

A Meeting of the Meridian City Council was called to order at 6:02 p.m. Tuesday, September 2, 2025, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Liz Strader, John Overton, Doug Taylor, Anne Little Roberts and Brian Whitlock.

Other Present: Chris Johnson, Bill Nary, Bill Parsons, Sonya Allen.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Brian Whitlock
☒ Anne Little Roberts	☒ John Overton
☒ Doug Taylor	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will go ahead and call the meeting to order. For the record it is September 2nd, 2025, at 6:02 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Do we have Randy Hunter here for the invocation? Okay. Up next is a community invocation. If you would all join us in the community invocation or take this as a moment of silence and reflection. Thank you for being here.

Hunter: Thank you, Honorable Mayor, Council Men and Women, law enforcement officer. Now you are one. You were two. Do I speak to you or -- or with my back to the people? It doesn't seem right, but someone's going to get my back.

Simison: They can -- they can -- they can see you.

Hunter: Yeah. Yeah. Well, I'm here just to -- to do an invocation, but -- but may I just take a minute or two first to say well done -- well done, Meridian. My wife and I moved here two months ago and we have been overwhelmed by the hospitality of this community. We moved into The Seasons at Meridian and Kayla, our leasing agent, went overboard to connect us with Meridian furniture stores, entertainment, parks and all kinds of things and, by the way, whoever is responsible for that Discovery Park ought

to get a raise. My grandchildren would live there if they could. Beautiful park. To going to Albertsons and meeting a man my age who was doing checkout and so I just retired from Micron, but I -- I want to meet people and be with people. You're new here, uh? Well, here, let me tell you where you should go and what you should do and so he was overwhelmingly hospitable. My job, after 40 years as a Lutheran pastor in Madison, Wisconsin, was to come here and help a group of churches in the Treasure Valley who engaged me to help them determine where should we go, there is so many people, what should we do? Where are the holes that we could help meet and so I came here for two years to help with that work. So, part of that is going to community leaders, like I visited city halls around the valley, came to Meridian City Hall, my hometown now City Hall and I was welcomed so wonderfully. An elegant elderly lady sits in the lobby behind me during the week. I don't remember her name, but she also deserves a raise. So wonderful. She's probably a volunteer. But so wonderful. She listened to what I needed and in a friendly way pointed me where I needed to go. I went to the City Clerk's office where Chris and Tina took the time to meet with me and get my questions answered and direct me wherever else I needed to go. Jake Cluff from the Mayor's office took time to sit down with me unannounced. I just came asking can I get an appointment and sat down and -- and gave me information for a half hour or so. Caleb Hood in planning, same thing, brought out maps. Well, here, let me help you. Let me show you what's happening. Unbelievable hospitality. So, I want to thank you for that. You're doing a wonderful job. I'm a pastor. So, it reminds me of a time 4,000 years ago when God came to a man named Abraham and said I want you to leave your town and go to a town I'm going to show you, but don't worry I will take care of you along the way and for 2,000 years the Lord did until in that town far from the home that Abraham left a descendant of Abraham was born who would bring God's hospitality to the world, his own son, and offer a kind of friendship and hospitality that would only be possible because he offered it to us. Now, listen, I'm not Abraham, I came from Madison, Wisconsin, not Ur of the Chaldees. Meridian isn't Israel. Your Mayor isn't Jesus Christ. Surprise. No. If you were the meetings would be short, because he would just multiply money and you just do what you want. But you're hospitable and welcoming and I thank you for that. I'm going to pray because I'm a praying guy. I don't know if you are or not. I will invite you to listen, join me or not, depending on what you wish to do. Part of my daily routine is to read a section of the Bible and a devotion and, then, this little book that comes out each quarter has, oh, prayers for special things at the back of it and one of the prayers is for government, because we believe that God ordained the government and so we ought to pray for the government. So, this is the prayer in the book for this quarter for the government that I'm going to pray and, then, this quarter is over, I have a different one. So, I'm going to leave this book on the back table if anybody wants it you are welcome to it. Here is the prayer. Lord of Heaven and Earth, you have established governments for the good of your people. I pray that you bless our government leaders with wisdom, integrity and courage. Guide them to respect your laws over political expediency. Forgive them when their decisions contradict your word. Guide our courts to interpret the law honestly, fairly and in keeping with your holy will. Watch over those who protect us, so that we may continue to enjoy the freedoms we have been given. Amen. Thank you.

ADOPTION OF AGENDA

Simison: Thank you, Mr. Hunter. And welcome. Up next is adoption of the agenda.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: We have got our Executive Session notated on the agenda. So, I would move that we adopt the agenda as presented.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, anyone signed up under Public Forum?

Johnson: Mr. Mayor, not under Public Forum.

ACTION ITEMS

1. **Public Hearing (continued from August 12, 2025) for Touchmark (H-2025-0012) by The Land Group, generally located on the south side of E. Franklin Rd. and the north side of I-84, midway between S. Eagle Rd. and S. Cloverdale Rd.**
 - A. Request: Modified Development Agreement to update the conceptual development plan for the overall site, which consists of approximately 121.50 acres of land to consolidate the existing agreements (AZ-99-021 Touchmark (recorded in 2001, Inst. #101048096); April 2001 Addendum (Inst. # 101048097); May 2003 Addendum (Inst. #103137119); AZ-02-018 (Bair Property AZ-02-018, Inst. #102143308); MI-07-006 (Meadowlake Village North 3rd Addendum, Inst. #108022885) into one new agreement that replaces all previous agreements.
 - B. Request: Rezone of 63.34 acres of land from the L-O to the C-C (55.17 acres) and C-G (8.17 acres) zoning districts.

- C. Planned Unit Development Modification (Meadowlake Village CUP-03-005) to update the concept/use plan and include 4.6 acres of additional land, a deviation to the maximum building height allowed in the C-C district from 50ft. to 64ft. for the hotel and inclusion of 2 and 3 story townhome dwellings.

Simison: Okay. So, with that we will move on to our Action Items this evening. First item up is a public hearing that was continued from August 12th, 2025, for Touchmark, H-2025-0012. We will continue this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. Give me just a moment here. Alrighty. The first applications before you tonight are a request for a development agreement modification, a modification to the existing planned unit development, and a rezone for Touchmark. This site consists of 121.5 acres of land. It's zoned L-O, limited office, and it's generally located on the south side of East Franklin Road and the north side of Interstate 84 midway between South Eagle Road and South Cloverdale Road. Go through a little history on this property. The majority of this site was annexed in 2000 with a development agreement and a conditional use permit for a conceptual planned unit development. A smaller 4.6 acre portion of property was later annexed and included in an amended development agreement and concept development plan. The original concept planned unit development was approved for continuing care retirement community, comprised of 250 to 300 units of independent and assisted living, 450 units of residential, including single family, duplex, townhomes and multi-family. A community senior health and fitness center. Medical office parks. Commercial and retail businesses. Since that time approximately 428 residential units have been built in the retirement community, along with the senior health and fitness center and many amenities, including open green space and walking trails, a community garden, coffee shop and Bistro, salon and barber shop, a library, theater, dining venues, pickleball courts and other on-site amenities. In 2003 the development agreement and planned unit development were amended to allow the development of 318 residential units and approximately 600,000 square feet of commercial office space on 138 acres of land, with reduced building setbacks in the L-O district. The Comprehensive Plan future land use map designation is mixed-use community. A modification to the development agreement is proposed to update the existing conceptual development plan for the overall site as shown, which consists of approximately 121.5 acres of land and consolidate the existing agreements into one new agreement that replaces all previous agreements. A rezone of 55.17 acres of land to the C-C zoning district and 8.17 acres to the C-G zoning district is proposed from the L-O district for the undeveloped portions of the site included in the master plan to accommodate the proposed uses. The reason for the rezone is that because the concept plan is proposed to be revised it must comply with current UDC provisions, which prohibit retail, hotel, self-service storage, light industry and multi-family residential uses in the L-O district. The previously developed areas of the site will remain L-O as allowed with previous planned unit development through city code in effect at that time. The proposed development plan is as shown and it consists of 121.5 acres of land within a larger mixed-use community designated area totaling approximately 164 acres and includes a mix of uses consisting of

commercial, office, light industry and a variety of residential housing types as shown on the bubble plan consistent with the Comprehensive Plan. A couple of areas on the concept plan -- the ones with the stripe symbol are shown with two possible uses. The medical office, townhome style, multi-family residential along the southwest boundary of the site and that is right here. If you can see my pointer. And the commercial multi-family residential around -- along the north side along Franklin Road. If the demand for office space doesn't come to fruition the applicant proposes an alternate use of townhome style multi-family, 50 to 55 units in that area here on the southwest side. Commercial use is similar to the commercial proposed to the west along Franklin Road as proposed on the other area, with the flexibility for multi-family residential units. The number of units and the density is not specified, but the applicant states the area could support 115 to 140 units using the same density as the other multi-family area. The multi-family use would be at a larger scale than the townhomes and an increase in density. Staff did not recommend approval of the optional residential uses in those two areas, because commercial uses are desired in the mixed-use community diagram in the Comprehensive Plan along arterial streets, transitioning to lesser intense uses. Additionally, the plan allows for up to 65 percent of the development area to be comprised of residential uses with the provision of transit and the applicant is proposing approximately 68 percent, not including the optional multi-family and townhome style multi-family units. Although the Commission preferred these areas develop with commercial uses, they did feel that residential should be allowed as an option for flexibility for long-term future growth. So, that's what the staff report from the Commission currently reflects. A modification to the existing development -- or excuse me -- planned unit development for Meadow Lake Village, File No. CUP-03-005, is proposed to update the conceptual development plan and includes a request for deviation to the maximum building height allowed in the C-C district from 50 feet to 64 feet for the hotel and that's measured to the highest point of the structure and inclusion of townhome dwellings as a permitted use in the C-C district. Staff is amenable to the building height increase as proposed. However, is not in support of the request for townhomes to develop in the C-C district, because townhomes where each unit is on its own property, are a prohibited use in the C-C district and, therefore, aren't allowed through the PUD. This would require a rezone to a residential or traditional neighborhood zoning district in which the use is allowed. Because the applicant is not proposing to subdivide the property the use is considered multi -- multi-family residential and is allowed in the C-C district. The new development plan includes approximately 114,000 square feet of medical office space, approximately 300 to 400 non-age restricted market rate multi-family units, both apartments and townhouses, with the possibility of 165 to 195 additional units through the alternate use as proposed that I mentioned. Twenty to 25 single family attached units. Those are labeled as villas on the plan. Three single family detached units, labeled as cottages. 75,546 square feet of self storage, i.e., light industry. 45,000 square feet of general office space. 45,000 square feet of commercial retail space and an approximate 126 room hotel. Conceptual building elevations for the proposed structure are as shown there on the edges of this plan. A pedestrian pathway plan was submitted as shown. The green lines represent ten foot wide pathways. The blue five foot proposed sidewalks. And the pink five foot wide existing sidewalks. A phasing plan is proposed as shown, which depicts four

phases of development and is anticipated to be completed between the years 2030 and 2040. Phase one is the villas and cottages in the next two to five years. Phase two is the apartments and townhomes in the next three to ten years. Phase three is the commercial self-storage, additional multi-family and hotel along Franklin Road in three to 15 years and phase four is the medical office, daycare, post-acute care and townhome style multi-family units in the next four to 15 years. Staff recommends a subdivision application is submitted for each phase of development and recorded in order to have a legal parcel for development purposes of these areas. The existing community has proposed to remain unchanged, except for the small golf course area and that is this area in pink right here, which at some point in the future may be redeveloped with villas and that is the duplex style units and that would be considered a multi-family residential use as well if all of the units are on one property. The open space amenities are also evolving and as the golf course is redeveloped the required amenities will be reprogrammed in other areas of the project. A minimum of ten percent or 6.15 acres of the gross area of the planned unit development, which is 61.5 acres, was required to become an open space exclusive of required street buffers and buffers between incompatible land uses. After the Commission hearing the applicant submitted an open space exhibit as shown that depicts 6.45 acres or 10.49 percent of the site of open space consisting of grassy areas of at least 5,000 square feet in area and common areas with pathways or other amenities, excluding the pond and the golf course area. So, if -- if they included the pond area, which they are not proposing to change in this green space here it would be more than that. Because the Touchmark development has not been subdivided into individual lots it is not clear to staff what areas are considered private versus common and if the area is counted as common area are actually common and the applicant may be able to speak to that more, but staff was just unsure of that. But the Touchmark development is a little different out there and, again, they can probably explain more of that, but these are not added subdivided lots, just all on one property out there. So, the Commission did recommend approval of this application and just a note with development agreements and planned unit developments the decision making body is able to place additional conditions on development applications that may not typically be required in the UDC in an effort to provide exemplary site development in accordance with the purpose statement of the PUD. I will go through a summary of the Commission public hearing. Tamara Thompson from The Land Group testified in favor of the application and Ryan Benson from Touchmark also testified in favor. Sandra Cruz commented on the application and the applicant Tamara Thompson provided a response to the staff report and I will go through that. The applicant requested Commission approval of changes to the following conditions in the staff report. Number A-1-2, request for six foot tall wrought iron fencing along the Ridenbaugh Canal to be replaced with metal picket fence or full privacy to match existing fence. Number two, the conditional use permit and planned unit development number I, request for a drive or private street to not be required from Truckee Avenue to the east to the light industry designated property as it would be difficult and likely not achievable as there is an existing gravity ditch where flows will need to be maintained and a severe grade difference of approximately 27 feet. I will just go back up and show you what that was in reference to. That was a street in this location right here to this commercial property to the east. Internal drives will be

