

A meeting of the Meridian City Council was called to order at 6:05 p.m., Tuesday, September 20, 2016, by Mayor Tammy de Weerd.

Members Present: Mayor Tammy de Weerd, Joe Borton, Keith Bird, Genesis Milam, Ty Palmer, Luke Cavener and Anne Little Roberts.

Others Present: Bill Nary, C.Jay Coles, Jaycee Holman, Bruce Chatterton, Sonya Allen, Josh Beach, Warren Stewart, Tracy Basterrechea, Joe Bongiorno, and Dean Willis.

Item 1: Roll-call Attendance:

Roll call.

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

De Weerd: Thank you for your patience. We are sorry that we are a few minutes beyond 6:00, but welcome to Meridian City Council meeting. Thank you for joining us. For the record it is Tuesday, September 20th. It's a few minutes after 6:00. We will start with roll call attendance, Mr. Clerk.

Item 2: Pledge of Allegiance by Cub Scout Troop #365

De Weerd: Item No. 2 is the Pledge of Allegiance. Tonight we will be led in our pledge by Cub Scout Troop 365. If they would like to come forward.

(Pledge of Allegiance recited.)

De Weerd: If I could ask you Cub Scouts -- young men. I would like to give you a City of Meridian Pin. Good job.

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

De Weerd: Okay. Item No. 3 is our community invocation. Pastor Troy Drake is here with us to lead us in the invocation. If you will all join us or take this as an opportunity for a moment of reflection. Thank you for joining us.

Drake: Good evening. Thank you for having me. It's hard to follow the Cub Scouts, but I will try. Lord God, thank you so much for this country that we live in and the freedoms that we have to choose our representatives and to work where we want to and live where we want to and -- and believe in serving -- serve you

or not and -- and so we just appreciate this country and, God, we just pray for safety over Meridian tonight and the rest of our country, Lord, just all the craziness that has been happening, we just ask that you be with the families elsewhere and, you know, just, God, we ask for you to be over our police officers and firefighters and all those who protect us from harm and that you would keep our city safe tonight and we do just consider those who have suffered recently in our nation and, Lord, lastly, I also just pray for our City Council meeting here tonight and these -- the Mayor and the Council Members, Lord, we are just so thankful for them and pray that you would bless them, bless their lives for their service to us all and -- and that you would give them wisdom here tonight in all the affairs, the business of the city, and we just trust them with those things, God, and pray that they would make good decisions and would do according to your will and plan and so we honor you tonight, Lord, and it's in Jesus' name we pray, amen. Thank you.

Item 4: Adoption of the Agenda

De Weerd: Thank you. Item No. 4 is adoption of the agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: On the agenda under the Consent Agenda, 5-R is -- the resolution number is 16-1160. 5-S is resolution number 16-1161. Under 5-T the resolution number is 16-1162. And under Department Reports, resolution number under 7-A is 16-1163. 7-B is resolution number 16-1164. 7-C is resolution number 16-1165. Item 7-D is reservation number 16-1166. Item 7-E is resolution number 16-1167. And Item 7-F is 16-1168 resolution. Under Acton Items we have to add an 8-1, which needs to be a resolution -- proposed resolution of 16-1169 and that is a resolution adopting the annual rate adjustment for the solid waste collection. 9-A the ordinance number is 16-1707. And with that I move we approve the amended agenda.

Borton: Second.

De Weerd: Mr. Bird, will you restate that. I'm just kidding.

Bird: I know it.

De Weerd: Any questions? I have a motion and a second to adopt the agenda as amended. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Item 5: Consent Agenda

- A. Approve Minutes of September 6, 2016 City Council Meeting**
- B. Addendum No. 14 to Boise City Prosecutorial Agreement**
- C. Final Order for Hill's Century Farm No. 5 (H-2016-0103) by Brighton Investments, LLC Located on the East Side of S. Eagle Road, approximately ¼ Mile North of E. Lake Hazel Road.**
- D. Final Order for Bainbridge Subdivision No. 4 (H-2016-0094) by Brighton Investments, LLC Located East of N. Black Cat Road, Midway Between W. Chinden Boulevard and W. McMillan Road**
- E. Final Order for Decatur Estates Subdivision No. 2 (H-2016-0101) by 4345 Linder Road, LLC Located 4345 N. Linder Road**
- F. Final Order for Vicenza Subdivision No. 3 (H-2016-0096) by Cottonwood Development, LLC Located North of W. McMillan Road; Between N. Black Cat Road and N. Ten Mile Road**
- G. Final Order for Vicenza Subdivision No. 4 (H-2016-0097) by Cottonwood Development, LLC Located North of W. McMillan Road, Between N. Black Cat Road and N. Ten Mile Road**
- H. Findings of Fact, Conclusions of Law For Approval for Twelve Oaks (H2016-0100) by Twelve Oaks, LLC Located 1845 W. Franklin Road**
- I. Findings of Fact, Conclusions of Law for Approval for Roundtree Place Subdivision (H-2016-0081) by Trilogy Development Located at 755 S Linder Road**
- J. Final Plat for Biltmore Estates Subdivision No. 3 (H-2016-0086) by Oakwood Estates, LLC Located at W. Victory Road and West of S. Meridian Road**
- K. Final Plat for Howry Lane Subdivision No 1 (H-2016-0106) by M3 Acquisitions, LLC Located at 5220 S Howry Lane**

- L. Professional Service Agreement for Design, Construction, and Installation of Credenza for Initial Point Gallery for the Not-to-Exceed Amount of \$2,300.00**
- M. Professional Services Agreement for Meridian Anti-Drug Coalition Strategic Prevention Framework State Incentive Grant (SPF/SIG) Program Evaluation Services for the Not-to-Exceed Amount of \$9,000.00**
- N. Release of Water Main Easement at Wahooz / Pinz**
- O. Acceptance Agreement - Meridian City Hall Plaza Artwork: "Out on the Town"**
- P. Warranty Surety Waiver Agreement with West Ada School District for Hillsdale Elementary School**
- Q. Warranty Surety Waiver with West Ada School District for Victory Middle School**
- R. Resolution No. 16-1160: Resolution to Destroy Semipermanent Records of the Community Development Department, Building Services Division**
- S. Resolution No. 16-1161: A Resolution of the Mayor and City Council of the City of Meridian to Amend the Future Land Use Map of the 2002 Comprehensive Plan for 68.15 Acres known as Silverstone Apartments Generally Located at 4225 E. Overland Road, in the NE ¼ of Section 21, Township 3 North, Range 1 East, Meridian, Idaho; and Providing an Effective Date.**
- T. Resolution No. 16-1162: Resolution Signifying City's Final Acceptance of Meridian City Hall Plaza Artwork "Out on the Town" by Daniel Borup**
- U. Final Plat for Rainer Villas (H-2016-0107) by Intermountain Pacific, LLC Located West of Meridian Road and South of West Penwood Street and North of West Corporate Drive. Request: A Final Plat of Fifteen (15) Residential Lots and Five (5) Common Lots on 5.354 Acres in an Existing C-G Zoning District**

De Weerd: Item 5 is our Consent Agenda.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Under the Consent Agenda earlier, the resolution numbers for R is 16-1160. S is 16-1161. And T is 16-1162. With that I move we approve the Consent Agenda, the Mayor to sign and the Clerk to attest.

Borton: Second.

De Weerd: I have a motion and a second to approve the Consent Agenda. Any discussion from Council? Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Item 6: Items Moved From the Consent Agenda

De Weerd: There were no items moved from the Consent Agenda.

Item 7: Department Reports

- A. Mayor's Office: Resolution No. 16-1163: Resolution Appointing Ella Kramer as the Youth Member of the Meridian Historic Preservation Commission**
- B. Mayor's Office: Resolution No. 16-1164: Resolution Appointing Lance Baumgartner as Youth Member to the Meridian Transportation Commission**
- C. Mayor's Office: Resolution No. 16-1165: Resolution Appointing Taylor Farmer as Youth Member to Meridian Arts Commission**
- D. Mayor's Office: Resolution No. 16-1166: A Resolution Appointing Kayla McNay as Youth Member to the Meridian Parks and Recreation Commission**
- E. Mayor's Office: Resolution No. 16-1167: A Resolution Appointing Victoriah Madrigal as Youth Member to Meridian Solid Waste Advisory Commission**

De Weerd: Item 7-A is a proposed resolution on the appointment of our youth member for the HPC. Ella Kramer -- actually, do I have any of my youth council member appointees here? Awesome. I'm going to go ahead and ask for Council action and, then, I will see if you -- either of you would like to make comment. I will invite you up at that time. So, thank you for joining us tonight. You can go ahead and sit down. I'll call on you in a moment. Council, the A through F -- actually A through E are appointments for our youth seats. They are effective for one year. We conducted interviews last week -- seems like a long time ago. And I can tell you that the -- we interviewed 13 youth members that were all interested in these youth seats on our citizen commissions and they would knock your socks off. So, I am really proud and I have already informed the chairs of each of these commissions that they are going to be blown away by their newest members and I'm really excited to have our youth voice on these various commissions. So, I would ask your approval of these appointments of Ella Kramer to the Historic Preservation Commission. Lance Baumgartner to the Transportation Commission. And I will tell you that Lance is returning. He has served one year on the Transportation Commission and was a very active participant. I have Taylor Farmer on our Meridian Arts Commission. Kayla McNay on our Parks Commission and Victoria Madrigal -- I worked on it. On our Solid Waste Advisory Commission. So, once I have your approval I will -- I will see if we have a comment.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: With your permission I would move that we approve resolutions number 16-1163, 16-1165, 16-1165, 16-1166 and 16-1167.

Milam: Second.

De Weerd: Okay. I have a motion and a second to approve the appointments on Items 7-A through E. Any discussion? Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

De Weerd: And at this point I will ask Victoria if she would like to make comments. You would need to come right up.

Madrigal: I'd like to thank you for offering me this position and I'm really proud to say that I accepted it and I'm excited to see what I can help do this year.

De Weerd: And I will tell you that she was very anxious to -- to be a youth representative and to add her input into our process and so I'm excited to have you. And -- okay. So, it is I think -- Taylor. Right?

Farmer: Um -- wow, that's really loud. I would like to thank you for honoring me with this position and I really hope that with this position I can make a great amount of change within the arts and culture within our city.

De Weerd: And so you want to tell us a little bit about your interest in the arts?

Farmer: I -- when I was younger was in the theater. I took art last year. Not my biggest strong suit, but I learned a lot from it and I know that -- I know a lot of great artists from my school by taking art and I was told about the youth exhibit of art in my interview and I think that we could take a lot from those smaller schools and really implement their ideas and their art and let them be heard through that exhibit this year.

De Weerd: And I will tell you that our arts commissioner -- our youth representative also is responsible for putting together an art exhibit for youth and so we -- we made sure that we shared that. In the past those exhibits have been phenomenal and -- and we are excited to work with you.

Farmer: Thank you.

De Weerd: Appreciate you being here. And proud parents as well. And I think if -- did I see someone else stand up? Kayla. Right? Come one forward.

McNay: Well, I'm Kayla McNay and I'd like to thank you guys for this opportunity to show that I can really affect the city and I can just -- I will try my hardest and I'm really excited for this year. So thank you.

De Weerd: Thank you. We are excited to have you as well and like I said on all the other chairs of the various commissions, they have been warned about each of your energy, your enthusiasm, and I'm looking forward to having you on board.

McNay: Thank you so much.

De Weerd: So thank you. I guess the third one we really got it right, so let's give all three of them -- oh. And Ella. Now, I just want to tell you on Ella, she came prepared with specific ideas and so she had done her homework and very excited to have you introduce yourself.

Kramer: Well, I really love history so much. I'm so excited about this opportunity and to see what I can learn and what I can do to make the city a better place.

De Weerd: Thank you all for being here and for your interest in our history. It's -- it was very rewarding to have young members that had an interest in the history, the roots of our community, and we are excited to have you on board as well.

Kramer: Thank you.

De Weerd: Thank you. Okay. The only one that isn't here is Lance and, again, he is a returning commissioner. I think, Mr. Cavener, you have worked with Lance and --

Cavener: Madam Mayor?

De Weerd: Yes.

Cavener: If I may, Lance is a -- enthusiasm I think is an understatement. There is a guy who is motivated and passionate about transportation. I don't think when I was in high school I could maybe even spell transportation and let alone we have got a great individual like Lance who is really committed to our community and so I'm excited to see that he's being reappointed to this commission.

De Weerd: I would challenge you if you tied his hands to his side if he could still talk.

Cavener: Not likely.

De Weerd: No. Again, thank you -- thank you all. You do not have to stay the rest of the meeting. You're going to have your own meetings that you will get to it -- to sit through. So, thank you for being here with us and we appreciate your interest. Unless you're doing it for credit in government classes or anything else. And I know you're not that age yet, so --

De Weerd: Okay. Item 8-A is a public hearing on Republic Services proposed 2017 fee schedule.

Milam: Madam Mayor?

Cavener: You got one more. Item F.

