

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, June 10, 2025, by Mayor Robert Simison.

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

Members Absent: Luke Cavener and Doug Taylor.

Other Present: Chris Johnson, Bill Nary, Bill Parsons, Linda Ritter, Caleb Hood, Shawn Harper, Steve Taulbee and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input type="checkbox"/> Doug Taylor	<input type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record is June 10th, 2025, at 6:00 p.m. We will begin this evening's regular Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: It does not appear that our person doing the community invocation is here.

ADOPTION OF AGENDA

Simison: So, we will go ahead and move on to adoption of the agenda.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we adopt the agenda as published.

Little Roberts: Second.

Simison: Have a motion and a second to adopt the agenda as published. Is there any discussion? If not all in favor signify by saying aye. Opposed nay? And the agenda is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

PROCLAMATIONS [Action Item]

1. Migraine & Headache Awareness Month

Simison: So, first up is a proclamation for Migraine and Headache Awareness Month. I will invite Laura to join me at the podium, along with anybody else and we will go ahead and read this proclamation. So, Council, one of the things that's great about, you know, having these meetings is an opportunity to educate people about some of the challenges that many people in our community face in their day-to-day lives. Sometimes it's diseases, sometimes it's other elements, but with that we will share this proclamation and turn it over to people that really know more about it and can share truly the impacts with our community. Whereas migraine and headache disorders affect more than 40 million Americans, approximately one in four households, and whereas an estimate four million Americans live with chronic migraine, experiencing 15 or more days of migraine -- migraine pain per month with approximately 75 percent of those affected being women, significantly impacting their personal, professional and family lives. And whereas increased public awareness, improved access to care and support for research are essential to reduce the burden of migraine and headache disorders and to improve the lives of those affected and whereas the City of Meridian is committed to recognizing the persons living with migraine disease deserve fair, equal, timely and affordable access to new and innovative treatments to live their lives to their fullest potential. Therefore, I, Mayor Robert E. Simison, hereby proclaim the week of June 2025 as Migraine and Headache Awareness Month in the City of Meridian and encourage all citizens to come alongside those in our community who suffer from migraine and headache diseases with support and increasing awareness, dated this 10th day of June 2025. With that I will turn this over to you and, then, we will do some pictures afterwards.

Miller: Thank you, Mayor Simison, for issuing this proclamation again this year and thank you to the City Council for allowing me to speak this evening. The support and recognition is so important. It helps reduce the stigma surrounding migraine and headache disorders. My name is Laura Miller. I'm a lifelong Idahoan. I was born and raised in Boise and I have called Meridian home for the past nine years. I truly love our community. I have lived with chronic migraine for 19 years. Migraine is not just a bad headache, it is a complex, debilitating, neurological disorder. Migraine disrupts every part of life. It can affect a person's ability to work, impact mental health and make it difficult to be present with family and friends. More than 40 million Americans live with migraine. Approximately one in four households. In Idaho that's an estimated 290,000 people and yet there are only two certified headache specialist neurologists in our state. Headache disorders are drastically underdiagnosed and many suffer in silence. While

there has been recent advances in treatment we still need more research, more providers and better access to effective care. That's why I continue to advocate for progress. I have traveled to Washington DC to discuss migraine research, funding and legislation with congressional offices. Right now 30,000 purple flags are on display on the lawn of the National Mall representing the millions of Americans living with migraine and headache disorders. It is a stunning installation presented by Alliance for Headache Disorders Advocacy. I volunteer with the organization and I was honored to serve on the committee that helped plan and organize the event. Seeing it come to life through photos and videos has been incredibly powerful. I believe that we as a city can support residents with migraine through simple, meaningful action. I would welcome the opportunity to explore some possible options. Together we can turn action -- awareness into action and improve the lives of people in our community. Thank you for your time and support.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, anyone signed up on your public forum?

Johnson: Mr. Mayor, nobody signed up.

ACTION ITEMS

2. Public Hearing for Adero Mixed-Use Neighborhood (H-2024-0068) by DevCo, LLC, located near the NWC of N. Ten Mile and McMillan Rd.

- A. Request: Rezone of 11.18 acres of land from the R-4 and C-C zones to the R-8 zone; 35.82 acres from the L-O, C-C and C-G zones to the R-15 zone; and a portion of the C-C zone (approximately 10 acres) to the C-G zone which in total is 21.37 acres.
- B. Request: Preliminary Plat consisting of 270 residential lots, 44 commercial lots, 4 office lots, 31 common lots, 2 common drive lots and 1 park lot on 69.18 acres of land in the R-8, R-15, L-O and C-G zoning districts.
- C. Request: Development Agreement Modification (Inst. No. 2019-055407) to create two (2) new development agreements to develop the Adero Mixed-Use Subdivision.

Simison: Okay. We will move on to our Action Items this evening. First item up is Item 2, a public hearing for Adero Mixed Use Neighborhood, H-2024-0068. We will open this public hearing with staff comments.

Ritter: Good evening, Mayor and Council Members. So, tonight we are here for a development agreement modification, rezone and a preliminary plat for the Adero Mixed

Use Neighborhood. This site consists of 69.18 acres of land. Is currently zoned C-G, L-O and C-C and is located near the northwest corner of North Ten Mile and McMillan Road. So, the request is for a rezone of 11.186 acres of land from R-4 and C-C to R-8 at 35.82 acres from the L-O, C-C and -- C-G zones to the R-15 zone. Reduce the L-O to 1.572 acres of land and rezone 22.90 acres to the C-G zoning district and, then, also we have a preliminary plat that will be consisting of 270 residential lots, 44 commercial lots, four office lots, 31 common lots, two common drives and one park and, again, these will be zoned R-8 -- they are requesting zone R-8, R-15, L-O and C-G. They are also requesting a development agreement modification to create two new development agreements, one for the residential and one for the commercial. So, this subject property was part of a larger annexation that was completed in 2005. It encompassed approximately 312.67 acres of land that was previously zoned RUT in Ada county and as part of this annexation the applicant proposed a mix of zoning designations. C-G, L-O and R-4. The zoning mix was intended to support a balanced community with commercial office and residential land uses. So, the Adero Mixed Use Neighborhood, consisting of the 69.18 acres, the property will be developed as a mixed use development with single family and office and commercial. Again, we have the residential, which is on this side. The commercial, the office and, then, also the park back here. This is the existing Bridgetower Park. It was originally preliminary platted under the development agreement that required the dedication of a 10.2 acre park. So, however, the majority of the park that was never formally dedicated to the Bridgetower West Homeowners Association and the prior approvals for the neighborhood have since expired. The Adero Mixed Use Neighborhood application addresses this issue by incorporating the remaining portion of the park that was never deeded to the HOA. This application creates a clear path forward for the current property owners to record a final plat that establishes the properly sized park parcel, therefore, fulfilling the original development agreement, enabling the parcel to be dedicated to the HOA. This park will be accessible to the property owners. It will not be accessible to the property owners within the Adero mixed use parks neighborhood as they have their own amenities. This is a concept plan and landscape plan for the Adero Park Mixed Use Neighborhood. This is their open space. This is the pedestrian connectivity. As you can see there are lots of connections throughout this development for pedestrian access. These are the amenities for this development. These are the elevations that are being proposed for the development. I want to go back to the layout of the plat. So, on the commercial side here -- so, a traffic impact study was submitted for the residential side, but it was not submitted for the commercial portion of the property. So, based on the staff report from ACHD there will need to be a traffic impact study done on this commercial side when commercial development comes in or the final plat and the applicant is also asking for a waiver for a right-in, right-out onto Ten Mile, but that cannot be approved without the TIS report, so they will need to provide that TIS -- the traffic impact study to determine if that right-in, right-out is warranted and they would -- that traffic study will also determine if -- with the commercial portion if a traffic signal will -- they will be looking to determine whether or not a traffic signal will be warranted and also the applicant will be asking for a waiver to add additional access points along the -- the new collector here. Right now staff is saying that additional access points along the collector are not allowed unless approved by Council or is warranted by the traffic impact study.

So, this new collector road is to be developed as a complete street with landscaping, sidewalk, travel lanes, curb-gutter for both sides. At this time what the applicant is proposing is like a ten foot multi-use pathway on both sides of the new collector. They are requesting to build this in phases. If the residential side goes in first the collector will be built. You will have the ten -- the ten foot pathway on the residential side, landscaping, travel lanes, curb-gutter, but we will not have the pathway on the commercial side or the landscaping at this time until that develops. After going to the city the Planning Commission staff and the applicant have been working on some conditions for this development here and at the Planning Commission meeting staff had made some recommendation and modification to some of the conditions that were recommended by the City Council -- I mean by the Planning Commission and we had some outstanding conditions and issues that we were still working on with the applicant for the City Council's consideration. These are the conditions that we -- are before the City Council to consider. Condition 1-G, we worked with the applicant and we revised this and it was based on the businesses that would be along the new collector road. We had it restricted from 6:00 a.m. to 11:00 p.m., but we added that the extended hours of operation may be requested through a conditional use permit based on what our code says. And, then, 1-P, that is the additional driveway access from the new collector road that will have to be approved by Council and ACHD and it's based on the updated traffic impact study and, then, the last one was the new collector road, how it will be built and basically we were saying that in working with the applicant -- our main concern was that was getting the people down south to the businesses that are there without having them going back out onto the arterial roads and so the first portion will be from Ten Mile and it goes all the way to then COA, that gets the people from this subdivision into the businesses that are south here and, then, the second portion is here and we are requesting that that portion be in prior to the applicant receiving the occupancy for any of the buildings within phase two. So, there were several people who commented on this project at the Planning Commission hearing. The concerns basically were the increased traffic, too much density, safety concerns for individuals wanting to make a left turn onto Ten Mile from the new collector road without a traffic signal. Safety concerns with the increased traffic, overcrowding of schools in the area, proposed development not being consistent with the neighborhood, R-8 versus R-15. Since, then, we did receive one additional comment and it was from Sean Freeman. He is in opposition to the proposed development. Opposes the rezoning from R-4 to R-8. The streets are not equipped to handle the influx of vehicles. The increased density will lead to overcrowding, strain on local resources, such as schools, utilities, and a decline in the peaceful environment that makes this area a desirable place to live. I must say staff did work with the applicant. We had numerous meetings regarding this application. We wanted to make sure that we were both on the same page before we came before City Council based on the conditions that we had proposed and I understand that with the commercial portion of this they don't exactly know what was going in there, but we did put some conditions on there to limit what happens on that side. We wanted to make it where when they did come in to develop -- a lot of this is going to be driven by the updated TIS, so -- but we did want to put some conditions there for this, so that we didn't have to come back and do a new development agreement for that commercial portion that we already had some things in place for when this develops. I appreciate

the applicant working with staff. It was long, but we -- in the end we all came to the same decision as far as the conditions for this and so with that at this time I will take any questions that you may have.

Simison: Thank you, Linda. Council, any questions for staff? Okay. Then would the applicant like to come forward.