provided if possible, but should not be a requirement as this may be engineeringly infeasible. Number three, Conditional Use Permit Planned Development. Number two, request for the optional residential uses to remain and not be removed as recommended by staff. The applicant requests the flexibility of up to 65 percent of the land area included in this application to be allowed as residential uses up to 524 units. Just to note the percentage noted in the Comprehensive Plan is based on the overall mixed-use community designated area and not just the site area. So, that's where staff's calculations come from and, then, another was the request for the existing -- this was a comment from a member of the public that testified. A request for the existing black locust tree along the periphery of the site to remain and not be removed due to it being a home for many raptors. The question is, too, if the Ridenbaugh Canal will be concrete lined in the proposed development area and request for consideration of the height of structures along the east boundary of the site to transition to existing residential homes in Edgeview Subdivision. Key issues of discussion by the Commission are as follows. Recognition of the need to change the concept development plan as the development evolves and needs change. General support of the proposed development plan. Fencing type along the Ridenbaugh Canal and the applicant's request for a change to staff's recommendation for a change to wrought iron fencing. Uncertainty pertaining to the differences between townhome and multi-family units use wise. Desire for acre-to-acre replacement of the area proposed to be converted from a golf course to villas elsewhere in the new development portion of the site. Request for the applicant to provide an update at the City Council hearing pertaining to the possibility of retaining the existing black locust tree on the site. Concern pertaining to the traffic impacts the proposed development will have on area roadways and intersections and supportive of staff's recommendation. The Commission made the following change to the staff recommendation. Ensure the fencing proposed along the Ridenbaugh Canal complies with City Code. The metal picket fencing proposed by the applicant is an approved fencing type. In the two areas where commercial and residential uses are proposed as development options commercial is preferred, but residential is allowed as an option for flexibility for long-term future growth. Define townhomes as multi-family residential on the concept plan. The applicant has submitted revised plans that reflects this change or update and include an exhibit for open space that does not include the golf course. And, again, the applicant did do that. And work with the irrigation district and the city for connectivity to the east boundary of the site. Outstanding issues for Council tonight. An update from the applicant regarding the provision of a vehicular connection to the east boundary of the site and the retention of the black locust tree on the site. City Council should determine if it's appropriate to remove the golf course amenity from the existing development and replace it with 20 to 25 additional dwelling units as proposed on the concept plan. Many letters -- letters of testimony included in the public record have been received from residents of Meadow Lake Village since the Commission hearing in opposition to the proposed development and replacement of the golf course area and trees with villas. Concerns include the following: Noise associated with new construction. Not enough open space in the proposed development. Concern that the new development will use the private open space areas in Meadow Lake Village to recreate. Overcrowding of the campus and its facilities and inadequate parking for lodge, dining or functions.

Increased traffic. Lack of security. Impact on existing services and facilities. The proposed development would extremely alter the beauty and peacefulness of the existing campus. Decrease in the quality of life. Elimination of the golf course area would destroy the character the residential area. Existing infrastructure is inadequate to support the influx of approximately 40 to 50 new residential units against the height of the three story townhome style structures in relation to the existing one story cottages. They are requesting single story homes. A petition was also submitted with approximately 266 signatures opposing the conversion of the golf course and green space to residential villas. There were also several letters requesting Council remand the project back to the Commission for review of the open space exhibit and consideration of testimony from residents of Meadow Lake Village who were not fully informed about the development at the time the application was heard by the Commission. Staff will stand for any questions. The applicant is here to present tonight.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just because I wasn't part of the history, I was curious what was the justification for the original PUD? Because, you know, we have had issues in the past with some PUDs and I was just curious was there any specific justification for that or did it just kind of come in that -- I just wanted to know kind of that history.

Allen: I will let Bill speak to that, because he was involved in that more.

Parsons: Yeah. Mayor, Members of the Council, this project, like Sonya mentioned -- Sonya, if you wouldn't mind going back to the original concept plan. Yeah. Thank you. Appreciate that. So, this obviously -- this project does predate Sonya and myself. So, again, the intent was for a retirement community with ancillary medical office, a mix of housing types and, then, commercial along Franklin. So, again, that -- that's kind of the vision here. But there -- if you look through the record it was retirement community first was always part of their first phase and that's primarily what's been constructed out there and you can see since 2003 or even 2000 -- we even go back to 2000, not much has occurred, except for some office in the -- what is that -- northwest corner of the development and, then, again, the residential care facilities and the single family homes around it. So, I think over the years I have met with the applicant developer of this project and they are trying to get this project to align with what's currently happening in the market and from staff's perspective and what we want to do is typically we don't have L-O zoning and, then, have all these uses under an office zone. So, we have been working with the applicant to ensure that we can get some of the zoning and some of the development to comply with most of the comp plan policies and platting the zoning to match the land uses that they want. To me that is a big component of this particular project is making sure that, yes, the PUD -- they are modifying the PUD. This

is what they can build today. This is what's on the books. This is what we would hold them to if they were to come in today. They can build this today. They have to come in and comply with the development agreements, but modifying that, bringing it in so people understand and -- understanding the process and what they are wanting to do I think it's probably a good thing for the city, because, again, it's been almost 25 years and nothing else has happened out here, except for limited development and so we -- staff has been trying to -- excuse me -- trying to be flexible with the applicant and try to keep them in alignment with the spirit of the plan, but still allow them some flexibility to have additional residential types that weren't contemplated under the previous plan and, then, open it up for light industrial, because the project to the east in Boise does have that component and that's why you see that in the northeast corner. They are trying to align with what's happening, what was approved in the city of Boise. So, anyways, hopefully I have answered your question, but if not I'm happy to elaborate on any more of those details.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe just two more. It's pretty unusual to see an amenity like a golf course that was part of the original plan and, then, have the developer come back and try to remove that. Is there --

Simison: We appreciate your enthusiasm, but we will try not to have clapping or other things throughout the evening. Okay? Thank you.

Strader: So, I -- I was just curious is there anything in the original materials that leads you to believe that -- that this was something that was always proposed to be a potential conversion, like when you look back historically, or is this really a new thought?

Parsons: Yeah. Mayor, Members of the Council, Council Woman Strader, again, this is the concept plan and it shows the golf course and that's what's on the books today and that's what we intend to see on the site and that's why the applicant is here discussing the possibility of potential of modifying that central open space. I would mention that during the Planning and Zoning Commission one of the representatives from Touchmark said they were going to repurpose that and so I was hoping maybe they have something in their slideshow this evening showing how that can work for your consideration this evening. But for now I -- I don't know what their plans are, except for adding more dwelling units on it.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council. Council Member Strader, to give you additional context, too. Twenty-five years ago development agreements were not used

to the extent they are today. PUDs were the more common method the city used at the time for these large scale developments. The code was very different. UDC didn't come into play until 2005. So, that was the method that would -- now we would probably see the development agreement more. That was not the common thing. The other thing I can tell you, at least, again, contextually, because I was here, the -- the -- the golf course was a selling point. It was not something that was -- at that time at least considered to be temporary or an interim measure, it really was a selling point at the time for the Council to consider that project. But if -- I know the PUD isn't something we use much anymore and so that's a very fair question contextually, but that was the method we did for what we today would do probably a DA and probably wouldn't do it this way.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. That's extremely helpful.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Sonya or Bill, I -- I noticed an absence of a student generation letter from West Ada, as well as our own city staff analysis. Is that because the -- the multi-family is proposed to be age restricted or is there -- is there a reason why we didn't see any type of student generation?

Parsons: Mayor, Council, I -- I don't have an answer for you. I'm not sure why West Ada wouldn't have provided that. We certainly transmitted to them. More likely long range we will typically do that, but as you know Heather has departed the city --

Cavener: Yeah.

Parsons: -- so, I'm not sure if that one's one that just didn't get generated at transition period.

Simison: Council, any additional questions for staff at this time? Would the applicant like to come forward? Good evening.

Thompson: Good evening, Mr. Mayor, Members of Council. Tamara Thompson. I'm with The Land Group. Our offices are at 462 East Shore Drive in Eagle. With me tonight is Kendra Lackey and Dustin Sisk from Touchmark, Ian McLaughlin and Gary Sorenson with Pivot North and John Ringert with Kittelson and Associates. So, we have a lot of our team here if -- to answer questions if -- if I can't do that myself. Collectively our team is pleased to present the applications before you, which is the development agreement modification, rezone and PUD modification. The development site -- see if --

oh, there we go. I will try not to copy what Sonya had, but just to give you high level. The development site is generally located south of Franklin Road, east of Eagle Road, east of Touchmark Way, west of the Ridenbaugh Canal and north of Interstate 84. North of Franklin Road are commercial properties. I'm sorry. Industrial properties zoned I-L and west is a medical office campus, which includes St. Luke's. The hospital is zoned L-O and, then, to the east of us, which is zoned R-1-C in the city of Boise, is Edgewood Estate Subdivision. The property has an MUC future Land use map designation and I zoomed in on this just to show within that MUC this property is approximately 87.5 percent -- percent of that land area that's included in that -- that brown polka dot color. Our -- our applications comply with the intent of the MUC designation. The current zoning is L-O, which Sonya went over with you and the reasons in that development agreement previously. Just some of the existing conditions. This is looking along Franklin Road. So, the top -- the left view is looking to the west and, then, the one on the right-hand side is -- actually they are both looking to the west, but on the top they are showing more of the south side of the road along Franklin and on the bottom side is looking more at the north side of the road. Both the existing commercial properties are more in the industrial end of the scale and, then, on the top right I just wanted you to see the difference in the grade change there. With the early phases of Touchmark they installed all of the public roads for the -- for the property. So, all -- all roads -- the street landscaping -- internal they have beautiful water features along their entryways and these are more pictures of the existing conditions of all the public roads. Utility extensions were done at -- early on pulling utilities to the property and you can see all the -- the lush landscaping. It's very high quality. The beautiful entryway into the Touchmark facility itself is with the pond? This entry look will not change. The east -- western side of that -- I'm going to call it the center park, that stays as is, as does the pond. So, Touchmark has owned the property since the late 1990s and they opened their first phase of the retirement community, which is called Touch Market Meadow Lake Village in 2003. Touchmark has been a member of the Meridian community for close to 25 years, collaborating with local businesses, nonprofits, schools and government agencies -- I'm sorry -- organizations to provide employment and volunteer opportunities, as well as provide a much needed quality service for elder -- elderly residents of the Meridian and Boise area who moved to the Touchmark at Meadow Lake Village. The properties were annexed and zoned L-O with a PUD and development agreement in 2001 the development states -- the development agreement states the use is permitted with this agreement -- with the agreement include -- and this is in quotes -- the construction and development of continuing care retirement community comprised of 250 to 300 units of independent and assisted living, 450 units of residential, including single family duplexes, multi-family and townhomes, medical office parks, commercial, retail business and a community center health and fitness center. End quote. Our new plan we feel complies with the initial plan, it just needs some updating and there is definitely some areas where things weren't defined with -- like the areas -- well, commercial uses were shown on the master plan, but the exact acreage and square footage wasn't clearly defined. The original master plan included approximately 874 retirement housing units and 20.5 acres of medical office uses. So, that was all the definition as far as the land area of those things. So, we are updating that master plan to give a little bit more clarity to the

