, I'm asking for your help, even in denying this particular proposal we still need help. We are still a cut-through and, you know, maybe work with ACHD and see if you can help solve our problem. Thank you so much. Questions?

Bird: Any questions? Thank you very much. Gene Fox. Mario Marius. Okay.

Fox: Good evening. My name is Gene Fox. I live at 582 South Woodhaven in Woodbridge. And I'd like to thank the Council for allowing me to speak this evening. I had to make a choice of subjects that I wanted to cover, but pretty much part of it has already been covered, so let me just say this: A few years back I stood before the City Council and asked that a rezone request be denied. The request was to allow a 102 unit development on 12 and a half acres sited to the east of Woodridge directly behind our house. That high-density project was sponsored by the Conger Group and it was refused primarily because the City Council did not wish to amend the master plan which specified that this area should be a medical corridor. A year or so later I again spoke before the Council, but on that occasion I asked that in R-5 project, consisting of 25 units sited on five acres be approved. The City Council approved the zoning change for Waverly Place, which is across the street from where the Conger project would have been built. Unfortunately, the first iteration of Waverly Place, led by Alton Jones, failed. The second group stepped in to continue the effort. They were required to reapply to Planning and Zoning and the City Council for rezoning. Again the project was approved and this time the project went forward. Unfortunately, the construction of Waverly Place has been stuck on stop for some time. There were two reasons why Woodbridge citizens opposed the Conger project and supported Waverly Place. First, Waverly has a density of R-5, which is roughly the same as that found in Woodbridge. The second reason was the fear that an ultra-high density project, such as that proposed by the Conger Group, would be built in our blocked in area and that is exactly what we face here tonight. The Pope's Garden plan calls for 76 apartments to be built on five acres. If we extrapolate that density to 12.5 acres, it will be apparent that it is more than half again as dense as the previously proposed Conger project that was rejected. If Pope's Garden was on an R-5 level, I would probably appeal to you for its adoption, but this project is way out of bounds for the location. Following the last P&Z meeting I had a brief discussion with Kevin, the developer, and it was very civil. I told him that he had a good project, but he was trying to build it in the wrong location. He replied that many neighbors were saying the same thing. I suggested that that should tell him something. His retort was we will see. Now, we are at the moment of truth where we shall see. The developer, Kevin, is fond of saying that people are

afraid of change and we are. We are desperately afraid of the negative impact that this development will bring to us. So, we ask -- I ask, please, reject this appeal.

Bird: Any questions for Mr. Fox? Thank you very much. Mario Marisi.

Marisi: Mario Marisi. I live at 1673 East Bowman in Meridian. Good evening, Council Members and Mr. President. I have heard a lot of things here today and, you know, I live in Meridian. I'm probably the third house from Locust Grove and I watch the traffic coming in and going out and, unfortunately, it's a caravan going through and speeding. I don't know if it's a police problem. I mean you would have to put half the police department out there to watch the speeders. I think they have a lot of things to do. But my real concern here -- I watch the kids and I enjoy watching the kids. They are a lot of fun watching them. I watch what they do. They pull and shove and run across that street in Woodbridge to get to their buses. Okay. And those cars are coming in from both ends, going out and coming in, and I think it's a real danger and we must have, just in our quad alone we must have something like 16, 17 kids and they are from this side to that side. I mean they cross that street, don't look; right? They scare me half to death; right? And I keep thinking to myself one of these days one of those cars will run over one of those children and God forbid these poor parents out here with these little kids and what they would have to go through. I mean he has a great project out there, but it should be somewhere else. He keeps talking about two or three -- 200 cars a day or 140, whatever it is. I sit there and watch that traffic right now and it's terrible. You know, it's -- it's a danger, the pollution and the traffic, and I think for the safety of the children and the people that live there. You know, we are here. We want what you want. You want a good community, solid community, with happy people; right? And we are trying to do that. Thank you for listening.

Bird: Any questions? Thank you very much. Okay. These signed up against, but they didn't want to testify. Sam Snider. Jane Snider. Jim Wellman. Pat Wellman. June Howell. Richard Howell. Ian Sodine signed up to testify.

Sodine: Good evening, Council. My name is Ian Sodine. I live at 2663 East Autumn Way, which is part of Greenhill Estates. So, I am actually on the north side of this project and the east boundary. I do appreciate the revising. Don't have houses directly against me. Have a berm that's fantastic. What I don't appreciate is the walking traffic. Greenhill Estates is in the county. We have no traffic lights. We have no stop signs. We have no sidewalks. There aren't any lights. And our neighborhood likes to walk. The loop for the one acre lots is about one mile. So, there is always people with their dogs or with their children or the school kids walking. I don't see why the apartment people wouldn't figure that out pretty soon and actually enjoy the scenery and the peaceful quiet loop like the rest of us. It just adds to the complications for us driving of hitting people or near-misses with their own residents who understand no lights, now adding a group of new people that may or may not. On the subject of the berm, that's wonderful for facing north, but, Rich, my neighbor behind me on the east, is five acres, there is no berm for him. You now have 20 residents that look at him and how do they feel when he's out mowing the hay or he's making a clatter or

putting up the bales, doing this and that, the country living that we are accustomed to. I just don't think it's a good fit. So, I'm still against this and I hope you support that decision.

Bird: Council, any questions?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: Just for clarification, are the streets in your neighborhood -- are they private streets or are they public streets and sidewalk?

Sodine: It is a public street, but they are not plowed in the winter and there are no sidewalks. We tried as a subdivision once before to get sidewalks in, but that didn't go very far that I know of and the outcome was no sidewalk. So, everybody walks in the street.

Cavener: Mr. President, follow up? So, if I'm hearing you correctly, no sidewalks at all in your neighborhood?

Sodine: Correct. There are sidewalks in the half acres, the front half, but the one acre lots that make up the back half of Greenhill Estates that this butts against, no sidewalks.

Cavener: Thank you.

Sodine: You're welcome.

Bird: Thank you very much. Jeanette Sodine. Is against. Art Beale is against. Michelle Beale as against. Helen Sharp is against and --

Sharp: Helen Sharp. 2170 East Springwood Drive. I'm in the Greenhill Estates. Thank you for your time and listening. I think it's kind of a question of getting the cart before the horse. How many times have we had ACHD go on a big spiel about the traffic right here because of the hospital, the businesses, et cetera, and how they tried to design it. There are very few off and on ramps getting to Highway 55, which, of course, is Eagle Road. So, naturally -- especially now during tourist season and anytime -- we had relatives come and say, oh, my goodness, oh, my goodness, is there any way we can get to Meridian easier than trying to get through this Eagle traffic. So, I think we have got the cart before the horse. Until we get more accesses off the freeway, Highway 84, into Meridian, we are going to have this bottleneck continuously and they have gone on and on about the traffic and I think it's a very, very serious situation. And going along with the plan he has, I'm not sure the people -- the residents are too concerned about the design of the plan as they are about the project itself, we just don't want it and we -- I think we have got legitimate reasons for having

this denied. They talk about the traffic. How about the -- all these big developments that's going in, multi-dwellings here in Meridian and how many we see for rent signs on when they say we have to have more units? Please, give it some strong consideration. Thank you.

Bird: Any questions? Thank you, Helen. Dale Sharp. He's going to pass on the testimony. These people signed up against, but they didn't -- Vanessa Cornelius. Thank you. Dale Howard -- oh, you want to -- come on. I'm sorry.

Cornelius: Hi, I'm Vanessa Cornelius. I live at 541 South Blakely Avenue in Meridian and listening to what -- thank you for your time, Council Members. In listening to what other people have spoken about and I felt I needed to speak. We actually have two buses of children in Woodbridge. The west side has a bus and the east side also has a bus. There are quite a few children. And I'm here and decided to speak. I'm a teacher. I teach at Lewis & Clark Middle School, which is where the Woodbridge kids go and this past school year we had the largest 6th grade class ever at Lewis & Clark. I teach 6th grade and I had anywhere between 31 and 35 kids in my class per class period and I think having these apartments here is just going to add more students to Lewis & Clark, which is already at capacity. I know they are opening Victory, but that doesn't really affect any of the boundaries for Lewis & Clark, so I have concerns now as a teacher and at home. Thank you.