**F. Mayor's Office: Resolution No. 16-1168: A
Resolution Appointing Mark Nelson to Seat 2 and
Reappointing Steven Cory to Seat 4 of the Solid
Waste Advisory Commission**

De Weerd: Oh, I'm sorry. Yes. Is Mark here? I didn't see him. Okay. Item F is resolution 16-1168. Mark Nelson is interested in serving on our Solid Waste Advisory Commission. Probably ten years or more ago he served on our

Planning and Zoning Commission and, then, he got very involved in work and travel, so he's -- he's back homebound again -- not homebound, but he's at least in town and ready to recommit to serving our citizens. As well as Steven Cory to Seat 4. He is a returning commissioner. He's been the chair and he also represents our commission and our city as well on the Ada County advisory commission. So, both of these I enthusiastically bring for your approval tonight.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve Resolution No. 16-1168.

Cavener: Second.

De Weerd: I have a motion and a second to approve Item 7-F. If there is no discussion, Mr. Clerk.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: ALL AYES.

Item 8: Action Items

A. Public Hearing: Republic Services Proposed 2017 Fee Schedule

De Weerd: Okay. I will now move to the public hearing on Republic Services proposed 2017 fee schedule. I will open the public hearing with comments or questions. I think we have already heard this. We heard this as we moved to put it on the agenda. I would ask if there is anyone in our audience tonight who would like to make comment on this item? Okay.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Seeing none, I move that we approve the proposed --

De Weerd: We need to close the public hearing.

Milam: Oh. Close the public hearing on 8-A.

Bird: Second.

De Weerd: We have a motion and a second to close the public hearing on Item 8-A. All those in favor say aye. All ayes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

De Weerd: And if the record will note that Mr. Cavener had to leave.

Nary: Madam Mayor?

De Weerd: Mr. Nary.

I. Amended onto Agenda: Resolution No. 16-1169: A Resolution Adopting the Annual Rate Adjustment for the Solid Waste Collection Services by Republic Services, Inc.; Authorizing the City of Meridian Utility Billing Department to Collect Such Rate; and Providing an Effective Date

Nary: I was just going to say Item I that was added is the resolution to approve that. If you want to you can do that now.

De Weerd: Thank you.

Nary: Or you can wait until it comes up with the agenda.

Bird: Whatever you want to do.

Milam: Madam Mayor?

De Weerd: Yes, Mrs. Milam.

Milam: I move to I. 8-I. Okay.

De Weerd: Appropriate.

Milam: Appropriate. I move that we approve Resolution No. 11 -- dash 1169, adopting the annual rate adjustment for the solid waste collection services by Republic Services, authorizing the City of Meridian Billing Department to collect such rate and providing an effective date.

De Weerd: Okay. The motion was to approve Resolution 16-1169. Any discussion from Council? Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

B. Public Hearing For Silverwater South (H-2016-0082) by Trilogy Development Located at South of E. Victory Road and West of S. Locust Grove Road

1. Request: Preliminary Plat Consisting of 48 Building lots and 4 (Four) Common Lots on 12.08 Acres of Land in an R-8 Zoning District

De Weerd: Item 8-B is a public hearing for H-2016-0082. I will open this public hearing with staff comments.

Allen: Thank you, Madam Mayor, Members of the Council. The first application before you tonight as a request for a preliminary plat. This site consists of 12.08 acres of land. It's zoned R-8 and located south of Victory Road and west of South Locust Grove Road. A little history. This was annexed with a development agreement and preliminary platted back in 2006 as part of Tanana Valley Subdivision. In 2007 a new preliminary plat was approved for Cavanaugh Subdivision, which included the subject property. Several time extensions have been approved for the plat. Since approval of the plat individual parcels have been sold off and are now under different ownerships and are being developed separately, rather than as a single master planned project as originally intended. The subject developer is developing all of the property north of the Ridenbaugh Canal and east of Standing Timber Way. Standing Timber is the street right here. And, then, the Ridenbaugh runs right along here. So, everything north of that is under this developer's project. The original preliminary plat did include land that's south of the Ridenbaugh also. Because the previous preliminary plat depicted all of the site amenities for the overall development north and south of the canal to be provided on the north side of the canal, staff didn't feel it was reasonable to require this development to provide all of the amenities for the overall subdivision.

De Weerd: Can you hear in the back of the room? Can you move your microphone closer.

Allen: Therefore, at the last time extension staff required the remainder of the property to be re-subdivided and meet current development standards. The Comprehensive Plan future land use map designation for this property is -- approximately half of it is designated mixed-use neighborhood, with a neighborhood center overlay and the other half is designated medium density

residential. The applicant is proposing a new preliminary plat consisting of 48 building lots and four common area lots on 12.08 acres of land in the R-8 zoning district in the same layout as shown on the previous preliminary plat. The minimum lot size is 6,827 square feet, with the average lot size being 8,698 square feet. The proposed density is 3.97 units per acre, consistent with the medium density residential future land use designation, but below the density desired in the mixed-use neighborhood designated areas. Access is proposed via internal local streets within the development. The applicant proposes .44 of an acre or 3.65 percent of qualified open space consisting of a 50-by-100 open space area, six foot wide parkways and micropath lots and a pathway as a site amenity. In the overall development, which encompasses 54 acres of land, a total of 7.38 acres or 13.63 percent of qualified open space and a gazebo, basketball court, pathways and a tot lot will be provided as amenities. The applicant requests the overall common area is allowed to count toward that required with this development. Staff is amenable to this request. Conceptual building elevations were submitted for the future homes within this development as shown and building materials appear to consist of a mix of horizontal lap siding and vertical board and batten siding, with stone veneer, brick accents. The Commission did recommend approval on the subject application. Scott Wonders, the applicant's representative, testified in favor. No one testified in opposition. Nancy Buckley commented. And written testimony was received from Scott Wonders, the applicant's representative, in agreement with the staff report. Key issues of public testimony was concern of overdevelopment in Meridian and of schools and roads not being able to support growth. There are no outstanding issues for City Council and no written testimony has been received since the Commission hearing. Staff will stand for any questions.

De Weerd: Council, any questions?

Bird: I have none.

De Weerd: Okay. Is the applicant here? Good evening. If you will, please, state your name and address for the record.

Wonders: Yes. It's Scott Wonders with JUB Engineers. 250 South Beechwood in Boise. Thank you, Madam Mayor and Council Members. I'm here representing the applicant for this project. The Silverwater South plat there before you is basically the third phase of the project as a whole. It's about 54 acres. We just completed phase three this summer and this would be probably slated, if approved, to be started next spring. So, all the site amenities will be either constructed with phase two or phase three. So, just to the north. And you will see on the subsequent application for north there is an exhibit that will show where the common open space is for this side of the development where all the tot lot and the basketball court were installed -- or should be installed this summer before -- before the completion of phase three. We are in agreement

with all of the staff recommendations and the conditions of approval and I am here to answer any questions that you might have.

De Weerd: Thank you. Is there a reason we are not hearing both of these at the same time, so we can see it?

Allen: We certainly can. They are two separate preliminary plat applications. But we certainly can.

De Weerd: Council, if you wouldn't mind, I think it would be appropriate, since they are adjoining and, then, we can take comment on both the phases.

Allen: So, would you like me to present the other preliminary plat?

De Weerd: Yeah. If -- if you wouldn't mind.

Allen: Would you like to officially open that?

C. Public Hearing for Silverwater North (H-2016-0083) by Trilogy Development Located at South Side of E. Victory Road and West of S. Locust Grove Road Approved

1. Request: Preliminary Plat Consisting of 13 Building Lots and 1 (One) Common Lot on 4.12 Acres of Land in an R-8 Zoning District

De Weerd: Yes. I will open the public hearing for H-2016-0083.

Allen: Okay. This is the second primary plat in this general area for Silverwater North. This site is 4.12 acres of land. It's also zoned R-8, located on the south side of East Victory Road, west of South Locust Grove. This preliminary plat consists of 13 building lots and one common area lot on 4.12 acres of land in the R-8 zoning district. Here is just a general -- general area here where this plat lies and, then, the preliminary plat. The minimum lot size in this phase is -- or in this subdivision I should say is 8,295 square feet, with an average lot size of 11,218 square feet. Density is 3.16 units per acre. Access to this development is proposed on the plat from East Springwood Drive, an internal local street proposed to be constructed with phase three of Silverwater Subdivision by way of South Mesa Road via East Victory. Mesa runs along the east side of the property and, then, this is Victory right here along the north. And, then, again, conceptual building elevations are the same as previously shown. Scott Wonders, the applicant's representative, testified in favor at the Commission hearing. No one testified in opposition or commented. The applicant submitted written testimony in agreement with the staff report. And that is all staff has to offer on that.

De Weerd: Is there anything that shows those two together in relation to --

Allen: This is the area -- so, this is the Silverwater North here. It does not show the preliminary plat overlay on it. This is south right here.

De Weerd: Okay.

Allen: Yes.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: While we are doing that, Scott, is this -- was this property back in the Cavanaugh time, did it have a school site on it in that location?

Wonders: That's correct. On the north -- on what we are calling Silverwater North -- basically the reason why we have two preliminary plats is they are not contiguous, so now we have to have two preliminary plats. So, that's the North and South. So, the north was proposed to be a school site, however, the school has declined that site in recent years and so they don't need any more, so we are just converting it into two cul-de-sacs to be incorporated into the development. So, phase one and two are to the west and once Sonya gets it up you will have a better concept of where it's at. And, then, phase three is kind of in the middle of North and South and so with those three we had a park area where we constructed a basketball court, kind of a gazebo -- or not a gazebo, but like a sitting area and some trails and north is just to the north of this park area and, then, Silverwater South is on the bottom end of the subdivision. So, you can see in blue is what is constructed or being currently being completed this year and in yellow, obviously, to the north is -- is Silverwater North and, then, the larger 12 acres to the south of Silverwater South. So, we have a micropath that connects up to the common area space. It's just below Silverwater North that has all those amenities in it and, then, for the eastern portion, phases one and two, they were more off of Standing Timber. There is an open space over there for those residents on that side. So, overall, even though these are less than the ten percent, combined with the overall development it's -- we are a little over 13 and a half percent open space. And we are also in agreement with the staff report and conditions of approval for Silverwater North as well.

De Weerd: Thank you. This is helpful.

Wonders: Yeah.

De Weerd: I could not envision what we were talking about, so I appreciate that.

Wonders: So, yeah, Cavanaugh was a much larger development and in the downturn it was pretty much divided up into like 20 different owners and, then, this developer purchased this 54 acres. So, we are just kind of cleaning up some development agreement and conditions that don't really apply to this parcel with these last two phases.

De Weerd: Okay. Council, any questions?

Bird: I have none.

De Weerd: Okay. Thank you.

Wonders: Thank you.

De Weerd: Okay. We have two public hearings open, Item 8-B and C. Is there anyone who would like to provide testimony on this? On either of these? Council, any questions for staff or the applicant?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Seeing none, I move we close the public hearings on H-2016-0082 and H-2016-0083.

Milam: Second.

De Weerd: I have a motion and a second to close the public hearing -- hearings on Items 8-B and C. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

De Weerd: Okay. We can consider Item 8-B.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve H-2016-0082. Include all staff, applicant and public testimony.

Milam: Second.

De Weerd: I have a motion and a second to approve Item 8-B. Any discussion from Council? Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

De Weerd: Item 8-C.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve H-2016-0083 and to include all staff, applicant, and public testimony.

Mila: Second.

De Weerd: I have a motion and a second to approve Item 8-C. Any discussion from Council? Mr. Clerk.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

D. Public Hearing for Little Creek Subdivision (H-2016-0076) by David Alexander Located 1470 N. Locust Grove Road

- 1. Request: Annexation and Zoning of Seventeen (17) Acres of Land with an R-40 Zoning District**
- 2. Request: Conditional Use Permit for a Multi-Family Development Consisting of 204 Dwelling Units in an R-40 Zoning District**
- 3. Request: Preliminary Plat Approval Consisting of Fifty-One (51) Building Lots and Three (3) Common Lots on 15.85 Acres of Land**

De Weerd: Item 8-D is a public hearing for item H-2016-0076. I will open this public hearing with staff comments.