different uses. The development agreement and three addendums to the development agreement have been approved by the City of Meridian. The most recent addendum was recorded in 2008. The development agreement is still valid and active and the current applications are consistent with the original master plan. The overall site area is 21.5 acres and approximately 62.8 acres or 52 percent of the original master plan land area has been constructed and is operating as Meadow Lake Village. Four hundred and twenty-eight residential units have been built in the existing retirement community. The retirement community also includes a community center -- I'm sorry -- community senior health and fitness center, open green spaces and walking trails, community garden, coffee shop and bistro, salon and barber shop, library, theater, dining venues, pickleball courts, a pond and numerous water features and other enjoyable site amenities and I do have a couple pictures of these for you just to show the amenities. Not including what I call the center pond, there is 6.5 acres, which is ten and a half percent of the -- of the land area of the existing -- what's currently been constructed and, then, that center area, the center pond -- or center park is 8.25 acres and that includes open space. The park and the -- the small golf area, including the area -- so, if we take the development area out of the golf course, but what we are leaving in that center area, our total percentage is 16.8 percent of what would be included with the -- the existing residential community. And here is a couple more pictures of some of the amenities. So, lots of -- lots of seating areas and water features. The Touchmark mixed-use development includes approximately -- so, this is our new master plan. Approximately 114,000 square feet of medical office space, approximately 500 non-age restricted market rate multi-family units and we -- these will be in the form of both apartments and townhouse style. So, whenever I say townhouse for this new master plan they will be townhouse style where they look like townhomes, but they won't be platted to sit on their own individual lot, so they are included in the city's definition of multi-family. 75,600 square feet of self-storage, which is down in that industrial -- light industrial area. 45,000 square feet of general office space and 45,000 square feet of commercial retail space. Approximately 126 room hotel and 24 villas and duplex age-restricted units. So, those last 24 to 25 units are the only ones at this point that are proposed to be part of the retirement community and phasing is planned to be in the next three to 15 years. With the concept plan we have provided concept elevations. The amenities throughout the project will -- will be pedestrian sidewalks and multi-use pathways and those will be utilized to create a network to ensure safety and efficient mobility through the site. As intended in the original master plan a multi-generational project where residents of the existing Touchmark community can maintain a sense of security, while benefiting from the adjacent diverse uses is intentional. The existing amenities that are currently constructed -- and there was some confusion with this at the Planning and Zoning and I think I said it wrong, actually -- is that the existing amenities are for the retirement community. They -- the future residents -- the new homes that will be built, they will be provided their own amenities and open space per the current UDC, so -- but what's -- what's included today is for the existing residences. Future occupants of the multi-family and townhomes, as well as users of the future commercial and retail, will benefit from generous, new connectivity and green -- green space throughout the interior of the master plan, as well as the existing pedestrian infrastructure along Franklin Road and Touchmark Way, those public rights way. Extensive pathways will be

accompanied by recreational areas for children and adults to enjoy daytime leisure activities, such as playgrounds, open space, dog areas and functional spaces to promote general health and wellness. The existing monument sign, landscaping, entry fountains, those are all planned to stay. Those are existing and will be -- will remain. At least one amenity per the amenity category within the Meridian City Code is proposed to be added and proposed amenities will be better defined during the CZC process. And as previously stated, public utilities are available to serve the site. With the PUD plan we have provided dimensional standards of each sub area and access to the project will be provided via existing public rights of way. No new internal private roads are -- are proposed. The internal roadways would be a private driveway system. One new access to each -- East Franklin Road is proposed to align with North Truckee Avenue to the north. An updated traffic study, as required by ACHD, was conducted by Kittelson and Associates for the updated concept plan and the result is that the new plan does not substantially change from what was previously analyzed and both ACHD and ITD reviewed that study and they have no additional comments or no additional conditions for the project. One of -- so, getting to our proposed revisions, we have reviewed the staff report and agree with staff's recommended conditions and the Planning and Zoning Commission's recommendation -- recommendation to approve the project and we have just a few revisions. The first is the private street from Truckee to the light industry designated property. We will definitely try to do that if it's possible. We just have a few concerns and that is the -- this is the existing site when -- on this one you can see on the -- the image to the right that they immediately go into retaining walls as they enter their property. We have a much larger area that -- and this is hard to see, but the -- the topo survey is on the right-hand side and you can see -- and I have tried to align these, but that ditch that bisects the property, we will need to work with the irrigation district on maintaining downstream users and, then, there is a 27 foot grade change from that ditch down to Franklin Road. I'm almost done if it's okay if I continue. Again we will -- the site has not been engineered at this point. Going through the engineering portion we will try to make that vehicular connectivity, but it -- it may not be feasible with the height -- the height of those retaining walls may become extreme and, then, the amount of open space -- I know this has come up as -- as the -- as a question and we did provide this exhibit and, again, the amount of open space in this is -- is ten and a half percent. If we include the open space for the center park that will remain that becomes 16.8 percent of what will remain for the existing retirement community, which is over what the development agreement has. The development agreement requires ten percent. And I think with that I will stand for questions and will have the community -- or -- give their comments and we will address those afterwards. So, I will stand for questions.

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

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Ms. Thompson, a quick question on history. I'm just trying to make sure I'm understanding some of the suggested changes. So, just reading from the notated agenda a little bit that staff provided, originally 250 to 300 units of independent and assisted living and, then, it states 450 units of residential, including single family duplex townhomes. Those were -- were those age restricted -- those 450 units for residential originally? Because I'm just reading through here with the new development you are talking about three to four hundred of non-age restricted. So, I just want to understand. So, you are taking age restricted and, then, saying we are not going to propose that, we want non-age restricted. Am I following that correctly?

Thompson: Mr. Mayor, Council --

Taylor: Taylor.

Thompson: -- Taylor, the development agreement doesn't specify that they are age restricted and so -- and I wasn't -- staff wasn't -- I wasn't part of, you know, the original one. So, we are doing our best to interpret what the development agreement says and it does not appear -- because it -- it calls them out as all kinds of different types of residential and it didn't -- and it separated them from the retirement ones. I I'm interpreting that as they were not specific to be retirement housing.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Maybe the -- maybe your client can speak to it a little bit, because I'm just wondering if it's been marketed and proposed that way, so that folks who have moved in the community that was their understanding that this would all be like that. So, I'm just kind of curious -- to me that seems like a big change from maybe what was being originally envisioned and if -- you know, I understand this was a long time ago, but just kind of curious if that's how it's been presented to the community.

Thompson: Yeah. Yeah. I don't know why they would have listed those separately. Kendra Lackey is with Touchmark. I will -- I will let her answer.

Lackey: Is there --

Simison: Either one.

Lackey: All right. Mr. Mayor, Councilmen, thank you. My name is Kendra Lackey. I'm president of Touchmark Development and Construction. My address is 5150 Southwest Griffith Drive, Beaverton, Oregon. 97005. And, Councilman Taylor, that was before my time as well. It was about 25 years ago. I interpreted it as being two separate types of residential uses, but I have also been -- I have also shared with some of our residents today that were in -- I'm going to -- not say the older vintage, because we are all a little older, but maybe plus ten or more years ago that -- that they thought it was a retirement

community -- or, sorry, age restricted only. So, I can't give you a really good answer, because it's 25 years ago. I have been with Touchmark for 11 years and since that point in time it's never been our intent. I also can say 874 units of retirement is -- is twice as big as any other Touchmark in its existence. So, I would -- I would infer that I was not all intended to be Touchmark. So, that's not a really great answer, Councilman, but that's about all I can give you today.

Taylor: Yeah. Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Yeah. I can certainly appreciate that. This is -- there is several decades of time here we are talking about. So, it's just what I'm trying to get my mind around as I'm thinking about this is is this a community designed for, you know, folks that are retirement -- retiring or getting close to retirement, if that's kind of the community that they are trying to attract here or if this is really very much of a mixed-use. So, I will -- I will grapple with that a little bit. But, Mr. Mayor, I just have another follow-up question.

Simison: Councilman Taylor.

Cavener: Kind of along the same line. So, there is a lot of space here, there is a lot of land and I always, you know, for years that I have lived here I have kind of wondered, you know, why in such a spot there was so much undeveloped land. Is that because you need more flexibility for different types of development here? You -- you need the medical, you need that -- because originally, if I'm understanding it correctly, it was all really residentially focused. Am I understanding it correctly? Because I'm just wondering why it hasn't been fully developed yet and if there were -- you just need the flexibility for different types of -- of development there to be able to sell it, make it usable. So, I'm just trying to understand why has it sat vacant for so long and are these changes necessary in order for you to utilize that land in the highest and best use? I hope that makes sense.

Thompson: Yeah. So, Mr. Mayor, Councilman Taylor, the -- the one thing that I go back to is that in the original master plan it definitely wasn't all residential. That had 20 and a half acres designated as medical office and, then, it also -- also references commercial and retail, but those -- those square footages weren't clearly defined and as far as the -- the market for -- for what's been there, there is -- there has been a few users over the years that -- that I have known about that it didn't just -- it didn't come to fruition for different reasons. Most of it's market conditions. But if you do look at an aerial, the -- even the -- the retail -- let me get back to that. No one will show it. The retail -- so, to the west of Touchmark is still vacant as well. So, you know, there is just -- I think it's just the industrial on the north and the commercial here on the south just has been a -- and -- and with Portico there, you know, it's -- it's been -- it's been difficult. And that's one of the reasons we were asking for flexibility on that frontage, because it has been marketed for 20 years as commercial and -- and it just hasn't -- hasn't happened yet and the -- and the stuff closer to Eagle Road will probably go first.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Quick question. I don't know who might be best suited to try to address this. Over the past 22, 23 years have you marketed this to people, the residents at Touchmark that -- that the golf course would be going away or that you would have non-age restricted units built on site?

Simison: Yeah. Just wait until -- yeah. On the record. You know what to do.

Lackey: Thank you, Councilman Overton. No, for the past several years it has not been marketed. We started this process about figuring out what we are going to do with -- with this vacant land about -- I think it was January of last year where we decided that we needed to be a little bit more proactive, so that there wasn't 60 acres of vacant land right in the middle of Meridian. We looked at what the market was asking for over the past 25 years, which is not medical office and which is not retail. So, we looked at that and in the past ten years I don't believe that we have been marketing this as it's going to be an exclusively age restricted retirement community. I know that -- that there has been -- again I heard today that later in that -- and -- and, you know, over a decade ago that I have heard from residents that they -- they had heard that, but that was never our intent or part of our marketing. When it comes to the golf course we look at that as -- you know, we have done this for a year and a half and doing rezones is quite a -- a labor intensive and time intensive experience. So, we wanted to put together a plan to show you that we could have flexibility for the next several decades going forward. So, there -- currently there is no specific plan to create villas on that golf course. If this rezone goes forward we would go through a very intensive measured study to look at the -- the -- the benefits and the negatives of doing that, looking at what -- what the -- the neighborhood as a whole needs. You know, golf courses are a very expensive endeavor to take care of. When we look at what our residents -- how many residents use it, what's -- what's the cost is, is there benefit of amenities that can go with potentially some villas that would -- would be more enjoyed by a larger sense of our community. We haven't started that process yet. We were looking at putting zoning together that would give us the flexibility. Over the course of 20 -- the -- over the course of 25 years we have developed this community and I think it is a -- I think that the City of Meridian should be very proud of it and we have done it with thought and care and we would continue to do these next 60 acres with the same thought and care and that -- getting the land use to give us that flexibility is just the very first step.

Overton: Mr. Mayor, follow up?

Simison: Councilman Overton.

Overton: So, I remember when it opened and I will tell you that I believe as we sit here in this room today that it is the gold standard when it comes to retirement communities.

Lackey: Thank you. We are very proud of it. I'm glad you are, too.

Overton: And when it was built and the golf course was done -- and I confirmed this with the city attorney -- we changed our city ordinance at the time to allow the use of golf carts, which were restricted to only one square mile in our city at the time, to this community, so that people could drive golf carts around and for years they drove their golf carts, they dressed them up in parades and now we are talking about more buildings with more traffic on the roads and they still own golf carts --

Lackey: Sure. And they -- and they don't use them necessarily to golf, just to get around and go to the White Pine have a nonalcoholic drink, because I'm sure they wouldn't drive their golf carts --

Overton: Which leads me to the question. The golf carts --

Lackey: Yeah.

Overton: -- with a lot more traffic on the roadways there, because you are putting in more additional residences, doesn't cause you any concern?

Lackey: Well, I look at where the residents would be going and the arterial streets that we have are the private streets and they would probably not drive into the Touchmark neighborhood, but they would probably drive out to Franklin and Eagle to do their daily commute. We don't have any through -- we don't have any through lanes that go through Touchmark that would shortcut you to another part of the Meridian community to travel.

Overton: That's all for now.

Simison: Council, any additional questions for the applicant at this time? Okay. Thank you very much. Mr. Clerk, do we have anyone that signed up on this item tonight?

Johnson: Mr. Mayor, we have a lot of people here, a few signed up to speak. First is Kitty Roberts and we are getting a presentation brought up for her now.

Simison: Okay. And while we have had some people signed up -- after everyone who signed up has testified anyone else we will give an opportunity if you wish to speak. Kitty, good evening.