Bird: Thank you. Any questions? Thank you very much. Dale Howard signed up against. Didn't want to testify. John Mundt signed up against. No testimony. Martha Mundt against. No testimony. And Linda Howard against. No testimony. Christine Browne against. Steven Browne against. Bill Ebert. Jan Ebert. Clare Gaylord. Donald Deitchler. Jim Barnes. David Ballard would like to testify.

Ballard: Good evening, Mr. President, Councilman Palmer, Councilwoman Milam, Councilman Cavener. Thank you for the opportunity to speak. I reside at 2482 East Springwood, which is in Greenhill Estates, which would be part of the Hickory issue, but that's behind us. As I look at this application, there are several parcels in this area that are in needed of development. What I'm offering is an alternative to get to those parcels to allow the development and it's not simply using the current streets, that's just putting an overburden on streets that aren't built to take the traffic. What I'm talking about is that Bentley is a stoplight that goes into Locust Grove. That would relieve pressure off of the Woodbridge situation. But it would take rebuilding Bentley and extending it, kind of parallel to the freeway and, then, coming down or to the north into those parcels. That would give access to develop those parcels. So, I would ask that the application be denied and you take a longer look, no pun intended, look down the road, how to get to those other parcels, build a sufficient street to bring in the development and go from there and I would ask that the application be denied. Thank you for your time.

Bird: Any questions? Thank you.

Ballard: Thank you.

Bird: Stan Bowman is against. Didn't want to testify. Steve Jensen. Against. Tom Baker. Richard -- Richard and Gloria Nanney. Sorry. Marilyn Nelson against. Jack -- I can't read the last name on that. Nelson? Nolan? I'm sorry. And Kyle and Cheryl George signed up against, but did not want to testify. Carmen Halstead and Larry Halstead. Kathy Todd. Gary Todd. Mary Kay Horel. Dale Brown. All signed up against, but did not want to testify. Ronald Vance, Senior.

Vance: My name is Ronald Vance, Senior. I live at 2621 East Autumn Way in the Greenhill Estates and if you look at the map I am directly in the middle on the acre lot on the other side of what would be the fence and the proposed berm and I have to agree, the changes that have been made are -- are better than what was proposed before. However, one concern I have that hasn't been addressed is that the berm is going to be composed of disturbed soil and most construction people know that once you disturb the soil, the soil is not compacted as it would have been for -- if it hadn't been disturbed for a thousand years and even if you compact this berm you would need to put posts in for this fence that goes down through the berm into the undisturbed soil below it and if you don't we are going to get with some of these gigantic winds that we again, we are going to get that fence blown down right into my backyard. Another concern is the -- well, I guess we have already addressed the -- the cost of property going down -- or the value of property going down in the Greenhill Estates area with all these extra people and anytime you build an apartment complex -- and I have seen this over my nearly 70 years of life, the complex degrades over years and in many cases that leads to a group of people moving into those apartments that are less than desirable, people that may be into things that may be illegal. Drugs, that kind of thing. Not a good fit. One other thing I'd like to say is that -- as far as -- as the traffic goes, I avoid Eagle Road like most of us do like the plague and my doctor's office is right over here on Magic View and many times I'll take, instead of going up Luke -- St. Luke's Drive to the light, which is almost always backed up, I will take a drive through Locust -- through the -- the other subdivision over there and -- Woodbridge I guess it is and make rights on Locust Grove, a right on Franklin, and a right into my neighborhood. So, yeah, that's -- it's -- it's a big concern.

Bird: Sir, could you summarize, please?

Vance: I think I'm pretty much at the end.

Bird: Okay. Thank you.

Vance: Any questions?

Bird: Any questions? Thank you very much.

Vance: You're welcome.

Bird: Okay. Lorraine Bowman signed up against, but did she want to testify? These people signed up against, but did not want to testify. Kelli Ketlinski. Beg your pardon? Oh. Okay. Come on up.

Ketlinski: Move that so I don't whack it. Mr. President, Members of the Council -- or Members of the Council, I'm Kelli Ketlinski. I live at 2586 East Autumn Way in Greenhill. I love this area. My husband and I built a house in Woodbridge in 2003. Lived there for six years. Moved over to Greenhill, just half a mile away as you walk. We love this area. I do want to make a couple of points that I don't believe have been hit too closely tonight. The applicant mentioned that the CC&Rs will protect the management of the units. CC&Rs, however, can be amended. Usually either -- either by majority or supermajority. So, I don't think that that's a huge long-term protection that that will provide. He also mentioned that this fits in the Comprehensive Plan. It doesn't fit in the Comprehensive Plan. They are asking for an amendment to the Comprehensive Plan in order to do that. The point has been made that this is medical corridor and should be protected in that. In order to make a Comprehensive Plan amendment it does have to be -- you have to consider whether it's consistent with the existing surrounding land uses and not a burden on existing and planned service capabilities, including schools. That goes for the annexation and rezone as well. If you look -- the schools have been brought up, but our neighborhood Greenhill -- now the high school students can no longer go to Mountain View, which is so close that they cannot ride, but we cannot go to school there now. The kids that go to high school now have to go to Centennial. So, now have to be bused all the way down Eagle Road, 20, 25 minutes to go to Centennial. That's my understanding is the current boundaries, where they are, so -- and my -- my last point is that most of the businesses that the applicants -- or refer to as they are creating homes for, it's not going to limit traffic. All of those places still will create traffic through that area to get in and out. People aren't going to walk -- aren't going to walk to Scentsy for the most part. They are not going to walk across Eagle Road, across the freeway, to get to Silverstone. So, it is geographically close and in some areas it might make sense if they would walk or ride their bike. This particular area people do not walk across Eagle Road. Very, very rarely. So, those are all the points that I have.

Bird: Any questions? Thank you very much.

Ketlinski: Thank you.

Bird: Arlene Eld signed up against. Larry Eld signed up against. Kimberly Jensen signed up against and she didn't say whether she wanted to testify or not. Diane Colivas signed up against. Didn't want to testify. Jerry Colivas signed up against, didn't want to testify. Sandra Manike signed up against. Didn't want to testify. And I apologize if I'm butchering your names. Sandra Manike signed against. Didn't want to testify. James Maverick or Mavick signed up against. I can't tell whether it was no or if he wanted to. Andrea Gillespie signed up against. No. Kristin Schoboda signed up neutral, but didn't want to testify. Ron Peterson signed up against and would like to testify. Ron.

Peterson: Good evening. My name is Ron Peterson. I live at 503 South Thornwood Way in Woodbridge Subdivision, Meridian. Been a lot of stuff covered here tonight. Just wanted to offer my personal experience of living in Woodbridge. I have had three cars in front of my house hit by cars coming down Woodbridge at high rates of speed. Of the three car accidents in the six cars involved, four were totaled completely. I have an eight year old daughter. You know, her ability to play in the front yard is reduced as it is. So, our quality of life is affected greatly by your decision. So, I'm very much against this project. I don't think it's appropriate for the area. I think there are more appropriate projects that -- that could be put in there that -- that everybody would be fine. So, I appreciate your time and thank you.

Bird: Any questions? Thank you very much, Ron. Sandy Muccia signed up against. Not testify. Darlene Kertchner signed up against. Didn't want to testify. Cori Duncan signed up against. Didn't want to testify. Cameron Powell against. No testify. Tonya Badis signed up against and didn't want to testify. Wendy Taylor signed up against. Ron Taylor against. Not testify. Kelly Barbour signed up against and would like to testify.