Allen: One moment here. All right. The next application before you is a request for annexation and zoning, conditional use permit, and preliminary plat. This site consists of 17 acres of land, zoned R-40, located at 1470 North Locust Grove Road. It's just southeast of the Locust Grove-Fairview intersection. This property was previously platted as lots in Pleasant Valley Subdivision. The Comprehensive Plan future land use map designation is high density residential. The applicant proposes to annex 17 acres of land with an R-40 zoning district, consistent with the high-density residential future land use map designation for this site. The proposed zoning and multi-family residential use of the property is consistent with the multiple -- excuse me -- multi-family residential property to the east, which is also zoned R-40, and provides a transition between the commercial uses to the north and the future mixed use development to the south. A conditional use permit is requested for a multi-family residential development, consisting of 51 four-plex structures containing a total of 240 -- 204 dwelling units in a proposed R-40 zoning district. A gross density of 12.87 units per acre, with a net density of 16.68 units per acre, is proposed, which falls within the density range desired in medium high density residential designated areas at eight to 15 units per acre, which is below that of 15 units per acre desired in high density residential designated areas. The proposed density will require approval of a step down in density from high density residential to medium high density residential by City County. The units consist of a mix of two and three bedroom units. Parking is provided on the site in excess of UDC standards. One building elevation was submitted for the proposed multi-family structures. Staff recommends additional building types with a mix of colors and materials are provided for variety within the development as set forth in the architectural standards manual. A preliminary plat is proposed consisting of 51 building lots and three common area lots on 15.85 acres of land. A phasing plan was submitted that shows two phases of development starting on the eastern portion of the site as shown on the left there. The plat submitted with this application depicts two accesses -- and this is the original -- excuse me -- plat right here -- depicted two access via Wilson Lane at the north boundary of the site with no access via Locust Grove. Because congestion is currently a problem at this intersection for traffic accessing Locust Grove via Wilson, ACHD's traffic engineers determined a full access via Locust Grove would help to improve the situation, rather than having all of the traffic flowing through Wilson. A traffic impact study was submitted to ACHD for this project. A revised plat was submitted based on ACHD's requirements. Staff supports the proposed accesses shown on the revised plat if Council approves the waiver to UDC 11-3A-3 for an access by an arterial street. A 25 foot wide landscape buffer is required along Locust Grove Road. A total of 3.07 acres or 19.36 percent of qualified open space and site amenities, consisting of half the street buffer along Locust Grove Road, a 20 foot linear open space area on Wilson Lane, common area where the clubhouse, swimming pool, and tot lot is located, miscellaneous open grassy areas that are a minimum of 20 by 20 in area -- is proposed with this development, which complies with UDC standards. A ten foot wide multi-use pathway is also proposed in accord with the pathways master plan along the

Settlers Canal, which is along the southern boundary of the site. Because there is an existing common area that abuts the east boundary of this site and the adjacent multi-family development -- and that is in this area right here -- staff is recommending the open space, which is labeled as a dog park right here where my pointer is -- proposed along the south side of Lots 20 and 21 to the north side of these lots, which will provide a view corridor to the existing common area, instead of walling it off with buildings. The Settlers Canal, Jackson Drain, runs along the southern boundary of this site. Because it is a large facility the applicant is requesting a waiver to UDC 11-3A-6A3 from City Council for the waterway to remain open and not be piped. The Commission did recommend approval of the subject applications. Scott Wonders, the applicant's representative, testified in favor. No one testified in opposition. Nancy Buckley commented. And written testimony was received from Greg Ramp from Aire Incorporated, a business to the east of this property, and Scott Wonders, the applicant's representative, in agreement with the staff report. Key issues of public testimony was concerned of overdevelopment in Meridian and of schools and roads not being able to support growth. Traffic concerns at the Wilson Lane-Locust Grove Road intersection until Wilson is extended to the east in the future. Key issues of discussion by the Commission was relocating the common area along the east boundary to the north side of the four residential structures, so that it aligns better with the common area to the east. So, that is taking this area right here and moving it to the north side of these four structures here. Direct access via Locust Grove and traffic and congestion at the Wilson-Locust Grove Road intersection. The pinwheel design of the structures with only one building type and footprint. And, lastly, the Commission was in support of the applicant's request for a waiver to UDC 11-3A6 to allow the Settlers Canal, Jackson Drain to remain open along the southern boundary of the site and not be piped. The Commission did change a couple of items from the staff's recommendation. They modified development agreement provision 1.1.1B to not require more than one building type provided the structures are offset 90 degrees from each other and a variety of at least three different color pallets are used. And to modify condition 1.1.3E require the dog park open space to be relocated to the north side of Lots 18 and 19, Block 1, which is actually shown as Lots 19 and 20, Block 1, on the revised plat. Outstanding issues for City Council is the applicant requests a waiver to allow the Settlers Canal to remain open and not be piped along the south boundary of the site. No written testimony has been received since the Commission hearing. Staff will stand for the questions.

De Weerd: Council, any questions at this time for staff?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Sonya, if it's a -- all the R-15 qualifications, why are we -- why are we annexing at R-40 instead of R-15? Was it just the density?

Allen: Councilman, Mayor, they could. You could zone R-15 instead. They are asking for R-40 because it's consistent with the high-density residential future land use designation for the site and that's a maximum of 40 units per acre. You could certainly down zone it to R-15 with a step down in the density designation on the Comprehensive Plan. Either way.

Milam: Thank you.

De Weerd: So, it meets the R-15, they were just requesting R-40 to meet -- to comply with the Comp Plan?

Allen: I believe so, Madam Mayor. The density is within that. It's at 12.87 units per acre. I'm not absolutely positive about the dimensional standards without looking at it. I think it would meet, but I'm not absolutely positive.

De Weerd: Thank you. Any further questions at this point? Is the applicant here? Thank you for joining us. If you would state your name and address for the record.

Wonders: Scott Wonders with JUB. 250 South Beechwood Avenue in Boise, here representing the applicant on this project. Let's see. We are requesting the annexation rezone to R-40 with the CUP in the preliminary plat and the R-40 zoning was really just to stay consistent with what was labeled on the Comp Plan. I think it does meet most of the R-15 criteria. We wouldn't have any issue with having it zoned R-15, just as long as the dimensional standards are -- we are not restricted in any way between the R-15 and R-40. We are requesting 204 units on 51 buildings. We have a little over three acres of open space, which is roughly 19 percent. A couple of the key items. The required parking on this site is 408 spaces. A lot of issues with parking in a lot of these areas is there is never enough and we are actually providing 489. So, we are over parked by 80 spaces or 81 spaces. We are including amenities that would include two gazebos, a swimming pool with a club -- with a 5,800 square foot clubhouse. A large open space area with a tot lot, a dog park, and a ten foot pathway along the Jackson Drain and the Settlers Canal that abuts us on the south property line. We don't have any issues with relocating the dog park and shifting those four buildings south and, then, just flip-flopping the dog park to the north. That is not an issue for us. To clarify the waiver request for the open ditch, the Jackson Drain is actually a very large drain on the south and our property line only goes to the center line. That is what we are requesting the waiver to leave that open. The Settlers Canal is a much smaller ditch. It's probably going to require a 24 or 30 inch pipe, but we are willing to pipe that and actually are going to pipe that portion of it. It's piped to the east and, obviously, it's piped to the west, so we will make that pipe connection for that. Our waiver request is specifically for the Jackson Drain. We did some hoop jumping I think right before Planning and Zoning when we got our staff report from ACHD when they asked us to eliminate

one of our lane connections and make it on out to Locust Grove. So, we are requesting that entrance be approved as well as a full access. So, what ACHD was contemplating when they asked us to do this was to alleviate the left-turn delays off of Wilson Lane onto Locust Grove. So, we are requesting that full access and, hopefully, in the future when Locust Grove is widened and improved that that probably may get restricted in the future, but I would assume that there will be some kind of U-turn capability at Fairview at that time and, hopefully, Wilson Lane will go through to the east, but -- and, then, we are requesting the condition that was accepted by the Planning and Zoning for the one building type, this is kind of a pinwheel design where this is a four-plex unit and each side has its own entrance, so for each unit they have their own separate entrance on each side and, then, with the -- I guess a variation in the elevations and the color palettes is what we are proposing to mix that up and, then, with the building orientation -- if Sonya could actually run that -- we have a fly through that kind of shows a visual 3D rendering of what it would look like that might help. And so this would be looking east on Wilson Lane and, then, here shortly we will be turning into what would be the -- the single entrance on Wilson Lane. I think part of their conditions as well -- while this is playing I will kind of go through a couple other items. We were requested to put 20 bike racks in -- or spaces for 20 bikes, which we will add and disperse through the development as well. So, this is looking back to the west. A lot of the -- the actual landscaping that you see here is actually rendered to -- to actually emulate the actual landscape plan that's been prepared for this project, so, basically, what you see is what's going to be actually planted on the project. And, then, I think one other item that was pointed out in the staff report was providing a safe pick up point for school students and we will work with the school district on where ever the school will end up picking up students from this facility, we will make sure that there is a -- a sufficient area for the students to wait while they are waiting for the bus. Next you will see this is the back of the clubhouse with the pool. A two-story clubhouse. This would be built with phase one. And, then, you can kind of see beyond the pool. There is the -- actually, a parking area. That -- that parking we have actually eliminated and we added a tot lot into that area. So, since we were so overparked we thought the city staff had requested that we add a little more open space where we added the tot lot and you will see that here in the next slide. Other than that we are in agreement with the staff report and if you have any questions I will stand for any questions you might have.

De Weerd: Council, any questions?

Bird: I have none.

Palmer: Madam Mayor?

De Weerd: Yes, Mr. Palmer.

Palmer: Madam Mayor. Not really a question for you, just wanted to thank you for bringing us this with the pinwheel design. I think it looks so much better. It's like bigger houses rather than just a stacked apartment that a lot of citizens come to us with heartburn over. So, thank you for investing in that style instead.

Wonders: All right. I will make sure I pass it on.

De Weerd: Okay. Any other questions or comments?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: One question, Scott. If the school district's recommendation is that there is a recessed nook on Wilson for some school bus, I can envision them, if asked, make that recommendation.

Wonders: So, what we are envisioning, where ever they decide -- if it's on Wilson, which I -- it's either going to be somewhere internally and there is a spot right in front of the clubhouse that would be a perfect spot for buses to pick them up. But if it's going to end up being on Wilson -- I would hope it wouldn't be on -- on Locust Grove, but what we would do is provide like a widened sidewalk area, maybe like ten-by-ten area, so they don't -- so you don't have a large number of students that they spill out onto the street. So, we will just make it an extra wide standing area for them. That's what we are proposing. We haven't -- I haven't discussed it with the school district, but we will certainly be amenable to whatever they would like to see.

Borton: Okay. Madam Mayor? One other question -- and ACHD -- was there discussion on any conflicting traffic movements with the proposed development across the street and folks exiting directly onto Locust Grove, you know, heading north and, then, trying to turn west there and vice-versa?

Wonders: Yeah. So, their main concern is, obviously, Wilson. They understand that there is a huge issue that -- anywhere on Locust Grove south of Fairview, so they are just trying to find a way to alleviate the left-turn conflicts. Now, there is an entrance probably about 250 feet south of where our proposed entrance will be on the opposite side, but they are proposing to do some kind of land delineation or kind of a lane split to -- so that there aren't any left turn conflicts in that location. ACHD at the time we got our staff report said they were going to still work with their traffic engineers to figure out how they were going to delineate Locust Grove in order to accommodate this entrance. I haven't gotten any feedback from them on that at that time, but --

Borton: Okay.

De Weerd: And so what has the conversation been about the stacking at that intersection? Because it stacks back quite a distance.

Wonders: Yes. You know, they didn't really have a solution and I think this was their -- their solution with the -- with the Locust Grove was at least providing a second opportunity. I think one thing that this does do, it alleviates the cut-through traffic through like the D&B parking lot and a few others to get out to Fairview. So, I think in the end it's probably not the perfect solution, but I think this is probably the best solution at this time. We are -- you know, there is a small gap on Wilson Lane to the east before you get to the Pinebridge development and I don't know when and if that will ever get extended through, but we are providing an additional 11 feet along Locust Grove for the future lane widening and from what I understand that's coming up on the next five-year plan, if I'm -- if I'm correct on that. So, hopefully, this is a short-term issue once Locust Grove gets widened -- hopefully within the next five years at that location.

De Weerd: Okay. Council, any other questions? Thank you.

Wonders: Thank you.

Bongiorno: Madam Mayor, may I ask a question?

De Weerd: Yes.

Bongiorno: Sonya, can you bring up the phasing plan, please? Scott, how many apartment buildings are in the -- how many dwelling units do we have in phase one?

Wonders: It's -- it would be roughly half. So, it's 104 units, so that would be 26 buildings. And they are sprinklered, so --

Bongiorno: Okay. Perfect. And, then, the other question is the access road out to Locust Grove will be built with phase two?

Wonders: Correct. And we would -- we could look at providing an emergency access to that location with phase one, like an all-weather access if needed.

Bongiorno: Okay. I just wanted to verify that, what was going on.

Wonders: Yeah. We checked with Perry this last week on what the criteria was and I think we are well under the maximum.

Bongiorno: Thank you.

De Weerd: Thank you.

Wonders: Thank you.

De Weerd: This is a public hearing on Item 8-D. Is there anyone who wishes to provide testimony on this item? Yes, ma'am. Please come forward. Thank you for joining us. If you will, please, state your name and address for the record.

Resman: Debra Resman. 11303 West Hickory Nut Street in Boise, Idaho.

De Weerd: Thank you.

Resman: And I own the --

De Weerd: Could you pull the microphone a little closer. Thank you.

Resman: I own a couple of the four-plexes right next door on Wilson Lane and I'm real excited about this new project. It will just continue to bring the value up and I love the plan. I do have to ask a question about the dog park area, like, basically, what is going to separate the current four-plexes that are there now with the new -- with the new subdivision? Is there going to be a fence there? Would the dogs be allowed to -- you know, to wander over into -- into the other area, that sort of thing? And the other question and concern I had was with that Canal that is open currently the way I understand it half of it is owned by this group and when you walk by there it really looks like it's a dangerous place for people, you know, to fall into or whatever. You can't see them. There is a lot of brush in there. There is a lot of barbed wire fence just stuck in there. It's really a mess and I just didn't know who was really responsible for cleaning that up.

De Weerd: Thank you. Two good questions and we will ask the applicant in his closing remarks to address those. Thank you. Any other testimony? Okay.

Wonders: Scott Wonders. JUB. 250 South Beechwood. For the record. We are proposing to put a fence around the entire development and, then, as well for the dog park it would have a four foot kind of like an open wrought iron type fencing around the dog park, so -- there was an existing tenant on the property that had been leasing that property for a number of years. That's in the process of being cleaned up. So, once -- I guess once we move to the next step that all will be cleaned up here in the next probably six months I would believe, to get ready for construction. So, all the barbed wire and miscellaneous stuff that's been laying around there for probably a number of years will all be cleaned up.