Roberts: Good evening. Mayor Simison, Members of the City Council, it's a pleasure to be with you here tonight and for some of you we would like to thank you for sharing our morning out in the first part of August and we had a good time talking with you, as well as visiting with our first responders and hope that we keep that up, so that we can all know each other a little better. My name is Kitty Roberts and I am president of the Meadow Lake Village Resident Council. I'm serving in my second term and I live at 446 South Nistler Lane and have been a resident for more than five years. I know I don't

look that old. As you can see by tonight's turn out and the public comments submitted to the city clerk there is considerable interest by the residents on the impacts to the current residents, about 500, now residing at Meadow Lake Village. To give the Council a full view of it, Mr. Jim Pershing, one of our residents, has put together a slide presentation giving you a glimpse of life in our community and look at all that green space. Our resident -- our resident council held a regular bimonthly forum for our residents on July 25th. Since we were unaware that the Planning and Zoning meeting held on July 17th was actually a hearing to consider the Touchmark proposed changes to the existing planning documents and to send its recommendations to the city, we were not in attendance and that was noted by several members of the Commission, but we are here tonight and we would like for you to take our comments very seriously. Several residents have signed up to comment on the application and others have already submitted their comments, which may be in your packages. Generally speaking their comments fall into the following categories. Existing open space versus proposed open spaces. Security and safety of the existing fully developed age-restricted area that we know as Meadow Lake Village and impacts of the development on existing facilities. Residents at Meadow Lake Village chose this Touchmark property because it provides the lifestyle that we were looking for and that includes a campus atmosphere with plenty of open space, plenty of outdoor amenities to enjoy, such as the golf course, the pickleball courts, our dog park, garden areas for residents and an intricate system of walking paths and sidewalks. It also includes an indoor health and fitness center to accommodate age-restricted users. We have many -- even though sometimes not enough -- indoor activity rooms for various scheduled events and most importantly we feel secure because we are isolated and of the same age grouping and most of us -- and most importantly -- moved to Meadowlake Village anticipating that we may need progressive care in the future, which Touchmark provides in both assisted living and memory care units. We fully understand that the land owned by Touchmark outside of -- of, but adjacent to Meadow Lake Village, is prime development space. While we may be sad to lose the spaces used by the coyotes and the geese to produce and raise their young and the views we enjoy of the foothills, it is logical and prudent that Touchmark wants to continue with development of the land it owns outside of the current Meadow Lake Village. However, our major objection is that the new plan essentially removes our village green. We are all accustomed to the term village green, because that's normally the focal point in most towns. It is also the center point of many of our outdoor activities that include the golf course, but also the tree-lined walking paths, the pond where our miniature sailing club launches their crafts, which are watched by many of the -- many from the pavilion on the pond and that particular pavilion was partially funded by residents at Meadow Lake Village. The area is also used for our annual car show and is -- and where we also hold many annual patriotic events and celebrations. I would like to point out to Council that there is a flaw in the city code that has contributed to our lack of involvement in the planning process. The City Code 11-5-A to six specifies how -- how and where notices of hearing should be displayed. Touchmark did comply with the code, but sidestepped the simple courtesy of -- of formally notifying current residents of the hearing. This is because the code specifies that adjacent landowners must be notified of the hearings. Guess what, we are not adjacent, we are smack dab in the middle of it, so we don't count as far as the code goes. I'm not asking you to change

the code tonight by the way. One way to address the concerns that will be raised tonight is to remove the existing Meadow Lake Village from the proposed application. That way we can serve the existing open space that is hallmark -- is a hallmark entry onto our campus. It also preserves the golf course and full pond and does not wreak havoc in the middle of a well-established community with major new construction activity. We are asking -- no, pleading with Council to consider our concerns and comments and refer this application back to Planning and Zoning Commission, so that we can work with the Commission and Touchmark to address the issues that are being presented tonight. Just remember, it takes a village to save a village. That's all.

Simison: Thank you.

Roberts: Any questions?

Simison: Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Kitty --

Roberts: Yes.

Cavener: -- thank you for serving on --

Roberts: Better known as Ms. Kitty.

Cavener: Fair enough. Fair enough.

Roberts: From Gunsmoke.

Cavener: Fair enough, Ms. Kitty. Appreciate you serving your neighborhood association. That's a hard job and appreciate your comments here tonight.

Roberts: Thank you.

Cavener: And we have -- we have received a lot of comments from the neighbors. We have read the -- the many e-mails that -- that everyone has sent in and look forward to hearing some more testimony tonight. There is this reoccurring theme of a request to go -- send this back to the Planning and Zoning Commission and I'm -- I'm struggling with that request, if I'm being frank.

Roberts: Okay.

Cavener: So, my question for you is have you and your neighbors tried to engage with the developer, with the applicant, about these concerns after the Planning and Zoning Commission? Because it sounds like you are wanting us to send it back to the Planning and Zoning Commission so you have an opportunity to collaborate with them and I'm just curious if you have -- if you have done that proactively since the Planning and Zoning hearing before this evening?

Roberts: I have talked to Kendra and we -- and I suggested to her that we enter into a memorandum of understanding, so that we could work things out. Touchmark had a different approach and they are -- they have presented to us going forward how they would like to notify us on any changes that they are considering. Have I sat down with them specifically? No. Tonight is the first time -- or today was the first time that full planning team from Touchmark has been here since the meetings in July.

Cavener: Thank you very much. I appreciate your testimony.

Roberts: Any others?

Simison: All right. Thank you very much.

Roberts: Thank you.

Johnson: Mr. Mayor, next is Ruth McKnight.

Simison: And when you come forward just give your name and address and I think just saying if you live in Touchmark is adequate.

McKnight: My name is Ruth McKnight -- my name is Ruth McKnight. I'm a resident of Touchmark. I live at 422 South Nistler Lane and I have been a resident since February. Thank you for the opportunity to address you. Those of us who live at Touchmark are either active adults, we need a little bit of assistance with living, or we require the special services of a memory care facility. We are different, but we are united in one thing and that is our desire to live at Touchmark at Meadowlake Village. I also have -- would like to request that the Council consider sending this proposal back for review by the Planning and Zoning Commission. Review of the application I believe is necessary, because of the unique character and relationship between the Village and Touchmark. The applicant Touchmark should not be treated as a mere -- just another real estate developer. Applicant is primarily a provider of end-of-life elder care and Meadowlake Village is its flagship community. Its application, however, seeks major changes to a community originally designed, developed and operated to serve the needs of elderly residents, offering a specific number of environmental and special features, many of which are at risk if this application is accepted as proposed. Review is necessary, because we as residents were denied adequate notice of hearing and opportunity to comment. Given such an opportunity, as you see behind me, we will show up and comment. The applicant before another meeting of this Council or the Commission misrepresented the lack of resident comment as approval. That is not the case.

Residents were misinformed that the hearing on the application was merely a formality, permitting certain modifications within the master plan, but not seeking significant or immediate changes. Representations were made with Touchmark's assurances of honesty and transparency that the existing environment would be retained and not be affected by adjacent development. Residents relied upon those representations and protested to Touchmark management about the lack of a timely opportunity to comment. In response Touchmark responded that you deserve clear, proactive communication about any adjacent land use, but under the city's current code individual notices are not mailed to -- accept to property owners of record, not to residents or renters, such as we have, which means that residents of Touchmark won't directly receive mail from the city about hearings or applications, even when a nearby project is relevant. Characterizing all residents of Meadow Lake Village as residents or renters is significantly inaccurate. The residency certificate, which is an essential part of the contract between residents and Touchmark, grants a life estate, which is an ownership interest in real property entitling residents and owners to notice about matters that may affect their life.

Simison: Can you wrap up, please? You are only allowed three minutes.

McKnight: Yes. The -- the -- not only have the residents been deprived of a significant opportunity to comment, but the Planning and Zoning Commission has been deprived of the opportunity to consider the perspective of the population most likely to be adversely affected by the proposed changes. The applicant's phase one calls for elimination of the Village's golf course and that is a significant issue for all of us present in this room. If it is true that none of these proposed plans might really happen, then, we ask why is the elimination of the golf course listed as phase one to be done within two to five years?

Simison: Thank you, ma'am. I think you can get some questions to get some more information on the record, but just so we have a -- give everyone their equal amount of time we need to make sure -- hold to three minutes.

McKnight: My remarks have been presented in writing to the city clerk and include these remarks and others and contain exhibits which will help illustrate the point. Thank you very much for your time.

Simison: I think you're going to get questions, so don't worry. Councilman Taylor.

Taylor: Mr. Mayor, thank you. Mrs. McKnight, I have a -- over here. I have a question. You brought something up that I hadn't really thought about too much, which was Touchmark, obviously, has put forward a very -- a great product, a great community. A lot of you live there. You chose to live there. But that they -- they own some of the additional land and that it's almost like it's outside of their lane to develop a different product than Touchmark. I guess so my question would be in your -- would it be your preference that they would be the developer of these lands -- of this land or would they -- you prefer that they maybe sell it to somebody else to develop and they can just stay focused on the product that they specialize in?

McKnight: That's a difficult question, because I do believe that Touchmark is proud of this development. It wouldn't be their flagship if they weren't happy with it. So, I believe that -- that there is a Touchmark and then there is a Touchmark. But by that I mean that we are Touchmark. We live at Touchmark at Meadow Lake Village and I believe many of us question whether the design and operation of the retirement community is entirely consistent with the overall purpose and goal of the larger Touchmark Corporation, which is the owner of the Touchmark at Meadow Lake Village. We wonder whether they are -- whether the goals and motivations are perfectly aligned. Thank you very much.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Ruth, quick question. You said -- right here. You said you moved in this year. What month?

McKnight: Moved in in February.

Overton: February. So, fairly recent. So, if I ask you, you probably talked to the marketing department before you moved in.

McKnight: Yes.

Overton: At any point did that marketing department tell you that the golf course would be going away or that they would be developing the lands around --

McKnight: They did not. Because I can see open land it was reasonable for me to understand that at some point that open land would be developed. But never was anything mentioned that there was even a gleam in anyone's eye that any of that development would touch the current use and amenities of what we know as the -- the Village.

Overton: Thank you, Ruth.

Simison: Thank you very much.

Johnson: Mr. Mayor, next is Stanley Mitchell.

Simison: Good evening. State your name and where you live and you will be recognized for three minutes.

Mitchell: My name is Stanley Mitchell. My wife Carolyn and I live at 4082 East Putter Lane in Meadow Lake Village. I'm very concerned about a lot of the things that have been brought up tonight, but I wanted to specifically address that portion which has been approved to build townhouses directly behind our house. The approval that has been given would potentially allow for the construction of market based three-story

homes. If this were to be allowed it would destroy the peace and quiet that we now enjoy and potentially have a negative impact on the investment we have in our home. The idea that a three story structure, 40 to 50 feet behind our home, with the occupants being able to look down on our backyard, is just totally unacceptable. Can you imagine dogs barking at all hours, teenagers partying, loud music just a few feet from your back door? When we moved to Meadow Lake Village ten years ago we were told that any development adjacent to Meadow Lake would be age restricted, independent units, but not a part of Meadow Lake Village and nowhere as you have heard from that has that been mentioned. When the time comes to sell our home, nobody in their right mind looking for a tranquil environment, would pay half a million dollars or more to buy a home with a three story structure directly behind them. Not being able to sell our home would trigger a provision in our contract, which would be extremely detrimental to us. I'm here to respectfully request that this issue be sent back to planning and that Touchmark be permanently prohibited from building townhouses on the parcel directly behind Putter Lane and that any development be limited to single family, one story, age-restricted homes. Thank you.

Simison: Thank you. Council, any questions?

Mitchell: Thank you.

Johnson: Mr. Mayor, next is Ron Reinhart. Good evening.

Reinhart: Thank you for taking my -- my questions. I'm Ron Reinhart. I live at 4098 East Putter Lane. I have been a resident at Touchmark now since 2017. A lot of the -- the issues I was going to address about age restrictions have already been addressed. I was very surprised to hear that there was still a consideration of using the villas on the golf course as an unrestricted area. I can't imagine that being an issue. I was concerned about the -- the townhouses on our northern border and how close they are to having access to Touchmark and there being no way to screen for children who are to find that as an ideal place to go. So, anyway, when I came to Touchmark I was assured that it was always going to be and it was a restricted retirement community. That clearly is not the case. Again, there was no practical way to prevent access, even from the outside of the proposed new development. What options are there for children that they are allowed to be in the area to go to any place, except the most desirable, which would be our green space. Off to the side -- I would prefer to call that green space. We keep talking about a golf course. The heart of our green space happens to be the golf course. If any of you have been out to our community you know that. That's where the trees are. That's where the pond is. The rest of it is treeless pretty much. So, I think that needs to be a -- a clear distinction. Anyway, the concerns I have are for both safety of the seniors and also the children. The average age of Touchmark is probably in the mid 70s. Many of us who still drive aren't as good as far as our eyesight, our reflexes, particularly night time driving it's an issue as you all will find out ultimately. The -- the other issue is the number of drivers that will be in the area taking advantage of the very numerous other offices and businesses which are proposed. Finally the pond would be a clear ever present risk, particularly for young children. On the other hand, many of

our residents have balance issues. They use canes, walkers, carts in order to motor around the campus. Definitely a vulnerable group of people. What could possibly go wrong with mixing this senior demographic with skateboards, bicycles, kids with their dogs and even teenagers who are just trying out their new driver's license. I can't imagine that combination. Anyway, we all love our children, our grandchildren and the lucky few of us our great grandchildren and despite that we feel strongly that children do have their time and place. It surely isn't in a senior community like this.

Simison: Ron, if you could summarize.

Reinhart: Thanks for your thoughtful consideration. That's all my comments.

Simison: Thank you. Council, any questions?

Reinhart: Any questions? Okay.

Simison: Thank you.