Barbour: Mr. President, Council Members, thank you for your time. Just kind of the big picture, I think it's just important to maybe relate my experience of the folks that I have talked to. I'm at 2482 East Autumn Way in Greenhill and, like the Ketlinskis, I was wanting a new home in Woodbridge and made this short move. I think all the folks that I have talked with who are really thinking this through and struggling with what's the right decision and what's the right point of view to have on this, I think no one is questioning the motives of the property owners or the developer. Everyone understands what property is for and that they should allowed to value that property. I think the biggest issue is the responsible use of that property and in this case when you think about the -- I think it was mentioned one time briefly, but just the -- the corner there along Magic View and Allen and the amount of energy that would need to be put into that to make it safe for this kind of traffic density, that's not included in this plan and I understand why. That's not a money-maker maybe for the developer to do it, but to me that signals a real red flag. No sidewalks. No improvement of that corner. No streetlight, anything else along those lines. I would also just echo the traffic generator points that Mr. Overton and Mrs. Ketlinski made. The school district boundaries have moved. All those folks in this subdivision, Pope's Garden and the other two adjoining subdivisions, those kids will go to Centennial High School now. That's a big traffic generator at various hours throughout the day. But even the business traffic that's generated that's already at issue on the east side of the development, in addition to what we have heard about Woodbridge, none of these businesses, as Mrs. Ketlinski has mentioned, these aren't businesses that folks are going to walk to. They are going to drive to. So, now we are generating more traffic along the busiest corridor that we have and also the third thing along that line to be the time of day. So, whatever the numbers say the traffic study, the time of day that that traffic is occurring in residential, as opposed to a medical office building where you have, you know, basically, maybe a light steady stream throughout the day, as opposed to concentrated times during peak

hours and, then, also evenings and weekends, which are all the times when people want to be able to enjoy the safety of their residential neighborhood. I would also support the point that Mr. Ballard made about the southern access along the freeway and exploring that possibility and I just think there are other options out here and I think this political season, unfortunately, our country finds yourself in a situation where we are forced to choose between the lesser of two evils and I think what's been possessed -- what's been presented by the developer in this case is that we only have two options, what might be in the future or what they are proposing and I would say I think we are better than that. More better than maybe the two parties can come up with in our presidential election system. Let's see if we can find something good and a better solution for these really great pieces of property and really great subdivisions in I really a gem city in our state. So, thank you for your time.

Bird: Thank you. Any questions? Thank you very much. Okay. The following signed up against, but didn't want to testify. I will read -- Martha Clements. Jim Eldridge. Rhonda Young. Kathy H. Cheryl Reynolds. Donald Hayworth. Bill Henrico. And, then, Larry Andrews signed up for -- or against and wants to testify.

Andrews: Larry Andrews. 2330 East Autumn Way in Greenhill Estates. I am going to be repetitive, but we had a lot of acreage in that area that is not accessible by vehicles from the south or the north, only the east and west. To the east is Eagle Road, but to the west is through Woodbridge. So, there is two ways in and out of this area and I don't think we want to run those cars through Woodbridge to get to downtown Meridian, to get to Winco, to Home Depot. So, I very much second what Dave Ballard said. That's all I have to say.

Bird: Thank you.

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Quick question for you. You said 2330 East Autumn Way?

Andrews: Uh-huh.

Palmer: And I definitely appreciate you as a citizen your concerns for your neighbors in the adjoining subdivision. I'm curious -- you're down a little bit further from being against the property. I'm wondering how the development might affect you.

Andrews: Okay. I'm one of those joggers with the dogs that's been covering this area for 30 years and so I'm all over all these places, including the hotels down around Magic View and Wells. Those customers go out to Eagle Road and go out to the freeway and so it's traffic for me as well, but they are my neighbors and I care about my neighbors in Woodbridge. So, that's my primary motivation.

Bird: Any other questions? Thank you. These following signed against, but did not want to testify. Peggy Slayton. Terresa Henrie. Brent Belliston. Wayne Gehring. Pam Russell. Brian Russell. Sandra Overton. Linda Tebo. And, then, Roger Tebo signed up and would like to testify.

Tebo: Good evening, Council Members, President Bird. My name is Roger Tebo. We own the property at 675 South Wells. We don't reside there. We live in Banbury Meadows. We got involved in that deal. I think Mr. Fox, Gene Fox, referred to Austin Jones and we had a lot of money in that five acres. So, we were kind of forced to bail it out -- long story short, we ended up in that over a million bucks. So, our view of it might be a little bit different than a lot of the folks here. Ordinarily, if we had that property and we could transition into R-15 we would probably be jazzed, you know. It would be fantastic. But it's not appropriate. Doesn't fit the plan -- the general plan at all. Doesn't fit the neighborhood. I feel it would be a blight in the neighborhood. I disagree that there is going to be a shortage of apartments, that type of development. I understand there is going to be some apartments applied for over by the Great Wall there back toward the park. A guy has purchased some property and he's going to probably go for apartments back in the back there. Also I heard there was going to be apartments being planned for Locust Grove over by Franklin and along Victory Road east of Eagle there is a lot of good space there that's available for construction of that type. One thing that I don't think has been mentioned -- the parking along Magic View is pretty dense once you get passed the residences of the five-acre parcels, but I would think my opinion, if this apartment complex went through, we would have a lot of parking along -- on Magic View and likely on Wells as well, blocking access to people's mailboxes, the trash pickup, et cetera. Anyway, I would just like to be on record that I strongly oppose the project, not on the basis of its merits, but on the basis of where it's at. It's -- it's the wrong site. That's it.

Bird: Any questions? Thank you very much.

Tebow: Okay. Thank you.

Bird: The following ones signed up against, but did not want to testify. Michael Thayer. Stan Schrader. Honor Harris. Kathy Hines. And Kelly Buchanan. Gary McAllister signed up against and wants to testify.

McAllister: Mr. President, Members of the City Council, Gary McAllister. 2115 East Bowstring Street. Live in Woodbridge along the main access. I think we have covered everything. I'd like to yield back to -- the guy with the homeowners association I think presented everything fairly well, including residential streets, if he had anything else to say.

Bird: Thank you. These signed up and didn't specify whether they wanted to testify or not, so as I call, if you want to testify raise your hand and come on up. Nora Overton. Okay. I just about didn't call your name. Lou Linam. Karri Townsend wants to testify. She's against.

Townsend: Thank you, Mr. President and Members of City Council. I'm Karri Townsend. I live at 1820 East Bowstring Street in the -- in Meridian in the Woodbridge neighborhood and I'm glad many of my points have been made already. I will spare you those. But I do want to just leave with -- that I am in no way opposed to apartment buildings. I have lived in apartment buildings as an adult. Our kids were -- we had kids live within apartment buildings and I know that very responsible, good community citizens live in apartment buildings and I am also very happy with the -- one part of the aspect of the proposal that would mean that less traffic would be going through when Hickory was denied to go through, then, I'm very happy for our Greenhill neighbors and we have a very good relationship with Greenhill. I'm a little biased, because my sister lives there, too. But -- and my kids play there. But I do want to say that if this is approved, because there would not be that traffic going through Greenhill, but it will add more of a burden onto Woodbridge traffic and I know that you have heard a ton about that, but I just -- just some details, a little bit of -- if you haven't driven through there, there are two routes that you go. The route that is most commonly traveled -- it has about 1,200 trips a day as of two years ago, which I think is probably a lot more now, as more buildings have -- more development happens -- has 36 driveways that go directly onto it. The driveways are not long, they are short, they are just barely long enough to park a car in and most of them are sloped downward toward the road and we have -- like as you have heard, lots and lots of children that play and we want our kids outside playing. It's healthy for them and it's why we moved to Woodbridge. So, in there -- and, then, going the other direction there were I think about 500 trips a day and -- and even more than 36 driveways directly on that. So, the one section of Woodbridge -- of Bowstring Drive that has the 36 driveways on it has really become a default collector for all the traffic coming through there and there is an image that just -- it's stayed in my mind since the March 30th ACHD hearing and that's -- and Bill -- Bill Parsons was speaking and he said that as more traffic -- more development was occurring in this area that without more connectivity Eagle Road will eventually break and what I want to say to you is that I do not think it is fair to ask Woodbridge to shoulder the traffic that cannot be handled by Eagle Road and we know that development will happen in that area, but what I plead with you to do is to look at other options that can make our neighborhood safe for our kids and for our residents. So, thank you. That's all I have.