De Weerd: Okay. Thank you. Council, any additional questions for the applicant or staff?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Are we ready to close this? Rather than ask him a question.

De Weerd: I thought you were going ask him a question. Thank you.

Wonders: All right. Thank you.

Milam: I move that we close the public hearing of H-2016-0076.

Palmer: Second.

De Weerd: I have a motion and a second to close the public hearing on Item 8-D. All those in favor say aye. All ayes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Just a comment to Scott. This is a -- this is a very nice apartment project and I appreciate all the amenities and putting everything in with phase one, so kudos to you guys, so -- I move that we approve H-2016-0076 with all staff, applicant, and public testimony.

Palmer: And waivers?

Milam: And what?

De Weerd: The waiver that was requested on tiling.

Milam: Oh, yes. A waiver allowing the Jackson Drain to remain open and not -- yeah, not piped along the southern boundary.

Palmer: And entrance to Locust Grove?

Milam: The what?

Palmer: The entrance to Locust Grove.

Milam: Oh. And allowing the entrance directly to Locust Grove.

Palmer: Second.

De Weerd: Nice job, Mr. Palmer. I have a motion and a second. Any discussion?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: We are leaving the Jackson Drain open; right?

De Weerd: Uh-huh.

Bird: And he's already said they are going to take the Settlers Canal and tiling it. Okay.

De Weerd: Okay. Any other questions or comments from Council? Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

E. Public Hearing for T-Mobile (H-2016-0091) by T-Mobile Located at 1855 N. Black Cat Road

1. Request: Modify the Development Agreement for the Site to Allow for a Telecommunications Tower as an Allowed Use

De Weerd: Item 8-E is a public hearing on H-2016-0091. I will open this public hearing with staff comments.

Beach: Good evening, Madam Mayor, Members of the Council. Get the slide where it needs to go here. Before you first is an application for a development agreement modification. The site consists of 4.642 acres, zoned L-O, located at 1855 North Black Cat Road. In 2005 this property was extended and zoned with the development agreement. The recorded development currently restricts the use of this site for a church, so the applicant is requesting to modify the existing development agreement that was approved with the annexation for this property to allow for a telecommunications facility. The current development agreement is explicit in only a church use being allowed and so in interpreting that staff has asked the applicant to come forward with a development agreement modification to modify that. So, this is the current site plan. The tower that they are proposing would be located in this area here. I have also included an elevation for that tower. So, the applicant proposes to modify Section 5 under conditions governing development of subject property of the development agreement to

allow the construction of a wireless communication facility. So, the applicant, as I said, has provided the site plan and the elevation for the slimline tower they are proposing. In the L-O district a wireless communication facility is a principally permitted use if it falls into one of several categories of which I saw slimline facility is included. So, this facility is subject to the specific use standards of the UDC and final design of the facility in compliance with these standards that we verify with a certificate of zoning compliance application. Staff did not receive any written testimony as of the writing of this staff report. I believe you have been given comments from an adjoining neighbor -- a neighbor to the west of this property had sent in -- about 4:30 this afternoon. So, hopefully, you have received that. Staff is recommending approval of this application and I would stand for any questions you have.

Bird: Council, any questions of staff at this point? Seeing none, is the applicant here? Please state your name and address if you would.

Cox: Caleb Cox with T-Mobile. Address is 121 West Election Road, Draper, Utah. Good evening, City Council. I guess the Mayor stepped out for a second, but -- so, as the staff report has said, T-Mobile has been trying to get a telecommunications tower in this area for several years. We have worked with the Planning Commission ostensibly to try to find the right place for it and the -- a number of the planning commission -- a planner that's not in that department anymore actually directed us to this location. Because of the way the zoning ordinances are written it's -- you know, it's difficult in a residential area. So, this particular area is zoned and it is a permitted use and we are prepared to build and construct this tower, you know, with all the -- all the qualifications needed for that permitted use. The tower we are proposing is going to be slimline, meaning the antennas will be flush. It will be 60 feet high, which is shorter than, you know, the -- actually, the telephone poles that run along Black Cat. So, I mean it's pretty straight forward. All the setbacks and height requirements will be met. Other than that I'm available for any questions.

Bird: Council, any questions for the applicant?

Borton: Mr. President?

Bird: Mr. Borton.

Borton: Did you have discussions with the neighbor directly to the west about the tower?

Cox: I -- I don't know if I have directly -- he may have come to the neighborhood meeting. I'm not a hundred percent sure who that would be, but I haven't, no.

Borton: Mr. President? Has the company that you're working for heard from him? Do you know if anyone else has had those conversations?

Cox: Not that I have -- I work for T-Mobile, not that I -- no, we haven't been reached out to. We had a neighborhood meeting and there was one of the residents that came by and had some clarifying questions, but that was about it as far as I know.

Bird: Any other questions for the applicant? Thank you. Okay. We had some people signed up. Samantha Lapoint is against and she would like to testify. If she would come forward. Please state your name and address.

Lapoint: My name is Samantha Lapoint. 6145 West Economy Drive, Boise, Idaho. 83714. Thank you for letting me speak today. Dear City Council Members, it's come to my attention just recently that my neighbor, the church there, is requesting a permit to install a T-Mobile cellular tower adjacent to a ten acre property that own. I'm voicing my objection to this change in the development agreement for the following reasons: My property has a signed development agreement with the city and it was for a 20 acre residential project and it had at the time an approved preliminary plat call Incline Village. I think there were about 51 lots that were on that Incline Village. I, myself, and three other property owners who make up the properties within Incline Village are in negotiations with a developer who is interested in purchasing that 20 acres and an additional I think four acres right next door to develop and, let's face it, cellular towers aren't maybe a necessity, but they are a bit of an eyesore and none of us would really choose to live next to one if we had the choice. There is also a perception that there are unknown health risks associated with living near cellular towers. Although undocumented the perception still exists. If the cellular tower is approved the developer's representative has stated that they would likely terminate their negotiations with us due to these concerns. Meridian is a family centered city and locating a cellular tower within a residential area with this density would seem to conflict with that objective. I and many people feel cellular towers belong in a nonresidential area and I think it is prudent -- I believe it is prudent to postpone the approval of this tower to consider how this tower might negatively affect the city's Comprehensive Plan for quality, family, friendly neighborhood here, the development agreement goals and how it might damage my -- and my property -- excuse me -- my and my neighbors potential sale -- our property values and the marketability of our projects should this tower be built -- approved. Thank you for your time and consideration.

Bird: Thank you very much. Okay. Dr. Michael Pearson is for, but he don't want to testify. Phil Lanson is for, but didn't want to testify. Ken Motley is for. Randy Rogers. And Hudson Logan is for. This is a public hearing. Is there anybody that would like to testify on this item? Okay. come forward.

Motley: My name is Keri Motley and I live at 1817 North Tessa Avenue, Meridian. My backyard actually is with -- right across Black Cat from this proposed cell tower. As a neighbor I don't oppose -- I actually approve having

this tower being built. It's been a known problem that T-Mobile has had poor service in the area and with the growth of the community I feel that it's important that they keep up with the communications of those who live in the area. I know -- I am also -- I have to say I am also a T-Mobile customer and I have terrible service in that area and I would love to be able to have good service at an affordable cost for my family. We have looked at other options and they cost more money. And so being able to stick with the current carrier and having better service would be a huge benefit. I don't feel that it would be an eyesore. We already have power lines directly behind our home running along Black Cat and so I do not feel it would impact any further, since we already have those power lines right behind our house.

De Weerd: Thank you, Keri. And I do have -- they have all -- okay. Is there anyone else who would like to provide testimony on the item? Okay. Seeing none, Council?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I have a -- well, I guess the applicant will come back up anyways. I have a question -- I have a question for the applicant. Thank you. My question is about being an eyesore, that that does seem to be somewhat of a -- I know it's similar to a telephone pole, but it's -- it's a little bit more than that. Are there any other designs? I know like at Eagle Hills Golf Course somebody put in a cell tower up there, they made it look like a big tree and so you -- you know, are there any other designs or something that maybe that doesn't just look like a big cell tower?

Cox: You know, it actually comes up a lot and there are and we do palm trees and we do pine trees and we do flag poles and things, but I would say you remember that tower, but you probably don't remember the others you pass by, you know, because you're like, oh, that's a funny looking tree. So, I mean, yeah, there are -- we have had some cities have us paint them sky blue, thinking it would blend in and, to be honest, the slim -- it just kind of ends up blending into the skyline like a power pole would or, you know, like anything else. I mean -- but we do have that option, you know, if the city wanted to entertain that, but I think, you know, those fit a little better in areas with, you know, densely tall trees of the same height kind of thing. Palm trees actually work really well, but that would probably look a little funny. But they are -- you know, that's pretty well -- but we can look at that and we can perhaps bring some renderings, but in my personal opinion having just the same color as the power poles and everything else tends to be less noticeable in the long run.

Milam: Madam Mayor? So, there was no other more nonresidential area in this vicinity that you could find to place this? I can tend to agree there really shouldn't be -- I wouldn't want it next to my house.

Cox: Right. And we have actually been looking a lot. The closest we have is at a -- at a retail store in Meridian, like a shopping complex, but, unfortunately, because it's such a densely populated residential area -- I agree nobody wants them there. Everyone wants them on the outside kind of pointing in, but the nature of the beast is it has become a necessity, a utility just like almost anything else. Just like a telephone service or electricity. And because, you know, they are getting so densely populated, these residential areas, we have to start putting them in and we try to make them as -- you know, as little invasive as we possibly can, you know, and the reason we picked this area is because it is a little more rural, but we -- we have had a lot of complaints in this area from T-Mobile customers over the years, we have lost a lot of customers, and, you know, it -- and I sympathize for the -- the individual -- they oppose this and -- and her -- the neighbors, but, you know, the more residential houses that are going to go in, as she pointed out, the more there will be a need for this and, unfortunately, we also have a responsibility to allow people to have emergency services, be able to call 911 in basements and things like that, and when we are farther away it penetrates less and, unfortunately, it's just kind of the nature of the way things are going with the industry.

Milam: Thank you.

De Weerd: Okay. Any other questions for the applicant? Thank you. Council, any additional information needed from the applicant or staff?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: Quick question for staff. If approved is the language for the modification broad to permit a wireless communication facility or is it more narrowly tailored to fit what is the slimline design, which may be more narrow?

Beach: We can entertain that option. How it's written, as you see on the slide up here, it's -- right now it says it's -- the only allowed use in the area are churches and that's it. We have added their associated uses and wireless communication facilities. If you want to you can tailor that to be more specific to a slimline tower or however you would like to do that. That's within your purview.

Borton: Madam Mayor?

De Weerd: Uh-huh.

Borton: It seems appropriate, if it's possible -- I guess I can ask the applicant. They might not care about having that restriction, but if that confirms and assures that the specific style and matrix of the tower as presented tonight -- I don't know how you add that language to address that.

Beach: Associated uses and slimline wireless communication towers. Seems pretty straight forward.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: Along those lines, another -- I guess another concern if I was a neighbor would be if -- and this is just kind of general language that what's going to stop another carrier from putting one on the other side -- you know, right next door. Just kind of general language that was going to stop another carrier from putting one on the other side, other -- you know right next door where this all of a sudden becomes cell towerville. So, maybe even just limiting it to one.

Borton: Madam Mayor? If I heard Council Woman Milam, it's a DA modification and associated uses with a single slimline wireless communication facility? It would be worth having the applicant at least nod affirmatively or --

De Weerd: Well, I'm sure T-Mobile would like be the only one on it. I need you to speak into the microphone.

Cox: I think the zoning ordinances take care of a lot for that for that location and I don't think they can be as close together as that, just -- the zoning ordinances might take care of that, but --

Borton: Okay.

De Weerd: And maybe Josh can comment to that.

Beach: Madam Mayor, I don't believe our zoning ordinance has a minimum distance between cellphone facilities as you -- if you go around the city you will notice on the top of various buildings in town there are multiple -- they are not towers, but they are wireless facilities that are constructed on top of taller buildings throughout town and we -- we don't have a -- we don't have a minimum spacing between them, so --

De Weerd: But you probably won't see a number of cell towers in -- in the same vicinity.

Beach: Madam Mayor, from my experience what -- what happens is they tend to co-locate, which means multiple carriers will use an existing --

De Weerd: On one pole.

Beach: -- pole and have other facilities on that. I'm not sure how T-Mobile does that necessarily, but I have seen that in the past, so -- we are not always going to put five towers up when you have got one. You can always just put your facilities on there, so --

De Weerd: Okay.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: If there is not additional public comment, I would move we close the public hearing on item -- oh.

De Weerd: Council, I apologize I had to step out. Would you like additional testimony? Okay. Yes, ma'am.

Lapoint: Want me to state my name?

De Weerd: Thank you. Yes, please.

Lapoint: Okay. Samantha Lapoint again. Okay. A couple other considerations are -- what you guys are considering, there is also another church just adjacent to this church. If you allow a cellular tower on this church would the church that's right adjacent, then, also have the right to install another cellular tower and, then, we are talking about multiple towers in the area?