Johnson: Mr. Mayor, next is Dennis Haynes.

Haynes: Mayor and Council, thank you for the opportunity to talk tonight. My name is Dennis Haynes. I reside at 477 East Splendor Lane in Meridian. My wife Barbara and I have lived in Touchmark -- a Touchmark cottage for over ten years and we sincerely appreciate the remarkable facility and services that Touchmark has created at Meadow Lake Village and plan to live there as long as we can. I'm taking out some of the parts that have been already covered, so it may be a little rough. Grant me a little ease there. Several residents have sent messages to Touchmark corporate management in Oregon voicing their concerns about the development plan. It's obvious that the return messages were not well received. Some residents characterized those replies as heavy on platitudes and light on addressing resident concerns. Touchmark replies ended by asking the residents for their trust. Could it possibly be that Touchmark corporate has lost sight of the unique feature about trust. You cannot gain someone's trust by simply asking for it, it must be earned and maintained and it cannot be transferred from one person to another. At the Planning and Zoning Commission hearing that brought the development plan before you tonight, there was not a single one resident at that meeting. You might ask why that is. The residents now feel they were misled. The impression they had was that the proceedings were not important enough to warrant their attendance. They also feel that their real concerns were not adequately presented to Planning and Zoning. Therefore, the residents ask you to return the development back to the Planning and Zoning Commission where their concerns can be properly addressed. Thank you.

Simison: Thank you. Council, any questions? Thank you very much.

Haynes: Thank you. Well, I wanted to say one thing. It's kind of strange, Touchmark feeds us. Okay? We are figuratively, then, biting the hand that actually feeds us.

Johnson: Mr. Mayor, Stephen Hulbert signed up online.

Hulbert: Good evening, Council Members, Mr. Mayor. I appreciate your time and the opportunity to speak as a -- sort of quip decades ago I served on a planning commission and on -- later on a city council for about eight years and it took my wife's prodding to take a job out of state to put that behind me. I appreciate your efforts and work and I recognize what you are involved in. I live at 740 Zilphia Lane, a villa on Touchmark's property. When I came I was not sure I wanted to be in a senior facility. I looked at one in Prescott, Arizona, by Touchmark and it was not something that had the openness and the green space or all of the services that we wanted. But I came to Touchmark at Meadow Lake and the young woman who gave us a tour, the first thing she did was to take us out to the area of the gazebo and to the golf course and show us that and literally we learned the name Touchmark at Meadow Lake Village came from that central piece of property. There is a lot of green space throughout Touchmark, no question about it, but, folks, green space isn't just beside sidewalks or against buildings, this is space that we can get out and use and it's something that we value. We also value the opportunity to talk with Touchmark leadership and I mean we do it daily with the campus leadership, but I'm talking about corporate Touchmark in terms of the future of our campus that we are committed to and I'm just here asking you to give us a chance to talk with Touchmark leadership and to answer one simple question, with so much property adjacent to the existing villas that I live in, why not simply put the new set of villas right there? What need is there to cut the heart out of the campus that they have built and they are proud of and to eliminate that open space that we so enjoy? Thank you.

Simison: Thank you. Council, any questions?

Johnson: Mr. Mayor, next is Tom Walton. And Tom signed up online. And of the many names that are -- that's everyone that put a checkbox.

Simison: Okay. Well, if there is anybody present -- if you would like to make comments, please, come forward at this -- just come -- come forward. You are going to police yourselves on who is next and if you are online and you want to make a comment, please, use the raise your hand feature and we can bring you in. Please state your name for the record.

Stewart: My name is Milton Stewart. I live at 584 South Catherine Lane in Touchmark. I'm a retired lawyer ironically from Portland, Oregon, where Touchmark is located. I know the company. I know it has prided itself on openness, candor and clear communications with its residents. It failed to do so here. And I speak for the 17 people who have moved in in the last two months to Touchmark. My wife and I came on two due diligence trips. We were enchanted by the land on which the golf course sits. By the way, it is a pitch and putt course. Forty-seven yard holes. This is not a grand golf course. It is a green space that every single member of the community uses and I inquired about the status of the golf course precisely because I had never been a golfer, but I thought I might play on a pitch and putt course and, in fact, Judy and I went out

and bought golf clubs and bags, all the accoutrement, and I was told -- and, by the way, it was in rough shape and I asked about the commitment of the corporation to the golf course and I was told it was only in rough shape because of the winter kill and they had plans to redo the greens and the -- the driving pads and the grass. As someone trying to decide whether or not to write a check for 700,000 dollars for a cottage, it would have been a relevant datum for me to know what these plans were and not a word was said and so we bought and we love it, but for these proceedings. We came here to die and I don't mean that to be a funny statement. We have lived all over the world. We have worked all over the world. We wanted to end our lives in a place of beauty and peace and we thought Touchmark was that place and, instead, we are here fighting for the rest of our lives and the quality of the rest of our lives. Thank you for listening.

Simison: Thank you. Counsel, any questions?

Little Roberts: Mr. Mayor? Mr. Stewart?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Stewart, if I may ask just how long you have lived at Touchmark?

Stewart: We moved in on July 9th. So, we are in our sixth week I think, maybe heading into our seventh.

Little Roberts: Thank you.

Simison: Thank you.

Stewart: Thank you.

Simison: If there are other people coming -- if you want to speak maybe come up to the front row. That way you guys can know who --

D.McKnight: My name is Doug McKnight. I live at 4422 South Nistler Lane in Touchmark. I just want to take -- make one specific point. The contract that we signed, the residency contract, one of the things that says that's included in our monthly -- in our monthly payment is membership in the Meadow Lake Golf Club. That's right in the contract and eliminate -- elimination of that in my view is a breach of everyone's contract that they signed when they became a resident of Touchmark.

Simison: Thank you. Any questions, Council? Okay. Next.

Wendell: My name is Wallace Wendell. I live at 735 South Margaretha in Touchmark and as I look around this group of wonderful people and I realize the power that you people have to keep this community a beautiful place to live and you must realize what you do is going to affect the future of the next hundred years. You can't just think about

this golf course, this green space, you have to think about what you are doing to this beautiful area. Please consider carefully what you're doing. Thank you.

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

Tolkien: Good evening. Thank you for listening to all of us tonight. My name is Jan Tolkien. My husband and I moved into Touchmark a little over two years ago and we -- I didn't want to come up -- and we saw Touchmark and fell in love with it for the open space, for the -- they always say the first impression is the best and they definitely had a good impression. What you see here are wonderful residents that are here. Besides these members we have sent out petitions. It's the first time I have seen a big rally of all of our residents. We got 200 -- over 260 signatures on that and that was from independent living only. I am so proud of our residents. We are there as a support group and they feel very strongly about our green space and the golf course. So, thank you very much. I appreciate your hearing us. Any questions?

Simison: Councilman Cavener.

Cavener: Thank you, Jan. Real quick just one quick question. So, I didn't mean to keep frightening you. I'm sorry. Your -- your comments here today and -- and also in your e-mail really talked about the beauty of the neighbor and that being very very important to you. I'm curious did you have an opportunity at the neighborhood meeting to express your feelings about that?

Tolkien: The one that we just had a week ago, yes.

Cavener: Well -- so, there -- as I understand before Planning and Zoning Commission there was a neighborhood meeting that the applicant hosted and I think roughly about 50 people attended and so --

Tolkien: I was not able to attend that one.

Cavener: Okay.

Tolkien: Thank you. But it's -- but it was important.

Munt: Mr. Mayor and Members of the City Council, my name is John Munt. My wife and I moved here in 1967 when this was, indeed, a farm community. We have lived our entire life here. Recently we moved in to Touchmark. We moved in ten months ago. We have seen a lot of changes, of course, in this community and one of the changes that occurs is we got older and -- and my wife and me to some degree, but my wife more so, experienced some mobility issues and we were encouraged by our kids to consider moving into a facility that provided security, safety, green space, amenities that, obviously, we pay for, but that are just above reproach. Touchmark is that kind of property. So, our kids encouraged us to put down a down payment, so we got on top of the list and pretty soon representatives from Touchmark were calling us to come and

look at an apartment, look at a house, look at a villa and we kept turning them down. This was three years ago and, finally, this last October, November, we have -- we found an apartment that we really liked. Never once in all of those discussions and all those dinner parties that we were invited to was there ever any discussion, Councilman Overton, that you asked, was there going to be a development here that was going to include multi-family housing. So, the answer is, no, it was always this is the green space. This is the Touchmark community. This is where you can be trusted to live your life in retirement and enjoy the things that this property offers. Thank you for listening to my comments. Any questions?

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

Bathgate: Mayor, Council, my name is Jim Bathgate. I have lived at Touchmark for one and a half years. I think if you look at the green space allocation that Touchmark has put forward they have talked about ten percent and 15 percent -- 15 percent going down to ten percent if they eliminated the golf course. They're counting an inaccessible area strip right along Route 84 that we can't get to as residents without leaving Touchmark property. That strip is significant in their percentage allocation and I think if you eliminate that and that it's really not usable by any Touchmark residents, you will find that it falls below ten percent if they eliminate the -- the golf course and so that would violate the -- the terms of their original plan. Thank you.

Simison: Thank you. Council, any questions?

Scott: I'm a bit of a turtle. I came back from a cruise seven years ago and my brain thinks I'm still on the ocean. I have a brain dysfunction. So, luckily, I live at Touchmark and that's -- that's acceptable. They -- they -- we all are doing something there. My name is Mary Scott. I have had an association with Touchmark at Meadow Lake Village for 21 years. My father -- my husband's father built a cottage there in 2004 and we were involved as he was getting his cottage and I can tell you the plans that are currently shown that we have seen that we are currently under -- if you look closely at them you will see that the property adjacent to Touchmark is meant for single story cottages and the -- if you look at the minutes from the meeting that Touchmark presented to get annexed and have this built in, you will see the explanation by Touchmark that those were meant to be senior housing. There was commercial, medical also talked about. They even talked about some apartments that maybe some of the families of people who worked at Touchmark would be there. But they were always out away from the perimeter of Touchmark -- of Meadowlake Village. What we know is Meadowlake Village. So, the current -- we all knew that someday that would be developed and we aren't really against having that undeveloped land developed, but we are against changing the magnificent community that we live in. Touchmark has done an outstanding job of having a community -- and I personally witnessed it grow from, no, we were visiting dad before there was a lodge, before there was anything, except the golf course and the green space. Then we saw the cottages built. We saw the lodge. Assisted living. Memory care. And right behind our cottage was the last area to be developed. It was supposed to have 19 cottages. We got 39 villas. So, we had an

increase of people there that we didn't know we were going to have, but we love the people that are in the villas by the way. But we really are getting tighter and tighter. There is not that much room. Something I would like to address before I forget. We were kind of -- we -- I don't want to -- we were not given full information about the meetings. We -- we did have -- Touchmark would typically come -- corporate Touchmark would come the day of a neighborhood meeting, call a resident meeting to let us know there was a neighborhood meeting, but, by the way, you are not neighbors, so you can't go. Even when we raised our hand and said where is the meeting, we would like to go, you don't need to go. It's okay. We will take your concerns. And we gave them to them and we told them what our concerns were. I was watching that zoning and planning meeting on YouTube and when I heard Tamara say that our green space would be open to the new community, because what this new proposal plans to do -- pull all of us together into one big multi-generational family unit. That was never a part of the plan and if you look at the minutes from those meetings in 2000, if you look at the plan that's currently there, it's very clear. We were there. We knew. So, when you said we weren't there, we are interpreting, you are misinterpreting it. If you look and read you will see it. So, you heard tonight when we brought that to the attention of Touchmark, our executive director, who is a lovely lady, but she didn't attend that meeting and when I heard those things being said and not being said that we had asked them to present, my husband said raise your hand. I said I can't I'm on YouTube. You can't raise your hand on YouTube. I tried to get over to Zoom. I couldn't get over fast enough to raise my hand before the public hearing was done. So, the next day Touchmark called a meeting to let us know what happened at the planning and zoning meeting. We had witnessed it as long as -- there were three of us that were watching it online and this sweet lady said -- I remember she looked at the -- at what we saw today, those beautiful things that were on the property and she said, oh, look they are telling them how wonderful our -- how beautiful our -- our place is and I said -- raised my hand and I said you need to watch the video, because what they were actually telling them was just what they told you. These are some of the acute -- the amenities that are available that will be available to the outside as well. Now tonight -- and I approached Touchmark about that and they said no -- in fact, we got a memo from -- from them telling us that, no, no one can come in and use our amenities and yet in their application it clearly states that it does and, in fact, in the findings I asked them if they would retract that. Didn't get any answer. But I see in the -- in the fine -- I think their findings, I'm not sure exactly how that works. But it talks in there about number five on B. My concern is once it's in the record it's going to become an entitlement and it becomes law and, then, what we will get -- which is what we have been getting is apologies. We didn't mean to not let you know. We will do better. We will communicate better. And they try and we appreciate that. But in the record right now it says the Commission finds the central -- the central common open space area with a pond provides a dedicated open space area that's acceptable to all restaurants and everyone in this new big unit. So, if this proposal is approved as it's written there are other inconsistencies in there and I have addressed those in some of the information we have given you. I'm sorry. I get really shaky here when I'm rock'n'roll. So, we would ask -- I would ask that you take Touchmark property out and let them develop out there and leave us alone. Let us have the buffer. It's a beautiful community. It was built for that. It should continue as that to

be private and, if not, then, please send it back to the zoning and let them see -- take care of those inconsistencies. Please.