Bird: Thank you. Any questions?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: Quick question. I appreciate your testimony. Do you know about on average how many homes are in your neighborhood?

Townsend: I think there are 230 -- 279.

Cavener: Thank you.

Bird: Robert Parker signed up against, but he didn't specify whether he wanted to testify or not.

Parker: Council and President, thank you. My name is Robert Parker. I live at 1943 East Pegrarn Street in Woodbridge and the one thing I would want to bring up is I am on the homeowners association for Woodbridge and I understand the weaknesses of a homeowner's situation. It is a volunteer situation and I can't personally see something like 40 people -- individual owners in a -- in a project like this in a couple of years sitting there and not having problems, that it will someplace fall apart. Somebody is going to go bankrupt. Somebody is not going to keep his property up. Somebody is going to undercut somebody else on the -- because nobody is working together on a big situation like that. So, it's just the one thing I wanted to bring up. Thank you.

Bird: Any questions? Thank you. David Roberts signed up against and did not want to testify. David Wenz signed up against. Didn't want to testify. Brent Sherod signed up against. Did not want to testify. Carol Johnson signed up against and thought you might want to testify.

Johnson: I'm Carol Johnson at 766 South Reno and that's in the Woodbridge Subdivision. And I know it's late and you've heard ad nauseam some of these concerns, but I appreciate you giving us the time. I really feel strongly that not only the current residents in this area will suffer safety and quality of life in our day-to-day through this development, but I think that the future residents of this development would suffer those same things. One thing that hasn't been brought up is the parking spaces. If I remember correctly from the Planning and Zoning there were less than two parking spaces per unit. I think most homes have at least two automobiles or vehicles. They also have neighbors, friends, and visitors coming and going. If they don't have a place to park I assume those will be parked on the street, further adding to this whole mess we have been talking about. So, I appreciate your time.

Bird: Thank you. Any questions? Thank you very much. Eric Stoffel signed up against and would like to testify. Thank you. Lorrie Somazzi signed up against and would like to testify.

Somazzi: I'm Lorrie Somazzi. I live at 1896 East Bowstring Street. Thank you, Mr. President and Council for hearing me. I'm against this project. I am a nurse at St. Luke's. I will fully disclosed that. At St. Luke's -- I have been here for almost 21 years at St. Luke's. When I first moved here we were one hospital. We used to close units on the weekends. In the 20 years I have been here when we come in on a Monday often St. Luke's Meridian, because we get all of the people coming from Nampa to St. Luke's Meridian, it's the busiest ER in the state. I don't want to lose the healthcare in my region to travel to Boise if I have an emergency or to Meridian because eventually St. Luke's Meridian is going to have to grow the way St. Luke's Boise has. If the City Council decides to take that Healthcare away, they are going to force it in one of the

directions. I don't think you probably want to trust rush hour traffic, if your family member is having a heart attack, to get them to those locations, specially going to Canyon County, since they are choosing not to develop their roads, but Ada County has. So, I urge you as a concerned family member and citizen, not to take away those office buildings, because when they do expand St. Luke's Meridian, the hospital, they will be trying to take those offices that are on the west facing side, they will close that side of the hospital and move those offices out to expand. So, on that point I urge you to oppose. Thank you.

Bird: Any questions? Thank you. Rogers Somazzi signed up against. Didn't want to testify. Rita Exline against. Crissy Exline against. Kathy Colunga against. Denise Jones against. Bruce Eldredge against. John Duncan against. Mary Ann Duncan against. Shannon Jushie against. Roma Talbott against. Chris Jones against. Katie Smith against. Chris Woght against. Daniel Quezada against. Rosario Quezada against. And Jerri Henry against and would like to testify.

Henry: Good evening, Mr. President and Council Members. Thank you. My name is Jerri Henry. I'm at 2115 East Bowstring. Part of Woodbridge. I also call it the super highway between Locust Grove and Eagle. I am also one of those people -- it's a natural human desire to avoid Eagle Road, to go out onto Locust Grove to go to WinCo and things like this. From personal experience, because I live on Bowstring, I have been creamed I don't know how many -- almost creamed about -- a number of times trying to get out of my driveway. I witnessed a few years ago my neighbor's dog being hit by an Action Courier van cruising through and didn't stop. So, what I'm trying to tell you is we already have a problem. That wasn't specifically stated, but it's been alluded to by a number of people. We already have a problem in this subdivision, without adding 76 units that will be using this. Yes, I know you have heard about the traffic. I think it's pretty tenuous to put forth the argument that these people are going to work at these businesses. I happen to work in Boise, but I love Meridian and I choose to live in Woodbridge, but I want it to remain safe. So, thank you.

Bird: Thank you. Any questions? Thank you very much. Okay. The following signed up and did not want to testify. Elizabeth Sherd. John Everitt. Katherine Lewis. Valerie Stefan. Sherilyn Robison. Bill Robison. Ernie Bader. Tavis Bader. Dean Michalschef. Diane Ehle. And Emily Erickson. And I apologize for butchering your -- anybody's names. This is a public hearing. Is there anybody that would like to testify that hasn't testified? Mr. Brown.

Brown: For the record, Kent Brown. 3161 East Springwood. I do live in the neighborhood. But I am for this project and when we first met with the city staff there has been some questions and, hopefully, this can help people understand. When we first met with city staff they mentioned to us that since the time the Comprehensive Plan was put into play that the city changed the L-O zone and removed apartments out of it. So, we had two options. We could ask for a Comprehensive Plan change or we could go back and ask that that be put back in. Most L-O zones throughout the valley have that element in it, knowing that those are transitions to commercial areas. We

have tried to make that transition on our site with the R-15, so that we are buffering the single-family residents to the north of us. When the Waverly Place development went in they were asking for L-O initially and, then, eventually got the R-8 zoning. This area is not called a medical corridor as a lot of people -- but it's called your core and its Eagle Core Business Area and it does make sense, its proximity, that it's going to have a lot of medical and that's what we are seeing a lot go in. There has been a little confusion about Magic View. ACHD would have required us to change and fix that Wells-Magic View intersection that they had issues with it. That's a part of their analysis and review. We are required to put curb, gutter and sidewalk along that -- that frontage and most of our site is a collector. You're not allowed to park on a collector. So, the other part has the entrance to a driveway and so a collector doesn't allow the parking to happen on it. So -- excuse me. So, that is a requirement that we actually would have to put signs that say no parking along there and that's -- so that from that point out to Eagle Road becomes a collector. If you look in the commercial portion that's already there, that's where those people are currently parking. The employees, the first thing they do is they get on Magic View and they park and, then, their parking lots are too small and they are an office use and some of them are commercial uses. Our transition that we are providing is that we are buffering the heavy intense stuff that would be on the south side of Magic View and on the east side of Wells. The office or our apartment use as we have tried to buffer the neighbors, provides that transition. Anything that gets developed in this area, office or otherwise, is going to run traffic through the limited places that they have. The proposal that Mr. Ballard has -- and I'm going to wrap up real quickly -- is to dump it onto some other neighborhood that doesn't have sidewalks, but it does have a light. You're really limited in this area. So, thank you.

Bird: Any questions? Any other public testimony? Okay. Applicant.