De Weerd: I would imagine they would have that same opportunity to come in for the same public hearings that this one would, so you would be notified if that were to happen.

Beach: Madam Mayor, just to -- just to clarify that --

De Weerd: No?

Beach: It's a principally permitted use. The only reason this applicant is having to come forward is their development agreement specifically allows for churches and their associated uses, which we did not interpret a wireless communication facility would be an associated use for a church. So, current ordinance allows for wireless communication facilities in the L-O district.

De Weerd: And towers?

Beach: Correct.

Lapoint: Is it a possibility of even smaller? You know, height restriction on that? I know it's -- 60 feet seems like a lot, but --

De Weerd: You know, our ordinance does define where they are allowed and the specific -- specific -- that's easy for me to say -- the specifics.

Lapoint: Okay. I guess that's all I have to say.

De Weerd: Yeah. Thank you, Samantha.

Lapoint: Thank you.

De Weerd: And would the applicant have any additional comment? We always allow you the last word.

Cox: Yeah. Just in closing --

De Weerd: State your name again for the record.

Cox: Oh, again. Caleb Cox.

De Weerd: Thank you.

Cox: My address, too?

De Weerd: No.

Cox: The pastor of the church actually just came and spoke with me and said they would have the say if other carriers were to co-locate on that tower and they are not interested in that. So, I don't have a co-location on that tower -- I don't think it would be high enough for one and I don't -- and as the ground they wouldn't be interested in that, so I think -- hopefully that might help it rest a little easier. But other than that that is a necessity, it's necessary in our society and, unfortunately, with the more people that are moving in in Meridian it seems like a terrific place, we need to be able to provide emergency services and utilities of their phone, so -- any other questions?

De Weerd: Okay. Thank you. Anything further from Council? Okay. Thank you. Okay. Council, any further information needed from staff or the applicant or any of those that provided testimony? If not, I would entertain a motion to close.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: Move that we close Item 8-E, H-2016-0091.

Bird: Second.

De Weerd: I have a motion and a second to close the public hearing on Item 8-E. All those in favor say aye. All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: I'd move that we approve Item H-2016-0091 to allow the modification of Development Agreement Section 5.1.1 to read that the following be the only allowed uses on the property, churches, their associated uses, comma, and a single slimline designed wireless communication facility.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 8-E as stated. Any discussion? Mr. Clerk.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- F. Public Hearing for Knightsbridge Subdivision (H-2016-0088) by Schultz Development Located 3870 E. Victory Road**
- 1. Request: Annexation and Zoning of 5.15 Acres of Land with an R-4 Zoning District**
 - 2. Request: Preliminary Plat Approval Consisting of Seventeen (17) Building Lots and Two (2) Common Lots on 5.15 Acres of Land in the R-4 Zoning District**

De Weerd: Item 8-F is a public hearing on H-2016-0088. I will open this public hearing with staff comments.

Beach: This is an application for annexation and zoning and for preliminary plat. This site consists of approximately 5.15 acres of land, which is currently zoned RUT in Ada County. It's located at 3870 East Victory Road. The adjacent land use and zoning. To the north is single family residential property in the Sutherland Farms Subdivision, which is zoned R-4. To the east is single family residential zoned property zoned RUT also in Ada county. To the south is East Victory Road and single family residential property zoned RUT in Ada county. And to the west is also single family residential properties zoned RUT in Ada county. As I said, this is an annexation, so there is no current history on this property. The future land use map designation for this piece is medium density residential. The applicant has applied for annexation and zoning, as I said, 5.15 acres of land with an R-4 zoning district. Staff believes the proposed zoning intensity is consistent with the vision of the Comprehensive Plan. The proposed plat consists of 17 building lots and two common lots on 5.15 acres of land. The R-4 zoning district is proposed for the developments, with a gross density of 3.3 dwelling units per acre, with an average lot size of 9,218 square feet, which is consistent with medium density residential Comprehensive Plan designation. There is an existing single family home on the site that will be demolished as part of his project and the home must be removed prior to obtaining city engineer's signature on the final plat. The master street map -- going back to the vicinity map here. As you can see there is a large -- it's indicated as a roundabout. The master street map indicates a roundabout located at the intersection of South Terri Drive and East Victory Road. The highway district has indicated that they are in support of removing that from the master street map, but in order to do so the applicant will need to request that from them -- from the ACHD commission at a hearing to be scheduled that some date in the future. ACHD is requesting that the applicant construct South Proud Way as one half -- sorry. For references sake this is Proud Way here. As one half of a 36-foot street section with curb, gutter, and five foot wide concrete sidewalk within 50 feet of right of way, plus 12 feet of additional payment beyond the centerline and three foot wide gravel shoulder beyond the existing terminated roadway to the Proud Way-Moon Dipper Street intersection. Sidewalks are required along all public streets. The applicant proposes to construct five foot wide detached sidewalk throughout the development and a five foot wide detached sidewalk adjacent to East Victory Road. The eight foot parkways are required to comply with the UDC. As admitted the applicant has not provided the required trees per the UDC. With the submittal of the final plat the applicant must submit a revised landscape plan that meets those standards. A 20 foot wide -- 25 foot wide street buffer is required along East Victory Road, which is considered an arterial street and is required to be landscaped in accord with -- with the UDC. The buffer shown on the landscape plan meets the requirements, however, because there are single common lots and fencing along, the sidewalk will have to be placed along the interior edge of the lots in accord with the UDC. Based on the aerial, the preliminary plat, which is approximately 5.15 acres, a minimum of ten percent or in this case .51 acres of qualified usable open space is required to be provided. Based on the preliminary plat the applicant is proposing .53, which is

approximately 10.2 percent of the proposed development as open space. The open space consists of eight foot parkways and two pathway open space lots that are at least 50 by 100, that include the required street buffer adjacent to -- to Victory Road. So, located here. Staff is concerned about the location of the proposed open space for the development. The majority of the proposed open space is adjacent to a busy arterial roadway that will be widened in the future and will become busier with future development in the area. The applicant is proposing what is, essentially, an extra wide landscape buffer along East Victory Road. The fencing requirements in the UDC require that fencing, as I said, be installed on the interior edge of the common lot, which would, essentially, be here. The proposal by the applicant will essentially require anyone who uses the open space to recreate along the arterial roadway. In addition to the open space provided for the development, the applicant requests this property be allowed to be included in the open space and site amenity calculations for the Sutherland Farm development. I did not have an aerial, but this is the Sullivan Farm Subdivision here. So, they are proposing to -- and applicant is working with that HOA to be included within their HOA, so that this property be included in their required open space, as well as their amenities calculations. A total of 13.24 acres or 11.3 percent qualified open space has already been constructed within the Southern Farm development, along with the following site amenities. A three-quarter mile regional pathway along the Ridenbaugh Canal, a 5.9 acre park, a 2.5 acre park, tot lot, gazebo, swing set and horseshoe pits. The applicant has discussed incorporating the subject property, as I said, with their HOA and the applicant may have made some progress since the Planning Commission. I have not spoken with him regarding this since then. So, he may have some additional insight. The applicant is proposing to provide a future -- what he's calling a future large amenity within the Sutherland Farm existing 5.9 acre park and at this time the applicant has not provided details of what that future large amenity would be. So, because the applicant is proposing to be included in that Sutherland Farm HOA and subject to their CC&Rs, staff supports the applicant's request provided that the Sutherland Farm HOA agrees to allow this property to be incorporated and, if not, staff recommends that the plat is revised to provide the full ten percent qualified open space and one site amenity on this subject property. If an agreement cannot be reached between the two parties, staff recommends that the applicant separate the landscape buffer and passive open space and include an open space somewhere else on the property so that it's more usable and so it will create a more central open space. The applicant is proposing to construct detached single family homes. The applicant has submitted conceptual sample elevations. This is the overall Sutherland Farm Subdivision just for references sake. The applicant did something similar with the Bancroft Square Subdivision if you remember and got that included within the Sutherland Farm Subdivision recently and that's what they are proposing to do here. As I said, there are some sample elevations that were submitted by the applicant. Written testimony since the Commission hearing is from the applicant Matt Schultz. The Commission did recommend approval. Summary of the Commission public hearing. Matt Schultz, the applicant's representative, was in

favor. There was none in opposition. William Bollar commented. Written testimony, as I said, was received from the applicant. I presented that application. Bill Parsons also commented. Key issues of public testing were the location of sewer and water as it relates to this development. Key issues of discussion by the Commission were amenities for the development if included in the Sutherland Farms HOA, as well as amenities if not included in the Sutherland Farm HOA and location of the open space might not be appropriate. Commission changes to the staff recommendations are -- they modified Condition 1.1.1C as follows: If an agreement cannot be reached with the Sutherland Farm homeowners association to allow the subject property to be incorporated into the Sutherland Farm HOA, that prior to submitting a final plat application the applicant shall separate the landscape buffer from the passive open space, which is Lot 1, Block 1, and Lot 7, Block 3, and create a more central open space lot and include one site amenity in accord with the standards of the UDC. There are no outstanding issues for City Council and I did recommend approval, as I said. Stand for any questions you may have.

De Weerd: Thank you, Josh. Council, any questions?

Bird: I have none.

De Weerd: Okay. Would the applicant like to make comment? If you will, please, state your name and address for the record.

Schultz: Thank you, Mayor Tammy, Council. Matt Schultz. 8421 South Ten Mile in Meridian. Here on behalf of Schultz Development. We have endeavored to do something similar to Bancroft Square, if you remember, which is right around the corner on Eagle Road, with the exception that we felt that this location was more appropriate to be R-4, instead of R-8. So, whereas -- you know, just -- we thought that was the best thing to do to blend in with the neighborhood. The big picture -- the overall picture that you're shown here I prepared when I measured everything and came up with the open space and, yeah, we -- we do meet the open space on our own, the two percent. What we are asking for is we would like to do an extra wide buffer on the road. It does count in the ordinance towards qualified open space. People are going to recreate in the big park in Sutherland Farm, which is very close. It's within 800 feet. It's closer to our subdivision than a lot of people that live in Sutherland Farm. Now, we would like to recreate in there with their full approval as being part of their HOA, paying dues, and being subject to their ACC guidelines as to what gets built. We are offering all that control to them and to pay 10,000 dollars towards a large amenity in the park that would use the Bancroft Square money that Berkeley homes is doing, with our money, use some of the other two hundred and some residents' money to do something bigger. As it stands today, they already have enough amenities in the overall subdivision to exceed your current ordinance, even though it was done ten years ago with the big pond that's stocked with fish in the middle, the regional pathway -- it's a great -- it's a great open space, it's centrally

located, we would contribute to that. The reason Bancroft Square worked was prior to submitting the final plat we had to have that agreement in place and that all happened, it all came. We are still working through ours. Very positive so far. And I mean just takes a while for those wheels to turn when you're dealing with that many residents and you need to take it to a vote and all that and so we would like to have this approval in place subject to getting their -- their approval and if we can't get that approval, then, our final plat won't be able to be submitted like we submitted here, we would have to move the open space a couple lots in and put, you know, I don't know if it's a little playground or a gazebo or some amenity. We are right on the edge of needing an amenity, 4.99 acres, we wouldn't need one, we are at 5.1. Anything between five and 20 needs one amenity. We are right there on the edge. We would rather contribute to a bigger amenity in the park. Connectivity, it's a pretty simply layout in terms that we have to line up with Terri across Victory, we have to line up connecting to Sutherland Farm, we have to provide connections to the east and west. It is what it is and we decided to go with the deeper lots. I don't know that these lots are deeper than Sutherland Farm. They are not as wide, but they do meet that 8,000 minimum in the R-4, which is considered a larger lot in the City of Meridian, which we were going for. It will allow a three car garage. We want, like I said, hand over the architectural control to their ACC board and do something that blends in with them and we just want to be one big happy neighborhood. So, with that we would stand for any questions and ask that you approve it with staff conditions that we agree with. Thank you.

De Weerd: So, Matt, do you have the agreement with the Sutherland Farms HOA?

Schultz: We have presented them -- we presented them here for them to sign. It outlines the contribution, the fact that we give them control. All of the things. It hasn't been signed yet, but that would be -- after this approval that would be a condition of being able to submit a final plat is having that agreement in place and it just takes time for that to work through. Bancroft Square, that just got done and that plat was approved a couple months ago. So, it's going to probably lag a month or two behind to get through the -- the process in dealing with those many homeowners. They have to vote on it -- they have to concur with a 66 percent supermajority. So, it's a high bar we have to meet. We think we are going to hit it. Like I said, we are doing big lots, we are giving them control, we are giving them money, just be one big happy family. So, it's going to take time, though. So, in the meantime, we are just going to take our approval forward to the board and say this is what got approved, will you, please, accept this and they will take it to a vote, so -- thank you.

De Weerd: Okay. Council, any questions?

Bird: I have none.

De Weerd: Okay. Thank you. There were several that did sign up. If when I call your name you would like to provide testimony, please, step forward. Donna Reese signed up against. Mike Devine signed up as neutral or for. I would need you to come forward, please. If you will, please, state your name and address for the record.

Devine: It's Mike Devine. I'm 3730 East McKay Drive.

De Weerd: Thank you.