Simison: Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Scott: Yes.

Cavener: Mary, weird question. I just -- I got to ask, because I think I got an e-mail. Are -- are you Ray Scott's daughter-in-law, from what I understand?

Scott: I am.

Cavener: Well, your father-in-law was the very first guy to take me through a tour of Meadow Lake when he was a resident and, yeah, he was just a great ambassador of that neighborhood and I was very pleased to read your husband's e-mail when he sent it. So, thank you for your time.

Scott: Thank you. He is here tonight.

Cavener: I figured as much. You guys were like the first ones here.

Scott: For obvious reasons. It takes me a while. Sorry.

Simison: Council, any additional questions? Good evening.

Miranda: Wanda Miranda. Roger and I moved to Touchmark July 15th of this year. I just would like to reiterate what has been said before. We love our community. We have just been there a short time, but we were not aware of -- of any of this and so that's a great concern for us. Thank you.

Walton: My name is Tom Walton and I live at 424 Splendor Lane and this is going to be a little bit chopped up I'm afraid, because I didn't think I would be able to speak tonight and so I stopped working on this, but let me give you what I have. I'm very concerned about the plan to build villas on the golf course, but I'm equally concerned with the plan to build multi-story buildings and apartments on the west side of the campus, shown on the plan as -- as planned for. The backside of these buildings will be -- completely dominate our western side. It will change the unique, relaxed, serene feeling and the beauty of our campus. Surely a fence would be built to hide the alley and the garbage cans, but we would still see the homely rear of these high buildings from our campus. Imagine the view from our campus, looking back at the modern style apartments and commercial buildings, trying to blend it into our unique traditional style campus. It's a very troubling thought and just to be sure that you understand, the -- the west side of

the campus is completely open and free and there is a large space there. That area would be built with high -- high rise commercial buildings and apartments and that's -- that's the view that I'm concerned about. Imagine also what you see when you approach the campus. The lodge, clock tower, campus buildings and surrounding landscaping will be hiding behind the commercial buildings and apartments. As you turn right at the stop sign and drive into the campus you will be distracted by a fence and the backside of the multi-story buildings. If you look at plan four of the map, Touchmark is showing us a picture of one of the buildings that is likely to be built. The front is very large and imposing and imagine how the rear of the building would dominate the rear as you enter and leave the campus. If the overburdened campus problems worsen and the beauty of the trees and the grassy areas are lost and if the residents become more frustrated with the overburdened facilities, Touchmark will surely find it more difficult to attract new residents, especially at the increasing -- increasingly higher fees. Please send the proposal back to the Planning and Zoning Commission. Please ask Touchmark to present you with two proposals instead of one. The needs of these proposals are very very different.

Simison: Thank you.

Taylor: Mr. Mayor?

Simison: Council -- Councilman Taylor.

Taylor: Yes. Sir, I have a quick question.

Walton: Yes.

Taylor: Just kind of looking at the map here, that western boundary and the applicant is proposing either medical offices or townhomes and you talked about sort of a -- you know, the -- the big abrupt change.

Walton: Yeah.

Taylor: If there were a height restriction would you be bothered if it was medical office space or townhomes if they -- the transition from what you have to the new development was similar? I mean not exact, but similar in height? Would that -- would that alleviate your concern with some of the transition or are you kind of just opposed to the type of how -- or type of development there?

Walton: Somewhat. The -- the heights bothers me, but also the backside of it is all we will be seeing from the campus. It will appear to be part of our campus and that's what we will see when we are there and it seems like we are surrounded by something that just doesn't belong there.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Mr. Walton. Thank you. Sorry. I thought it was interesting, you know, everyone's been saying, you know, send this back to planning and zoning and that's a kind of unusual actually. We don't usually see people asking for that. I'm curious what about going to planning and zoning -- like where is that coming from? Do you feel like because residents weren't notified and they weren't part of that part of the process that that needs to happen again? And, then, if you don't mind if you could also explain -- you said you would like to see like two proposals. What are you envisioning there?

Walton: The proposal for Touchmark -- they want to combine those two. We have certainly different needs and it's -- it's a different concept and plan that they are trying to put together. One for commercial, new buildings and so forth and, then, they are going to try to add into -- that reconstruction of our campus and it just doesn't seem to be proper. The thing that bothers me most, though, is that they are trying to use our green space and open space as a credit against what they want to do there on the larger commercial and homes and so that means there will be less green space in their -- in their new development areas, but it also concerns me -- I have been there for 13 years and we moved there -- they said that we are paying for part of the land. There was lot lines -- surveyed lines with our house but placed. We had -- we can -- we -- we built our home -- pretty much a custom built home. We changed inside walls, added new buildings, changed windows. The home is ours. We paid for each and every light switch and piece of carpet and the property lines are -- are very clear between us and our neighbors and yet they are calling my back -- backyard open space that's open for the public and it -- it just simply doesn't seem to make sense. So, I think the two plans are different. The green spaces are different. They need to show green space in their area and not really be taking credit for what we have.

Strader: Thank you, sir.

Simison: Thank you very much. Is there anybody else that would like to provide testimony on this item? Council, would you like a break before we go to the applicant closing? Okay. We are going to go and take about a ten minute, 15, ten -- ten to 15 minute break. We will try to reconvene no later than 8:15, where we will have the applicant -- ask the applicant to come up to close for the conversation, so --

(Recess)

Simison: And do you want to go to questions first for staff? Okay. We are going to go to some questions for staff first before we go to applicant finishing. So, Council Woman Strader.

Strader: Thank you, Mr. Mayor. Yeah, I just wanted to revisit -- you know, I know over time we have revised our open space standards and I was just kind of curious how does this align with our new standards? And I know some of the principles that we have at least adopted about having central usable open space, I just thought it might be nice if

you could refresh us about kind of where the city has moved to. This development is from 25 years ago was in a very different environment, so I -- I thought that might be helpful.

Parsons: Mayor, City Council, happy to try to elaborate on that topic a little bit more. I think there were a couple topics that came up that we probably need staff clarification on. One, again, is the open space. Under the previous code whenever someone went through a PUD they had to provide a minimum of ten percent open space. However, the code at the time did not define how you did that. It just said provide it. And, then, again, as it comes through the hearing we decide whether or not that's -- that's the right amount or not and we approve the project based on what the applicant proposes with amenities and open space. This Council knows that we have made an effort -- a conscious effort to try to improve those standards. So, a few years ago we actually -- and that's something that I want to touch on with the residents as well. They were concerned about residents using their open spaces versus what's going to happen within the adjacent property, but I will -- I will touch on that topic a little bit more as soon as I finish my thought on this one. So, currently, the -- if -- if the project is not subdivided there is no open space requirements. That's kind of the residential component. But under the multi-family there are requirements. So, again, if their multi-family developments are five acres or larger they provide a minimum ten percent baseline open space. In addition to that -- and we have to know how many units are going to be part of the development and what square footage as part of that square footage, then, there is an additional open space added to the baseline of ten percent open space. So, realistically this project, with the amount of multi-family that they are proposing, will have in excess of ten percent or -- not more -- closer to 15 percent open space under the new standards. So, I don't see that impacting the residents. I'm not saying that people won't trespass and go into their property and go in there. But there will have to be quite a bit more open space and site amenities proposed for the new portion or the amended portion of the Touchmark development. But you are absolutely right, there is -- right -- as you heard in the testimony this evening you heard walking paths tonight. You didn't hear things like tot lots, clubhouses, indoor pools or whatever the amenities may be, that's something that certainly you could ask as part of your -- your request tonight. If you need continuance for more information that's certainly within your purview to do that and -- and bring this back or remand it back to P&Z if that's your desire as well and they can take that -- get that additional information and, then, come forward as well. So, hopefully, that helps with that and, then, again touching on the other component, I don't see Touchmark allowing residents -- or these new residents or whatever their new portion -- amended portion going into the assisted living facility, I see them maintaining that delineation between the two. But I will let the -- the applicant at least discuss that a little bit more. And, then, as far as the public hearing process and noticing, yeah, that is something that we had recognized had occurred. The residents I think did a pretty good job of explaining the situation. We actually asked our city attorney's office for their interpretation and they provided the same information. We notified the owners of record, not leasees or whoever may be leasing the residence. So, I'm not sure how the legal estates or life estates work. I'm not an attorney. If Mr. Nary wants to elaborate more on his understanding of that portion of law, but I am not

an expert on that. And ultimately -- ultimately when we started getting concerns from the residents about that we realized that was the issue and that's why we stepped in and wanted to make sure we could get it corrected and so we made sure to reach out to every resident that called us and shared with them that you can still have a voice in the process, we want you to attend, you can provide comments, this is your time to voice your concerns or share your concerns with -- with the city on this application.

Strader: Thank you.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. I don't know if this is the appropriate time, but in referencing kind of what the property looks like now, I had asked Sonya and Bill if we could maybe pull up what the current -- I guess in the long run it may not help, but if we could pull up the current map, because, you know, we have heard multiple residents talk about, you know, we need two different ones, but I kind of got the impression it's more than just two and that Touchmark isn't necessarily singled out at this point. So, Sonya, if you want to kind of -- wouldn't mind kind of telling us what we are looking at and what is where.

Allen: Yes. Mr. Mayor, Council Woman Little Roberts. This is the existing Touchmark area right here where my cursor is and, then, all of this to the north of that to Franklin Road and along the west side here is part of the proposed application.

Little Roberts: Mr. Mayor, follow up?

Simison: Council Woman Little Roberts.

Strader: Sonya, so are those on two different DAs currently? Or PUDs? Whichever would fit.

Allen: No. They are all under one currently.

Little Roberts: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm curious to get perspective from the Planning Department about remanding a project back to the Planning and Zoning Commission or maybe Mr. Nary, depending on kind of what the parameters of that conversation are. It feels like it was legal, but it wasn't right. I just want to say that. It feels like it was legal. It doesn't feel right to me. It doesn't feel right that the residents didn't know about the Planning and Zoning hearing. Is that a sufficient reason to remand something back to Planning and Zoning?

Nary: Mr. Mayor, Members of the Council, it can be. It doesn't need -- it doesn't need to be -- I mean ultimately the Planning and Zoning is a recommending body. If there was an opportunity that this Council feels a -- a different hearing, an opportunity more for hearing at P&Z, but the -- I don't know the recommendation will change. So, it really ultimately still is your decision. If you feel that more hearing is necessary, whether that be at Planning and Zoning or a continuation of this hearing to gain additional information, if that's what you are -- think would be helpful, I think either way you could do that. But in and of itself it -- it isn't necessarily -- more because they don't have any final decision making from this and some of the critical parts of this, like the DA modification, only is decided by the Council and not by the Planning and Zoning Commission. So, yeah, I mean so it -- it can be, but I'm not sure it's going to change as much as the residents might think it might.

Simison: Would the applicant like to come forward to close.

Thompson: Mr. Mayor, Members of Council, Tamara Thompson again. I'm going to address a few items, but because there was a large amount of items that were kind of inner Touchmark items, Kendra will -- will also join me to -- to address some of the comments. I wrote down as best I could the comments as they were -- were spoken and so I'm going to try to address them all and, please, remind us if we forget anything. Some of the original plan that I want to go back to is just what I quoted previously. I did pull that directly out of one of the development agreements and it had the construction of the continuing care retirement community comprised of 250 to 300 units of independent and assisted living, 450 units of residential, including single family duplexes, multi-family and townhouses, medical office parks, commercial and retail business and community center health and fitness center. The -- for those to be separated between the independent and assisted living and, then, residential, including all of the -- the various types of those and, then, there is in the minutes that some of the housing would be potentially in apartments for employees and their families. So, those were definitely not age restricted. There seems to be some confusion regarding the intent and I was hopefully clear that in the Planning and Zoning hearing I definitely misspoke regarding the center park, that that -- the intent there is not to bring new residents and public and children into the community, into the existing retirement community, that what's currently constructed will remain private for those residents and that any new development -- so, the future tenants we will comply with city code and that is -- as Bill -- Mr. Parsons explained, is -- is kind of a formula between how many units and it's -- it's like a point system now and we will comply with code for all of that new. So, it does -- it probably will be around 15 percent. What the existing open space is -- is -- is over 20 percent of the current site. The development agreement required ten percent. So, they installed more than -- than was initially required, because they were installing for the future development as well, but -- but they will lock that in. Those residents that are currently there will have that open space that's existing and -- and, again, that is -- with the elimination of the golf course it's still 16.8 percent. So, it doesn't drop down below ten percent. There is different definitions in code for how open space is calculated and we have calculated that accordingly. As far as the age restricted, that's only those 25 homes, whether they be cottages or villages. That is the only part

that's being added to the existing Touchmark and, then, everything new would be outside of the Touchmark Meadow Lake Village retirement community. As far as townhouses and the height, so at this scale it's so hard to see, but behind those cottages on the north side, the existing cottages going into the -- the townhouse style apartments, we do have an open space in there with -- with a walkway, so that is separated and, then, those in that location, that smaller strip there where it's adjacent to single family, would not be higher than two stories. It would not be three stories. And, then, we can strategically do some building placement on those where we have the ends of buildings and not just a big long area and -- and on the ends of things we can control where -- where windows are to -- to control how -- how people see down into backyards and stuff like that. Let's see. I think as far as -- as far as amenities for the future residences, those will be, again, part of -- of that point system and having tot lots and swimming pools and clubhouses, those types of things, those will -- all those details get worked out in the CZC and design review phases. But, again, I just want to reiterate that that will comply -- or exceed city code in -- in -- in what those requirements are for those open spaces and I think I have addressed what I can address and I will have --

Overton: Mr. Mayor?