Amar: Mr. President, Council Members, again for the record my name is Kevin Amar at 1548 West Cayuse Creek Drive in Meridian. I took notes -- or I tried to take notes and I will try to address the items that came up. If there is something that I have missed, please, let me know and I will answer those questions. We have some -- it seems like the majority of the comments centered around two items, transition and traffic. And so I will address those first. As we look at -- and I have slides here to look at. As we look at these slides, this shows the Pope's Garden. Again, we talked about it being close to walking distance, to bus routes, to Eagle High -- Eagle Road and to the freeway. What I want to show on the next slide -- at least I believe it's the next slide -- is the -- that little yellow part is really important. So, I will just talk about it. The area adjacent to our northern boundary -- and with the change of the plat illustrates the buffer that we have from Greenhill Estates to -- into the project. Our buffer is from 40 feet to 130 feet from the back property line to our buildings. We also situated the buildings in such a fashion -- and, Jeremy, go back to the other one that just came up. We also situated the buildings in such a fashion that any back patios or windows faced internal to the project. The only windows that would face to the north are bathroom windows, really tall bathroom windows for venting. So, any of that transition that we need to do is away from Greenhill Estates as far as possible. It's

two-story buildings within the project. There was recently a project approved in Meridian called Regency. It's the last phase of Regency. It has three-story buildings and they are within 20 feet, I believe 20 feet. It might be 25 feet -- of the Red Feather Subdivision. So, in comparison to transition and trying to be a good neighbor, we have accomplished that with this project. Now, let's talk about traffic. So, first of all, I did not complete my own traffic study. We hired Thompson Engineers, a traffic engineer, to go out and complete the traffic study. I hope we can go to slide 16 that talks about where people will go and when they will get there. We heard tonight about a traffic generator versus a destination. This project, in peak hour traffic, a.m. traffic is going to be 107 daily trips. Sorry. It's going to be 430 daily trips. Seventy-five percent of those will go to Eagle Road, 25 percent are going to go through Woodbridge. We understand that traffic is going to go through Woodbridge. Traffic currently from Woodbridge goes down Wells. That's -- I mean they are -- they are going to increase traffic in this area. What this project is -- it has far fewer traffic than an office project or a medical or other things that people say they would like in this area. As we went and Googled directions to various businesses within this area, those businesses drove us through Woodbridge. So, a business is going to be a destination. People are going there because they need to go there and, then, they are going to leave and return and that has multiple trips each and every day through the project. So, if we put office here or if we put medical buildings or if we put any other use here, it's going to increase the traffic to this area, compared to what we have proposed with Pope's Gardens. Again, we acknowledge that there is going to be additional traffic with this project. There will be additional traffic with any project. But if we put in office, if we put in something else like office, that traffic will be greater than what we are proposing with -- with Pope's Gardens. That isn't something I have made up. That's a traffic engineers, ACHD, they are the ones that have established that and have proven it through other projects that are out there. We also want to talk about -- if we can go back to -- this out of order slide, which has to do with transition again. Slide 11 I hope. It's not going to work. So, as we looked at buffering between some of the businesses that are existing currently in this -- in this area adjacent to Greenhill, this is a -- this little small yellow strip shows the area between the parking lot and the Greenhill Estates. It's approximately 20 feet, give or take, and that's -- there is a berm there, so there is some areas that -- that aren't going to have that increased buffering. So, this project overall is going to have a greater buffering, it's going to have less impact with traffic and will provide the community with something that it needs. It was asked why city staff recommended approval for this project. It fits the Comprehensive Plan. This meets the Comprehensive Plan. Mr. Brown testified earlier when the Comprehensive Plan was in place L-O was an acceptable location for multi-family. Since, then, text amendments changed in the L-O zoning, but the Comprehensive Plan didn't change with it, it didn't keep up with it, and so we are simply proposing this conditional use permit and Comprehensive Plan change to be in accordance with what -- what was contemplated at time the Comprehensive Plan was written. I understand change and I understand people not wanting change. I used to live in the middle of a sod farm next to no one and it's in the middle of Lochsa Falls now and we have Sellway Apartments and we have Kelli Creek and we have Fred Meyer. So, I understand the impact -- impact of that traffic. I understand the neighbors are concerned about that. But I also

understand that with this proposal we are providing the -- the answers to those questions to the best that we can for this project and we -- I would stand with any questions. I'm sure there is something that I missed and I appreciate your time and ask for your approval this evening.

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Mr. President. Mr. Amar, I don't know if you -- maybe you will know the answer, maybe staff would. When was multi-family removed from being able to be built in L-O, how recent that was?

Amar: Mr. President and Councilman Palmer, I do not know that answer.

Palmer: The reason I'm curious is, you know, if that had happened since Woodbridge had gone, you know, if Woodbridge -- if a lot of the residents had moved in with multi-family being possible to be built in that area or if it was the other way around?

Watters: President Bird and Councilman, it was removed from the Comprehensive Plan I believe after the Woodbridge development. However, I can't remember the exact date.

Palmer: Okay.

Bird: Any other questions?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: Mr. Amar, I believe one or two members provided some testimony with some concerns about the parking that you have provided in your facility. Could you maybe extrapolate on that a little bit for us?

Amar: Mr. President, Council Member Cavener, our parking exceeds the minimum required, 2.3 parking stalls per unit, and so -- two is required. It exceeds the parking required.

Cavener: Thank you.

Amar: Thank you.

Bird: Any other questions? Thank you.

Amar: Thank you.

Bird: Council?

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: I was just thinking this situation it would probably be best that we have any comments that we did before closing the public hearing, as we will undoubtedly reopen it should we close it.

Bird: That's what we are up to --

Cavener: I'm okay with keeping it open.

Bird: Go ahead. Any comments?

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: First, I would like to thank all the Woodbridge community members for coming out and telling me about the shortcut so that I could avoid Eagle Road. Anyway -- just kidding. I do have a doctor's office over there and I use Eagle Road and I -- but I can imagine that if I -- if I lived there, then, I would be looking for alternate routes. I go there because I'm going to a doctor's office from a different location. I know that if I lived there I would be looking for the shortest way out and a way to avoid Eagle Road any chance I got. So, I -- I think that the traffic is going to increase much more -- that happens with every development. So, that's okay, except for the fact that these are local streets, they are not built for the -- for an increase of traffic and it won't be safe and that's a big part of the -- of the problem that I have. The other point that I would like to make is that even though you could get a conditional use permit for an apartment complex in an L-O, it wasn't a guarantee -- it wasn't a given. It was not an approved thing. They still would have to come here and have this meeting to get the conditional use permit and we would be having the same exact conversation and it really comes down to the safety and the traffic -- and the streets. The streets are not cut out for more traffic cutting through there.

Bird: Any other discussion?

Cavener: I will be happy to chime in, Mr. President.

Bird: Mr. Cavener.

Cavener: I think this -- this project has been a challenge. I think that's why we have seen it remanded back to P&Z and the highway district being involved and the petitions

and the letters from our impacted citizens. The struggle for me is that contrary to maybe some people's opinions, I'm a fan of -- of multi-family development. I'm a fan of apartments and I appreciate the person who provided testimony and said that all people who live in apartments aren't bad people. I'm pretty sure the police department could testify we have crimes committed in homes and apartments. But I appreciate whoever articulated that. We need diverse housing options in Meridian. The piece that I had struggled with I think many of these citizens have articulated is is this a good fit for that particular piece. Is this project in -- what I think this developer has went over and above with regards to open space, I think he's tried to listen to the residents as best as he can. I think he's addressed many of the concerns. I think this development makes great sense. We wouldn't have five minutes worth of discussion on a project like this if it was in a properly zoned area. The question I think for us is does -- does this project go above and beyond so much it necessitates changing the future land map and rezoning this piece of property and I'm struggling with that piece. I may be alone, I may be in the majority tonight, knock on wood, that depends on tonight it seems if I'm on the right or the wrong side of these things, but I struggle with this project, as great as it is, being so great that it's worth changing our current zoning. That's my opinion.

Bird: Thank you. Mr. Palmer.

Palmer: Mr. President, what makes you think I have something to say?

Milam: We know.

Palmer: Yeah. I -- if any of you have ever been to a meeting where we have discussed apartments or residents, they are super exciting. I have always spoken in favor -- I mean property rights are mentioned -- of a property owner's right to develop his property for something that make sense and to me residential adjacent to residential makes sense and especially understanding Eagle Road has got heavy traffic right there by the freeway, but I think that makes it even more proper to put something like this there, as opposed to somewhere that has no traffic, but isn't anticipated to have traffic for many years. I think that it's already there and -- I mean we can choose to believe the traffic engineer or not believe the traffic engineer as to whether apartments provide less traffic than offices. I lean towards trusting them, as I am no expert in it. And, again, it's residential against residential, so it makes sense to me. And when you own the property -- I mean I don't -- I don't know of anyone that lives near here has made any attempts to purchase the property to be able to have a definite say on what goes there. I feel if you want to have absolute say on what goes to the property that's near you, you better own it. And beyond that if it makes sense as residential near residential, then, I'm going to vote for it.

Bird: Any others? I will weigh in a little bit. Residential against residential is right, but this is office, too. Offices is in there. This was zoned for offices. I happen to be one that got to visit the wound center quite often at 6:00 o'clock in the morning for a few days and to be truthful with you I went through Woodbridge, because it was better than

getting on Eagle at that time in the morning and they are not -- they are not kidding when they say those kids are sitting out there for the bus and stuff. While I think everybody has a right to do with their property as long as they do it right, I don't think this -- this development -- this area has the roadway or the access to get in and out of at this point and I think that the traffic study is probably way off. I think there will be a lot more car trips than what they show. It usually has -- we had a beautiful study at the corner of Franklin and Eagle Road when it -- when we started Portico and it was the finest traffic study I had ever seen and I will guarantee you within six months that traffic study was outdated. So, I feel at this point right now that -- that this area would be better suited to stay office buildings. That's my take on it. Any other?

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: I would like to reiterate -- that was one of the notes that I had -- to -- to the developer -- it is a great project. I like what you have done. Like the amenities you have added. There would be nothing else about this project, other than the location and I think the detriment that it will have on the neighboring area and having to change the zoning for that if it was in a proper location with proper ingress and egress to better streets.

Bird: Any other discussion in public? If not, I would entertain a motion to close the public hearing.

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Mr. President, I move we close the public hearing on H-2016-0006 as revised.

Milam: Second.

Bird: I have a motion and a second to close the public hearing. All in favor say aye. Any opposed? Public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Mr. President, I move we approve H-2016-0006 as revised.

Cavener: Just to play this out I will second that.

Bird: Okay. We got a motion and a second to approve H-2016-0006. Any discussion?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: We are just voting currently -- correct on number one?

Palmer: I think it's the whole --

Cavener: We are going to do the whole --

Palmer: One, two, three, four.

Cavener: Okay.

Bird: It's the whole thing. When we changed our applications to those numbers we went for the whole thing.

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Maybe for the public's benefit, this -- this seating situation is a little different than normal. Usually we have got six of us and the Mayor and so we are trying to plan ahead for if we end up having a tie and so if that were to happen our options are to let it as a tie and it fails or continue it to a meeting when the Mayor or the rest of the Council can maybe break the tie; right?

Nary: Mr. President, Members of the Council, Council Member Palmer, yes to both. So, the tie vote does fail and, then, your option, then, would be to revote with a different motion or to continue it to when the rest of the Council can be present and the Mayor, which the soonest would be August 16th.

Palmer: Not that I anticipate that, because my motions never fail. They usually fail.

Bird: Any other questions? Madam Clerk.

Roll Call: Bird, nay; Borton, absent; Milam, nay; Cavener, nay; Palmer, yea; Little Roberts, absent.

MOTION FAILED: ONE AYE. THREE NAY. TWO ABSENT.

Bird: We don't need that. Thank you, everybody, for coming out.

Cavener: We still have to vote to deny it then. His vote just didn't pass. We have still got --

Nary: There is still a motion you have to make.

Bird: We got a motion. Okay. Do I hear another motion or what do we want to do?

Cavener: I will do it. Mr. President?

Bird: Mr. Cavener.

Cavener: I move we approve 8-D request -- I guess it would be -- I request we deny -- I move that we deny Item 8-D.

Bird: That is H-2016-0006 application. Okay.

Milam: Second.

Bird: Okay. We have got a motion and a second. Any discussion?

Cavener: Mr. President, I just want to reiterate -- I think this is a great project and I hope that you find a use for this in our community, because we need housing like this in our community.

Bird: Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, nay; Little Roberts, absent.

Bird: It's denied.

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

Bird: Okay. We move on to Item --

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: Mr. President, would you entertain a five minute recess?

Bird: We will take a five minute recess.

(Recess: 8:37 p.m. to 8:46 p.m.)

Bird: Okay. Council, let's move on -- before we move on, Mr. Nary, there was some questions -- clarity on the findings.

Nary: Mr. President, Members of the Council, I just wanted to clarify for the record and for the makers of the motion for the denial, that what I heard from the Council was the basis for denial was not the unwillingness to amend the Comprehensive Plan to include multi-family into a light office district, as well as concerns about safety and the location of this particular project, but primarily it essentially was not willing to amend the Comprehensive Plan to include L-O -- or, excuse me, include multi-family back into the L-O district, would that be correct?

Cavener: It would be for me.

Bird: Was that your motion?

Cavener: Yes.

Nary: Okay. And the second thing there was a request -- it doesn't have to be tied to this, but we would like direction. One of the recommendations from the Planning and Zoning Commission was that the city fashion a letter to ACHD to do a traffic study of this area to look for alternative locations for streets and such. It has also been discussed by the Transportation Commission and they have also agreed to want to pen a letter as well. So, if that would be something that Council could direct, we would appreciate that and we will pen a letter and have it back in front of you.

Cavener: Mr. President, I had failed to include that in my motion. I think that's something to Mr. Nary's point that P&Z and traffic safety has encouraged, so I guess I would ask that we agree that -- to have the Mayor send a letter to ACHD. Regardless of this development there is going to be significant questions that are going to continue to arise and partner with ACHD sooner, rather than later, to have a more accurate picture of that -- that area.

Bird: I would definitely agree with that. Mr. Palmer?

Palmer: Mr. President, I get in trouble when I sign letters.

Bird: You don't have to sign it.

Cavener: Mr. President, I would just ask the Mayor to sign it.

Bird: Mr. Nary, would you and Caleb take care of getting that letter addressed, so we can -- or done so we can do it and, then, when the Mayor gets back she can sign it?

Nary: Yes, sir.

- E. Public Hearing for Bancroft Square (H-2016-0055) by Schultz Development Located 2750 S. Eagle Road**
- 1. Request: Rezone of 6.54 Acres of Land from the R-4 to the R-8 Zoning District**
  - 2. Request: Preliminary Plat Approval Consisting of Thirty-Three (33) Building Lots and Five (5) Common Area Lots on 5.41 Acres of Land in the Proposed R-8 Zoning District**
  - 3. Request: Modification to the Conditional Use Permit/Planned Development (CUP-02-005) to Change the Approved Use from Office/Multi-Family to Single Family Residential**
  - 4. Request: For An Amendment to the Development Agreement (Sutherland Farm, Inst. (102143307) to Updated the Development Plan for this Site**

Bird: Thank you. Okay. Moving on to 8-E is a public hearing on Bancorp Square. Bancroft Square, H-2016-0055. I will open the public hearing. Staff.

Watters: Thank you, President Bird, Councilmen. The next applications before you are a request for a rezone, preliminary plat, and conditional use permit modification. This site consists of 5.41 acres of land. Zoned R-4. Located at the southeast corner of South Eagle Road and East Easy Jet Drive at 2750 South Eagle Road. This property was annexed and included in the planned development and preliminary plat for Southerland Farms Subdivision back in around 2000, 2001. The planned development conceptually approved office and multi-family uses on this site as a land use exception in the R-4 zoning district. A detailed conditional use permit was required prior to development. The Comprehensive Plan future land use map designation for this site is mixed use community. The applicant proposes to rezone 6.54 acres of land from the R-4 to the R-8 zoning district for the development of 33 single family residential homes with a density of 6.1 units per acre. A modification to the previously approved conditional use permit and planned development is requested to change the use approved for this property from office and multi-family residential to single-family residential at a density desired in the mixed-use community designated areas. A preliminary plat is proposed consisting of 33 building lots and five common area lots. Access is proposed at the north boundary via Easy Jet Drive with a stub street to the south for future interconnectivity. Access is also proposed to the east via South Nephrite Way. No access is proposed via Eagle Road and is prohibited. A landscape street buffer is required along Eagle Road in accord with UDC standards. Landscape parkways are proposed along East Gerdner Drive and Court. A minimum of ten percent qualified open space is typically required to be provided along with one site amenity for development five acres or more in size, which in this case amounts to .54

of an acre with one site amenity. Because this property was originally included in the preliminary plat for the Sutherland Farm development and is included in the planned development, the applicant requests this property is allowed to develop as originally intended as the last phase of the subdivision and that qualified open space and site amenities for the overall development is considered to cover this portion of the site as well. A total of 11.3 percent or 13.24 acres of qualified open space has already been provided with the Sutherland Farm development, along with site amenities consisting of a three-quarter mile long regional pathway along the Ridenbaugh Canal, a 5.9 acre park, a two-and-a-half acre park, tot lot, a gazebo, swing set and horseshoe pits. The applicant states they have discussed incorporating the subject property into the HOA with the Sutherland Farm HOA and have reached an agreement, but it has not yet been finalized. In the event the agreement is not finalized staff recommends the plat is revised to provide the full ten percent of qualified open space. Currently they are proposing 7.9 percent or .43 of an acre. Conceptual building elevations for homes within this development have been submitted as shown with a variety of building materials. One and two story structures are proposed ranging in size from 1,200 to 2,200 square feet, similar to the size of homes in Sutherland Downs Subdivision to the north. Because homes on lots that back up to or face South Eagle Road and East Easy Jet Drive are going to be highly visible, staff recommends the rear and/or sides of homes on lots that face or back up to these roadways incorporate articulation through changes in materials, color, modulation and architectural elements, horizontal and vertical, to break up monotonous wall plains and roof lines. The Commission voted to recommend approval of the subject applications. Matt Schultz and Robert Nielsen testified in favor. No one testified in opposition. Bonnie Broussard and Fred Cooperus commented on the application. Written testimony was received from Matt Schultz, the applicant's representative. Mike and Annette Wheeler. Arney and Kay Veers. Bill and Sally Riggs. James and Marsha Harris. Joanne St. Charles and Robert Nelson. Ken and Mary Ellen Wheeler. Robert and Laural Nielson. Tom Reynolds. Ken and Eileen Skillion. All of these were in favor of the development, provided that the minimum open space and site amenity requirements are provided with this development or, in the alternative, that the development is included in the HOA for either Sutherland Farms or Sutherland Downs, in order to help bear the cost of maintenance of these private common areas and also subject -- be subject to certain architectural design guidelines as determined appropriate for this development. The key issues of discussion by the Commission -- the Commission was in favor of the proposed development. There were no changes to the staff recommendation and there has been no written testimony since the Commission hearing. Staff will stand for any questions.

Bird: Thank you, Sonya. Any questions for Sonya? Okay. Is the applicant here?

Schultz: Good evening, Council. Matt Schultz. Schultz Development. 8421 South Ten Mile, Meridian. I'm also here with the Joe Atalla at Berkeley Building Company. Berkeley is under contract to purchase the property. I'm helping them do the approvals and do the development to, hopefully, build it next year and his office is actually right around the corner in El Dorado. Really close to the site. And I live in the area, too.

Have been working in South Meridian for 16 years now in development, so it all feels like home. We want to do a good job and on this one it's interesting that we are, essentially, the last phase of the project started in 2002 by Trevor Roberts, who has since passed away, and he got most of it done. He got most of the single family done. Since then a mini storage there was a failed attempt to do some apartments on this site I believe. I heard that. So, we do come in -- when I come in only the single family detached, it was a good product, it's a good fit. We matched what's across the street what's already in Sutherland Farms. We were kind of pleasantly surprised in our neighborhood meeting that people were saying, hey, you should -- you should come into our HOA, you're going to use our park anyway, which kind of like -- we don't usually hear that, but, then, again, I usually don't do the last phase of a project started in 2002. So -- so, it is a little bit odd for me to be in this situation, but it's been real pleasant working with their HOA president and board and some of the neighbors who all -- for the most part -- I can't remember a negative comment, other than you need some more single story, just because we want to buy them. You know, the product that we have set up right now is two stories. Looking at developing the single story in it, because we think it will sell really well. But we have negotiated -- sat down with their board and negotiated, essentially, an entry fee. It will pay the equivalent of an amenity in ours towards them upgrading. Do you have the overall site plan, Sonya? Of the overall Sutherland Farm I gave you in the last meeting? Just kind of shows --there is a central six acre park in the middle of the 110 acres out there in Sutherland Farms. There is, actually, two HOAs out there. One is Sutherland Farms, which is the bigger lots, which we are actually joining that one, which is kind of unique. We are the small lots joining the big lots, which -- of 254 lots and Sutherland Downs is right north of us, they have all maintenance included, single stories, the different pay schedule. They are a separate HOA of -- of 79 lots. So, there is 333 lots existing out there. Two different HOAs. We are joining the bigger one. We have agreed to join. They have -- they have some architectural control, which is hard for us to give up, but we are going to give some of that up just to get along with everybody and give them a monetary contribution and -- and decorative streetlights to match their decorative streetlights is what they would like to do and we are doing detached sidewalks. They don't have them. We are going to do detached. We feel like it -- it opens up that street feel a little bit to have the detached parkway strips, even though we are giving up a little -- a little rear yard for that, we feel that it was important to the streetscape. So, all in all -- I could probably talk too much here. Staff recommends -- we are good with staff recommendations. We have an agreement on paper. We just haven't signed it yet. We still have to take it to their -- to their homeowners at large and get a 60 percent approval or 66 percent, which they seem confident, but we will see how it turns out. We seem to have a lot of support. And if it works out, great. If it doesn't the changes -- and it's -- the reason we don't hit ten percent is because they won't let us count the existing buffer on Easy Jet, because it's not technically a collector. But we have over ten, we just can't count it. So, to meet it, technically, we would have to give up one lot and put in an amenity on our site is what it would be. An easy change, you know, to meet the ten, plus one amenity. We would rather save a lot and build -- help them upgrade some larger amenity for everybody in their main park, which you can see in the middle here where it says 5.9 acres. That's the main park for Sutherland Farms.

We are over here to the west, less than a thousand feet away. Sutherland Downs right north of us, they have their own two and a half acre park that our homeowners may or may not use. I hope they don't get too offended if they walk through. I know they are saying this is our park, it's not our park, and we are trying to avoid that by joining at least Sutherland Farms for now and not having that you can't use my park issue come up, so we think it's a great project. We agree with staff's conditions of approval and we hope to present a final plat to you shortly and get going on it. So, stand for any questions. Thank you.

Bird: Any questions for Matt? Thank you, Matt.

Schultz: Thanks.

Bird: This is a public hearing. We had nobody sign up. Is there anybody that would like to testify? If not, do you want the final word or have you had it?

Schultz: I'm done.

Bird: Council?

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: Mr. President, I move we close the public hearing on H-2016-0055.

Milam: Second.

Bird: I have got a motion and a second to close the public hearing on Item E. All in favor say aye. Any opposed?

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Bird: Council, what's your --

Palmer: Mr. President?

Bird: Mr. Palmer.

Palmer: I can't remember if the previous attempt to building on this property was a meeting that I attended before I was in or if it was since I have been in. If it was since I have been in I voted for it. If it was before I would have. But I'm sure -- especially given that there is not really anybody here compared to that meeting, that they are much happier with the proposal now. And with that I move we approve H-2016-0055.

Milam: Second.

Bird: Okay. Got a motion and a second. Any discussion? Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, absent.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**F. Public Hearing for Binary Subdivision (H-2016-0078) by Tealeys Land Surveying, Inc. Located 1351 E. Fairview Avenue**

**1. Request: Short Plat Approval of Two (2) Commercial Lots on Approximately 0.689 Acres in the C-G Zoning District**

Bird: Item F. Public hearing on H-2016-0078. I will open the public hearing and start with staff comments. Josh.

Beach: Good evening, President, Council Members. As you say, this is an application for a short plat for what is called Binary Subdivision. The site consists of 0.689 acres. Currently zoned C-G. Located at 1351 East Fairview Avenue. A little history on this property. In 2007 the property received preliminary and final plat approval for the four lot Intermountain Outdoor Subdivision and in 2011 a portion of the property was developed with a Dutch Brothers Coffee kiosk that's currently operating on the east portion of this property. The proposed short plat consists two commercial lots, as I said, on 0.689 acres in the C-G zoning district. The proposed plat is a resubdivision of Lot 2, Block 1, of the Intermountain Outdoor Subdivision. The existing Dutch Bros. Coffee is located on Lot 2, Block 1, of the Intermountain Outdoor Subdivision. The existing landscaping along the north and the west portions of the property along Fairview and -- and the adjoining local streets are in place. There is a cross-access agreement associated with the property and access is taken from Fairview Avenue, as well as Stonehenge to the west. Staff has reviewed the proposed short plat for substantial compliance with the criteria set forth in the UDC. Staff is recommending approval. The applicant did respond in agreement with the staff report and there are no outstanding issues for Council to review on this. I will stand for any questions you have on the application.

Bird: Thank you, Josh. Any questions? Applicant? Mr. Tealey.

Tealey: Mr. President, Members of Council, my name is Pat Tealey. Office address 12594 Explorer in Boise. It seems pretty lonely in here right now. I'm getting an echo. But we have read the staff report. We agree with staff. It's -- it's a development of a lot -- or a parcel where more buildings were approved for it. We just want to be able to split it, so we can sell the parcel. If there any questions I will stand for them.

Bird: Any questions? Thank you.

Tealey: Thank you.

Bird: This is a public hearing. Anybody want to testify? Seeing none, Council, what's your --

Milam: Mr. President?

Bird: Mrs. Milam.

Milam: I move that we close the public hearing on H-2016-0078.

Cavener: Second.

Bird: Okay. We have got a motion and a second to close the public hearing on H-2016-0078. All in favor say aye. Any opposed?

Milam: Mr. President?

Bird: Public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Milam: Oh, sorry. Mr. President?

Bird: Ms. Milam.

Milam: Thanks for being here all night. I don't -- whoever made this agenda should be -- have a talking to, but -- it was probably some good entertainment for you. Anyway, I move that we approve H-2016-0078.

Cavener: Second.

Bird: Okay. We got a motion and a second? Any discussion? Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, absent.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**Item 9: Ordinances**

- A. An Ordinance No.: 16-1701 (H-2016-0009 Fall Creek Meadows Subdivision) For Annexation and Rezone of a Parcel Located in the E 1/2 of the NW 1/4 of Section 24, Township 3 North,**

**Range 1 West, Boise Meridian, Ada County, Idaho, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian; This Parcel Contains 13.17 Acres More or Less. Establishing and Determining the Land Use Zoning Classification of Said Lands from RUT to R-8 (Medium Density Residential) District in the Meridian City Code**

Bird: Okay. Council, we got an ordinance. I don't know what the ordinance number is.

Cavener: 16-1701.

Bird: Thank you. If the Clerk would read it by title only.

Holman: Thank you. City of Meridian Ordinance No. 16-1701. An Ordinance H-2016-0009, for annexation and rezone of a parcel located in the east one half of the northwest one quarter of Section 24, Township 3 North, Range 1 West, Boise meridian, Ada County, Idaho. As described in Attachment A and annexing certain lands and territory situated in Ada County, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian, as requested by the City of Meridian. Establishing and determining the land use zoning classification of said lands from RUT to R-8, medium density residential district, in the Meridian City Code. Providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder and the Idaho State Tax Commission as required by law and providing for a summary of the ordinance and providing for a waiver of the reading rules and providing an effective date.

Bird: We have heard the ordinance read by title only. Is there anybody who would like to hear it -- or have it read it in its entirety?

Cavener: Mr. President?

Bird: Mr. Cavener.

Cavener: Seeing none, I move we approved Ordinance 16-1701 was suspension of rules.

Milam: Second.

Bird: Okay. We got a motion to approve the ordinance. Madam Clerk.

Roll Call: Bird, yea; Borton, absent; Milam, yea; Cavener, yea; Palmer, yea; Little Roberts, absent.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**Item 10: Future Meeting Topics**

**A. Discussion of Public Hearing on August 9, 2016 for PY2016  
Community Development Block Grant (CDBG) Action Plan**

Bird: Okay. Council, moving on to Future Meeting Topics. We need to discuss the public hearing on the CDBG action plan that we have got scheduled for the 9th of August, which is our early deal and I agree with the other councilmen and I know the Mayor does, too, that we would like to have it work at least -- people that work get here by the deal, so, Mr. Nary, do you want to explain what -- what the idea that would work?

Nary: Yes. Mr. President, Members of the Council, in discussing internally with the planning staff and Sean, the administrator, we have had some people from the public indicate they would like the meeting to be held at 6:00. We can't renote this meeting. It's already been noticed. And we have to submit something by the 16th of August. But what Sean did indicate that we could do is start the meeting like normal at 3:00 o'clock. We can also notice up an additional public opportunity for testimony at 6:00 o'clock. It's -- as you all know, it's very hard to gauge will the meeting take three hours, will it take two hours -- I really don't know. But we can add the additional testimony and we will, then, renote that as an additional testimony opportunity for people at 6:00 o'clock. So, if the meeting where to get over early, we simply would recess until 6:00 o'clock and, then, you would have whoever shows up and have an opportunity to testify at 6:00 like at a normal evening meeting and that would be compliant with the requirement for the public notice. It would be required with the public participation and it would probably satisfied, again, those that would prefer to come at 3:00, as well as those who would prefer to come at 6:00. So, if that's all right with everybody, that would be the plan. And, like I said, Sean was going to renote -- not renote. I'm sorry. Notice the additional opportunity for testimony.

Cavener: I agree with that.

Bird: Are you okay, Genesis?

Milam: I do.

Palmer: Yeah. I -- there was a couple e-mails that we got from people that requested that. I don't know if they were replied to and we were doing that or if they were waiting to do that until tonight. I just want to make sure those people get replied to.

Nary: Mr. President, Members of the Council, Council Member Palmer, all of the ones that we received either through the city clerk's office or the Mayor's office have all been responded to. The ones that specifically ask about this I responded to directly and told them this is what we would be talking about tonight and that there would be additional notice that would be provided, both on the website, as well as our normal noticing process, so --

Bird: Okay. Council, any other future meetings? Next week we will not have Council. We got -- it's Night Out -- National Night Out. I hope you all are going to attend and have got a hold Peggy to -- so she's got all of you. So, I think -- I think, Council, for what we had you guy did one heck of a good job tonight. I mean we are out of here at 9:10 I think for everything we had.

Cavener: Mr. President? Well done on reading through those names. I know that can be a challenge and probably had a lot of doctors in the audience and the handwriting was a little rough.

Bird: Yeah.

Cavener: So, well done.

Bird: Anyway, I would entertain a motion to adjourn.

Cavener: So moved.

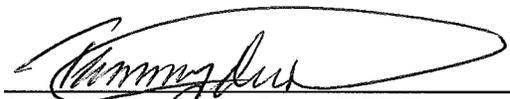
Milam: Second.

Bird: All in favor? Any opposed?

MOTION CARRIED: FOUR AYES. TWO ABSENT.

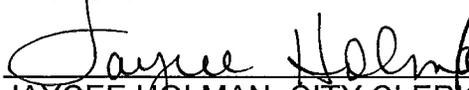
MEETING ADJOURNED AT 9:10 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

  
MAYOR TAMMY DE WEERD

8 1 9 1 16  
DATE APPROVED

ATTEST:

  
JAYCEE HOLMAN, CITY CLERK