Devine: I just live kind of at the intersection we are talking about poking -- just Proud through and connecting to Sutherland Farm. If they do go ahead and Sutherland Farm does approve all of this, who would we talk to -- or I guess maybe it's a development issue or a city issue or what have you, but that area -- that intersection there is already quite a bit of traffic that comes -- I guess would be west to east coming down McKay where it would join in with the new property. If there would possibly be a way to put like some kind of a stop sign, either just to -- I guess do I have a way to show you on this map where I'm talking about or -- following their plat going from west to east --

De Weerd: Yeah. Right where the arrow is. Where the cursor is.

Devine: Yes. Right. I just live I guess kitty-corner to that and that road going west to east is McKay and there already is problems with teenage drivers kind of just ripping through there and, then, they turn and go north up Proud. If that were to go through, which I'm in favor of, I'm not -- not in favor of, I think the development is great. But that's going to get, you know, access from people going down Victory to turn to go north up to our subdivision. We talked a month ago about the Bancroft Square and we were worried about people coming out of there and, you know, cutting through our neighborhood to head east and get back out to Victory. This is kind of giving another avenue for people to come from Victory through our subdivision and even cut over to Eagle Road. So, who would we talk to about putting -- like just putting a stop sign, just to -- just to slow traffic down at that internal intersection?

De Weerd: That guy. Justin is with ACHD and I don't know if that can -- because it's not on this particular plat, it would need to be in the subdivision. ACHD does have a process of doing that, but maybe Justin can talk with you offline or we can ask him to come up and outline what that process is.

Devine: Sure. Something as simple as that, just to deter people from blowing through there, because it already happens within the subdivision, that just gives them another avenue to do it and that really -- that's the only concern that I have. I mean I'm all for development in that area, I would even buy a lot in that area, but living where we live, I mean it happens all the time, especially on Friday and Saturdays, but that's about -- that's a question I had and I was just curious about

if it were to go through and were to get approved from Sutherland Farms, who would we talk to about possibly in the stop sign there?

De Weerd: Well -- and, actually, that would be -- make sense with the north-south as more of a -- a through road. But we don't do roads, so pass the buck to ACHD.

Devine: Okay.

De Weerd: We will ask him to comment.

Devine: Okay. Perfect. Thank you.

De Weerd: Thank you for your comments. Brian Barker signed up as neutral and for. And Jenny Staples as well. Thank you. Okay. Justin, can you make comment on -- on that last request on the stop sign? If you will, please, state your name and address for the record.

Lucas: Thank you, Madam Mayor, Members of the City Council. My name is Justin Lucas, I'm here representing the Ada County Highway District and the business address is 3775 Adams Street in Garden City, Idaho.

De Weerd: Thank you.

Lucas: I can't speak specifically to this location. Obviously, this is a developing area and when this does go through it is certainly possible a stop sign would be an appropriate solution for that intersection. It's not uncommon for -- in areas like this where the streets are kind of built as we go for ACHD to come in and retroactively install stop signs. We have a policy related to this -- not only stop signs, but also a traffic calming policy and the -- the way to get that initiated is through contacting the Ada County Highway District. We have a very easy interface and response to these types of requests relatively quickly. There is some science behind the placement of stop signs and a stop sign alone -- it's been proven that if it's located in a place where it's not warranted, where the traffic or geometry or whatever doesn't warrant it, that it doesn't do anything. So, I'm not going to promise we are going to put a stop sign anywhere without the analysis that is required through our -- through our policy, but that being said we do have a core process to do that analysis. We will respond. We do -- we go out and do traffic counts and monitoring and all those kinds of things before we make those decisions, but it's hard in this situation, because the street isn't there yet. Typically I'm talking about streets that are there. This one it's not there. When it does go in I think the point the gentleman made is -- is good and it's likely we will be able to do an analysis and provide him an answer at that time.

De Weerd: Okay. If you will give him your -- your contact information after this that would be awesome.

Lucas: Certainly. I certainly can. Thank you, Madam Mayor.

De Weerd: Thank you, Justin. And we have it as well, so -- any other public testimony on this item? Okay. Any other comment? Okay. Council, any additional questions?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: Seeing none, I move we close the public hearing on H-2016-0088.

Milam: Second.

De Weerd: I have a motion and a second to close the public hearing on this item. All those in favor say aye. All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve H-2016-0088 and to include all staff, applicant, and public testimony. Pending the HOA, which is part of the statement.

Milam: Second.

De Weerd: I have a motion and a second to approve Item 8-F. Any discussion? Mr. Clerk.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

G. Public Hearing for Paisley Meadows (H-2016-0089) by Hayden Homes Idaho, LLC Located at 2180 East Amity Road

- 1. Request: Preliminary Plat Consisting of 75 Building Lots and Six (6) Common Lots on 20.18 Acres of Land in an R-4 Zoning District**

De Weerd: Item 8-G is a public hearing on H-2016-0089. I will open this public hearing with staff comments.

Beach: Thank you, Madam Mayor. This is an application for a preliminary plat. The site consists of approximately 20.18 acres of land, which is currently zoned R-4, located at 2180 East Amity Road. To the north of this property we have residential property in Bellingham Park Subdivision, which is zone R-8. To the east we have rural residential or agricultural property zoned RUT within Ada county. To the south we have East Amity Road and rural residential or agricultural property zoned RUT also within Ada county. And to the west we have single family residential properties in the Estancia Subdivision, which is zoned R-4. In 2006 this property was granted annexation and zoning and a preliminary plat for 62 single family lots and nine common lots on 20.18 acres of land in the R-8 zoning district for what was called Cotswold Village. In 2009 the property was granted final plat approval of -- for 19 single family residential lots and seven common lots on 6.78 acres of land in the R-8 zoning district and the plat was subsequently -- has subsequently expired. The Comprehensive Plan future land use map designation for this property is low density residential. This proposed plan consists of 75 single family residential building lots and six common lots and the plat is proposed to development in two phases. As you can see here the phasing line runs approximately where my cursor is here. As I said, the property is designated as low density residential on the Comprehensive Plan future land use map. Low density residential areas are anticipated to contain single family residences at densities up to three dwelling units per acre. The proposed preliminary plat includes 75 residential building lots on 20.18 acres of land for a gross density of 3.72 dwelling units per acre. The gross density is slightly above density outlined in the Comprehensive Plan, but it comports with the maximum density requirements of the R-4 district. The average lot size within the development 8,408 square feet. The applicant indicated in the application that the minimum home size for the development would be 1,200 square feet. However, the zoning designation they are asking for requires a minimum of 1,400 square feet. There is an existing home and outbuildings on this site. The home is supposed to be removed. Development of this site is required to comply with the dimension standards set forth in UDC for the R-4 district and staff has reviewed the proposed plat and found it to be in compliance with those standards. The highway district did not require a traffic impact study for this development. Access to the site is currently provided via East Amity Road, which is considered an arterial street. This access would be terminated with the development of the proposed subdivision. The plat as submitted does not -- does not depict direct lot access in accord with the UDC. Access is proposed from South Rangewood Way on the north and East Nova Street on the east, which are both considered local residential streets. The Ada County Highway District in an e-mail received on August 17th indicated that there is potential to allow for construction access to enter the site from Amity. The applicant has worked with ACHD and has some additional information to share in

that regard. I will let the applicant discuss that as part of his presentation. East Miller Street and South Rangewood Way are stubbed to this site. The applicant is proposing to stub to the property to the east as well, as staff is supportive of the street layout proposed for the development. A 25 foot wide street landscape buffer should measure from the back of curb is required along East Amity Road, which is considered a residential arterial street per the UDC and shows the landscape is in accord with the standards also set forth in the UDC. The applicant is proposing a 35 -- plus or minus 35 foot wide landscape buffer adjacent -- adjacent to East Amity Road. A ten foot wide compacted gravel shoulder meeting the construction standards of the transportation authority and landscaping, which is either lawn or other vegetative ground cover is required along East Amity Road. A minimum of ten percent qualified open space is required to be provided for this development based on the area of the preliminary plat, which is approximately 20.18 acres and, then, 2.01 acres of qualified open space is required to be provided as set forth in the UDC. A total of 10.01 percent of qualified open space is proposed consisting of half the street buffer along East Amity Road. A micropath lot, a drainage lot, an internal common open space. The applicant proposes to provide a tot lot within the central common area located at Lot 16, Block 2. So, if you look at the landscape plan -- and if I can find my cursor -- in this location here. And, as I said, we worked with the applicant and -- I apologize, this isn't actually what they are proposing, they are proposing this pathway here and this will actually be a street connection, because we have some issues with the block length on the south here, which we have since resolved. Sidewalks are required along all public streets and a minimum of five foot detached sidewalk is required along East Amity Road as depicted in the landscape plan. Because homes on lots that back up to East Amity Road will be highly visible, staff recommends the rear or sides of those structures that face East Amity Road incorporate articulation through changes in material, color, modulation and architectural elements to break up those monotonous wall plains and roof lines. Staff did receive some additional testimony since the Commission hearing from Jerry Teibel, Amity Shinsel, and also from Ross Erickson, the applicant's representative. Based on the Commission public hearing the applicant's representative Ross Erickson was in forever and there was several comments that were in opposition were Crystal Dickerson, Amy Shinsel, Jared Perry, John Walker, Earl Griffin, Clarissa Amos, Annie Moore, Michael Thompson, Peter Thompson, Laura Dahl, Russ Damyan. Written testimony was received from Ross Erickson. I represented the staff in this presentation. Bill Parsons and Ted Baird also commented on the application. Key issues of public testimony were the lack of direct access to Amity Road. Safety of children on Wrightwood Drive with the increased traffic from the proposed development. Concerns over lack of amenities. Why a traffic impact study was not required for the proposed development. Where construction traffic will be directed. Public notification -- or feelings that the public notification was inadequate based on the impact to the surrounding neighborhoods. Timing of the construction entrance off of Amity Road. Key issues of discussion by the Commission were traffic on Wrightwood and the

speed of cars on that road. Direct access to Amity Road from the parcel to the east once it develops. The additional homes might make Wrightwood eligible for some traffic calming measures. Designated signs that require construction to use a construction entrance off of Amity Road. Timing of the removal of the construction entrance and who would use the entrance. There were several changes to the conditions from the Commission. First is the addition of condition 1.1.8 as follows: That pending the approval of the -- of Ada County Highway District, a sign saying, quote, no construction traffic, be placed at the corner of Locust Grove and Wrightwood at the dead end of Rangewood and at the entrance to Estancia off of Amity Road. Add Condition 1.1.9 as follows: Pending approval of Ada County Highway District, a temporary construction access shall be built off of Amity Road and that all construction vehicles shall use the temporary construction access. Add Condition 1.1.10 to read as follows: Landscape surety shall be put in place for removal of the construction entrance and the temporary construction entrance shall be removed prior to signature on the final plat for phase two of the proposed development. Add Condition 1.1.11 to read as follows: Prior to the City Council hearing the applicant shall provide details of the location of the temporary access, as well as have final information from the highway district as far as any conditions for use of the temporary access. So, in that regard the applicant did provide staff with proposed locations of signs for emergency and construction traffic only, as well as the location for a proposed temporary direct access to Amity Road. With that the Commission did recommend approval and I will stand for any questions you have.

De Weerd: Thank you, Josh. Council, any questions?

Bird: I have none at this time.

De Weerd: Okay. Is the applicant here? If you will, please, state your name and address for the record.

Erickson: Madam Mayor, Council Members, Ross Erickson. 6213 North Cloverdale Road, Boise. I'm here tonight representing the applicant. First off, Josh, thanks for the thorough staff report and all of your efforts to get us to this point. As Josh mentioned, we are here to request approval of a preliminary plat for six -- or 75 single family detached building units on a parcel just over 20 acres that's currently zoned R-4. We feel it's compatible with the surrounding area. Directly to the west is the Estancia Subdivision that's also zoned R-4. To the north is Bellingham, which is zoned R-8. To the northeast is Messina Meadows, which is also zoned R-8. And to the -- directly to the east is a vacant parcel that's still in the county that's RUT. And to the east of that parcel there is a parcel zoned R-8. So, from a bird's eye we are, basically, an R-4 parcel surrounded by R-8s and R-4s. So, we think it's a good fit for this proposed development with regards to density and use. The access for the site was, basically, predetermined by the adjacent developments, through Bellingham and through Estancia. Estancia provided the Melwood stub street to the west property

boundary and Bellingham provided the Rangewood stub street to the north property. So, basically, our layout utilizes those two stub streets for our internal network of streets and we also provide a stub street to the west to provide access to the undeveloped parcel to the east. We do not provide direct access to Amity, nor would it be approved by ACHD in accordance with their policy, due to the successive driveway spacing from the approach to the west that goes into Estancia to the north and, then, there is another approach to Amity Road to the east that goes to White Bark. There is about 1,200 feet between those two driveways and they require 660 feet of successive spacing between driveways. So, it physically wouldn't fit to try to get another access to this property directly to Amity, nor do we think it makes sense, simply because we are providing a stub street to the east and the next property over to the east when it develops would have the ability to construct a driveway that aligns with the approach for White Bark, which provides another access out to Amity Road for the Paisley Meadows development. The internal streets are 34 foot wide. Will accommodate parking on both sides. We are proposing eight foot planter strip parkways. It will be landscaped with trees, sprinklers, and grass. The development includes just over ten percent open space in accordance with the city's code. At the northeast corner of the project we have a detention pond for storm water. It's actually the low point of the site, so it makes sense to put it there. The area -- around the detention pond will be landscaped. To the extent ACC will provide some spacing requirements for trees and things, but we can do -- we have some flexibility with grass and shrubs, so we are going to dress it up, so it looks nice. Centrally located in the project is more of a park-type setting for our open space. That location will include a tot lot, some benches for a sitting area, and also like a pet station that will include some bags and refuse for disposal and we have also got - - this landscape plan isn't quite accurate, as Josh just mentioned, the pedestrian connection on the west side is actually a through street now, but we do have a mid-block pedestrian connection for access right where the cursor is and, then, also we provide two pedestrian connections off the -- the terminus of the -- the bulbs on this portion of phase two. We provided a 37 foot landscape buffer along Amity Road. A 25-foot buffer is required. We think it's -- it's a good measure just to provide a little bit of separation for most homes to the arterial roadway and also improve the streetscape I guess looking in. The utilities are readily available to the site. We have got water and sewer on three sides, the northwest and the south. So, the site is easily serviceable. Our plan is to bring sewer from the south, run it through the internal streets and provide a stub to the east for that parcel for future development. Same goes with water. We will connect on the northwest and the south and provide a stub to the east. The construction issue came up at a Planning and Zoning meeting. It was kind of a -- and I couldn't quite address, because we didn't have enough information and we didn't answer that question to ACHD in time, so we since had to go back and follow up with them to develop the temporary access plan that you see on the screen right now. Basically, what this plan shows is it shows a temporary gravel access road from the southerly boundary of phase two that connects directly out to Amity Road. This access will be limited to construction traffic and that will include all the folks

working on the home construction within phase one. It will include trades, the roofer, the painters, all the guys that their trucks or cars or vehicles coming to work on those homes. It's the intent in providing this road that, you know, we can see if those folks actually use that access and not go through the local streets and burden them with undue construction traffic, since the neighbors were really concerned about that. The sign -- the signage proposal we have actually included it on this plan. The condition of approval that is included in the staff report is a little bit different from what we are showing here. It was drafted prior to us working out the details with ACHD. So, what we would like to do is -- I have a proposal I sent Josh, an e-mail with some suggested language to change that condition to align with our proposed temporary access plan with regards to some of these items. So, do you guys want me to read those proposed modifications into the record? Josh, do you want me to do that? Okay. So, the Commission added Condition 1.1.8 and, basically, to back up, through one of the -- the no construction traffic signs posted out on Amity and, then, also out on Locust Grove. After meeting with ACHD we didn't think that was quite the right location for those signs, we thought it would be better to put it at the boundary of the project, so it was clear as far as what traffic we are trying to control and that is the project coming to and from the Paisley Meadows Development. So, I propose Condition 1.1.8 be modified to read: Pending approval of ACHD, that sign saying no construction access permitted be placed along East Melwood Street and South Rangewood Way at the subdivision boundary and that's exactly what's shown on this plan here. The second modification would be to condition 1.1.10. There was a -- more for the notice with regards to a landscape surety and it's really unnecessary to have that in the condition, simply because this temporary access will remain in place until probably about halfway through the infrastructure construction of phase two, which we just got halfway through the infrastructure construction in phase two, it's going to be a safety hazard to have people driving through there, we are going to be cutting roads in, putting road base down and preparing for concrete. So, we would anticipate that the temporary access would be removed at the point in time when we have to start prepping for the road and for the concrete for phase two. So, basically, what I did is I struck this portion from the condition. A landscape surety shall be put into place for removal of the construction entrance and -- basically I crossed that part out. I don't know if that makes sense. I was just reading it from the -- but the remaining portion could read like these. The temporary construction entrance shall be removed prior to signature on the final plat of phase two of the proposed development. And Josh has this e-mail. He has these in writing. I don't know if you guys would like a copy of those or not, so -- so, that pretty much sums it up. With that we will ask for your approval tonight and I will stand for any questions.

De Weerd: Thank you. Council, any questions?

Bird: I have none.

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: There seems to be a lot of contention about traffic. Was getting direct access to Amity Road something that you tried to do? Did you ask them? Was that ever a part of the plan?

Erickson: Madam Mayor, Councilman -- is it Milam?

Milam: Yeah.

Erickson: No, we didn't propose it, because it doesn't meet policy. So, we went in and met with the highway district. Looking at the overall plan, it's pretty clear that the parcel to the east will have an access to Amity that will align with White Bark and it just -- it seems for a planning perspective to be a much more suitable location for the access. So, given the fact that access on the parcel to the east will align with White Bark, ACHD policy won't allow it due to the driveway spacing in our project, it just makes sense to put it on the parcel to the east to align with White Bark.

Milam: Madam Mayor? Also our policy is a minimum of 1,400 square feet, not 1,200 square feet, but you're asking us, so I'm just, you know, like it would just be a lot -- it would be a lot less issues with your neighbors -- and maybe they may even say, no, it doesn't work and, then, you go on from there, but I was curious.

Erickson: Madam Mayor, Councilman Milam, we are actually -- we put the 1,200 square foot on the application in error. Fourteen hundred square foot minimum is fine for what we are proposing to do. I forgot to mention that, but thanks for --

Milam: Thank you for mentioning that.

Erickson: But with regards to the -- to the driveway spacing, one of the Comprehensive Plan goals is to minimize driveway access to arterial streets. So, I mean that's taking everything in and kind of thinking about what makes sense for this area with the parcel being undeveloped to the east. I think from a planning perspective it makes sense for how we are approaching this. We did talk to ACHD about a direct access and they said that it doesn't meet their policy for spacing.

Milam: Thank you.

De Weerd: So, Josh, can you show how -- how -- you can't overlay it --

Beach: This doesn't have White Bark Subdivision on there. This must be an old aerial photograph, but we will go back to my -- we will go back to my PowerPoint and I can show you where the -- I believe the vicinity map will show -- so, if you

look -- this is the White Bark Subdivision here. The road lines up -- or it's further over. This east -- property to the east -- let me pull the aerial back over so you can kind of see what we are talking about. So, it's approximately in this location where the White Bark access to Amity Road is and my understanding is that it makes sense to line up the access so you're not off-setting multiple access points and, again, it doesn't meet the separation standards. I know Mr. Lucas is here and he can kind of explain the highway district's reasoning for that, but that's my understanding is that with a proposed future access to Amity in approximately this location, it didn't make sense to have another one here with -- the intent is to limit those direct access points to Amity Road.

De Weerd: So, if the access is on Melwood Street --

Beach: So, Melwood is the street here that runs east-west, so that would be an access to the subdivision, as well as to Rangewood here, which brings it out to Locust Grove.

De Weerd: So, that cul-de-sac is a through street.

Beach: It is.

De Weerd: Council, any other questions at this point?

Borton: Madam Mayor?

De Weerd: Mr. Borton.

Borton: I'd like to hear Josh's response to the requested removal of the surety portion of 1.1.10. Give us the other side of what can occur.

Beach: Sure. The discussion at Planning and Zoning was some way of trying to get the applicant to -- because typically we required the -- the landscape improvements along the -- along the street with the first phase; right? If you're going to put a construction entrance through that, you're obviously not going to build that portion of it. So, I think the thought was to get some money so that when that is removed we have got some -- some -- some surety or some -- some way of enforcing that that gets constructed with the removal of the access. I don't know that we necessarily need to do that. Maybe Mr. Nary can elaborate a little bit more on that. But from my perspective it doesn't make a whole lot of sense. We are going to require that they do that. A surety for this -- so, I guess that's my two cents.

Borton: Madam Mayor, I didn't catch the last part. You're not sure why it's -- why we would require the surety?

Beach: A surety in addition to what we would already require?

Borton: Right. Wasn't that in our language initially though? The addition of -- of -- the language that Ross wanted stricken, is that --

Beach: The language from -- Planning and Zoning added that language.

Borton: Okay.

Beach: Yes. Staff didn't add that language, it was something that --

Borton: Okay.

Beach: -- it was discussed at the Planning and Zoning.

Borton: Okay. Got you.

Erickson: I should clarify that just one more time for you, Councilman Borton, if you would like. Because the -- the driveway approach -- or excuse me. Because the temporary access road is going to be removed probably halfway through the phase two infrastructure construction, it's kind of a moot point. What's the point of putting the surety language in there if it's going to be removed and you're going to construct your landscaping for phase two along the frontage along with Amity Road widening, it doesn't make any sense. I mean we can leave it in there, but it's just extra -- extra language that doesn't really mean anything. It's kind of out of place.

Borton: Okay.

De Weerd: Okay. Any other questions? Thank you.

Erickson: Thanks.

De Weerd: I had several people sign up and, hopefully, we didn't chase them off because of the lateness, but Collin Whitlock signed up against. Majo -- Meso -- I don't know -- Whitlock also signed up against. Michelle Sorensen signed up against, as well as neutral. Christian Sorenson same. And John Walker signed as neutral. Thank you for sticking with us. If you will, please, state our name and address for the record.

Walker: John Walker. 4592 South Glenmere Way in Meridian, Idaho. Madam Mayor and Council Members, appreciate the time. I sit on the board for the HOA for Estancia. We have had a lot of banter on this project, if you will, from our neighborhood, as well as the neighbors to the north Bellingham Estates. And I just have a few questions that I would like clarified, as well as our board, and a couple of them offer solutions to, so it's a question -- a solution posed in the form of a question, if you will. The first question is the roads through Estancia -- and

this is more probably a question for Josh than ACHD, you know, were these roads designed for the type of traffic. Proposing 75 homes. Originally it was 62 or so. You know, 75 homes on an average of two cars per home on two trips per day, that's 300 trips to the new neighborhood. So, that's one of the big concerns of -- of the neighbors in my neighborhood. Again, I'm neutral to the -- to the situation here. I do promote development in the area. It helps with home values. It helps bring good quality people into our town. But I do have concerns for safety for the kids in my neighborhood, as long as my -- my own, seeings as how -- right where Josh's cursor is where my house is on that corner. That is Melwood, which is a proposed entrance to the new neighborhood, which isn't even a through street from Amity. So, to use that, you know, people would actually have to come in -- can I write on this?

Beach: Select a color at the very top. The top of the -- there is a button.

Walker: Sorry. Oh. So, those would be the three main entrances to get into the new subdivision. Again, that's the concern. So, were the roads meant for the type of traffic that's going to be using these roadways. Wrightwood on the north side there, that's already being used by two different subdivisions. Some would argue three, because up in here there are new homes that are already there. So, again, traffic. My second question is -- and this is more posing a solution -- could this project wait until the new road from White Bark -- I think that land there has to be annexed into Meridian, but would that be a possible solution? Why put three different neighborhoods at unrest when we could just hold off on a project until the roadways are there to meet the needs of the neighborhood? And, finally, even if the project is approved, what kind of traffic controls could be put in place? You know, speed bumps through these neighborhoods. A lot of, you know, community members have already stated about people speeding through the neighborhood, mainly on Wrightwood, but also through -- down Glenmere Way. So, those are big concerns that I'm seeing from my fellow neighbors. Again, you know, I'm not opposed to the -- to the homes going in, I think it's a good thing for the city, but, you know, there are much larger neighborhoods, such as Tuscany right to the north of us that have hundreds of homes. You know, we are only talking -- we are dealing with a few hundred homes right here in my two neighborhoods, but they have, you know, residential collector streets, so vehicles that are traveling on actual residential -- pure residential roads where homes and children are, is minimal, because it kicks them out on these residential collectors streets that, then, kicks out on the arterial roadways, so there is not so many people playing on those and we don't have those in our particular situation. So, you know, with that I would hope to be able to answer some of those questions and if it's okay with you I would like to come up and -- if I have any more questions after he comes up. Thank you.

De Weerd: Thank you. So, Justin. You're earning your keep tonight. We do appreciate you being here.

Lucas: I have attended many of these meetings and I always find it enjoyable, so -- I do. It's, you know, kind of a weird thing, but I enjoy these -- the public process. My name is Justin Lucas. I represent the Ada County Highway District. Business address is 3775 Adams Street, Garden City, Idaho. As you are aware, you know, ACHD provides a written staff report on the applications for development and I will always guide you to that staff report for ACHD's official comment on any application. I can try to add some thoughts behind why, number one, we do not want an access to Amity Road through the subdivision and we would prefer it line up in the future with that White Bark access. I think Ross touched on this a little bit, but the idea behind that is safety. When you have offset streets across the street from each other and they are just a little bit offset, it's the left-turn movement that will get you, because the left -- the people turning left, if they are lined up and can see each other across the way, then, they have a better chance of not running into each other. So, if they are offset a little bit and they turn into that center lane and when they see the person is when they are looking straight at them in the center lane. So, that's the primary reason behind why they are so concerned with intersection offset. The second concern brought up by the HOA board member was about the volume of traffic going through these streets. I don't -- I looked at the staff report. I don't have all the numbers for the volumes on these streets, but based on my experience I'm 99 percent positive that the volumes on his local roadways do not exceed ACHD standards. You can see here -- Eagle, Amity, and Locust Grove, typically we call out the major streets and we will only call out the minor streets if there is an issue and so here where there is these low volume local streets, there was no issue identified. I understand the concern of each different subdivision being concerned about a new subdivision passing through those roads, but that is very typical. It happens all the time. And the roads are public. There is not -- they don't belong to any specific subdivision, unless they are private streets. So, public roads are meant for the use of the public, regardless of the subdivision that you -- that you live in. Looking at this area, it's -- it's -- it's likely that if this developed all as one subdivision it would have a very similar street layout and accesses to Amity and Locust Grove would be basically what -- what was presented and so I don't know if that helps solve all those issues, but certainly if - - after this development goes in and there is a problem on one of these roads, once again, you can contact the highway district. There are traffic calming policies that -- speed bumps, whatever they may be -- it's surprising, though, how many people don't want speed bumps when we actually go out and talk to the neighborhoods and so it's interesting how that plays out through traffic calming. So, that said, I don't know if I clearly answered every question, but I hope I addressed the major concerns.

De Weerd: Council, any questions for Justin?

Bird: Thank you.

De Weerd: I think you addressed the overarching concerns.

Lucas: Thank you.

De Weerd: Okay. Is there any further testimony? Yes. Thank you for being here. If you will, please, state your name and address for the record.

Sorensen: My name is Michelle Sorensen and I live at 1915 East Melwood Street. We thank you for an opportunity to speak. We just purchased our home in June and we have five small children -- well, my oldest probably isn't so small, but I have five children and one of the biggest selling points for our home was how quiet the neighborhood was and how it felt. We felt safe with our children being on this -- being able to go out and play. We live right across the street from the park in Estancia and we live about 200 feet from where the subdivisions will join and I feel -- I'm not opposed to the development, I'm only opposed to the way that the traffic needs to be handled. I understand wanting the Amity entrances to line up at the White Bark and Twin Star, but I would agree with them possibly holding off on the project until we can get that White Bark entrance there. We do have a lot of subdivisions in that area. It's not just the two subdivisions. There is a whole lot of the subdivisions that do interlink and there are no streets, except for the ones that drive all along houses and there are cars that go through there quickly already. If you add another 75 homes there will be a lot more cars that go through there quickly and not just by the houses, but close to the park where the kids do play. I feel that this causes increased risks to our children and not just to my children, but to all of the children in the neighborhood, both in Estancia and in Bellingham Park and the other neighborhoods that have just gone back in around Rangewood. I would ask that we wait on this project until the White Bark entrance can be constructed to help keep traffic at safe levels for our children in the neighborhoods. I know that the development needs to happen. I get that. But I am concerned that there was no traffic study completed on this, because it is going to impact traffic in those neighborhoods and I don't want to have to wait for a problem to occur before we address the issues that we can already see that are coming. And I think that's all I have to say.

De Weerd: Thank you very much. Okay. Any further comments? Okay. Would the applicant like to respond?

Erickson: Madam Mayor, Members of the Council, Ross Erickson again representing the applicant. Thank you, Justin, for your testimony and clarification on -- on the traffic issues. I don't have too much to add there, other than I didn't see anything in the ACHD staff report that said that there is any undue burden on any of the adjacent local streets that will service this project. We think the right thing is to align the future access to Amity with the White Bark access and that's why our proposal is as it is. So, I really don't have much more to add, unless you guys have any additional questions for me.

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

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: We don't even have an application on the neighboring property; right? So, that could be ten years out, there is nothing -- we don't know? There is nothing planned right there?

Beach: We have had some interest over the recent years, but currently there is no application.

Milam: Thanks.

De Weerd: Okay. Council, any questions for staff, the applicant, or any of the neighbors?

Bird: Hearing none, Mayor, I move we close the public hearing on H-2016-0089.

Little Roberts: Second.

De Weerd: I have a motion and a second to close the public hearing on Item 8-G. All those in favor say aye. All ayes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: A statement first. While I sympathize with the subdivisions that are already there, I think if we look back through the minutes when their subdivision was -- application was here we had people from Tuscany and stuff testifying that they were going to bring too much traffic through their subdivisions and stuff and on Locust Grove, so while we want all our roads to be safe and stuff, I -- I personally think that this developer -- he showed his thoughtfulness by going to an R-4, getting larger lots, less houses, and I appreciate that. And with that if we have no more discussion, I move that we approve H-2016-0089 and to include all applicant, staff, and public comment.

Little Roberts: Second.

De Weerd: I have a motion and a second to approve Item 8-H -- I mean 8-G. Sorry. I would just say that I understand the concern, too, and -- and the -- probably the local collector just north of that will probably be the -- the main route

out, but the developer did do less density, it was actually low density. It's exceedingly three per acre in low density, so just wanted to make sure that that -- that was noted. They did -- did adhere to the minimum square footage for the low density however. Any discussion from Council?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I have discussion, I just had a comment, too, because I do sympathize with you guys. We just approved a 200 home subdivision across from my subdivision that's going to drive all that traffic right down my street taking their kids to school, so I feel the pain. Unfortunately, we can't make emotional decisions like that, so -- just facts and findings.

De Weerd: Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

H. Public Hearing for 2016 City Initiated Annexation (H-2016-0093) by City of Meridian

- ACHD Properties - Generally Located Near the Northeast Corner of S. Eagle Road and E. Amity Road, Southeast Corner of N. Meridian Road and E. Carmel Drive, East Side of N. Ten Mile Road, North of W. Ustick Road, 3955 E. Ustick Road, 2910 W. Franklin Road and 6175 N. Linder Road*
 - Idaho Power Properties - Located at 3275 E. Amity Road, 1635 S. Stoddard Road and 3539 N. Ten Mile Road*
 - Blackrock Subdivision - Generally Located North of E. Lake Hazel Road, Between S. Locust Grove Road and S. Eagle Road*
 - City of Meridian Property - Located 3064 W. Malta Drive*
- 1. Request: Annexation and Zoning of Approximately 67.50 Acres of Land with R-4 (53.25 Acres), R-8 (11.64 Acres), R-15 (30.10 Acres) and C-C (2.61 Acres) Zoning Designations**

De Weerd: Item 8-H is a public hearing for H-2016-0093. I will ask for staff comments as I open the public hearing. Hi, Brian.

McClure: Madam Mayor.

De Weerd: Thanks for sticking with us.

McClure: You guys get me two weeks in a row. Good evening. I'm here to present and review an application for a city-initiated annexation. Last year City Council approved a small budget for the city initiated project. Part of this was a request to -- and direction for staff to clean up enclaves and the other was to close the loop on a 2005 agreement for services and annexation. That agreement allowed the Blackrock Subdivision to develop in the county with city services, even though it was not contiguous at the time. This application is for a Category A annexation. All of these properties are now contiguous with the city and they have all provided some type of consent. These properties include six Ada County Highway District properties, one City of Meridian property, three Idaho Power properties and the Blackrock Subdivision. ACHD has indicated they will not contest annexation. Idaho Power has provided signed consent for their agreement to the City of Meridian and wishes for its property to be part of the city. The Blackrock Subdivision was allowed to develop in the county with city services under an agreement that it would be annexed when it became contiguous to city limits. This agreement was recorded at the county, memorialized in individual titles, and referenced in their CC&Rs. With the Sky Mesa development Blackrock became contiguous to the city. Blackrock is also contiguous to the southwest and now it's part of the south Meridian annexation. This area has development into the north, east and south, including schools, residential, a regional park, YMCA and others. Total acreage for the annexation is approximately 67 acres. Land uses for these properties include low density residential, medium density residential, and mixed-use commercial, commercial and civic. These properties are consistent with the future land use map and include 53 acres of R-4, 11 acres of R-8 and 2.68 acres of C-C. For the ACHD, Idaho Power, and City of Meridian. There are no real impacts as a result of this annexation, but there may be some opportunities for expansion on some of these properties, the Idaho Power and ACHD sites are existing storm water -- are for the most part existing storm water or power substations. The City of Meridian property is a small strip of land that connects -- it's a pathway connection between Harris Park and Ten Mile Road. In terms of service and assessment impacts, utility, roads, schools and services remain unchanged. Fire service will remain the same, since Meridian Fire provides the rural fire service. There are, however -- there will, however, no longer be an assessed tax value for the fire district. Trash service will remain with Republic, but there are some differences between the city account and the county account. Police services will now be Meridian Police, instead of the Ada County Sheriff. In terms of the outreach and coordination -- I think I skipped one. In terms of the outreach and coordination,

city staff held an open house for Blackrock residents on May 23rd, 2016. Planning, Code Enforcement, Legal and Republic Public Services were present to answer any questions or address any concerns. Tim Foster, the Blackrock HOA president at the time, was the only person to attend. He indicated that he would take this information back to their HOA two weeks later at the -- their annual meeting. Code enforcement also mentioned they would be attending that, but I have not heard any feedback from them. Staff sent courtesy mailers to Blackrock property owners for both the P&Z and City Council meetings. Lastly, trash service has been coordinated under the city contract will not change for Blackrock residence until the start of the new year, if they are annexed. On August 18th the Planning and Zoning Commission recommended this application to City Council for approval and tonight city staff are requesting approval of this annexation and zoning application. I do have maps for each one of these properties if you would like me to go through those, but, otherwise, I will stand for questions.

De Weerd: Council, any questions?

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Madam Mayor, so to date we have had no objection whatsoever from any residents in Blackrock?

McClure: Not one.

Palmer: Cool.

De Weerd: Any other questions? Thank you, Brian. I don't see anyone beating down the door. It looks like our -- our team answered questions. It was a thoughtful approach and, hopefully, was able to put the questions to rest and we appreciate all of your efforts. Any questions for Brian? Okay. Okay. Council, if there is no questions I would entertain a motion to close the public hearing on Item 8-H.

Palmer: Madam Mayor?

De Weerd: Mr. Palmer.

Palmer: Maybe one more question. Just looking at the agenda, so it says 67.5 acres, but, then, the breakdown of the different zonings acreages adds up to way more than that. Is there a typo or am I just -- don't understand it? Or is it 67?

McClure: Bear with me for one second here.

Palmer: The breakdown doesn't really matter if it is 67. I'm just curious if it's a lot more than 67.

McClure: Council Palmer -- or, Madam Mayor, Councilman Palmer, I know the 67.5 is accurate. There must be a typo on the other ones there. I'm not sure which one it is without pulling it up, which I could do if you're interested.

Palmer: No. No. That's fine. I just was curious if the 67 was accurate or if it was --

McClure: The 67 is accurate. Yes.

Palmer: Okay. Thanks.

De Weerd: It was a test. Good job. Okay. Council, anything further on this item?

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we close the public hearing on H-2016-0093.

Little Roberts: Second.

De Weerd: I have a motion and a second to close the public hearing on Item 8-H. All those in favor say aye. All ayes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bird: Madam Mayor?

De Weerd: Mr. Bird.

Bird: I move we approve H-2016-0093 and let it be shown that it is on 67.5 acres of land.

Little Roberts: Second.

De Weerd: I have a motion and a second to approve Item 8-H. If there is no discussion, Mr. Clerk.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Item 9: Ordinances

A. Ordinance No. 16-1707: An Ordinance Repealing And Replacing Meridian City Code Section 9-1-16, Regarding Connection To City Water System Outside City Limits; Repealing And Replacing Meridian City Code Section 9-4-26(A), Regarding Connection To City Sewer System Outside City Limits; Adopting A Savings Clause; And Providing An Effective Date

De Weerd: We already acted on Item 8-I. 9-A is Ordinance 16-1707. Mr. Clerk, will you, please, read this by title.

Coles: Thank you, Madam Mayor. City of Meridian Ordinance No. 16-1707, an ordinance repealing and replacing Meridian City Code Section 9-1-16 regarding connection to city water system outside city limits, repealing and replacing Meridian City Code Section 9-4-26A regarding connection to city sewer system outside city limits. Adopting a savings clause and providing an effective date.

De Weerd: Council, you have heard this read by title. Do I have a motion?

Milam: Madam Mayor?

De Weerd: Mrs. Milam.

Milam: I move that we approve Ordinance No. 16-1707 with suspension of rules.

Bird: Second.

De Weerd: I have a motion and a second to approve Item 9-A. Mr. Clerk, will you call roll.

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

De Weerd: All ayes. Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Item 10: Future Meeting Topics

De Weerd: Council, any topics for our future meeting agendas? Hearing none, I do have -- we have a couple of items coming up this week. The Chamber's

send-off summer is on Thursday evening out in the City Hall Plaza from 5:00 to 8:30. 8:30. They are going to have food trucks and all kinds of activities, so, please, join Chamber members for the send-off to summer. I guess that's kind of sad, but it's going to be a nice activity in our downtown. The Treasure Valley Youth Summit -- Safety Summit is on Friday. If you want to experience the energy and enthusiasm and questions of 200 teens, we invite you down to Wahooz to hang out with us and 200 teens, so 8:00 to -- 8:00 to 3:00, 3:30, I believe. And, then, finally our final Youth Farmers Market is on Saturday. Would love to see your smiley faces down there and -- and thank the youth that hung in there to the last event and thank them for participating and encourage them to come back next year. So, with that said, I would entertain a motion to adjourn.

Bird: So moved.

Milam: Second.

De Weerd: No second? I have a motion and a second to adjourn. All those in favor say aye. All ayes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

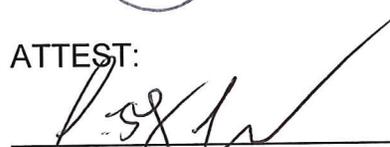
MEETING ADJOURNED AT 8:40 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)


MAYOR TAMMY DE WEERD

10 / 11 / 2016
DATE APPROVED

ATTEST:


C. JAY COLES, CITY CLERK