Thompson: -- Kendra come up, unless you have a specific question.

Simison: Councilman Overton.

Overton: If I can address the open spaces for just a minute. When I looked at the map you put up that showed what you are deciding is now open space on this new map, I'm really struggling with that. It looks like a piece of paper my granddaughter's cut up and sprinkled across Touchmark. It doesn't look like it's -- it was ever designed to be the open spaces at Touchmark, it looks like there were just areas that are sprinkled throughout the development that some of them are -- maybe not even usable for the people there, especially the one that we heard comments on that backs up to I-84. When you are declaring all of these are now part of the open space, you are stating here on the record that these are all completely usable open space areas for residents they can all get to.

Thompson: Mr. Mayor, Councilman Overton, the open space calculations are per city code, so we have calculated those based on how city code allows us to -- to calculate those. I didn't do an audit of it, so I can't say that all of them are accessible, but I can tell you that many of these -- and they do look a little funky and there is -- how they look, but the majority of these are what I would call pocket parks and they do have amenities. So, there are things such as little water features or gazebos, pickleball courts, different items like that in these little areas or seating areas or seating, but the majority of them, other than the one along I-84, which I'm not totally positive on, but the -- the rest of them -- my understanding is is they have little pathways to get to them and they have seating areas or they have some sort of activity on them. But we did have -- our -- our landscape architect did this plan and he did it based on what city code defines as the open space. Kendra.

Lackey: Mr. Mayor, City Councilors, I will just put an add to that. Touchmark has no intention of having less than the code required open space on the existing Touchmark campus, regardless of the -- I -- I don't know the actual code that is -- is said. The landscape architects are doing that. You know, Bill probably can -- has it tattooed on his arm of what open space is. I don't. Our -- our intention is not to have any less than what's code required, which is the ten percent I think will be in excess. I look at it and I'm like, oh, they didn't put the gazebo in the villas and -- I mean I think they just stopped when they hit it, but our intention is not to reduce -- to have that be not under the code required threshold, nor calculated in a way that's not approved in the City of Meridian code. Okay. A few things. I want to start with communication and, then, I will -- to bring up three or four more small points. We thought we did -- we thought we did a pretty good job of communicating to our residents. Based on seeing all these people today I don't think we got a really good grade and Kitty and I have had a few conversations and Dusty and I made a joint letter to make sure what we do that is -- is different. When we said there is not a -- there is not a lot to talk about, because the map hasn't changed, because the map hadn't changed. So, we thought that there wasn't a lot of conversation. It is not our intent to eliminate the opportunity for our residents to participate in their local government. I think it's amazing. And I'm really -- I'm actually really happy that all these people are here tonight, even though we have had a little bit late -- more late of a dinner. So, I want to make sure that you -- that you know that it was not intentional. We had -- I think in October of 2024 like we have a neighborhood meeting that -- that is part of the city requirements. At every community that we have we also have a neighborhood meeting for our residents, because they want to know things that are different -- you know, the -- the woman who was very interested and passionate about the locust tree and the raptors being protected, maybe is not that -- her neighborhood requirements or any questions are different than -- than our neighborhoods. So, we had a meeting with our residents before that and -- and the map hasn't substantially changed at -- at all. So, we didn't highlight that the -- the planning and zoning council was something that they needed to attend. We had six or seven different touch points, letting our residents know what the process was, but I can see that we can do better and go a little bit deeper, so that they really know. That has nothing to do with what you're opining on, I just want to let you know as a -- as a member of the Meridian community we see -- we see improvement that we can do there. Secondly is the ownership. Touchmark owns every residence on our property. As you can see it's all one master plan. So, there is a lot of talk today about I bought this or when I sell this or I own this. I want to be really clear, Touchmark owns every structure, every piece of land and, then, we go into residency agreements, whether it's deposit or a month to month rental with all of our residents. We have 15 communities and we are -- we are really proud of -- of our Meridian one, but we are proud of all of them. This is the only one that has 65 acres of undeveloped land around it. Every other community has neighborhood that are developed adjacent to commercial, residential, retail and we work with each community on a -- on a very specific basis of how to keep those residents safe, how to make it walkable, how to make sure that at night they feel safe and that -- that happens in a variety of different ways. It could be signage. It could be just active patrolling. It could be gates. All of those methods get developed as we develop these projects. It doesn't really happen in a zoning overlay. It

happens with our residents and our development. And the last thing is that we develop with intention. We -- as we said, we own these communities and we own all of the land. So, it doesn't behoove us to put a three story building overlooking someone's backyard, because that's -- that's our backyard and for decades I'm going to have to make sure the residents want to continue to live in those homes. So, we -- as you could see by what we have developed, we develop with intention and we plan to develop those adjacent uses of the existing Touchmark community with the same intention. Thank you very much.

Simison: Thank you. Council, any questions?

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Yeah, I do have a question for whoever feels like it's easiest to answer. From a business perspective clearly you want a community where not only the residents enjoy being there today, but in five, ten, 20 years you wanted to continue to make it so. What I heard tonight was an overwhelming adoration of this green space, the trees, the pond and, you know, the pitch and putt golf is -- it's -- you know, I'm sure not all residents use it, but some do, but what they like is they see this beautiful space; right? And your proposal, you know, gets rid of not all of it, but some of it and puts some villas there. Are you opposed to City Council saying that needs to stay as it is as sort of a compromise of keeping what's there or are you really insistent that you want to have that flexibility on that land to do something?

Lackey: Thank you, Councilman Taylor. Of course I would like the flexibility, because we look at decisions like is it -- does it not want to be a pitch and putt or does it want to be a papa shot and then some bocce courts and something else and maybe there is two villas there or maybe there is 20. I don't know the answer to that, because we haven't done any design. So, of course, I would like the flexibility, but I understand the need for compromise. Usually we look at that on a nonjudicial level and do it as a -- as a long-term business owner and make the right decision for the residents. But I say as a City Council you do what you feel is right and we will go from there.

Taylor: Mr. Mayor, quick follow up.

Simison: Councilman Taylor.

Taylor: Yeah. So, one of my -- when I look at this overall -- like a lot of it I think is -- makes a lot of sense with -- with some of the commercial space up along Franklin, you know, medical office a little bit closer to where the hospital is, but there is a couple things that kind of bother me a little bit that I'm concerned about. One, which I just mentioned with the green space, but the second is -- one thing I have learned in in-fill projects is transitions are really important, not just aesthetically important to sort of the continuity of the community, but also just in terms of the sense of community that you

have; right? You don't want to have these abrupt changes from different use types. Like, obviously, you have to transition from one to another. It seems to me that you are -- you know, the medical office or townhomes you want that flexibility on that western side. You know, you have the orange and -- or the yellow green stripes to indicate you want flexibility there to decide whatever is best. That's right adjacent to -- yeah. And you can -- you can see it there. That's right adjacent to this property. That seems like such an abrupt change. It just seems -- you know, several residents brought up. That -- that one kind of bothers me a little bit. The other ones I -- I feel like there is some decent transitions with the townhomes up near the -- the single family homes and, then, beyond that you have the multi-family. I think that would work and I think there -- there is enough distance from the existing community that that's reasonable and I think I could accept that and I -- I don't mind having that flexibility there and we will -- you know, the multi-family you will build in the -- you know, the amenities and the space there, but that one really kind of -- I struggle with that and I did ask the question to -- I can't remember which gentleman it was, you know, if they could accept a medical office as long as the height was maybe more similar to what they were looking at. I mean what's your thinking there? I mean, you know, if -- if the City Council -- if we thought you needed a different type of product there or a different type of transition or recommended some restrictions on height there just so that the transition was easier, maybe more green space between the two, I mean what would your -- obviously you are looking for flexibility there, because you don't have a clearly defined vision of what you even want. Are you open to us sort of -- maybe kind of saying what that transition would look like? And I hate to do that as a City Council tell you what it should look like. I want you to come to me with a -- to explain why you need it to be a certain way, but you are still making the case -- we just need it to be flexible. So, there is not a compelling argument from you to me what it needs to be. But, then, I'm going back to you saying, well, if you're not telling me what you have to have I'm going to tell you what I think it should be for a -- a seamless community.