Clark: Hey, everybody. Hethe Clark. 251 East Front Street in Boise, representing the applicant. And as Linda is pulling that up I also want to echo Linda's comments. I think we might have set a record in terms of numbers of meetings to try to get all of this sorted out and a lot of that was -- you know, we had our arm wrestling sessions over a number of these conditions, but I think we got to a really good place on all of them and, as Linda said as well, I think what this does is -- one of the challenges that I think you guys are aware of in -- in Meridian is that whenever we do a commercial project we have this kind of ongoing, you know, series of development agreement modifications that end up coming in with it and I think we have done a good job on this one of setting it up for the future with a number of conditions that control how it's going to go, but enough to make it so that it's marketable, ready to go and it's not going to be unduly limited in the future. So -- you guys having any luck over there? Got it? Okay. Thank you. So, you guys are familiar with the area. We have got Chinden on the north, McMillan on the south, Ten Mile on the east. I think one thing that's kind of interesting about this that I would point out is that there is this four square mile area that surrounds this project and this is truly one of the last pieces to develop. The plan has come together. The plan is being finished out. About all you have got left right now is some MDR down there on the very south -- southwest corner as you can see. That blue is non-residential and any of those other gaps are either parks or in a few instances some -- some county lots that may or may not develop, but this is really one of the last pieces for this area. Maybe it will go. There we go. And as you know the -- the comp plan speaks to this 15 minute city concept and that's one of the things that we really like about this parcel is that part of what it does is try to complete the pathways and complete that mid-mile collector, so that this new project and include -- and as well as some of the existing projects are able to access a lot of those services and the amenities that are nearby. You have got the Keith Bird Legacy Park just -- just north of us. You have got a connection to Heroes Park. So, we are pretty excited about how it fits in with a lot of these existing services. Another point is that this is not an annexation. This is property that received a zone quite a while ago under a prior comp plan designation. So, the -- the new comp plan designation is largely the mixed use commercial. What we have tried to do is look at that little node and essentially try to right size the commercial. So, you have got the -- about 23 -- or 22 acres of commercial that's on our east side that we think allows for a good viable commercial product. You have got the residential that we are proposing on the west side and that as you guys know, under the mixed use designation is -- the band is between six to 15 dwelling units and we are proposing it at seven, so trying to stay on the lower end of that. But one thing that's pretty cool for me on this one is -- as you guys know the development group that I'm working with on this we are usually residential -- just residential only and this is one opportunity that we have been able to bring in that kind of true mixed use project all

at once. The zoning -- you can see that we have tried to transition our zoning so we have the R-8 on the west against the existing Bridgetower lots. We have the R-15 in the middle and, then, that leads to the C-G on the east and the L-O on the north and you can see the acreage. With regard to the site plan, you know, one of the really important things about this is trying to get that mid-mile collector done. It's a really important piece to be able to help address some of the traffic issues in that area, get people off of McMillan, not have to make that left turn to get to Ten Mile. Another nice thing about it is it serves a dual purpose in that it helps with that transitioning between our commercial and our residential. So, you have got the nice ten foot pathways on each side leading into a plaza area that I will show you here in just a second. And, then, it provides that -- that transition and buffer that you need between the commercial and the residential. And, again, this is a little bit more about that concept of completing the grid, completing the picture, so you can see that the mid-mile collector will, you know, be connected as a result of all of this and it will help in our view alleviate that congestion down at McMillan and Ten Mile. A nice part about this as well as with that pedestrian connectivity you are going to be able to take either of those ten -- those regional pathways you can go up to Heroes Park. There is already a cross -- crossing signal right there. There is not a -- currently a warrant for the traffic signal there. That was one of the things that Linda mentioned would be studied with the TIS for the commercial area. We are fully anticipating that that would create a warrant for a traffic signal, but right now as you know how that works with ACHD. Until there is a warrant there won't be a signal. So, it's -- it's really traffic driven. As is typical for this developer we went way above on the amenity points, play structures, climbing domes, pickleball courts and dog parks. This was -- this is the plaza that I mentioned that helped transition from the -- the residential to the commercial areas and that commercial area -- this is a number of concept plans that we had provided to staff. Again without a user it's hard to lock that down. So, what we ended up doing was the bubble plan concept and, then, the number of conditions of approval that relate to the commercial area to kind of set that up for when it actually goes. We had -- have had a number of neighbor and city meetings. Again, really thank Linda and Bill for their patience. Like I said I think this might be a record and you can see the record there on the right side, including, you know, our final call this afternoon to try to lock down the last of these conditions. And, you know, the one condition that we were going to talk about was condition 1-U talking about the collector. We actually are in agreement with the language that Linda gave us, so we don't need to revise that. So, I'm going to skip that slide altogether. So, just to confirm we are in agreement with 1-G, 1-P and 1-U as Linda has mentioned and -- but I do want to say that that collector -- I kind of want to give -- give Linda credit for pushing on that, because it's important for it to connect. I also want to give my client some credit, because that's, you know, basically a four million dollar price tag that's going very early in the project and so that's -- that's a lot of collector to build in your first two phases and so for them to commit to that I think is a -- is also a really big deal. So, again, we are in agreement with the changes and I'm happy to answer any questions.

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

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Just a real quick one. I know sometimes when we hear R-15 we think we are talking much higher density, but did I hear you say that overall this project is running about seven dwelling units per acre?

Clark: That's correct. Yeah.

Overton: Technically it would even fit under an R-8.

Clark: Correct. It's more of a dimensional question as to why it's at R-15. Thank you. Yep. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a couple of questions. I wanted to check timing on the TIS I guess from -- from what you have -- if you have heard, kind of what are you thinking on that?

Clark: Yeah. And, Council Member Strader, in part -- I guess one thing to emphasize is it is one application, but it's two developers. So, I don't have control over those sorts of things. We -- I would just say that it will happen when there is a user and there is a conditional -- excuse me -- a condition of approval. It's 1-C that confirms that that will happen prior to submitting plans or a final plat that contains the commercial lots and it's going to be important. The -- you know, to get a -- you know, kind of your larger commercial user in there you are going to need to prove up that right-in, right-out and -- and understand that and have that, you know, fully approved, so -- so, I guess I can't say exactly when, but I do know that -- I do know the sequencing within the overall project.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I just have a few more. So, the park -- I was just curious to understand a little bit of background about what happened before, what -- this just seems so unusual. Why did this park not get dedicated to the Bridgetower HOA? Help me understand a little bit of the background on how and why that happened. And, then, please, talk to me about -- I think you all mentioned that the Adero Subdivision wouldn't have access to the park. I hope I didn't catch that wrong. It just seems like you have a lot of amenities in the middle of this development, but what a shame to have this gigantic park that can't be used by everyone who surrounds it. So, help me understand all that.

Clark: Yeah. Council Member -- Member Strader. Thank you. So, I don't have all of the history. Again, different -- different party; right? As I understand it that park area was never platted and that that plat expired. The -- the development agreement from back at that time indicated that there would be a 10.2 acre park. So, that's the guidance that we have. There is more green space than the 10.2 acres out there, but it's kind of not that formal in other words. The development agreement -- the pond is included, but there is -- it is a 10.2 acre park. The -- our plan and what we are proposing that will actually help to facilitate the conclusion of this long saga is that we would -- that would be a platted lot at this point as part of this preliminary plat and that would facilitate transfer of the 10.2 acre park to the Bridgetower HOA. With regard to the uses, we are not being -- I don't know if the right word is trying to be presumptive to say that we would be able to use somebody else's facility. So, we have proposed to have our folks use only their -- their own amenities and not have access to this -- to this other park. That park is theirs. We are not proposing to be able to have access to it. If there was an agreement between the two HOAs in the future that would be wonderful, but as we are setting it up right now we are not -- we are not presupposing that our residents would have any access to it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. That's helpful just to sort of understand the background of how -- how we got to where we are at and, then, just wanted to check will this be walkable from the residential component to Pleasant View Elementary within phase one or when -- when will that be possible?

Clark: Yeah. It would -- Council Member Strader, so it would not be in phase one, it would be prime -- it would be essentially when phase two is complete -- with that phase two condition. So, you can see the resident -- excuse me -- the regional pathways here along Gondola, those lead past and into the sidewalks that head over to Pleasant View from right there. So, it's down there on the southwest.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: And, then, could you just get me up to speed on your conversations with the West Ada School District? Have they confirmed a plan to bus the students that would be in this development or how -- how will this work? And what's your timing I think on your phase two versus phase one, again, not holding you to it exactly, because things happen, but I just want to get a general sense. It seems very inefficient to be bussing kids that are this close into the school.

Clark: Yeah. So, Council Member Strader, as you know there is -- when we get these West Ada letters what they will do is they will speak to the kind of architectural capacity

and, then, they will say as we reach that capacity we are going to move boundaries, we are going to bus, we are going to use portables and, then, we are going to build schools. That's the -- that's the strategy. At this point they are actually pretty far along in terms of those strategies. Oftentimes when we do these projects we are anticipating that they will take some of those steps in the future. At this point they have already started to take those steps. So, they have already realigned the Hunter Elementary enrollment area and put a cap on. They are going to be meeting again this fall to evaluate those boundaries and, then, they will continue to take those iterative steps as they go. In the kind of larger area Star -- there is a new elementary school in Star that will be open next year that we anticipate will have some ripple effects in terms of how the boundaries are allocated as you are coming from that direction as well. There is also elementary school sites, including the one over at Owyhee High School. So, there is -- they have got a number of these pieces in place, but they have already started the boundary discussion.

Strader: Okay. That's it for me for now. Thank you.

Simison: Council, additional questions? Okay. Thank you very much. Mr. Clerk, do we have anyone signed up on this item?

Johnson: Mr. Mayor, nobody marked they wanted to speak.

Simison: Okay. It's okay. Everyone gets an opportunity, so don't worry. If you would like to speak, since the sheet doesn't indicate that, please, go ahead and come forward at this time and if you are online use the raise your hand feature. Good evening. State your name and address for the record. Be recognized for three minutes.

Fritschle: Good evening. My name is Patricia Fritschle and I'm at --

Simison: Can you get the mic close, so --

Fritschle: -- 5524 North Botticelli. I'm really upset that we are here again and I have several questions, because when we were at the last meeting, which I'm very familiar that they -- planning these two over here are very in favor of this project. We were here in 2022, I believe that's when it was, when a different developer was coming and trying to develop that same space with a very similar concept, with the same amount of density, which the City Council denied it due to the density. We are not disputing the fact that that's going to be developed. We knew buying it was going to be developed. Our understanding of that development -- that density was going to be 150 to 170 with commercial, not this 35 by 100 feet lot, which -- like how is that even possible? Like I understand that you guys claim that there is a need for housing, but if you look at what is available in housing, apartments, townhomes, all the mixed use, you have Costco, Walmart right there, an apartment building that's already going in. McMillan is never going to be expanded on until who knows when because of the irrigation. Ten Mile is already a nightmare to try and drive down. Nobody wants to spend their life driving in traffic and I don't know how the school district is not a part of the last meeting when we

are here, nor transportation department. I don't think an actual transportation evaluation has actually been done in the last -- at least ten, 15 years. I think the last one that -- when we were here in 2022 said something like 2018. I just -- I don't understand. I'm not here to dispute the fact that it's going to be developed. I know it's going to be developed, but the density is a big problem. I tried to leave to go to an appointment literally across the street on Ten Mile and it took me 45 minutes to get out of Bridgetower West and get across the street on Ten Mile and McMillan. It was a physical therapy appointment right across the street at Ten Mile and McMillan. It should not take that long and the schools, half of our subdivision is already being bused to a different community, so how are you sitting here saying that they are already in the planning when the last time we were here for Planning and Zoning they said that they haven't been in communication with them or the transportation department. So, how do you have a proper approval for anything when not everybody is being included or communicated with? I appreciate the time to speak to you guys today and voice my frustrations. Thank you.

Simison: Thank you. Council, any questions? Is there anybody else present that would like to provide testimony on this item, either online or in the room? If you are online use the raise your hand feature, please. Good evening.

Boyle: Good evening. My name is Richard Boyle. I live at 5430 North Botticelli. I back up to the proposed -- what they are building. My biggest issue I have -- and I have heard this throughout the subdivision, although I can't speak for everyone, what is left of that park once they develop what they are going to develop, the rest of the park is not really usable. You have a very large, huge water retention pond. You have got the pool and the rest of it is rolling hills. You can't play ball. You can't -- I mean Easter egg hunts are great. Beyond that that's about all I have ever seen that used for. The area where they are -- that they are removing and this is probably the biggest frustration I have, as well as a lot of people in the subdivision. It was sold to us as here is your park, here is your pool, everything's great and, then, we find out, oh, we overbuilt that. Well, we have been paying to maintain it all these years. We overbuilt that. It was never meant to be a park. Well, it's part of the reason I bought the lot I'm on. Paid a premium for it -- for that lot, because it backed up to the park. I'm not going to have a park. They have been generous enough to give me a slight sliver behind me, a little -- a little I guess fig leaf, whatever to -- olive branch for, you know, putting up with what they are doing. I appreciate that, but I feel it's very unfair the way the previous developer has handled this. I can promise you nobody in the subdivision knew the park was overbuilt and that a good portion of it -- the part where they play soccer -- kids out playing ball, whatnot, is not going to be there any longer. So, the retention pond takes up a good portion of what's going to be left. The part to the east of the retention pond will not be large enough really for anything for anybody to play on there, there just isn't enough room there, at least what they had staked out and, again, to the west of the retention pond is all rolling hills. So, you can't play soccer, you can't be play baseball, you really can't do a whole lot on it, so -- anyway, I guess that's all I have for tonight. Oh. The schools. They are already overbooked in that area. It doesn't make sense to me that they are

taking kids across the street and bussing them miles away. So, anyway, thanks for your time.

Simison: Thank you. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm sorry, sir. If you don't mind. I just --

Simison: Got a question for you.

Boyle: Sure.

Strader: Yeah. Thank you. So, I hear you about your frustrations with the park. What I'm really struggling with is it seems like the failure for that to happen properly was a totally different developer and so now this --

Boyle: Yeah. They are kind of stuck holding the bag.

Strader: Yeah. And what I'm trying to figure out is like if this -- if this development didn't occur I don't think there is a mechanism that's going to grant your HOA this park. So, I'm just curious like from your perspective, taking everything into account, would you rather see this move forward or do your concerns with the park being maybe not as usable as it could have been, kind of make you not support the application? I just kind of want to understand that dynamic, because we can't, unfortunately, go back in time and fix this failure of a transfer of property that should have occurred in the past, so --

Boyle: And that's something I think a lot of us don't understand. Why did it happen and how did it happen.

Strader: Right.

Boyle: Am I thrilled about having more housing and density that they are proposing versus what was already plotted or proposed and turned down prior? I would take what was proposed -- proposed prior over the density that they are proposing now, without a doubt. To my knowledge what was proposed earlier never removed the park area. Now, how to get that park from the original developer into the HOA? I don't know. I don't know the answers to that. It's way beyond my -- my pay grade to figure out. Or how did we ever even get here honestly?

Strader: Yeah. Thank you. That's helpful. I just kind of wanted to understand your perspective just in light of where we are at now. We can't change that and just dialoguing here, but, you know, this is one of those things -- like at the end of the day, as a City Council member, we have to have faith that the people who promise they are

going to do things will do them. We don't really monitor like the transfer of private property. You know, it's not our --

Boyle: I don't understand how that happened that way. I mean --

Strader: I don't.

Boyle: -- does it make any sense?

Strader: It doesn't really make sense to me, to be honest.

Boyle: I guess it was our understanding that the prior developer hung on to one lot in Bridgetower West, so they had control of the HOA I guess, which, as far as I knew, it was all -- you know, he owned the green space, he owns that one last lot fenced off all nicely. Nothing being done on it. And why you would even want to is beyond me. I mean why wouldn't you want to finish up the subdivision, turn it over and move on? It's beyond my comprehension. I don't understand how we got here, so -- and I don't oppose what they are doing, I just oppose the density of it all. The traffic is horrible. I can tell you leaving tonight it took me ten minutes to get out of the subdivision to turn left onto McMillan and that's not an exaggeration. It was -- I guess it was a little over nine minutes that I sat there, cars lined up behind me, cars, you know, east and west going down McMillan to get out, because it's -- 5:00 o'clock is horrible and it's the same way in the morning, so -- just there isn't infrastructure to handle it.

Strader: Mr. Mayor?

Simison: Council Women Strader.

Strader: Yeah. I live off McMillan Road. Sorry. I have got a little cold. I live off McMillan Road. I understand your frustration. You know, one of the things I'm struggling with is them putting the road in, the collector road, will eventually help; right? Once there is a new TIS and the commercial comes in, if there is a light put in there and we have got this collector that connects all the way through, that's going to actually help alleviate some of the issues. But it's the painful part of from -- getting from today until that point that's really tough.

Boyle: Is there a guarantee that that collector will be approved to get on to --

Strader: Mr. Mayor?

Boyle: -- Ten Mile?

Simison: Council Woman Strader.

Strader: Well, so the -- my understanding from the applicant's presentation is they are going to build the collector road most of the way, so at least connect south to that

commercial property. Then in their second phase they would connect fully all the way through. But I don't think a light would come in until that TIS -- the traffic study for the commercial piece is done. That's my understanding. But I don't want to speak for anyone else.

Boyle: That would be an awful close light to the next one up, which is right there.

Strader: I think ACHD has a bunch of rules about how they do that.

Boyle: It's probably less than an eighth of a mile tops and I bet it's not even that honestly, from -- from where that collector would come onto Ten Mile to that next road north, that next light north that goes in south of Costco.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think we could ask the applicant to address that specifically, because they understand the rules about how close an intersection could be to another one under ACHD's rules. So, I don't want to take anymore of your time, but I just wanted to understand a little more.

Boyle: I think it could happen, but a light I would be -- I would be very hesitant to think that ACHD would actually allow a light that close together, but I don't know the rules.

Strader: Okay. Thank you, sir.

Boyle: You bet. Anybody else?

Simison: All right. Thank you. Is there anybody else that would like to provide -- come on up.

Little Roberts: As he is approaching we do have someone online from ACHD,

Simison: Yes. If the developers can't answer we have got a phone a friend.

Wycoff: My name is John Wycoff. 5099 North Bolsena. Mr. Mayor and Council Members, thank you for having me and letting me speak here. I can say that I am here to peacefully protest what is occurring in this area. The people that said that they spoke with us at -- in the -- for this development as part of the Bridgetower West, we were told that the homes that would be going in there would be going to people that are more senior in their years, new home buyers or people in transition taking on this -- and wouldn't even have a park. Now, we are finding out -- I think if you went back you would find out now there is -- there is a park going in, which mean there is going to be children going in and those children will not be going to the school that's going to be down the street from them. Yeah. The park, when I bought our house, when I was laughed at

here in one of the meetings, because I said, oh, you didn't think there was going to be growth. Well, behind my house was a big nice open five acre lot, one house on it. It was beautiful. Within less than a year the house ended up being gone and all the houses are now behind it, except for one property, which is right behind my property, which is the developer. So, the developer -- you are saying you think that the developer is no longer part of this whole thing? No, he is part of it. He owns the HOA. The HOA is his. It's not ours, although we are supposed to have our own HOA, but the people that are part of the HOA board are really chosen by him. I want to be part of it. My job is I'm an accountant. I want to be an auditor. I want to be able to go through those contracts, look and see what do we have at risk as being an HOA person. So, there is one thing. He also owned that land and so there is this agreement. He also owned the land where the apartments are. The unique thing is it's an LLC. One name on it. You can also go -- become part of another LLC and never be seen. So, somehow he is tied in, because he is selling his properties here. This HOA. Which I thought was all ours. I mean we have taken care of all the trees along the back, all of the grass, which leads to a big question. Well, one, the school. The school is going to get overcrowded as it is already. Two. The lake. We have a system of watering that is pitiful. So, is City of Meridian going to be providing water for us when we lose our water rights? Is -- is -- is -- is Bridgetower West going to continue to get water from McCollum waterway, which is going from Ten Mile through that -- this vacant land. Will we get it. Water rights are important. Otherwise we should get that. It's filling up our lake. If you notice there is -- should -- should I stopped now?

Simison: If you can wrap up and some -- Council may have a question.

Wycoff: For me as a citizen, resident of that area, where is our water rights coming from? Are we losing our water rights? Because it looks like -- how are they going to put that pipe underneath all those homes to fill up our lake and, then, we have a system of water that is so pitifully horrible. They didn't even put a pit for the water to fill into, so every year we burn out our pumps for our water system. Meridian will have to take over our -- our water and, then, that means increased water pressures. It's -- this is -- it's -- it's becoming a problem in that area really bad and I just would hope you would really think of that before you move on with this project. So, any questions?

Simison: Can you provide a little bit more feedback on what pumps are being burned out where?

Wycoff: Yeah. The -- the pump that's on Ten Mile south of McMillan coming from Settlers Park and I have called Settlers Park about that and they said when they originally installed the pump house for us they were directed by Settlers Park -- Settlers told the developer --

Simison: That was the irrigation district?

Wycoff: The irrigation issue. There -- the pump is burning out. Oh. And, then, the pump is supposed to be taking water from over at the lake and pulling it over to help

with the watering to, then, get -- get all of the properties. So, you know, me, I came from California. Water problems down there are pretty major and I'm just hoping that we don't do a California up here in Meridian, so --

Simison: Okay. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, I had heard rumors about HOA issues in your neighborhood, kind of just -- I think maybe one thing -- if the applicant wants to discuss maybe specifically their water rights and their plan for irrigation and how that might or might not impact you, I think I'm asking -- oh, I'm asking them and I'm just previewing for them, I would like to hear about that. Taking a big step back, I don't know how your HOA issues could -- could be fixed by us; right? It seems like you -- that to me is like maybe a private action by your homeowners against that HOA needs to occur. So, I don't want to get into the middle of that, but if you kind of look at -- at all of this, do you feel like this helps improve the situation or do you feel like it doesn't? Like it -- because I'm -- because it kind of solves a couple issues. It hands your HOA ownership of a park that you were supposed to have in the first place. It builds a collector road that -- I think in the long term would help with the traffic flow, but in the short term this will probably get worse. I'm just curious how you are looking at this overall?

Wycoff: I'm over -- looking at overall as, wow, I'm going to be really crammed in that area. I was -- there was one year where -- or, you know, I have spoken up probably at several meetings here and one of the things they stated is the ability for people to get from Ten Mile over to Black Cat and McMillan and that the speeds would be reduced in -- in the area and I'm coming from California, you drive fast and even if you think you abide by the law you are moving fast through areas and I looked at -- I look at that nice windy road, oh, man, that's going to be a fun place for some young kid to shoot on through. So, you know, a lot of wiggles and waggles and going back and forth. So, it's going to speed up the process. People are still going to drive fast trying to cut -- cut down the time. As far as the HOA ownership, that -- the HOA developer owns one lot, controls everybody in the whole depart -- you know, in the whole area. Five hundred and one homes -- or 501 lots and there is 500 that have homes on them, except for one. So, he has the potential to speak for everybody in the HOA, which he is already doing right now, because he is selling off that portion of our park to this developer. What's going to happen -- the next thing that we get to face, when we get to see, oh, our water -- no, we are not going to get to fill up that water, we are going to have to pull from someplace else. So, that's all I'm making sure. Are you looking out for us, the owners of Bridgetower West homes for our water, because if we have to keep on -- under our agreement we have to keep our yards looking green or else we are going to get liens on our property. That's going to be a lot of water for my lot, which is almost, what, 12,000 -- 12,000 square feet, so -- that's all. It hope you really look at that.

Strader: Okay. Thank you.

Wycoff: If not the price of the homes are going to be dropping, because people are not going to want to live in a home -- in an area where it's too -- you know, one, too expensive for the water, so --

Strader: Thank you, sir. I appreciate it.

Wycoff: Anybody else? All right.

Simison: Anybody else would like to -- come on forward.

Elam: Hello. My name is Paul Elam. I live at 5127 North Asissi Avenue there in Meridian in Bridgetower West as well. I guess to me the saddest thing is that our community no longer has any faith in the City Council at all. We -- we were here a little over two years ago I think and at that time for that -- for the fight against the apartments that went in, I think the -- at that time the only person who was here was, you, the Mayor, as well as Council Woman Strader and I think everybody else is newer since then, if I remember correctly and we had this whole room packed. We had the room full. We had I think about a hundred people online. Chris could definitely check the records and look that up and there were a lot of reasons stated on why we had to approve that property on your behalf. I remember Council Woman Strader said specifically that I will hesitate before I approve anything else that will impact McMillan. My daughter calls it murder McMillan because of all the horrible accidents that happen on McMillan near the Walmart and going up to where the apartments were approved and the apartments haven't even been built yet. So, imagine how bad the traffic's going to get on McMillan when the apartments are built. Right now it's already a nightmare, as John and the other people stated. So, it's sad to me, because this room would be full again, but they have no faith that you are even listening; right? So, that's the bottom line is that the citizens that live here and they are paying our taxes here already, they don't think you listen and you specifically said you were going to hesitate in approving anything on McMillan, but these -- these communities that they want to build, they are going to spill out on McMillan, they are going to spill out on Gondola going in front of Pleasant View Elementary. Eventually there probably will be another road connected, but it's already a nightmare. I mean I don't know how often you guys drive going by Walmart and Ten Mile down to Costco, but it's already insanely busy and I would encourage you all before you make this approval to go and drive that during rush hour time or wait until the fall when there is students going down to Owyhee on McMillan and see what it's like. Right now there is tons of construction on Ustick. It's going to only get worse as more of these areas fill up and I, like many of them, believe there is going to be a development there eventually. Many of us were lied to by the developer Mike McCollum and told different things about the way it was going to be constructed. Nobody ever knew that he was going to crawl back a large part of that beautiful park to give to this development. Well, I will just have to bite the bullet I guess if you guys approve it, but we are tired -- we are tired of coming here. That's why there is hardly anybody here tonight and we just don't believe that you will even listen to us anymore and we think the

developers have your pockets and more often than not that they will fund your campaigns and -- and that's how they get so many things approved. The gentleman right here behind me that was in the black outfit, I remember being here not too long ago for another meeting and his development company was denied and that's because there is so much density in the small development he was going to build that barely any cars could come and go either way. So, that was one time for a small community farther out of -- in Meridian that it was denied. But this is a major change with already apartments approved that are 234 plus units that's going to go right there behind Walmart and if you approve this too, well, the news we know is that you will never live there, because you would never want to deal with it and if you wouldn't want to deal with it for yourself you shouldn't want us to have to deal with it either. That's all I have to say. Good night.

Simison: Thank you. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I don't have a question, I just have a comment, which is that I am very hesitant to approve new annexations off of McMillan Road. I have been very vocal about that, because of the challenges on McMillan Road and the fact that it cannot be widened. What I'm struggling with here is that I do think this collector road will eventually help with the traffic situation, but you are definitely in a really tough situation. I also just want to say for the record, because I think it might be good for you to hear, I don't take political contributions from developers. I never have and I think it's important for you to know that. I also work with my colleagues and many of them do, but at least from what I see they have a lot of tough conversations and make difficult decisions all the time based on what's in the best interest of the City of Meridian. So, I will respectfully disagree. I think you have a city council that listens to you very actively and struggles to uphold private property rights, which we are a state that has very strong private property rights, but balancing that with the interests of the city. Thank you.

Simison: Is there anything else? Okay. Is there anybody else who hasn't spoken yet that would like to -- let me go to anybody who hasn't spoken yet to see if they would like to provide testimony on this item.

Johnson: Mr. Mayor, there is someone online.

Simison: Okay. If we can go to Marcy.

Sutcliffe: Hello. Marcy Sutcliffe. 4085 West Ravenna Street in the Bridgetower West north area and I have lived in this subdivision for five years and, first of all, I want to say that I had many notes as I have listened to the developer's proposal and I was at the last meeting in person and like many others in this area I know this area is going to be developed. It's not a matter of if, but it's a matter of what and speaking for Council

Woman Strader, I appreciate you are really the only one that's speaking up and giving any honest feedback and concern, but the connector road that they are proposing, it would be great if that were going in just to alleviate current traffic conditions, not to mention what these 500 plus extra units are going to be. So, that's not really in -- in my honest opinion going to alleviate what these new developments are going to contribute to the traffic congestion in this area. So, that being said, I do appreciate everyone and especially the last gentleman who spoke very concisely and, you know, hit all the points. It really is a matter of the density and some of the ancillary proposals or conditions of this project. For instance, this connector road, you know, it's -- it's not going to solve all the problems and I live in an area right off Gondola in the middle of the subdivision and already we have youngsters who are going down Gondola, squealing their tires, making burn marks. It's -- it's really going to be an issue when we have that additional traffic coming through and, you know, the Bereza Subdivision that is proposed down the road on McMillan all of these are going to contribute to people wanting to go through these arterial inner -- you know, subdivision streets to get to where they want to be and the congestion is already horrible. I can't even imagine what it's going to be at the point in time when these developments come to fruition. So, you know, I'm not going to beat a dead horse. I understand there is development. I come from a construction lending background and I -- I applaud that, but it has to be done appropriately and with oversight and I think that some of the conditions of this proposal don't really meet the objectives of this area, because that connector road is not going to solve all the problems. So, having said that I will just finish with saying that it's not anything that the Council can correct or help us with, but this developer is -- what he has done to us has been criminal and I don't understand how somebody can get away with this and the -- you know, the HOA board of the state of Idaho doesn't have any -- doesn't seem to have any conditions over him and he has -- he has continued to hold that lot so that he can have leverage over us. He has continued to over the years have landscaping companies that are friends of his that did a very terrible job. He paid them more than what was market rate and we have been the ones to suffer the consequences. So, I just say that because that's where a lot of our frustration is coming from in addition to this density issue and the congestion that's going to be contributed by this proposal. You know, this isn't a standalone development.

Simison: Marcy, your time has expired. If you can wrap up.

Sutcliffe: Okay. Okay. Sure. You know, it's -- it's not a standalone. We have the Bridgetower apartments that are approved. We have other subdivisions down the road. The congestion is going to be astronomical. So, having said that I appreciate your time. I appreciate the ability to speak and look forward to, you know, a good outcome.

Simison: Thank you. Council, any questions? Okay. Next go to Bobbie Jo online.

Beck: Hi. This is Bobbie Beck. I live at 4187 West Philomena Drive. I'm in the Bridgetower West Subdivision as well and I just wanted to bring up the consideration about the overcrowding of the local schools. Pleasant View Elementary is currently within the boundaries of Bridgetower West and it is sitting, as of February, at a 202

percent capacity going into the 2027 elementary school year. So, a year from now based on the projections of current developments that are already approved. This school is -- the school zones are changing temporarily for this next school year. It is splitting our community in half where they are sending half of the elementary kids that are half of our subdivision to another school that's outside of our subdivision, outside of our neighborhood and so that's what this kind of -- having a kid who is in the elementary schools, I think it's really important to take into consideration what all of these developments are doing to the schools. They -- 202 percent capacity for an elementary school. That is -- I mean that's just insane and that is -- that is a report as of February of 2025 put out by West Ada. So, I just -- I just want to bring that up, so that you guys are taking that into consideration when you are making this decision. Our kids matter.

Simison: Thank you very much. Council, any questions? Is there anybody else first who hasn't spoken yet that would like to come forward at this time or online use the raise your hand feature. Okay. Would the lady who would like to make another comment like to come forward? Okay. We can't get it on the record, so you either need to come up or understand that you may not remember what it was referencing and I appreciate that, so -- all right. If there is no one else seeking to testify, ask the applicant to, please, come close.

Clark: Hey, everybody. Hethe Clark. 251 East Front Street in Boise. So, a couple -- I will start with a couple of the questions that came up. One was the question of the spacing for the light over on Ten Mile. We have reviewed that with ACHD. The spacing would not preclude that traffic light. It really is just a question of the warrant and, as we mentioned, when that traffic study is done, once those uses are identified, then, that's when that would be evaluated once again. With regard to water, this is a -- you know, a familiar one that the Council has heard me talk about way too many times. I -- we -- when we develop cannot interrupt the delivery of water rights for our neighbors. Water rights run with the ground. Those water rights will be allocated. To the extent that they are coming from the south we wouldn't have anything to do with that, because we don't have any of that property to the south. The property -- to the extent that there is delivery from our side, it's currently in ditches and so we would be tiling that. So, in fact, the delivery would be more efficient as a result of all this and we will not be boxing them out from -- from their water. I think -- maybe the last thing and maybe the thing that maybe has the most impact here -- as I mentioned before, this -- you know, this -- we do believe that this provides kind of the completion of the puzzle. It completes the grid. It provides that mid-mile collector. It's in-fill in a very real sense. But another element of this that I think is important is that when we look at how folks are going to use their property, there is kind of these different phases of how we make these decisions. The first phase is when we do the comprehensive planning and that is really when people come into the room, raise their hand and it's that more kind of political process. We set that policy and, then, decide how things are going to be decided moving forward. From there we, then, have a pattern that's in place and that tells property owners what they can do with their property. It tells neighbors what they should expect with their -- for their -- for their neighbors to do with their property and what people can do with their own. So, in this case I just think it's important to emphasize that this property has been

comp planned mixed use commercial. We have chosen to put the density on the very low end of mixed use commercial, but still stay within what the city has planned for here. And as I understand it, that prior application didn't -- that has been referenced a few times, did not make it to Council. It was withdrawn and it was withdrawn in part because it didn't have enough density and so there was a recommendation for denial, because it didn't match the Comprehensive Plan. So, what we are hoping to just emphasize here and maybe give the Council a little support is -- is that there is a plan. The plan is mixed use commercial. We have proposed single family residential, not multi-family, on this property at the very low end of the density and we would ask for your approval on it. So, any other questions I'm happy to -- to respond to?

Simison: Thank you. Council, questions -- additional questions for the applicant? You may get a break for a minute, but I wouldn't go very far.

Clark: Okay.

Simison: My guess is we are not done having questions, but --

Clark: Okay. I will stand by and so go sit down and stand by, though, I'm assuming; right?

Simison: I would think so. For the moment, yeah.

Clark: Okay. I will. Thanks.

Strader: Mr. Mayor? Sorry, Hethe.

Simison: Council Woman Strader.

Strader: Already got one for you. So, if I'm looking at your application and it says it's been approved by the Bridgetower HOA -- or is being supported by the Bridgetower HOA, is that referring to this one individual that's controlling the Bridgetower HOA board? I just kind of want to get clear on that, because usually when I see an HOA has approved something -- that's okay, we don't need commentary from the back yet at this point. What does that mean? Help me understand that.

Clark: Check one. I would just want to make sure I give you a very precise answer on this.

Simison: And just for process, technically the -- we are into the final point where there won't be additional comments, unless Council wants additional comments, because the developer does have the right to complete the -- complete it and we won't go back and forth, unless we reopen the conversation.

Clark: And, Council Member Strader, I just wanted to check, because I didn't recall that being an affirmative statement that the Bridgetower HOA approved it. So, is that something that you are referencing in the application or --

Strader: Yeah. Mr. Mayor?

Simison: Council Woman Strader.

Strader: I believe so. I think I -- I believe I heard Linda also reference that in her initial presentation, but maybe I have that wrong. Okay. So, is anyone representing that the Bridgetower HOA board is supportive of this application today?

Clark: Not that I'm aware of, Councilman.

Strader: Okay. Interesting. Thank you. That's helpful.

Clark: Okay. And I mean I'm happy to answer any follow-up questions on that. Obviously, it's an independent application --

Strader: Yeah.

Clark: -- and, you know, one of the benefits, as we mentioned before, is we can provide that preliminary plat to get them their park.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: We all understand that, but I just wanted to understand what you are representing that the Bridgetower HOA board has or has not done. So, that's helpful. Thank you.

Ritter: Mayor?

Simison: Yes, Linda.

Ritter: Just for clarification on the city side. The only thing that I mentioned was the park -- that they will be deeding back to the HOA. So, no, nothing about their approval or recommended approval of any part of this application.

Strader: Thank you, Linda.

Simison: Well, let us see if we -- if the Council would like to take additional comments once we get through this process. And -- yeah. And, again, we are -- the -- these are quasi-judicial. They have a process that has to be followed, so my job is to make sure the process is followed for everyone involved. Is the -- this is the final comments for the

developer. If Council wants to take additional comments we will do that afterwards and, then, give them another opportunity after that, but --

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. Hethe, what is the current size of the park that will be 10.2 acres that is turned over to them? Am I understanding that correct that those are two different sizes?

Clark: Mr. Mayor, Council Member Little Roberts, that's correct, yes. So, on the area kind of on the east side of the park there is some additional green space, some cottonwoods, that -- you know, those types of trees that are over there. It's our understanding that that was kind of a holding element, but the -- I don't have a specific acreage number for you, but we were careful to go with the 10.2, because we wanted to make sure it was consistent with the development agreement.

Little Roberts: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just want to be clear about the park and make sure everyone has expectations that are appropriate. I heard a lot of discussion about rolling hills, usable space, you -- your application would turn over control of the park to the HOA board as it is today; correct?

Clark: That's correct, Council Member Strader.

Strader: Okay. And does not include any type of improvements of a park?

Clark: All of the existing improvements.

Strader: Sure. But there is nothing changing in its condition. Okay.

Simison: Ma'am, again, I understand, but we are here to have a conversation with the developer right now -- or the applicant.

Clark: Yeah. Mr. Conger was just reminding me that there will be -- when we do that collector that it will feed into that southern portion of the park. That regional pathway will come in and interface with it, but that's really the only place that we are touching the landscaping, other than the cutting it up -- cutting it off to -- to be -- allow it to be conveyed.

Simison: Council, do you have any more questions for the applicant right now and/or would you like to hear from the community again on this topic? Okay. Then take a seat. We have two people -- one -- three. You guys all fight amongst yourselves, but I'm going to ask you to keep it -- keep it to anything new or -- new that you have heard, not reiterating the same points that we have already listened to, if there is clarifying questions, comments that are relevant. And state your name and address for the record.

Boyle: Richard Boyle. 5430 North Botticelli Avenue. They are going to turn it over to the HOA, but the residents don't have an HOA. It still belongs to -- I forget the gentleman's name. The developer. So, they are taking it from him and they are going to give it back to him. I don't see a benefit there and if you look at your map, as you can see that dark green spot, that is our pond. Yep. Everything to the left is rolling hills. That area all over there is all rolling hills. There is a small basketball court just -- right there. And everything to the right that's the pool. That darker green shade right there, that is the part that will all be gone. From there straight up it will leave a strip maybe 50 feet wide between the retention pond and the new subdivision. So, I guess my biggest concern is -- give it back to the HOA, but we can't have one yet, because our developer won't turn it over to us. So, I'm not sure how we go about that, but that might be another fight for another day obviously. This developer, as someone said, has really -- really done us dirty I feel, but that's, again, another issue. Thank you again for your time.

Simison: Thank you. Council, any follow-up questions? Okay. All right.

Wycoff: John Wycoff. 5099 North Bolsena Avenue and earlier in his comment when he was up here, the developer, on this area, stated kind of like, well, we might get access to the park. Any of you remember sharing that at all? He said there might be an agreement where they would have access to the park and be able to -- no? I guess I -- maybe I'm hearing things, but that's what he was saying and that is because Mike McCollum is going to work something out for his benefit. He is the one person and only person that's going to get the vote any change to our park here that we have thought we have had access to. So, that's one important to understand. One person is going to get to dictate what 500 people in the community are going to have to live with. Not you, but five -- you know, that one person. So -- and the other thing he said that the water right that we have that comes from the -- McMillan halfway -- that green stripe going all the way across over towards the park, that is McCollum waterway. I think he just said they are going to tile it. Is that what he was saying? Is it going to be tiled?

Simison: Yes.

Wycoff: Because as I look at it's going underneath a whole bunch of homes. So, it's not going to be tiled, unless he is talking a big tube. But, then, there is a potential for you know, usually within the cities if there is water access for people it's going in at the back of people's homes, underlying -- underlying their fences. So, I just -- my -- that's my question. Where is this water line going to be going so that we can have access to our

water, which we should be filling our lake with? So, that's all I wanted to ask. Make sure you are -- Mike is going to get to control McCollum waterway that -- McCollum -- call it.

Simison: However, we will let the developer respond to that, but there is -- water law is deep in Idaho. Water is protected. Access is going to be received. I don't want to be the legal attorney to tell you that your water will be protected. You have my personal guarantee, whether that's of value to you or not. Your water will be delivered from the irrigation.

Wycoff: Okay. Just want to make sure of that, because that's a big thing. I mean --

Simison: Water law is king and irrigation districts do not look kindly on people who don't deliver the water to where it needs to go.

Wycoff: But we don't really even have access, because we don't have the HOA. This is HOA's water and he does control -- being McCollum, owner of the HOA, not -- you know, of that one property -- the one property controlling 501 properties that's -- okay. Thank you very much.

Simison: Thank you. Madam, come forward.

Fritschle: Hi -- hi again. My name is Patricia Fritschle and I apologize for any outburst that I might have had. I get really upset with lies. I'm just going to say it. Lies. I believe, Ms. Strader, you had asked if our park -- from what you are seeing was going to be touched and if -- you are going to have all the information. It is going to be greatly reduced. Not only that, but we have a tree line to the back of that park that goes up to that field. All of those trees have been expressed by the developer that they will be removed. Not replanted, but just removed. So, they not only are going to take away a huge portion of that green space, but they are also taking away trees that we have been maintaining and caring for since the inception of that space and so I just think if you guys are going to have the information you should have the actual information and if they are not going to change our park and that space is no longer an issue, because it's going to stay whole, I don't think that's the case, because you can see the outline of the houses, but all of that space is going to be gone, which is part of our park, as well as those trees. So, thank you. And, again, I apologize. I don't mean to be disrespectful. I just -- appreciate it. Thank you.

Simison: Thank you.

Parsons: Mayor, Council, as the developer comes back up -- or the applicant comes back up to testify again, I just wanted to go on the record and say that the -- the park will shrink. The current configuration the park is actually larger than what's required in the development agreement and the developer did that on his own dime to make it bigger. So, I was able to quickly map out the acreage of the park as it's currently constructed and it's about 13.3 acres and the DA only requires 10.2. So, that area is going to shrink

back down to what was approved in the development agreement for that subdivision, which is, again, 10.2 acres.

Simison: So, Bill, do you happen know -- is -- so, is the acreage of the park currently on -- in a lot or is it on someone else's property and --

Parsons: Mayor, Members of the Council, it is on the developer's own property. It's an S parcel. So, it's just a parcel of land. Would love to give you a history lesson on the property if you want. I was -- I have been part of all of it, so -- I have touched it from tip to toe, so -- originally this property -- as Linda mentioned this property did annex into the city and develop -- had a preliminary plat approved back in 2005. That previous developer allowed that -- that project to expire. They never started the process with us and so in -- when the economy had changed back in '08, '09, this particular current developer Mike McCollum bought the property from Frank Varel and he came back and he is like I want to do exactly what we got approved in 2005 and so that's why when you look at Bridgetower West and Bridgetower East or Volterra North or Volterra South, whatever you want to call the project, there is a north portion and a southern portion and each property had its own park. The southern portion had a 3.2 acre park, or 3.6 acre park. This site had the 10.2 acre park. The pond was always part of that, along with the clubhouse and the pool that currently sits on that park. What happened was Mike -- when he was building out the -- the multiple phases, the DA specified the timing for the completion of the park and it was 495th lot if I remember correctly, somewhere in that neighborhood and if I'm not mistaken Volterra North's plat was upwards almost 700 lots. That -- that subdivision was 600 plus lots. So, you can see the developer was able to go a long way into the development before the park was constructed. But Mike, in his wisdom of building the subdivision, came to the city and said I want to build the park before I subdivide it, because I think that's an important amenity and so he built all of Gondola, the road -- the collector road that fed the whole development. He built a clubhouse. He built the park before it was even required in the DA. He did that on his own dime to do that. Now, for whatever reason why he has never turned it over I can't speak to that. I meet with Mike on a regular basis and I know he still controls a lot of land in our community, but what I can tell you is his heart was in the right place when he put in those amenities and I don't know why he overbuilt the park to 13 acres, but he did that because he wanted to make sure that those homeowners had someplace to recreate. So, now back in 2022 Hethe is correct, Mike did bring forward another application and it went to Planning and Zoning Commission and they had recommended denial, because at the -- at that time it wasn't a density concern, it was mostly -- we were losing some of the employment that we thought we would -- would get here, because keep in mind when this area was changed and under the current development agreement there was a hospital plan for this and with that hospital comes all of the medical uses that come with it. So, again, the city envisioned an employment center almost like a Silverstone on this particular corner and that's not -- and now it's been -- since 2008, since that plan's in place and now we are at 2000 -- or 2025 and it has not happened and the hospital is not happening. So, Mike is now partnering with this developer and trying to make sure -- to size it right, meet the current mixed use standards, provide that mix of office, commercial, services and additional residential as

part of that overall mixed use development. And so I'm sorry we are getting kind of in the weeds of what's transpired on the other property and I know we are just because of the fact that they are trying to make it right. We are trying to get the park platted, so that we can finally turn it over to the HOA and give them control of their neighborhood. That's really the key component here is that is the end goal with this subdivision. I have asked the applicant the same question, how do you see that working? Because I'm concerned and they said we are going to plat the park and as soon as the park is platted it's getting turned over to the HOA. It's part of a common lot. And I said, okay, let's make sure that that happens, because we have got to get this issue cleared up.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I appreciate the context. I guess I would just caution you not to make assumptions about the motivation of a different applicant, like whether their heart is in the right place or not, because from what -- I'm not feeling that their heart was in the right place right now personally. We can't fix the situation. But all due respect like what I'm hearing is the park will be turned over to an HOA board that's controlled by one single developer. So, I'm not getting that same comfort level from that. I just want to share that feedback. I -- we can't litigate or fix their HOA board. That is going to be I think a civil issue that needs to be dealt with, but I guess that's all I would say is let's -- let's just not make any assumptions about people's motivations or what they will or won't do at this point.

Parsons: Yeah. Council Woman Strader, I agree with you. I was just trying to imply that the amenities went in sooner rather than later, which was a good thing for that community and for the city.

Overton: Mr. Mayor?

Simison: Can we go to -- so this is a follow up directly -- can we go to Marcy who also wanted to make some additional comments online.

Johnson: Marcy, you should be able to speak now.

Sutcliffe: Sorry about that. Marcy Sutcliffe. 4085 West Ravenna Street. And I just have a point of clarification. I may be incorrect, but it's been stated that the new proposed subdivision will not have any access to our park, but if I'm not mistaken it appears that at the northwest corner of this subdivision where it enters into our -- it looks like there is a pedestrian access and that it's part of the flow for traffic -- or not -- not car traffic, but actual pedestrian or residential traffic from the proposed subdivision into our park area. So, I just would like clarification on that as to whether or not I'm misunderstanding that.

Simison: Well, we can have the applicant clarify that comment when it's -- when we are there. Mr. Overton.

Overton: Mr. Mayor, I just -- Bill, I wanted to thank you for giving us a little bit more of the history understanding this. It's not common that we run into a situation that has this much history that's caused this much frustration over the years. I just want to thank you both for what you presented and understanding to the folks that are here. We are not debating that this has been handled well by the original developer or the second developer. We are talking about tonight's development and that's what we need to keep our focus on today, because that's what we are here to decide and the history that you gave us is extremely important in trying to make sure that we make the right decision tonight and I appreciate it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If we have ACHD on the phone before the applicant wraps, I would love to hear from them just to get their perspective on timing for the TIS, the likelihood of a signal eventually being put in here and some more of that -- just some context from them.

Johnson: Rebecca, you should be able to unmute.

Strader: ACHD are you out there?

Simison: There -- she -- they are trying. The microphone goes on and off, but --

Johnson: Rebecca, you have control to unmute. I can't do anything from this end.

Simison: You maybe see about if she can call in. It's been a long time since we had a phone call. But that might be a way to -- if we are having troubles with technology. So, while we are waiting I'm going to throw out a really bad idea to both maybe the neighbors, maybe the developer, but I will let you discuss it and maybe our departments. Do we have -- oh, our parks director is on. Could you turn the park over to the city to make it a public park? It meets size -- size guidelines for a public park, but that impacts the HOA as well for it to become public. Food for thought. Bad idea? I don't know who makes those determinations on how it's deeded to whom and where and how that works with development components, but to just put it out there in some context if there is a dialog around that or not.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will just chime in. That would sort of solve this concern about it going to an HOA board controlled by one person. So, it's creative. That's a creative solution worth talking about. Trying to decide if that would help.

Simison: Rebecca, you are unmuted. Are you able to speak? I -- I don't know if we are going to get ACHD this one.

Johnson: We got her now.

Phillips: Can you guys hear me?

Simison: There we are.

Phillips: Oh, my gosh. All right. Thank you so much, Mr. Mayor, Madam -- or Council Members. Rebecca Phillips here from ACHD. So, you know, basically, on this one the -- the traffic impact study that has been submitted really just recommends the applicant extend the northbound right turn lane 175 feet beyond the existing 450 foot striped right turn lane at the US 26 -- 20-26 Chinden Boulevard and Ten Mile Road. So, unfortunately, because we don't have that second traffic impact study on what that commercial -- that 44 commercial lot is going to -- how it's going to affect that area, we just can't -- we are just not able to make any presumptions at this time. However, I will note that it is not prohibited that we have two mid-mile stop lights. That's not something that's going to be prohibited. Of course, it's going to need to meet warrants, but that is something that will definitely come out of that traffic impact study and, you know, I guess that's where we kind of stand at this moment.

Simison: Thank you. Council Woman Strader.

Strader: Thank you, Mr. Mayor. Thank you so much, Rebecca. Just help me understand what the requirements would be to put in a light that would control traffic?

Phillips: Yeah. And I'm not actually the best person to ask that question. I'm a transportation planner, so that usually comes from like our traffic engineer department and, you know, I'm not actually sure what those -- those matrix are as to what they are looking for. I'm certainly happy to get that information and report back to you guys if -- if that's something that you would like me to do I'm happy to do that.

Simison: Mr. Hood, do you know off the top of your head what the current warrants are? Okay. Any further questions for Rebecca at this time? And would the applicant like to come forward.

Conger: Mr. Mayor, Council Members, Jim Conger, 4824 West Fairview Avenue. I thought I would come up instead of Hethe, because most of these items now are really down to developer questions and the existing developer, who I have had a hundred percent of the contact with as far as my team goes. So, I will hit through a couple things and save the HOA and the park turnover for last. The TIS -- I think, Mr. Mayor and

Council Member Strader, if I may address -- is -- I don't think we did a good job of saying the TIS was done for the submittal, it just didn't have any of the commercial, which I think you understood. So, the TIS right now that was done at full build out of residential doesn't hit the warrants for a traffic signal. As you heard ACHD, the -- the TIS that we submitted did trigger some warrants of extending the turn lane and that's actually on Ten Mile into this collector road. So, TIS was done. I think it is standard course of business when the final -- first final plat of the commercial comes in and its uses, it will follow, rightfully, so with a TIS involved with that. Residential RTIS will just carry on through our final plat phases. As far as matrix, we do know a bit and you probably don't care of our developer opinion instead ACHD's would be better, but one of the majority matrix of that is really the traffic on the major arterial -- in this case Ten Mile. It -- there is influence in -- when we do these studies of merit of what's coming into Ten Mile, but a bulk of what -- what covers the -- finally hitting a merit is the traffic at Ten Mile and just Ten Mile is not in a position to hit that merit yet. I think what neighbors and what we have seen -- and several of you Council Members were here when we did Stapleton out on the Meridian-Kuna Highway at Amity. We didn't hit merits there either, but we actually -- and what will happen here is we get the benefit of the traffic signal that's not very far away in that particular case and it will be the same here. When that turns red there really isn't any new traffic coming onto the road, so this intersection by right is going to have a de facto benefit of that -- of that traffic signal and we have proved that out over and over again at Stapleton. It's when -- I'm there a hundred times a year; right? And it's -- and that's what ends up happening. Moving to the irrigation pipe. Obviously we have -- I mean state of Idaho has code that we have got to provide -- and we will tile. I prefer to say the word pipe, because everybody knows what pipe means and it's more efficient than an open ditch. What never happens in land development and is not the requirement is it doesn't go in the exact same location the ditch is in today. Those are relocatable per state -- state code and we do have our buffer, which is the buffer on our north boundary that we put that amazing walk path in that gets to Heroes Park. The piping is also up in there. It is not in yards and it's not under houses, of course. So, it is being relocated. Their irrigation system will have better delivery than it is today and as much as we all love farmers, when we have a farmer upstream of delivery -- I mean I fight it every day, the farmer doesn't really care about the rules as -- their water delivery will get better. Southwest corner. Some discussion of -- we shouldn't access and certainly, Mr. Mayor, and Council Member Strader, we -- we have made the commitment to every -- all of our neighborhood meetings was we don't want your people in our park. That is the age old -- we had that at Verrado. I mean it just kind of the age old problem. We don't -- we have got a little more of your mindset, that it is probably not all that healthy to have that complete divide of line. We said, hey, we will propose no pathways. So, that corner that looks like a pathway is actually a sewer and a water easement. That's the only way to get sewer into the neighborhood. It does -- our sewer does not go to the north and we proposed and you currently had a project in front of you, there is no sidewalk in that path. In theory there probably should be, but there is no sidewalk, because we tried to hit as many things as we could with the executive board and in neighborhood meetings. So, hopefully, that answers that. Now, on the park turnover, the gentleman is absolutely correct, you can go -- you know, our responsible charge -- because it's on the residential

side -- I -- in our sale I didn't have to ask very hard, but we knew this was going to be a number one item. So, we put this park in our preliminary plat, this park area, and it is currently owned by two different developers. Both developers have common interest of the mic -- maybe you have heard, but -- so, nothing can be simple as one. We have got -- it's got to be on top of two different land ownerships of course. But that's not an issue. It's in our preliminary plat. We are going to do -- we, as in Conger Group, is going to do a stand-alone plat that is just the park area and that can get through the system fairly expeditious I would assume between your staff and our staff. That is not going to be in control of the other developer. I have to get his signature on the plat -- on that final plat and I have had numerous meetings with this developer and there is no desire not to turn that over. So, we -- the method is the final plat gets going immediately, which probably will mess up our phase one, phase two plat numbering of other conditions, so I think if everybody knows that the plat goes first for the park, it will just change our conditions to phase two and phase three. Point of that being -- and the gentleman had an excellent point and I already know this answer -- is, hey, that's great. Now, the park is in a legal parcel which we have got to get it to a legal parcel. I have the commitment of our seller, which is the previous developer, that this HOA will be turned over. I mean I'm not running a final -- a preliminary and, then, final plat to just have it. He had -- and I'm not defending anybody. Developers typically keep -- when they have additional phases, the HOAs don't get turned over, because it becomes a little bit difficult for a developer for sure. So, I get the principle. What's not right for these neighbors is that that's just gone abnormally in an odd long time and that's -- that's -- we haven't seen a lot of that. But, to be honest, I have been in front of you before with some 2008 properties. It's just been a long time since I have been in front of you with a 2008 greatest recession in history of property. So, we do know there is a couple dirty items that need cleaned. They will get cleaned and they will get cleaned by Conger Group and -- and signed by the other developer. So, that I'm guaranteeing. So, the HOA will get turned over. I think with that, unless you have further questions, I think I wrote down -- I mean you needed Hethe to come back up and re-educate what an amazing --

Simison: I think Council Woman Strader wants you.

Strader: Yep. I do. Thank you, Mr. Conger. Help me understand your comment. You just said the HOA will be turned over. What do you mean by that?

Conger: Excellent. Mr. Mayor, Council Member Strader. So, the homeowners association, which is a legal entity, they are correct -- is still controlled -- I'm going to say mostly and I haven't read a bunch of documents, so I'm not -- and I'm not going to play attorney. That is still controlled by the Mike McCollum that they are saying, the previous developer. So, I think all that's factual. So, for -- for the turnover it's -- it's normal. When we get to the end of our developments -- and we do probably one a year -- you -- you -- you create -- the entities change to new board members. So, you have a meeting. You have engaged folks like the folks that are here that are engaged. They -- so, we have to have a board of directors meeting. We -- I mean there are two or three pretty legal steps. We have a professional HOA management company every time run us through the steps. Our board members, which are usually my employees and things

of that nature when it's ours, are all at this meeting and, you know, we are only as good as our last neighborhood, so we want pretty successful turnovers. So, this -- I mean as far as the method of this goes it will be identical to every -- you know, we do one a year when we are at a final phase. So, it will be turned over to the HOA and there will be new board members that are running the -- the HOA. Now --

Strader: Mr. Mayor. Are you talking about the HOA associated with this property or are you referring to their HOA? Are you referring to turning over this plat to their HOA board? Do you have reason to believe that will be turned over to them? Is that what you are saying? I'm confused about which HOA board you are referring to.

Conger: Mr. Mayor, Council Woman Strader, I'm embarrassed. I thought we were only talking about their HOA. I should have clarified.

Strader: That's okay. I just want to understand.

Conger: We -- Conger Group is going to do a one lot final plat. Our preliminary plat needs to get approved. Then Conger Group is going to do a one lot plat that's just their park area that, then, once that become -- and you probably know how long a plat takes. I mean it takes eight months to run a -- it's got to come in front of the Council. We got to do a bunch of work. I got to go to Central District Health. I got to go to the City of Meridian. Got to go to Ada County Highway District. And I got to go to Ada county. So, in eight months'ish I will get a recorded plat that now has a parcel and a lot number that is able to be -- get deeded. So, it will get deeded over to the HOA. That's step one. Step two is to have this meeting and convert and turn over the HOA itself -- forget about the park. It's already part of the HOA. But the gentleman is right, it's great, give it to the HOA, but if the HOA didn't get turned over it's still not turned over. Our seller has -- and I'm speaking for him and I'm very comfortable doing it. Our seller has no desire to keep this HOA. He was keeping this HOA until the property adjacent to it -- his original intent was to keep putting these under the same HOA. Our first requirement, when I was buying the residential portion of this, is, hey, we need a split of HOAs and so this HOA will get turned over as soon as that park gets through its final plat recordation and, then, it probably takes two or three weeks after that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Do you think you have a good enough relationship with the seller that you could get a letter from them that the city could be a party to that would memorialize this understanding that upon the final plat being delivered to him, if it hasn't already happened, that he will turn the HOA over to these homeowners? Do you think that that's something that you could -- I understand that's not your responsibility, but is that something you could do?

Conger: Mr. Mayor, Council Member Strader, I feel we are part of this project now, so I do feel it is part of my responsibility. I think I can get something in writing. I don't have something in writing. I have handshake agreements and faces. I mean everybody knows -- as one gentleman said, why does he still want it? Well, he still wants it because he has got land that's adjacent to it and it doesn't have a legal parcel here. He couldn't get rid of it tomorrow if he wanted to. It's sitting currently on 45 acres and three acres; right? I said it was two parcels. So, currently it's on about 50 acres of land and it's not parceled out. So, could I get something in writing? I think so.

Strader: Okay.

Conger: Will I get it to the finish line? I know so.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I -- where I'm going with it is I have been hearing about issues with this HOA board and rumors about it for a long time. It's not in my district, but it's right next to my district and you have got like 500 really ticked off people that are just completely I think at their wit's end with not having control of their HOA board. This is a tough application. You know, it's already been annexed into the city. You know, I acknowledge that. It's an increase in density. The traffic situation is really tough. I would feel much better about this if I thought we could get a resolution and a light at the end of the tunnel for these folks on their HOA board being turned over to them, an end date to that, you know, whether that's at the time that the park gets turned over -- hopefully before; right? But if not before maybe at that point. I'm just trying to think creatively about how to -- how to turn this into a win-win.

Simison: And to kind of piggyback off of that, you know, I don't want to litigate this up here, but is this the last piece of parcel? When he sells it does he actually have any interest in the board or are there other parcels that he still controls that he would be able to -- that's why I'm like at what point in time when this is sold does he even have any authority or not. Was it in -- are you now a member of the HOA, because you own the parcel?

Conger: Mr. --

Simison: Temporarily. And that's why I'm like, you know --

Conger: For sure.

Simison: -- trying to follow bouncing balls.

Conger: No. Mr. Mayor, Members of the Council, the raw land is not part of the HOA, so I do not have any portion of it and he does, as we said, still owns the one residential

lot within the confines of those plats. That is what he is. And, again, probably like about any --

Simison: That at least answers my question that this park is not the linchpin unless he wants it to be a linchpin.

Conger: Yeah. Now, in fairness, by de facto, I think we all know the state code just changed and -- with HOAs, so there will be -- I mean if nothing happened -- I don't know if Mr. Nary will correct me if I'm wrong, but if -- if he were to do nothing, which that will not happen or I won't be able to move forward, the state -- new state code is, you know, once you get to 95 percent built out you are not able to keep one last lot. So, he would trigger under the new state code that's going to --

Simison: Does he trigger or is he grandfathered under the existing law? I don't know the answer to that one.

Conger: I don't know that answer either, Mr. Mayor. I didn't read a grandfather clause and I did read parts of it, but --

Simison: It's the state legislature, so I'm not going to pretend to know and understand. Council, additional comments, questions, for the developer?

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. Mr. Conger, thank you. Had mention of trees that will be coming down with the three acres -- or approximately three acres being split off. Is there any opportunity to give them kind of a finished product between the park and your new homes being built?

Conger: Yes. Mr. Mayor, Council Member Roberts, we have worked hard with the executive committee. A majority of the trees -- again, they were just trash trees, that were going to grow big to give him some vertical elevation cottonwood. So, we have had our arborist go through every tree in question and our landscaper, who would be -- do the relocation. We do a lot of relocations. Out of -- out of the -- I mean all the cottonwoods and the trash trees, no one will relocate and nor do we want to. There are a handful of -- of good trees that we are going to relocate. We have already given this to the executive board. I really want to be careful what they are, because they probably are just an executive board of the HOA for the previous developer, along with 20 -- 15 new trees. I mean -- so, we have already done that behind the scenes with the executive committee for sure. So, that -- that -- and that's been discussed I think in one of the HOA meetings, too, but --

Little Roberts: Great. Thank you.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Mr. Conger, maybe just a statement of where my head is and what I'm thinking and then -- then a question. I'm a believer that the Comprehensive Plan means something and when we have that plan out there you should have some expectations as a developer of what you can or can't do relative to a parcel or a property that you purchase. So, that's my first statement. My second statement is I love the concept of the 15 minute city and I think if there is any place in Meridian where you can walk and access schools, shopping, the amenities and I appreciate the points on the amenities that you have in -- in this development. I think -- I think you have hit the nail on the head when it comes to the 15 minute city and locating these homes and this commercial development in this part of the city. So, I applaud you for that. I'm still sitting here kind of struggling with Mr. Clark's statement of maybe setting a record for the number of meetings that you have had to have with the city to work through all of that. I don't know if it's a matter of a square peg in a round hole or why we had to have a record number of meetings. I hear the neighbors and I hear the concerns. Most of those are centered outside of what you are trying to do. They are centered with the relationship with the current controller of the homeowners association. But, again, I'm just -- I'm wondering the number of meetings, the number of issues that you have had to resolve. Tonight as I read through the record and -- and came to this meeting there were still some conditions that had not been fully agreed to and Mr. Clark's testimony tonight was phone calls today -- as late as today and in his testimony he said he had agreed to those final conditions 1-G, 1-P and 1-U and -- and so, again, the project could move forward. But can you just give me some comfort? Have -- have you rounded the edges on that square peg to the point where this does fit?

Conger: No. Excellent question, Mr. Mayor, Council Member Whitlock. I think it's not -- not this round -- round hole-square peg scenario, it's this is a mixed use project. In all reality it's two projects in one. So, we have taken a very complex commercial project, we have brought in a mediumly complex residential project and had to come to some agreement. So, I don't believe it's trying to -- trying to fit a spot. I mean we have worked through -- and I mean let's just focus on the residential for one second. I think we have debated over two items in eight months. I mean there wasn't much; right? So, they -- we came in, we have been very blessed by this council to come in on the lower end of the comp plan when we have these -- this is an aggressive comp plan here. I think neighbors don't quite understand what can be done here or what should be done by the comp plan. We have been very lucky to come to Council and come in on the short end of density. I don't want to get myself into a denial, but we are at seven units and comp plan wants to split the difference and be at 12; right? I mean -- so, we thought we would have that luxury of bringing in the low density, the single family for sale. We are as close to a max. We are not the same lot sizes, but we couldn't get less or we won't meet the comp plan. So, that really wasn't a lot of debate. We put a beautiful buffer on the north boundary. That's why we didn't have to worry about lot sizes. That's the other regional path that no -- everybody should be going oohing and

ahhing over, because that goes right to Heroes Park for both neighborhoods. We don't care which neighborhood walks on that pathway. Our people -- our HOA will maintain it. So, from a residential standpoint no problem. Now, we come to the commercial and, again, Hethe had mentioned this collector road is -- is an amazing tool for finishing off really four square miles, but let's call it two square miles to be safe. But it's also an amazing buffer between the two. So, our uses -- so, we had to get that right. We like the circuitous, because we think it will also be a little bit of traffic mitigation as well. But it was to get the commercial to the right size of what we thought. So, the commercial in -- in unfortunate wisdom of a previous developer in '05 and '04, to get Walmart there during the great recession of '08, he gave away the farm on deed restricted and that commercial is so deed restricted it's this thick. So, again, staff has been nothing but amazing. I have been a little bit pushing back. They have been a little bit pushing back. And I'm the one to blame out of my team for that. We already -- and, again, I'm fighting for the -- I will not retain the commercial, but I have -- to get this project approved -- and this developer would not mind it sitting longer. We don't want it to sit longer. The HOA -- current members shouldn't want it to sit longer. I had to get a commercial approval that was acceptable to our seller. It already has deed restrictions this thick from Walmart. We can barely -- he can barely do anything on it. Then I get staff kind of starting to put another layer of restrictions. I mean at some point we need to get a project approved that's going to be amazing for the city, but also survive and not become second tier really -- I mean garbage commercial property. So, from that standpoint 85 or 90 percent -- they can correct me if I'm wrong -- were all commercial conditions that we had to work our way through to what is right for the city and what is right -- not for me, not for the developer, what is also right for the city and usable products. So, two projects in one made it very big. We were going to split them and come in with two projects. We just got done doing a mixed use with this Council earlier where we only had the residential, because our seller didn't want to go in, we felt everybody was a little bit upset we didn't have the commercial with that. Here we come in with one that is commercial and I'm getting questioned of maybe it's not right. I mean it's hard. And we need the most viable commercial -- the city needs the most viable -- I mean we don't want garbage. We don't want whatever garbage is. But -- and you are only -- you are only going to have a little bit of second tier office. That's just not viable. So, it was super important. I think Keith hit that part on the head. Super important to get the right condition. Because what we do see is if you just get a bunch of bad conditions in there just -- he is going to be in front of you with five DA mods in the next seven years and that's not healthy for anybody either and what the commercial user needs is an approved preliminary plat and that way their final plat, traffic studies and the last of the conditions in the final plats, can all come in about a five month process. If we didn't put them in our preliminary plat they would have an 18 month process like we have right now to get to a preliminary plat, then, a final plat and you will never get a commercial user. They won't wait that long. So, it's -- I think it's complex. I think we have done an amazing job. I know your staff has done an amazing job. It's just there was a lot of getting it right.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Mr. Conger, I almost want to ask you if you had a chance to go back in time if you would touch this piece of property, because it's been sitting there for 20 years since it was annexed into the city and we have got a room full of people that are really frustrated with somebody who is not here who caused all this grief that put you in the position. They are really not mad at anybody in here. I know you are venting at City Council, you are venting at developers, but the problem is the person you are really upset at isn't even here, so we find ourselves sitting here with a development that's been trying through multiple meetings to make this work with the city, who has had to do a tremendous amount of modifications -- and I like looking at the transportation solutions of the collector streets that this is going to bring to help alleviate all the traffic coming out at one way. Now, it won't be until phase two or phase three, if the phases change, that that second stretch will be built, but if it wasn't for the fact that we look at future planning, we would never get anything done in this city, because that's how we do things. We have to look at how a first phase and a second phase and a third phase comes in and how we eventually get to those warrants and we get those signals and if we don't take those steps we never have those things happen and I need to thank you and your team, because it's been a lot of work and at the same time I need to understand that the neighbors sitting over there, they are very frustrated and very justified in their frustrations as they come here tonight, but I just got to make sure it's on the record that a lot of the frustrations here tonight are not for people that are sitting in this room and you have taken a lot of heat that you didn't cause and I appreciate the work you have done.

Conger: Mr. Mayor, Council Member Overton, no, we definitely appreciate those words. Yeah. I don't think my team wants to do it again. I would always sign up to do it again. I -- we love Meridian. A majority of our land is in Meridian. We understand Meridian. We are always blessed to be on the Comp Plan Committee, Zoning Committee, so, no, we -- we knew this was a mess going in. None of this a surprise. We knew the HOA and the community members were not happy and -- and so none of this did we get blindsided. We are -- if nothing else -- and I have been in it for 30 years -- we -- we are solution based and we can -- we will get to the finish line and we always do.

Overton: Mr. Mayor, one quick follow up.

Simison: Councilman Overton.

Overton: Because you know me from previous statements I have made and I need to make sure that the residents that are here hear this clearly, because we have dealt with this in many different places in the city, but I was terrified this was going to come in as a multi-family high density project --

Conger: Yeah.

Overton: -- because when I looked at that area I figured that's exactly what we are going to see and when I see a project coming in all the way down to seven dwelling units per acre that makes me very happy, especially when I can say they are all going to be single family units, which is going to meet a need. We don't -- we are not trying to claim that this is affordable housing, but it's more affordable housing than a lot of the housing we are seeing in the city and it's -- it's what we need, it's where we need it and we can't get caught up in a lot of the arguments about our elementary schools and what West Ada School District needs, because we talk to them quite often and they are constantly modifying what they do based on city growth. Not this year -- for the last 40 years. They constantly modify what they have to do with their different cities, our different schools, based on growth of the city. They react to decisions that are made up on this dais and they are not trying to tell us not to build. You don't have West Ada saying that. They understand that these developments happen. They knew this land was available to be built and they will make the modifications necessary on new schools being built and having to change guidelines on where students go today.

Conger: Mr. Mayor, Council Member Overton, I appreciate you mentioning the multi-family part. I mean that doesn't carry a lot of weight when we say it in our neighborhood meetings, but this definitely would have had higher density and I had to work hard with this seller, because multi-family can pay double what I can pay, quite honestly. So, might have to do a little more salesmanship when we are bringing our product in these little higher density areas and, again, that's why I think Council's previous actions of being at the lower end of density, because we have enough work trying to tie up this land and pay less and, then, get this great single family for sale product approved on it will be amazing.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think maybe I will just give you a sense of where I'm at. This to me is tough. I see some challenges. I think there is a real traffic concern in this neighborhood and there is a real traffic concern on McMillan. I think long term this collector helps alleviate that, but it's going to create I think a worse situation in the near term. So, that's a struggle for me. I do care a lot about the schools being overcrowded. That's not a surprise to you. I think I have said that in everything you have ever been in, so that -- that wouldn't shock you. This has already been annexed in the city and for me the bar on annexations is incredibly high. This has been annexed already. I can be supportive of this if you came back with a letter that made it so that the seller basically agreed to turn over their HOA to the actual residence of Bridgetower within a certain time frame or upon delivery of the final plat for the park, something like that could get -- that could get me there on this, because, then, I would feel like you are solving -- going out of your way also to solve the broader problem. I am concerned about just the idea of turning over the park to an HOA board that's controlled by this one developer when there has been so much history and so much animosity and not having that trust factor with that individual that they are going to do the right thing. I don't know if they will or they won't.

I just -- I have some concerns around that. That's -- that's what it would take for me tonight. Yeah. There is -- there is four of us here, plus the Mayor. I'm sure you want to hear from everybody where they are at. That's what it would take for me to approve tonight or -- or in a subsequent meeting would be that kind of a letter, then, I think I could -- I could get comfortable, because I would feel like we are actually, you know, kind of be solving a longer term issue that I'm concerned about. So, hopefully, that helps give you some insight as to where I'm at.

Conger: You bet. Mr. Mayor, Council Member Strader, as far as schools go I mean -- I mean we have worked hard with schools. We definitely agree with Council Member Overton, I mean they do this for a living and it doesn't mean the oversight of the council and stuff hasn't been good, because three or four years ago your guys' pressure actually probably did a lot of good. The school district did not provide a letter to begin with. We had to beg. You guys begged. The reason they don't give letters, which is not every time is because there is nothing to write about in this particular case. They already make -- they already made an action to redistrict. I think there is another letter in your packet that they -- they made the action to redistrict and, then, an action to re-look at it this fall. Be very very clear, the school district knows -- and I'm making a bold statement here -- these last of built-out neighborhoods they are going to end up that -- you can see their enrollment from kindergartner down, they are on a down slide -- not the new areas like The Fields where you are going to see me in about four weeks. That school needs to get built. But they have a Boise syndrome coming that there is -- these schools in these built-out neighborhoods -- and as we talked with many of you Council Members, the -- the kids are aging out, but there is a better way to say that, your homes are pricing out and that's what happened to Boise and you -- these schools are becoming less full. Not the new areas. I'm not that blazen. So, this particular case the school district made an amazing move and already redistricted, because of the Star school and things of that nature. So, we don't take that lightly. Hethe had about three slides that we could whip up. I mean just because we do like to get down into it just like you do as well.

Strader: Yeah.

Conger: And as far as getting a letter, I mean -- I don't know -- I mean I can get the letter, I just don't know what teeth are in that. I mean we are going to get it turned over. The final plat is going to come immediately. Nobody, including the current individual that has that HOA, wants to keep this HOA. Once this approval is done there is no value in having the HOA.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think just -- you know this about me. I'm a trust but verify type person. If I had that letter from them acknowledging that plan that would go a long way toward me getting there. But I guess I would encourage you -- because I don't know where my

fellow Council is at, but I would just encourage you, even if this is approved tonight without me voting for it, I would just encourage you as a good neighbor to try to get that letter. I think it would make for a better, more cohesive, more cooperative community in this area of the city. I know you have done a lot of business. You are going to keep doing a lot of business in our town and, you know, having 500 people that are really teed off at -- not at you, but at somebody else is not healthy and I think this situation has just festered for a long time and it's starting to affect other people that are not party to it. So, just wanted to share that.

Conger: Yeah. Mr. Mayor, Council Member Strader, no, we always love every positive person we can get on the council in a time for a vote. But without a doubt I have already committed to you to getting you that letter, so --

Strader: Thank you.

Conger: -- that's in motion.

Strader: Appreciate that.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. Mr. Conger, just since everyone else has kind of said where they are coming from, first and foremost I appreciate our team and your team going back and forth and kind of just refining things, because as Hethe mentioned earlier, in-fill is not easy and this one really wasn't easy. It's -- I appreciate Bill with the history, giving that to us. I think we have still got some challenges, of course, with traffic that we really have nothing we can do until your collector is done should this pass. But I think that in the long run that that creates a better scenario than the current and appreciate the density not being multi-family housing and so with those things -- I mean there is some -- there is some tricks to this one, as you have already gone through with the water and things like that. And I shouldn't say the water, because we know that that will be taken care of. But with the park that's got the pond and things like that and so I think if you can get a letter, that that really does help things. But in the meantime I will go ahead and support this project. I appreciate the work that everyone has gone into. I'm sorry that it's not what the neighbors would call ideal, but I think that the lower density is a win in the long run.

Conger: Thank you.

Little Roberts: With that I would go ahead and make a motion -- I guess we need to close the public hearing first. I move that we close the public hearing.

Overton: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: With that I would move that we approve Adero Mixed Use Neighborhood, H-2024-0068.

Overton: Second.

Simison: Have a motion and a second to approve Item 2, H-2024-0068. Is there discussion on the motion?

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: I'm going to support the motion as well, simply because I -- I trust Mr. Conger will have the kind of conversation that needs to happen with the -- with the owner of the other -- well, the developer of the other property and get a commitment that I think the -- the residents can be satisfied with. I think this, as I mentioned earlier, is -- is this 15 minute city and -- and able to walk to many of the amenities helps with some of the traffic concerns that we have with an in-fill project. I think this is an ideal location for what the developer is proposing here. So, I'm going to be supportive of this motion and appreciate the fact that Mr. Conger and is willing to help alleviate some of the concerns from the neighbors in Bridgetower.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm going to be voting no tonight, but I do want to explain a little bit. I actually do have faith that Mr. Conger will have that conversation and that -- and that he will do everything within his power to make that happen. I -- just based on feedback I have heard from neighbors in my district and my neighboring district, I do have some trust issues with the developer in Bridgetower and just some real concerns around how things happened and that letter would go a long way toward alleviating those concerns regarding the seller and that's the reason I'm going to be voting no. I would need that letter I think to feel comfortable that we are solving the wider issue here, but I do -- I think I have an intuition of the way this is going to go and I do wish you well. That's where I'm at. Thanks.

Simison: Any further comments? I will just say this. I have not been here as long as Bill. I was not here when this property was annexed back in the day, but I have been on staff while most of this has gone through different iterations and is this the best iteration of this property that we have seen? I don't know if it is or not. It's different, you know, in that context. But I will say this, it's got the best traffic connectivity of any project that was initially planned to go forward and I remember the conversations where we were talking about having to send everyone down the Walmart road to get them access through that process and, you know, those were -- those were the conversations at the time. So, to be able to, you know, make a four million dollar investment on a road to get people out, you know -- the sad part is that's increased cost to the price of these homes. We know that. You know, we know the developer is not taking this out of his pocket just to say here is a -- here is a nice little donation and I'm a -- you know, it's going to be part of it, but it's an important part to try to make this area function and do that and having people that step up at the right time to make those -- I'm going to call concessions, because, you know, there is certain times when they are warranted and there is certain times when we would like to see them happen. Some of those things are -- they are real value to the timing of this project. But, you know, I'm not -- who knows where we go. We still have another parcel that is part of this general area that may or may not develop under how it was proposed, so we are probably not done completely with this area to my knowledge, but it's at least a good step forward to getting this area continue to build out in a way that hopefully provides people, businesses, network of transportation and as has already been mentioned between the schools and, you know, I don't know how much Highway 16 will impact this part of Ten Mile. It may quite a bit as people dump off at Ustick once Highway 16 is in. We will see. You know, the proof will be in the pudding and we hope that the end result is the best benefit for the city, you know. So, with that I will ask the Clerk to call the roll.

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

Simison: All ayes. One nay. And the item is agreed to. So, thank you, good luck and -- oh, I guess some of you are sticking around for the next one. I don't know who all.

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

Simison: Do we need a break or we just want to move forward? We are going to take a five minute break. I know it's going to be real quick. We are just going to take a five minute recess for --

(Recess: 8:12 p.m. to 8:17 p.m.)

3. Public Hearing for Stapleton No. 4 (H-2025-0024) by Laren Bailey, Conger Group, located at 238 W. Norwich Ct.

- A. Request: Vacation of a three (3) foot easement for public utilities, pressure irrigation, and lot drainage encumbering Lot 31, Block 3 of the Stapleton Subdivision No. 4.

Simison: All right. Council, we will go ahead come on back from our break and we will move on to Item 3, which is a public hearing for Stapleton No. 4, H-2025-0024. We will open this public hearing with staff comments.

Ritter: Okay. Good evening again, Mayor and Council Members. So, what we have before you is a vacation. This site consists of 0.104 acres of land. It is zoned R-15. It's located at 238 West North Street -- is to vacate a three foot easement for public utilities, pressurized -- pressure irrigation and lot drainage. It's encumbering Lot 31, Block 3 of Stapleton Subdivision. So, the applicant requests approval to vacate this easement. A new easement will be re-established as the result of the property boundary adjustment. Getting ahead of myself. Of a new property boundary adjustment and subsequent recording of a quitclaim deed, which will formally establish the new property boundary. The original lot when the Stapleton Subdivision was recorded, this lot -- the subdivision established a three foot utility easement along the interior subdivision line. Per the applicant Lot 31, Block 3, was designated to be 64 feet in width and all utilities were connected to the lot and the construction drawings relied upon the dimension. Unfortunately, the surveyor had made a mistake on the final plat and drew the lot 49 feet wide. The applicant didn't catch the error at the time, but all the infrastructure construction has since been completed. There currently is not a building permit for the property, so an existing structure will not be affected. A legal description and map exhibit of the easement proposed to vacate it was included in the staff report. Relinquishment letters were received from all the utility companies for it to be vacated. So, this is the recorded plat and this is the area where it's -- the property would be -- the lot would be located. So, it's a pretty straightforward application for staff and we are recommending approval of the vacation request. Any questions for staff?

Simison: Thank you. Council, any questions for staff? Okay. Seeing none, would the applicant like to make any comments?

Bailey: Mr. Mayor, my name is Laren Bailey. My work address is 4824 West Fairview Avenue, Boise, Idaho. The only comment I want to make is I apologize that we have to take up your time with us tonight. It was really just an error. You can see on the -- on the map Linda had up, for whatever reason between the time the city reviewed it, the county even reviewed it, everybody reviewed this. We reviewed it. We all were comfortable with it. For some reason someone at the surveyor's office decided to line that lot line up with the one to the north and that put us in the wrong place. So, we went to put a home on it, the home we planned to put there to do a building permit and realized this isn't the lot what we had in mind. So, we had to come through this process. I tried to work this out with the county surveyor and do something less arduous, but he didn't want to do that, he wanted us to do this process. So, that's why we are here tonight. And if you have any questions I will answer those or just let you finish up.

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

Bailey: Thank you.

Simison: Okay. Mr. Clerk, anyone signed up on this item?

Johnson: Mr. Mayor, three people signed up, but they spoke at the last hearing.

Simison: Okay. Is there anybody present or online that would like to provide testimony on this item? If you are online use the raise your hand feature. Seeing Ralph not coming forward and no one raising their hand online, does the applicant waive any final comments? Applicant waives final comments. Council, what's your direction?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing on Item 3.

Little Roberts: Second.

Simison: Have a motion and a second to close public hearing on Item 3. Is there any discussion? If not all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, straightforward. Accidents happen. We get it. After considering all staff, applicant and public testimony, I move to approve File No. H-2025-0024 as presented in the staff report for today's hearing date.

Little Roberts: Second.

Simison: Have a motion and a second to approve Item H-2025-0024. Is there any discussion? If not, clerk call the roll.

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

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

FUTURE MEETING TOPICS

Simison: Have a good evening. Council, anything under future meeting topics or a motion to adjourn?

Strader: Going once. Going twice. Okay. Mr. Mayor, I move that we adjourn the meeting.

Little Roberts: Second.

Simison: Motion and second to adjourn the meeting. All in favor signify by saying aye. Opposed nay? The ayes have it. We are adjourned.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:33 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____	_____/_____/_____ DATE APPROVED
MAYOR ROBERT SIMISON	

ATTEST:

CHRIS JOHNSON - CITY CLERK