Lackey: Yeah. It's really -- it's a lot easier to do this when it's a three or five acre site. When you have 120 acre site it's really hard to drill down. I think what you said is consistent with how Touchmark would develop the site, because we feel adjacency is really important. Again, we have, you know, 60 acres of our pride and joy and it's our core business and we don't want to do anything that would degrade that and I would love to give you some what ifs. Like post -- really nice post-respite care between a senior living and a -- and a -- a -- and those usually are one or two stories. That sounds like a really great -- I mean I haven't talked to anyone, but just as my -- my brain is -- is thinking out loud of potential uses, that's kind of the -- what we are consistently looking at. The -- I -- I think that the townhomes were three stories maximum. Medical office, you know, there is ten stories maximum medical office in that area. We would never do that. I don't know, Tamara, if there are even height limitations for that. I think there is. Is it -- what -- what height? Yeah. So, it -- it's -- the -- the -- the medical office is 50 feet. That feels a little -- I don't think I would bring to CZC or the development review committee something with that height, that three story townhome height feels about right, which was the other use that we have suggested. And, of course, green space and buffer are -- are paramount. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess we are at the point of discussion. I -- I have a lot of issues with the application. I will -- I will try to start with high level and, then, drill down just to give feedback to the applicant so they can kind of understand at least where I'm coming from as a council member. So, I start with -- this is supposed to be mixed-use community that's really important. Our commercial space is really important and what I'm seeing is a bubble plan without a lot of specifics that has the potential to turn into a total -- almost totally residential area with some token commercial. So, my concerns are that all of the later phases contain the commercial and office components, not the beginning phases, so there is a high likelihood that we are going to end up with residential and not commercial. That's a concern for me. In addition to that, I really am struggling with the thought process of just giving almost unlimited flexibility and, then, totally trusting the CZC process to provide an outcome that provides acceptable transitions to surrounding residents. I don't think that that's going to work well. I have a lot of concerns about compatibility, transition, I -- and, then, I will kind of go into the open space. Before I go there I -- I do think mixed-use nodes really need to give us employment and services, not just housing. I think having that vibrant mix is important, but the transitions are really important between those uses and what I'm not seeing here is an actionable plan that I can get behind. I -- I'm really struggling there. The open -- the approach to open space and amenities really concerns me, because the applicant has started by trying to take away an amenity that they got an approval based on and -- and a central amenity that's critical for the residents and so with that as your starting point it gives me a really hard time just kind of hearing that there will be amenities that meet our point system, but without any specifics. I'm really struggling there. The approach to open space is not consistent in my opinion with the City of Meridian's current standards. The open space is not set up in a usable and accessible way. It is not centralized. That it is an attempt to revise open space to take away a very well-functioning centralized open space that is being used by residents. I think a lot of other Council Members share that concern just based on the comments I have heard. So, I will -- I will start with that and, then, I also -- I'm -- I am bothered also by the process. You know, as I said before, I think just because something is legal doesn't mean that it's right. I understand that under our code landowners are notified, but that -- that doesn't feel right and I'm really happy that our city staff did their best to try to rectify that situation and make it right. So, I just wanted to express my gratitude for -- for our city staff trying to ensure that the residents could be part of the process. I know that the residents are asking to be remanded to the Planning and Zoning Commission. I -- I don't think that that would change the outcome for me. For me this is a denial. I -- I cannot support this project at all right now the way that it's been presented today. That's where I'm at.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I would like to tag along with many of the comments that Council Vice-President Strader has just said. There is a lot of places for people to live in retirement in the city of Meridian, but I don't think we have a stronger tie in a relationship with any single place in the city than we do with Touchmark. Since the very beginning I have been going there as I -- shoot, as a young police officer I was going there for their parades and their all you can eat breakfast for National Night Out. Their pie eating contests. I remember all those events and we were just there just the first week of August. It's been a special place in our community and one of the things that we always do is a -- is a -- to me is a litmus test. One of the first things I was taught on City Council is does this project make our city better and I'm not getting there, because I think that golf course, although most of the residents don't use it and it -- I know we used the term golf course loosely. It's a very short chip and putt course, but I think that's a very important amenity to folks that live there, even the folks that don't use it. I have gone there twice in the past two years to MC the car show for Alzheimer's Association and looking at how all the park area and everything is used for that event and it's been amazing and how that's such a tie in with Touchmark and how they sponsor it and I look at the loss of some of that -- most of that central area as being critical to having those type of events in the future and there is just -- there is no way I could support moving forward giving up that much of that amenity and I -- I just don't -- I'm not sold on the open space. I -- I just think -- I'm not sold on it. I mean the residents are shaking their heads when we are talking to them about how accessible those are and some of them are what they -- they interpret to be their -- their backyard spaces now and now they are being told it's -- it's part of the open space. Well, you do own all the property, so I understand how you can -- you can say that, but I don't know that I would call that open space for the purposes of how -- we are discussing open space. I think you're going to continue to get additional traffic with another 20 to 25 units on that side and what I like about that now is where that is completely visible. When there is an event there or something there is nothing in that center area but open green space. There is the lake, there is the golf course, that's open park area. You start putting villas on the area where the golf course is and all of a sudden we are going to have an area that's not going to be seen and we have got residents still driving around in electric golf carts legally, because we told them to, because we made an ordinance that said they could. It's how it was marketed to them. I -- I really struggle with how this was done and how folks that we have talked to have just been here a couple of months were never told that this was something that was going to happen and they are placing a great amount of their life savings on coming here and making a commitment. You see, probably the best way for me to say it is everyone in this room -- you have a direct relationship with each other. They need you and you need them. I can't seem to get past that. You need them to stay profitable, them to be happy residents to live there and they need you to run Touchmark the way you have been running Touchmark for the past 23 years and I think this would be a grave downgrade to what I consider the gold standard in this entire valley and there is just no way I could support this going forward.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, Council, I don't think I can say it better than either one of my colleagues just have, but I have been familiar with Touchmark since practically you opened and, then, I ran the Meridian Chamber, had a great relationship with Touchmark. Everything has just been the gold standard until this and I'm absolutely stunned that your residents did not know this was coming, that this discussion that happened in front of us tonight wasn't happening as you were moving along and so there is so many parts and pieces of this that just are felt we need to fill in the blanks if -- if there is a way to move forward, but the way things are now I cannot support it.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: We had an application maybe a year ago that was sort of proposed these bubble concepts for how they would like to see a large property be developed and I -- at the time it was sort of a new -- I don't know if it was a new concept, but to me it was. But this was proposed, you know, miles south of town. It wasn't an in-fill project and so we gave them the green light, because there was enough detail and enough clarity about how these -- the development would -- would unfold and they also had a blank canvas to kind of -- to scratch that out. So, I was kind of intrigued by your application with that idea, but as we kind of -- going through it I -- I -- I really struggle with the lack of detail. You know, I was kind of trying to ask some questions about some specifics. I feel like eventually what you have proposed is probably getting close to what we may end up with. I don't know exactly. I think you are going to have to -- have to have that kind of mixed-use here, but I'm -- I -- I don't like the lack of clarity and detail on it, kind of -- I struggle with that. Kind of bothers me just a little bit. Yeah, I'm not sold on the -- the green -- you know, the existing green space. There is a project right by my house and there is a strip of grass that no one sits there and that's the qualified green space and it kind of makes us laugh, because nobody uses it. That's kind of what this looks like. But more than that the -- the -- the -- you know, the multi-family, the other things that you are proposing, I don't -- the lack of detail around that just makes me stop and say I don't think you are quite ready to move forward with this. I don't -- you know, I commend you on having a successful product there. A wonderful thing. Obviously, the -- the interest in the community here you have done a really good job. So, we really appreciate and value your -- your investment in Meridian and we want you to be successful. We want to help you be successful. But I don't think I'm going to be able to support this tonight either, just because I don't -- it's the lack of detail on the -- on what you want to do that kind of bothers me. I will say this: I don't think -- you know, to the residents here I don't -- I don't think it was their intention to mislead or not communicate, I mean that -- that's not in their best interest either. I do think it was maybe just an oversight. I don't think anyone was being intentional and trying to mislead. But I think it's a good lesson learned about transport -- transparency and communication is really really important here. So, I'm not going to support it, but I do want -- just because I think you need to go back to the drawing board and have something a little bit more detailed in order to get my support for something like this.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: My comments are very similar to Council Member Taylor's. My biggest challenge with this is the ambiguity of the project. There is a big difference between medical office and townhomes and you guys are a sophisticated organization, you know what you are doing, you should be able to call your shots say here is what we want to develop. You know, some of the -- the commercial up along Franklin I don't have an issue with that, but to me I think it is this intersection of multi-family in this community, it's just not compatible and while I think you guys could make a really good effort to try and make this square peg fit in a round hole, I just don't think that it ultimately works. If you want to come back with an age restricted product that grows your community, man, from what I hear there is a lot of demand for that type of housing here in -- in Meridian and I think that would be a great fit. But similar to Council Member Taylor, if -- if this is something audacious that you guys are wanting to do, then, come back, bring us better details, don't leave this, you know, plan to be this vague. Certainly you have got a great group of -- of neighbors that want to be involved in this process. Man, what a -- what a tremendous asset and as I said I want to admire all of you. I mean this -- Council Member Strader was saying this during our -- our break. This is kind of a contentious hearing, but everybody's being civil, everybody's being neighborly, and I just -- I think that just speaks to the caliber of people who live here and the caliber of the organization at Touchmark. So, I think this is a case of, you know, I see where the vote's going, I think -- I hope you guys take another bite of this apple with a little bit more thoughtful -- thoughtfulness and a little bit more deliberation and look forward to seeing what you guys have down the road.

Simison: And, Councilman Cavener, that's why I was going to ask the questions and -- and maybe looking at the applicant, but also looking to the Council, a no vote means no product on this property for an extended period of time. A remand back the Planning and Zoning, where if they want to take another bite at the apple I think they have heard -- maybe there is a little bit more clarity they could get on some of the property, but maybe some other -- do you -- do you want to give them an opportunity to go back and try to work with the residents and bring back forward something or do you just say not now, take the time and go from there and I also get the applicant with what you have heard today and I won't be -- obviously I'm not voting tonight, in other words, but I -- I don't see the changes around the golf course ever passing with this current Council and so the question is can you move a project forward that only focuses on the other parts?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I don't know if that was a hypothetical question or a question back to us.

Simison: It's kind of for -- I'm looking up two groups of people to say how -- how would they like to proceed, how would you like to proceed and does it matter.

Cavener: Denials are a big deal and I know that no applicant ever wants necessarily denial. I can appreciate that. However, I think in this particular instance with the back and forth and what is this, what is it not, who is involved, who is not, it's almost like a clean slate; right? Everybody here in the audience is going to take a breath, the applicant's take a breath, they will work collaboratively and they will bring something back and, listen, I think, quite frankly, for them to -- to do something that's going to meet the standard of this Council they don't need a couple of months. They -- they -- they are going to need a year and so I'm -- I'm not supportive at this time of -- of granting a -- a continuance or remanding it back to the Planning and Zoning. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: The applicant certainly could choose to withdraw their application if they wanted as well. And maybe while we are -- the one thing I didn't know, because this is the PUD, I didn't know how a PUD is the same or differs from our other processes on what they could or couldn't do with an application in any way, shape or form.

Nary: Mr. Mayor, Members of the Council, I have been -- if the Council's pondering a denial in this particular instance I think what -- what I'm hearing is your denial primarily at the moment is on the -- the -- the -- the modification of the development agreement. That that is the initial concerns you have is all of those changes that there would be -- have to be made in the development agreement for this project that don't fit generally what the Council sees for this area to be and what was originally proposed. So, denying the modification, then, sequentially the other projects would be just simply denied, because they no longer fit with the modification that's proposed. I don't know and I can't recall off the top of my head and I don't know if Bill would know, but normally, yes, a denial, Mr. Mayor, what you are asking, a denial of a rezone would trigger that one year waiting period normally. When it's denied because it no longer fits the underlying application I don't know if the code differentiates those two circumstances differently. So, that would be the only possible you could consider to -- to do it that way and, then, there would still be eligible potentially -- planning to decide that -- whether that was different and -- but, again, Mr. Parsons would know the code better on that particular narrow point, but --

Simison: The other thing we have mentioned is --

Nary: But Ms. Thompson may have the same outcome anyway.

Thompson: Sorry, I don't know if it's okay for me to talk, but, Mr. Mayor, Members of the Council, my client would like to pull their application.

Simison: Okay. Do we need any action?

Cavener: Well, Mr. Mayor, I think we have to at least got to maybe close a public hearing.

Simison: Yeah. I know we do that.

Nary: Then you will need to accept the withdrawal is all.

Simison: Okay. So, with that do I have -- Councilman Cavener.

Cavener: I move that we close the public hearing on application H-2025-0012.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Referenced in the public hearing the applicant has requested to withdraw their application, so I would move that we accept their request to withdraw.

Strader: Second.

Simison: Have a motion and a second to accept the applicant's request to withdraw. Is there discussion? If not, all favors signify by saying aye. Opposed nay? The ayes have it and the application is withdrawn. Best of luck to everyone to work together on the future of what this area will -- will eventually be.

MOTION CARRIED: ALL AYES.

Simison: Okay. Then we will just take a five minute break while we clear the room, just -- yeah. We are good. Just -- there is going to be a lot of people talking and moving.

(Recess)

ORDINANCES [Action Item]

- 2. Ordinance 25-2096: An Ordinance of the city of Meridian, Idaho amending Ordinance No. 24-2060, the appropriation ordinance for the fiscal year beginning October, 1, 2024 and ending September 30, 2025 (FY2025), by increasing total appropriations from \$255,511,778**

to \$264,009,348, increasing total revenue from \$154,669,420 to \$167,958,290, and decreasing the use of fund balance from \$100,842,358 to \$96,051,058; and providing an effective date.

Simison: Go ahead and come back from our recess and move on to Item 2 for our agenda, which is Ordinance No. 25-2096. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance of the City of Meridian, Idaho, Amending Ordinance 24-2060, the appropriation ordinance for the fiscal year beginning October 1, 2024, and ending September 30, 2025, (FY2025), by increasing total appropriations from \$255,511,778 to \$264,009,348, increasing total revenue from \$154,669,420 to \$167,958,290, and decreasing the use of fund balance from \$100,842,358 to \$96,051,058; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance by title. Is there anybody that would like it read in its entirety?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Went into an empty house, so I will move that we approve Ordinance 25-2096.

Strader: Second.

Simison: Have a motion a second to approve Ordinance No. 25-2096. Is there discussion on the motion? If not Clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

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

MOTION CARRIED: ALL AYES.

- 3. Ordinance 25-2097: An Ordinance of the City of Meridian providing for the adoption of a budget and the appropriation of \$264,498,131 to defray the necessary expenses and liabilities of the City of Meridian, in accordance with the object and purposes and in the certain amounts herein specified for the fiscal year beginning October 1, 2025 and ending on September 30, 2026; to levy all such appropriate taxes and levies as authorized by law upon taxable property; and to collect all authorized revenue; to provide for a waiver of the 2nd and 3rd readings pursuant to Idaho Code §50-902; and providing for an**

effective date and the filing of a certified copy of this ordinance with the Secretary of State.

Simison: Next item up is Item 3, which is Ordinance No. 25-2097. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. Ordinance of the City of Meridian providing for the adoption of a budget and the appropriation of \$264,498,131 to defray the necessary expenses and liabilities of the City of Meridian, in accordance with the object and purposes and in the certain amounts herein specified for the fiscal year beginning October 1, 2025, and ending on September 30, 2026; to levy all such appropriate taxes and levies as authorized by law upon taxable property; and to collect all authorized revenue; to provide for a waiver of the second and third readings pursuant to Idaho Code §50-902; and providing for an effective date and the filing of a certified copy of this ordinance with the Secretary of State.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like to read this entirety?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we approve of Ordinance 25-2097.

Strader: Second.

Simison: Have a motion and a second to approve Ordinance No. 25-2097. Is there discussion? If not, clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

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

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

EXECUTIVE SESSION [Action Item] per Idaho Code 74-206(1)(b): To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

Simison: Or do I have a motion to go into Executive Session?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we go into Executive Session pursuant to Idaho State Code 74-206(1)(b).

Strader: Second.

Simison: I have a motion and a second to go into Executive Session. Is there a discussion? If not clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

Simison: All ayes. Motion carries and we will go into Executive Session.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (9:09 p.m. to 10:03 p.m.)

(Cavener/Strader out of Exec Session at 10:03)

(Cavener/Strader adjourn at 10:03)

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 10:03 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK