

Simison: Councilman Hoaglund.

Hoaglund: I move approval of payment to Meridian CenterCal, LLC, for city water relocations constructed by Idaho Materials and Construction on Eagle Road between Franklin Road and Leslie Drive for the not to exceed amount of \$1,211,174.10 in accordance with the city utilities reimbursement agreement.

Strader: Second the motion.

Simison: I have a motion and a second. Is there discussion? If not, clerk will call the roll.

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

Stewart: Thank you.

Simison: All ayes. Motion carries. Thank you.

MOTION CARRIED: ALL AYES.

5. Public Hearing for Wells Street Assisted Living/Andorra Subdivision (H-2021-0024) by Jamie Koenig of Babcock Design, Located at 675, 715 and 955 S. Wells St.

- A. Request: Annexation of 17.5 acres of land with a TN-R zoning district.
- B. Request: A Preliminary Plat consisting of 61 building lots and 8 common lots.
- C. Request: A Conditional Use Permit to allow an Assisted Living and Memory Care Facility on the southern portion of the proper

Simison: Next item up is Item 5, public hearing for Wells Street Assisted Living/Andorra Subdivision, H-2021-0024. We will open this public hearing with staff comment and turn it over to Alan.

Tiefenbach: Good evening, City Council. Alan Tiefenbach, associate planner at the City of Meridian. Good evening. This is an application for an annexation, a zoning to TN-R, a preliminary plat, and a conditional use permit. This site consists of 17 and a half acres. It's zoned RUT in the county now. It's located at the southwest corner of East Magic View and South Wells Street. To the north -- north is East Magic View, which is R-8, assisted living type facility. To the east is South Wells Street, which is also zoned -- part of it is within the city L-O, the other part is in the county RUT. To the south is also in the city. That is zoned L-O. To the west -- some of it -- the R-4 property there is the subdivision Westbridge or Snorting Bull Subdivision and, then, to the south is within the county. Here

is the capital improvement map for ACHD over the next five years. A little history on this. A similar proposal was approved for this property in 2020, it was called Andorra Senior Living. This proposal included 76 single family residences and a three story apartment building with 88 dwelling units. Following Council meeting the property owners of the parcel to the west decided they weren't interested in selling the property and this annexation and the development agreement was never completed. The present development was redesigned and that parcel that was taken out is not part of this. The Comprehensive Plan recommends medium density residential to the north and mixed use to the south. So, a summary, this is, again, an annexation and zoning of 17 and a half acres with the TN-R zone district. It is a preliminary plat, that would be on the north, for 61 building lots and eight common lots. This is about 11.7 acres.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I don't mean to interrupt you, Alan. I -- just refresh my memory. Wasn't -- the previous application wasn't it a 55 and older community as well?

Tiefenbach: Yes, sir, it was. You are correct.

Bernt: And one last thing. I apologize. I failed to mention this. Just for public trans -- transparency. I actually -- there is not a single person that -- probably that is sitting in this room that doesn't know that I live in Woodbridge Subdivision. So, I feel like I don't have a conflict of interest to be able to deliberate in -- in a way that wouldn't hinder my decision. So, I just wanted to throw that to my fellow Council Members before we continue.

Tiefenbach: Thank you, sir. Okay. So, again, north side preliminary plat, 61 lots. Southern side there is a conditional use that would be part of this. That's a 91 unit three story nursing and residential care facility, with a footprint of about 30,000 square feet. There would also -- there is also a -- a commercial building and at this point, then, I show what it's going to be, is that more than likely there would be a conditional use that would have to be done for this commercial building. That is around -- some of the southern half -- pretty much toward the center. There was also a few administrative requests that were allowed -- that went along with this. One of them was to allow private streets serving 61 units and to allow 32 of the required parking spaces for the residential to be provided in bulb outs and I will go through that. Here is a graphic of the northern half. The applicant proposes to develop this site with 61 single family lots, again, a 91 unit three story assisted living, memory care and possibly a 9,000 square foot office building. The portion of the property proposed for detached single family residences is directly adjacent to Woodbridge or the Snorting Bull Subdivision and that's to the west. This adjacent subdivision is comprised of lots of approximately 5,500 to 6,500 square feet an acre. There are 16 existing houses along the property line. So Westbridge would be here. There are right now 16 existing houses and those houses are approximately 42 to 45 feet in width. The applicant proposes 21 houses of approximately 32 feet in width and lot sizes of 4,000 square feet. This is approximately five dwelling units per acre, whereas

the plan recommends between three and eight dwelling units per acre in this area. So, it's roughly -- our low low or towards the middle. At staff's recommendation the applicant is staggering the rear setbacks of these houses from between -- you can see on the concept plan from between 12 to 27 to reduce the wall effect. Also at staff's recommendation the applicant proposes to vary the height of the larger houses by keeping the western half of the houses adjacent to the existing residences to one story. If you look on the graphic here, the lighter portion of the houses are the ones that are -- is the portion that is one story. The darker portion of the houses is the part that is two story. Again, sort of the -- to provide a little less visual impacts upon the adjacent residences. Although the TN-R zone district allows three foot side setbacks, which would be six feet separation between buildings, applicant has increased the side setbacks to five feet partly because of building code and you can't have windows if you have less than five feet and partially because the applicant's trying to pull the buildings a little further apart to be more consistent with the houses that are to the west. This, again, is just some pictures to talk about the graphic and I'm going to talk about the south half here. Okay. So, the south half includes 91 assisted memory care units with supporting retail, restaurant, and entertainment uses in a 30,000 square foot footprint and that would be what you see down here. There is also potentially a commercial building here that would be about 9,000 square foot. Again, we don't know what that end user is going to be for this particular building. If and when an end user comes in for that building it would be a conditional use that would be provided more than likely. This proposed development meets many of the goals of the mixed use neighborhood recommendations. Open space and amenities. You can see their open space exhibit to the left and, again, just for reference I keep putting these graphics in, because it's a large development. It's a little easier to kind of look and see what it looks like when you are looking at it against the -- the exhibits. Per our code 1.1 acres of open space is required, 21.5 percent is provided. So, it's about twice as much open space as they are required. They are required to provide ten percent. One amenity is required with this development. This proposal includes a central open space. You can see that here, if you can see my pointer. Central open space, a 43,000 square foot clubhouse, a swimming pool, a hot tub, pickleball court, horseshoe pit -- and a horseshoe pit and dog park. There is also large open spaces, which contain picnic and -- picnic gazebos and, then, there is a large open space corridor that you can see that's bisecting this from north to south. That would be what you see here or what you see here with the path in the middle. Although not required. The nursing residential care facility includes sizable open space and internal courtyard, two ball courts, picnic gazebo, and a community garden. There is an informal ten foot wide pathway stubbed at the west boundary of the adjacent subdivision over here. So, it's not formalized. However, the Meridian pathways plan shows that there is a future multi-use pathway connecting to this stub. The concept plan as submitted does include a connection to this stub. That's what you see here, a direct east-west connection. There are portions of this pathway, however, that are shown to narrow to five feet in width. If you look here it's a little wider and, then, you can see some portions where it kind of narrows down. But to be consistent with the pathways plan, staff recommends the entire length of the pathway from the existing western stub, which will be here, to the eastern part to be ten feet wide, again, to be consistent with the pathways plan. The pathways plan also shows a preferred alignment for this multi-use pathway that runs along Five Mile

Creek. Five Mile Creek is down here. This is because -- however, if you look at the way that it bisects now, the reason why is that Five Mile Creek right now bisects the property to the west and that is not part of this development proposal. With the original proposal, the Andorra Subdivision that was approved, this -- this portion here was part of the development, this was taken out, so the applicant does not have control over this. So, again, at the present the applicant can't control if and when this western property develops. So, this connection here -- this connection here is really all that they can control. However, the applicant is providing a second pathway connection. That's what you can see down here. If and when the property to the west does develop and does annex into the city then -- then staff would require that that ten foot pathway be connected to follow along the alignment as it is per the pathways plan. The conceptual development plan shows detached sidewalks. The pathway is providing designated pedestrian access for all single family residences. Again, the central amenity. The office building and the assisted living memory care. So, it's all interconnected, all pedestrian friendly. Access to this development is proposed from the adjacent local streets. So, East Magic View, which would be up here. South Wells, which would be down here, and South Wells Circle, which would be down here. For internal connectivity the applicant is proposing gated -- gated -- gated private streets, alleys and drive aisles. So, one gate would be here and one gate would be here. There is an existing unnamed ACH right -- ACHD right of way shown as East Gentry Circle. That's what you can see here. ACHD is requiring the applicant to construct this road to a western stub at the property line. Originally they were requiring the applicant to build a cul-de-sac, but because the applicant doesn't really have control over the western property ACHD is okay with them stubbing it to the west. The UDC space in any gated development shall not have more than 50 dwelling units on it. The single family detached portion of this development proposes 61 gated lots served by private streets. Although it is feasible to restrict the number of gated lots to 50, the development is intended to be a walkable neighborhood with homes clustered around an abundance of central open space and amenities. Because of the clustering, because of the amount of open space, and that Police and Fire did not have any concerns, staff believes that there would probably be more cons to reducing the amount of open space to reduce the number of lots versus letting them have the cluster and the additional open space. So, we have been supportive of this because of the way that it's designed. There has been some additional changes to the concept plan since what originally went out on the staff report. One of the comments that we had to the applicant originally -- this was a very long block here, if you can see where my pointer is to the east. Since the time the applicant has provided a connection here. This was originally a house here. The original plan -- there was an alley here and there was a street cutting across here. What has changed is that a house was removed here and it was moved down to here. The street -- the street went away here and it all became open space and now this is an open space here with the trail connecting, again that's to provide better pedestrian connectivity and you don't have to walk down that long block. Staff thought that was a better idea. Applicant was okay with that. So, they didn't lose any houses, but we actually did gain some open space in that. If the Council is inclined to recommended approval of this plat, because it's a slightly changed concept plan, staff would recommend the updated concept plan dated August 13th, 2020, be referenced. So, that's what you are seeing tonight in the presentation. The single family residential portion of this development proposes 61

houses, with three or more bedrooms, and this requires 244 parking spaces and, in addition, there will be nine parking spaces for the clubhouse. This amounts to 253 parking spaces. In an earlier version of this plan the applicant only had 244. Most recent version that you are seeing tonight now has 263, I believe. However, although all of the parking spaces are provided, the -- the applicant was proposed 32 of them being provided in bulb outs. So, across the street from the houses you can see these bulbs here, because in some cases the garages aren't long enough or the driveways aren't long enough, they couldn't fit all four around the houses, so some of these are they are providing them in bulb outs across the street. This is something that could be allowed by alternative compliance by the director, which he was inclined to allow this. This was because, again, of the amount of clustering, because of the amount of open space, requiring the longer driveways and/or longer garages would have cut into the amount of open space that's being provided with this plan and, again, staff did think that the clustering, the open space, and the amenities was much further than -- much -- much much greater than would have been required per our minimum regulations. For our nursing and residential care facility the parking requirement is about a half parking space per bed. Concept plan indicates 102 beds, which -- and that's only -- sorry. The concept plan requires -- or indicates 102 beds, which would be 51 parking space. There is 101 parking spaces that are being shown with the nursing care facility. The site plan reflects about a 9,000 square foot office building. Eighteen parking spaces will be required and 40 spaces are shown on the concept plan. One of the things that's changed a little bit is at the Planning Commission meeting the Planning Commission wanted to see the parking bulb outs distributed a little bit better. Earlier version all of the parking was sort of towards the west. The bulb outs have now as well been included over to the east. Again, that was done in response to the Planning Commission's discussion. Here are some of the elevations that were provided. Single family incorporate residential characteristics consistent with the adjacent residences. The commercial buildings have a more contemporary appearance. On the top is what the assisted living would look like. You have a lot of details. On the bottom these were thrown together sort of later. They are very conceptual. Staff isn't sure if the ones on the bottom would actually meet our architectural standards manual. But, again, this is the office building. At the time of certificate of zoning compliance we would make sure that -- that all of the architectural standards was met. Staff has received, as of now, 12 letters of testimony. Concerns expressed include traffic, the height of the houses, rear setbacks, the narrowness of the side setback's adjacent to the subdivision and have expressed that -- that there has been statements that the developer has been disingenuous with the community. At the Planning Commission -- the Planning Commission held this on July 15th. They moved to approve the subject request and what they discussed were traffic, phasing, whether or not this would be a rental project, traffic calming, number of parking spaces, amenities, and setbacks. They actually -- they actually added a condition of approval to -- to go into the development agreement that the amenities as listed exactly would be part of this development. The reason why is that the amenities that are listed are sort of geared more for the senior community. Although the applicant has said that this is being targeted towards 55 and above, it's not being -- there is really no way that we can require that short of them doing deed restriction. So, this was one of the ways that the Planning Commission thought it would be a little better support of an older community is to have these kinds of amenities written into the

development agreement. With that staff recommends that the Council approve the annexation, the zoning, and the plat for 61 lots, conditional use for the residential care facility and the additional office building with the conditions as recommended by staff and the Planning Commission. And I will stand for any comments or questions at this time, Council.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Alan. The portion -- the private street with the bulb outs, what's the width of those in relationship to your typical private streets, like 27 feet of -- what -- and the -- it's my understanding that they are about 23 by nine feet, so it adds an additional nine feet of width to the private streets.

Tiefenbach: Without me actually getting into the drawings and scaling these off I can't measure off of this. I could either -- I would defer that to the applicant and, hopefully, they could come back with that. Again, I don't want to give you the wrong numbers and I can't scale off of these drawings.

Perreault: Mr. Mayor, follow-up, please.

Simison: Council Woman Perreault.

Perreault: What's the acreage of the parcel that is now being excluded from the original -- you know, from the application a couple years ago? What's the acreage of that and it's -- if I understand correctly it's a mixed use neighborhood designation and does that sort of isolate that piece and make it difficult to develop in the future?

Tiefenbach: It does. I believe that the original proposal was 21 acres. The applicant can correct me if I'm wrong. That's going off of the top of my head. You are absolutely correct. The -- the property was sold off to the now property owner and you are absolutely right, that has kind of made it a no man's land. Unfortunately, it's not under the control of the applicant, it's under the control of the person that sold it to the applicant. But you are absolutely right.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Alan -- and -- and apologies if I missed this in the -- in the staff report and the P&Z minutes. You touched on some of the driveways are shorter in length as the -- the bulb outs. What is the length of the driveways? It sounds like maybe it varies from -- from development to development.

Tiefenbach: If it was from -- from house to house; right. I mean in general what the code would require is that for -- for a three bedroom or more houses you have to have a garage that is 20 feet wide by 20 feet long and the same as a driveway. You have to have a 20 feet driveway by 20 feet long. Some of them are ten feet. Some of the garages don't meet the full 20 feet in length. It just varies from the different house designs. So, not all of them you can fit four parking spaces on the lot, but four parking spaces are provided for every house, it's just that some of them are across the street from the house.

Cavener: Mr. Mayor, follow up.

Simison: Councilman Cavener.

Cavener: Alan, just so I'm clear on this, the measurement is from -- what, from the -- the garage to the detached sidewalk or is it to the street?

Tiefenbach: It would be from the back of sidewalk. The driveways would be from the back of sidewalk and, then, the garage would be from where the driveway ends to the wall inside.

Cavener: Okay. Mr. Mayor, one more if I may. I guess, Alan, where I'm getting to on this is I'm concerned while they are maybe providing ample parking, if I'm a resident or I'm a guest of a resident I'm conditioned to parking in the driveway and I'm worried are we creating, you know, a barrier from the detached sidewalk when people are parking in the driveway?

Tiefenbach: I believe that -- that certainly is a valid concern about whether or not a car would be hanging into the driveway. I'm not sure if I have a good answer for that. They are supposed to be 20 feet long. The applicant might be able to answer whether it's just the 20 feet wide that they can't meet, but that is why they have permitted bulb outs across the street.

Cavener: Thanks, Alan.

Simison: Council, any additional questions for staff?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Alan. I appreciate it. One question I had -- you know, we run into enforcement issues with our DA provisions and understood that we can't do a deed restriction. What, in your opinion, is that best way to ensure that we end up getting a -- you know, a skilled nursing residential care facility, as opposed to a -- what would stop this from becoming a multi-family building?

Tiefenbach: I said I can't answer that question, but I didn't realize it now there is -- there is like teleprompters on my screen of what you are saying, so it was confusing me, because it wasn't giving me exactly the right -- I was trying to read and listen at the same time and it was throwing me off, because it wasn't always spelling the correct words as you were saying them. That's a very valid question. So, they cannot -- they cannot do -- in the -- in the development agreement one of the things that staff talked about to the applicant and what we recommended was that the development agreement would specifically say that that building can only be used for a residential nursing care. If any other type of use is to occur for that building, meaning multi-family, then, at the very least they would have to come back in and do a DA modification and have to do a conditional use. So, it would have to stay nursing and residential care. Now, that's also something we can control with -- with building permits, because the way that a nursing and residential care facility is built is very different than the way an apartment complex -- you are usually going to have nursing stations, you are going to have a check-in area. So, it is a very different -- we can look at the building plans and kind of tell whether it's an apartment or whether it's a nursing care facility. But they couldn't -- they couldn't do apartments without coming back through to the Council and getting approval.

Strader: Thanks, Alan.

Simison: Council, anything else? I will ask the applicant to, please, come forward or are they online this evening? If you would state your name and address for the record and be recognized for 15 minutes.

Koenig: My name is Jamie Koenig. I'm an architect with Babcock Design, 800 West Main Street in Boise. Mr. Mayor and Members of the Council, we agree with the planning staff report. Alan always does such a fantastic job of summarizing everything, so thank you for that. We are super excited about this project. We feel the project fits in very well with the surrounding neighborhood and out of all of the types of projects that could possibly be developed here we feel that this is one that we should really all wish for, because of the limited impact on the traffic. The assisted living and memory care and the proximity to the hospital and various shopping and restaurant that's close by, I think we are very lucky, actually. As an architect occasionally you run across a developer that tends to value the same things that -- that we all do, including open space. It's very well designed and landscaped to kind of create a sense of place and an experience that is very enjoyable for people, both the people living there, as well as the surrounding community. He also -- Brent also agrees in elevated design and the notion that how the -- how the homes are designed and the staggered spacing and everything is very much not a cookie cutter type development, it's got some modulation along the back. We feel that -- that the houses will actually raise the surrounding property values also. Along the west property line a few things that are a difference compared to the old Andorra project that was approved. If you consider that along the west property line for the Andorra project we had a series of townhomes and the space in between those was five -- five and five for ten foot total and if you count up all of that along the Woodbridge neighborhood it came to a total of 60 running feet between the townhomes. Current site plan layout, considering that we have gone with the 40 foot wide lots and the single family with five and five

between, comes to a total of 210 feet between the homes, which is three and a half times more open space between the homes along that property line. The previous approved Andorra had 76 units. Our current version has only 61, which is a reduction in density. All of the -- all of the concessions and the working back and forth with -- my main point of contact was Les Fox with the homeowner -- homeowners association. I think the changes that -- that they have kind of requested and the changes that Planning and Zoning had requested were all beneficial to the project and I think it -- it actually became better as we worked back and forth with everyone. I think that's about everything that I had planned to say, so I will stand for questions, please.

Bernt: Mr. Mayor?

Simison: Council, questions? Councilman Bernt.

Bernt: Thank you, sir. I appreciate you being here. One -- one big difference between the last project versus this project is that the last project was a 55 and over community. Is that something that this community is going to be or have you thought about that?

Koenig: Like Alan previously stated, the homes on the north property are just targeted 55 and older and kind of designed to attract that type of person, that age group, and so -- and, then, there is no intention whatsoever to do anything other than assisted living and memory care at the south.

Bernt: Sure. Sure. Mr. Mayor, follow up.

Simison: Councilman Bernt.

Bernt: As you know -- and the reason why I ask that question is the -- this whole area is -- there just -- there is a lack of access and it's really tough to get in, it's really tough to get out, and because of that people fly through Woodbridge like it's nobody's business and they have for years. Those that live there know that. Those that don't live there know that. The police department knows that. There is literally no one in the City of Meridian that doesn't know that Woodbridge is a thoroughfare from Eagle to Locust Grove. Right? And so that's my concern and I -- and the same concern was raised last application with the previous applicant and they were specific -- they were asked specifically if they would change their demographic or change their marketing to this and actually agreed to put it in the development agreement that it would be a 55 plus community. Would you guys be willing to do that yourselves?

Koenig: I think with previous discussions with the developer I don't believe we would.

Bernt: Do not.

Koenig: Do not.

Bernt: Okay. That's all I need. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Your comments talk about staggered heights. Can you give us a range? What's the -- what's the tallest building versus what's the shortest building and kind of what's the percentage is of each.

Koenig: So, along the west property where the house comes clear up to the 12 foot setback, close to the fence, at nearly -- I don't know. It's probably 60 percent of that entire depth of the house will be just single story, with a gable roof on it, for example, or perhaps probably a gable --

Cavener: Okay.

Koenig: -- and so that the portion of the house that is two stories is actually street side.

Simison: If you can eat that mic.

Koenig: A portion -- the portion of the house that is actually two stories is street side and, then, it drops off as it goes back and, then, at locations where we have the entire house is two stories, it's, you know 27 feet or so. And, then, our intention is to modulate that and not necessarily do 27 or 12, but that's our range of what we will do.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I may have missed it. So, you are saying 12 feet in height up to 27 feet in height? Are you talking width or distance?

Koenig: Right. Sorry.

Cavener: Yeah. So, maybe -- I will rephrase my question. Can you talk me through the height of these buildings? Because in your comments you talk about staggered heights and so I recognize that parts that may be faced to the existing neighbors are going to be single story, but there is lots of single story homes that are -- are fairly tall, so help me understand what the height of -- of your homes or your proposed homes to be.

Koenig: So, our intention for the single story portion would be to have just a typical bearing height of maybe nine foot and, then, a gable truss over the top of that that would have a peak of maybe five foot more than that. And, then, once you get to the second story portion it would be double that.

Cavener: Okay. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, it looks to me just -- if I'm reading this correctly -- that almost all of the homes in the center will be -- a portion will be two story and, then, on the west and east sides it's a little -- about half and a half, maybe 60/40 two stories. So, help me understand how that would appeal to -- not -- if not given a 55 plus deed restriction, how that would appeal to a 55 plus individual. I have been a real estate broker for many, many, many years and have -- can count on one hand how many seniors have asked for a home that's two stories of any -- a portion of it, a third of it, half of it. So, help me understand if -- I really want to get some clarity on the appeal -- now I have had a lot of requests for single family with maybe an upstairs bonus room, but certainly not homes that have bedrooms upstairs. So, help me reconcile your marketing plan for age restricted use, but a home that looks to me like it's made for young families.

Koenig: Council Woman Perreault, our intent would be to have all of the designs be bedroom -- master bedroom down and so the master bedroom would be on the main level and, then, as grandkids or -- or kids come back to visit they would be able to stay in the upper bedrooms.

Perreault: Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: So, essentially, say it's a three bedroom, the sleeping room is downstairs, but they still are not going to go upstairs for their office or their rec room or -- I just don't -- I don't see how two stories is going to really appeal to a senior community, just to be candid.

Simison: Council, any additional questions for the applicant? Thank you very much. This is a public hearing. Mr. Clerk, I assume we have a few people signed up for this item this evening.

Johnson: Mr. Mayor, we had quite a few people sign in. Four indicated they wish to testify. First as Robin McCulley.

Simison: If you would come forward and, then, when you do state your name and address for the record and you will be recognized for three minutes. And if there is anybody online that would like to provide testimony on this item, please -- if you haven't signed up in advance, use the raise your hand feature and we will bring you in at the appropriate time. Thank you.

McCulley: My name is Robin McCulley. I live at 728 South Woodhaven Avenue. I can point to my home on that map. Thank you so much for the great questions, because those are the exact same questions the residents in Woodbridge have. It's absolutely true. If you haven't been through Woodbridge you must live under a rock, because

everybody drives through it and we are just trying to protect the quality of our homes, just like you are trying to protect the quality and the high standards of Meridian, the city in general. When I moved to our home six years ago we were under the impression or told that the house -- the houses behind us were deemed commercial medical once that property sold, because they were farmland with a couple of homes on them currently. We were completely open and, quite frankly, expecting that to happen and since, then, we have gone through several proposals. One was across the street where the Meridian Meadows Transitional Care now is with apartments and, then, now we are fighting for the other side and as you know our community is very high -- we have very high standards and we expect that for everyone in our community as well as Meridian. So, we kind of play big brother to everything around us. I am a nurse and work at four facilities that back up to my home. I work at the Surgery Center of Idaho right across the street. I work at St. Luke's. I work at the eye center and I also work at the sinus surgery center. So, I think that area is definitely a medical area. I think it deserves to stay that way and what we were told in the beginning that it would be. The traffic has become insane. I have a five year old son that I'm terrified to let go out and ride his bike, because the number of cars out there. When the Meridian Meadows Transitional Care came in everything was wonderful until the employees and everyone else showed up and now we have parking, which I think I e-mailed in the pictures of just general -- like at 9:30 in the morning and 9:00 o'clock time of the cars parked -- lined down Magic View, because there is not sufficient parking at that transitional care. So, they are already parking down the main road on both sides of the road, which hinders other cars from being able to drive properly up and down. This is where this site is proposed to come out on East Magic View. So, their exit out of their, you know, 61 houses is designed to come out right where all these cars are already parked on both sides of the road. So, that is going to contribute to a dangerous situation. I just sat -- I just sat through your, you know, million dollar budget for these firemen and -- which we support a hundred percent and your police department, but it's great and wonderful to have them, but if they can't even come down the roads to get to these houses it doesn't matter. We can't get to the houses. We can't protect these people.

Simison: If you could wrap up your comments.

McCulley: So, please, I'm just asking that you take this into consideration before you change any zoning. We are perfectly happy with a rehab. We are perfectly happy with that type of medical situation. We are used to the traffic Monday through Friday. Business starts usually 5:00 a.m., doesn't taper off until 7:00. We get a little break on the weekend and, then, it all starts up again Monday. We are prepared for this. This would change and be 24/7 all the time for us and I encourage you to really think about that before you vote yes to this project. Thank you.

Simison: Council, any questions? Thank you.

McCulley: Thank you.

Johnson: Mr. Mayor, next John Overton.

Simison: So, with grabbing your water are you speaking on behalf of the HOA?

Overton: Yes, I am.

Simison: So, you will be recognized for ten minutes.

Overton: Thank you, Mr. Mayor. Mr. Mayor, Members of Council, John Overton. 1922 East Bowstring in Woodbridge Subdivision. Thank you to all of you. Thank you to city staff for the work on this project, but I'm not here to support it like I did the last one and I need to explain why and I have ten minutes. Let me back up in history a little bit here. Everybody touches on it, but I have lived in Woodbridge for 19 years. Previous mayors, previous councils, stood here and told us the vision was this great medical corridor. Bought that lot, built my house under that, and we have done a great job. There is a lot of businesses to support that. When Andorra came on board we had a developer that sat down with us and was totally communicative, answered all our questions and had, as Council Member already told you, a single story 55 and older plan that made sense, that we could look at other ones around the country, around the valley, and it made sense. It was perfect. We understood the problems we had. Staff mentioned the access. You failed to mention driving through Woodbridge. You mentioned Wells. You mentioned Magic View, but you forgot to say the traffic is going to drive through Woodbridge. At the P&Z hearing the applicant stood up and pointed out on the record that when talking about the traffic through Woodbridge it was broken and, then, went on with his presentation. What have we come to that we can sit there and say that something is that broken. Well, yeah, let's go ahead and build anyway. We have got a problem. In 20 years we have not added a single crosswalk to get people across the street or from phase one to phase two in Woodbridge. We have a collector street. Our -- our subdivision was designed with a collector street called Woodbridge Drive. Then in mid stride Council Members -- if any of you were on at that time -- they changed the plan for phase two and instead of having a collector street go all the way through to Magic View, they made it all residential streets and put houses on it, so all the cars went in front of these houses that were no longer collector streets, but -- so, we have a stub of a collector going to Magic View with all this residential housing in the middle. I understand they wanted it to be some sort of traffic calming, but it turned into a very unsafe situation and we have had to live with it for all this time. So, give me a second to just -- I heard the presentation. I think staff did a fantastic job, by the way. I heard the applicant. But let's take the sugarcoating off of this. Here is a reason why this is not what it was before when we approved the Andorra project. The Andorra project was, again, a 55 and over project. This is a multi-family housing project. When the developer can stand up when asked in front of Planning and Zoning if he would sell to only 55 and older and he says, no, if somebody below the age of 55 wants to buy I'm not going to deny them. What more do you need? It's a multi-family housing. Any multi-family housing that would have come up and stood in front of us we would have absolutely said, no way, we don't support this. We only supported 55 and over because it worked into an assisted living, independent living setup. We thought that's going to feed really well into that medical corridor. All those services going to be close to it. We were the ones that demanded at the P&Z meeting that the amenities be included in a development agreement. That wasn't Planning and Zoning. We asked for that. If you

remember on the Andorra project I asked for the 55 and over of the Council and you agreed. Well, apparently, I can't ask for that anymore and I get it, things change, but there has to be something -- some sort of an assurance that would allow this, if it's going to proceed, to be a 55 and over. Now, with that said, two story units do not support 55 and over. There is no part of this that I buy. It's a smokescreen to me. It's a smokescreen to everybody on my board. I think it's a smokescreen to everybody in our subdivision. There are none of them that I know of that are buying that this is 55 and over. We are being sold a bill of goods. We are being told that this is just like what we had before, but it's not. If you pull the curtain away we got a whole different animal. The developer at one point had a conversation with planning staff, I believe, about having multi-family instead of the assisted living, which caused I believe, correct me if I'm wrong, planning staff to put the comments into the development agreement that it could only be an assisted living. You have to understand it's these type of comments that are made that erode the trust we have in this developer. We had a tremendous amount of trust in the previous one. We did. We enjoyed it. The fact that it fell through was crushing. We are very concerned about traffic and besides talking about traffic, I asked this at Planning and Zoning. No traffic study with this. There has been a traffic study with every single development request prior. When I asked why there is no ACHD traffic study required with this one, which is so big, I was told that ACHD had told their planning staff or the applicant that it wasn't needed. I get it. During the times of COVID our traffic was depressed. A traffic study really wouldn't have been accurate, but the world is starting to wake up again and when it does and this gets built we are going to have traffic numbers that far exceed -- and to say it doesn't increase our problems -- every single time anything gets built between Eagle Road and Woodbridge it impacts us. Everything. From a little restaurant -- it doesn't matter. Now you are talking about 61 homes. You are talking about a -- I don't know. We are talking about an office building, but we don't know. It's got a big question mark on it. We are talking about assisted living. I get the assisted living. We will buy the traffic that we get from that. But 61 multi-family homes, that's a ton of traffic and that's not just day traffic, like a business would be, that's 24 hour a day traffic. That's people working different shifts coming through our subdivision all hours of the day. It plays a role in changing the whole dynamics of what we are going to deal with in our subdivision. If the decision is that you feel that this is the right thing for the city, which I hope you don't, we need to specifically make sure certain things are addressed. Again from a developer to members, I -- they have told me -- this is hearsay. Okay? I'm not coming up and saying I heard this. That they don't have any belief that they are held to the 27 foot setbacks on the two story houses or the 12 foot setbacks on the single story. It needs to be written specifically in any development agreement that those must be 27 feet on the two story homes, 12 feet on the single story homes, five feet setbacks on each one for a ten foot width and the staggering needs to be representative of what those pictures were. That's if you approve this. We hope you don't. But we have no faith at this point right now that this is going to be built in any manner that we are being told. We think it's complete multi-family. That's what they are going to do. They are going to build, they are going to leave, and we are going to be stuck cleaning up the pieces. I stand for any questions.

Simison: Thank you. Council, any questions?

Overton: Thank you all very much. Mr. Mayor, next online is Deborah Nelson. Deborah, you are unmuted.

Rostratter: This is actually Deborah's husband.

Johnson: Okay.

Rostratter: Mark Rostratter. 660 South Woodhaven. Our property backs up to this field. Our fence line is on this development. I just want to say and take everybody's time that I am in agreement with my neighbors at 726, that if this were to support the medical corridor that we would all be in favor of that. In particular with the parking overflow issue that I personally face on every commute that we see from our back window and that we are very well aware of in our community. I also feel that -- and what our HOA spokesperson has talked about -- that the changes to this plan over the course of us living here and being a part of this have lowered our confidence in the accuracy of the plans that have been set forth and just in the sake of everybody's time that we are in agreement with everything that has been said. With that I have nothing else.

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

Johnson: Mr. Mayor, next is Lorrie Somazzi. Please let me know if I got that wrong.

Somazzi: I'm Lorrie Somazzi. I live at 1896 East Bowstring Street and I'm here and I'm not in favor of this project. If you drive down Wells or you drive down Magic View, those lanes are so narrow, as Robin already pointed out. When you are coming down Magic View there are traffic on both sides. If they develop a sidewalk there that road is even going to get narrower from where they are parking on both sides. There are days that I drive through there and I have to wait for another car to get by, so we can easily both pass by when there is vehicles on both sides. This isn't going to make it any better. I also go to all this -- I'm a nurse also. I work at all the St. Luke's facilities in our valley and when I drive home from Boise I can sit through three traffic lights trying to turn left to get onto St. Luke's Drive to get home when I get off the freeway. If we put another subdivision that is not going to be 55 and older, I can't be convinced if you are building a second floor like other members have said. How much longer -- how much more is that going to backup Eagle Road, which is already, you know, an issue. I don't have an issue with it being an assisted living. I'm not sure whether it was just City Council -- like the staff saying skilled nursing facility, but let me be very clear. There aren't a whole bunch of nursing stations if it's an assisted living, just to clarify for the record. There is maybe one or two sections that a nurse doesn't have to be there 24/7. These people are supposed to be fairly independent. They might have nurse's aides to help transfer these patients. So, I'm just really concerned about the safety. I have a 12 year old son who likes to go with his friends down to McDonald's and ride his bike. It always makes me super nervous, because once you get past Woodbridge Drive and you turn left on Wells, rather than to where the project is, that road isn't developed -- the development of the roads in this area I think before we can look at this. I am also very concerned as we are growing so rapidly that was discussed when we were discussing this budget and knowing we were having

more people move here, just for all transparency, our ICUs are full. We had one bed in Nampa today for an ICU. Someone coded. We were overflowing in the Boise ICU for St. Luke's is all I can speak to -- into a cardiac observation unit. So, as our population grows -- we are not done with COVID, I'm really concerned about losing our medical corridor next to our St. Luke's Meridian. I know for a fact -- when I moved into the subdivision I liked the fact that I live close and if we are taking away the ability to have medical providers, a lot of people will live close to the hospital that are older, it provides them security, and now we are going to start building residential areas is concerning to me. Thank you and I hope you guys do not approve this. Thank you.

Simison: Council, any questions? Thank you.

Johnson: Mr. Mayor. Next is Cliff Rice. Is Mr. Rice here? Okay. That was the last person that checked they wanted to speak.

Simison: Okay. If there is anybody else -- if there is anybody else in the room that would like to provide testimony, please, come forward at this time.

Biason: Hello. My name is Ann Biason and I live at 569 Trunnel in Woodbridge. I was actually on the list. You called me earlier.

Johnson: You were a maybe, so I was giving you a chance.

Biason: Yeah. And I just wanted to come up here -- I know it's very late and there is not a whole lot more I can say that hasn't been said and I don't want to waste people's time, but there has been a couple things that -- that came to my mind is -- if you can see on the diagram of these houses, for example, this one street that borders Woodbridge Drive, it runs parallel to Woodhaven Avenue and we have 15 or 16 houses on that stretch of land and in that exact same stretch of land they are having 21 homes and when I'm walking in my neighborhood at night and when I'm going out in the morning, when there is cars out there, there is a lot of cars out there on Woodhaven anyway and when I'm looking at this proposed plan -- we have already, you know, talked about the 55 plus, which people have already addressed, because that was huge on my mind as well, but we are talking about parking, where are these people parking, there is no space, you didn't -- I couldn't see on this where the fire hydrants were and, then, you can't park on corners. It's a safety concern. So, not only where ever the fire hydrants are that you can't park around, you can't park around the corners -- my gut is saying even if this is approved they are going to start overflow parking on Magic View Drive and that has already been addressed as well. So, this -- these homes squished into this small area and, then, as we already had said about the 55 plus and two stories, that doesn't even make any sense and here I think even the person -- the architect had said roughly 60 percent or 40 percent of the homes ended up being two story homes and that just doesn't make any sense. A lot of the things that I wanted to say has already been said and I don't want to waste anymore time, but I do want to say a lot residents at Woodbridge, including myself, very much oppose this plan. Thank you.

Simison: Thank you. Council, any questions? Thank you. Yes. Next. Come on up.

Winger: Hello. I'm TJ Winger with Babcock Design. 800 West Main, Boise. Just a couple of comments. I appreciate all of the effort that's been done here and I definitely appreciate the comments from the community. As we -- as an architect I look at numbers; right? And I appreciate the comments about traffic and parking and if this does go medical, the development at the end of the street that has the parking on the streets and all of those issues and concerns is medical, so the parking ratios that are allowed if this goes medical are increased parking and more parking than this project would provide. More traffic counts than this project would provide. It's just simple math. When you look at your own code and you look at the parking allowed for medical uses versus a residential use, this is the least impactful traffic count solution for the community. Another side comment -- it's clear that traffic is a problem in this -- in this neighborhood and that's -- that's very unfortunate. If it does go medical it will just increase that even more than this proposed project. It sounds maybe counterintuitive, but -- but that's what the numbers show and just in effort also and my office we currently have about 6,000 units in design, residential units, and we work with a lot of developers, a lot of builders and it is -- Jamie mentioned that slightly early on, you will see most of my clients -- most of our clients come in and it is literally a numbers game and it is how dense can I make this and what is the maximum return on my land and I have to just be honest, I know you might feel like Brent has been aloof and missing and as far as developer mentality and density and quality of project -- I work with about three clients that I enjoy working with that bring quality projects, that give on open space -- out of my 18 clients that do multi-family three will give on open space double, ten percent to 20 plus percent. That's a real gift. We have been filtering the phone calls -- I know Brent has been busy with family issues and dealing with deaths and stuff and he has not been as available. I'm not making an excuse, but those are real things that happen. COVID is real and we have filtered a lot of those phone calls and we have incorporated a lot of those things and I feel like the project has made a genuine improvement to try to be a good solution for the community with the traffic calming and the concern about driveways. There are two -- there is one lane in the middle, just those two homes don't have the driveway depth required, so it's not common throughout. Those are my comments. I'm in support of the project. Thank you.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor, I do have a question.

Simison: Council Woman Perreault.

Perreault: Did you work on -- on the original plan in addition to this plan?

Winger: I did work on Andorra as well, yes.

Perreault: So, it went from 76 to 61, but we lost the -- the southern -- this -- the southwest corner that had some residential on it prior; correct?

Winger: Yeah. Just a few units. Yeah.

Perreault: So, is this actually more dense than the other? Because -- I don't remember how many units were -- I want to say there was probably a dozen or so -- 12 to 15 units in that bottom section on the last plan. But what -- how is this related -- I looked at the -- at the concept plan, the rendering of the last application from a couple years ago in comparison to this, just to kind of see the layout, the design. I actually liked that layout way better than this one for the residents -- the single family residential portion, but is this actually more dense than that in terms of the number of homes that are on the north side?

Winger: So, let me answer that question. Good question. So, the -- the main difference between this development and the last development is that these are all single family lots. The last development they were twin homes, they were connected, so there was more density per acre, actually, on the last development. It -- it looks more, because you see more dots on paper, but there is actually more doors for sure and more density on the last lot -- or last Andorra project, if that makes sense. Like -- like Jamie mentioned in the discussion on the -- on the west side, if you were to just add up green space, the space between the buildings, it's about triple the green space on this plan versus the previous plan. So, yeah, does that -- does that answer your question?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yes. I -- I'm just trying to understand the -- where we are losing the 15 units, if they were all in the southern part. So, in other words, is it -- is it apples for apples from the last plan in terms of -- we had 76 units in the last application, we have 61 units in this application, but they are in -- they are single family, they are not --

Winger: Right. Right. There is -- go ahead, Brent.

Thompson: Brent Thompson. I live at 2476 East La Grasse Circle, St. George, Utah. Great question. We acquired an additional four and a half acres. So, the property that is adjacent or runs along the Magic View Drive was not included in the previous application. So, we, essentially, traded out the four and a half acres that was on the southwest --

Perreault: Okay.

Thompson: -- section. I actually went and acquired the piece to the north that --

Perreault: Okay. That makes more sense.

Thompson: -- that's along Magic View.

Perreault: Thank you.

Thompson: That's why the change in density. And I would love to answer some questions during the rebuttal period if given a moment, but --

Simison: So, I was going to -- trying not to confuse rebuttal with someone testifying who is not part of your team on both sides of it, so -- yeah. If you were part of the team it should have been during the rebuttal comments, as compared to the individual, but -- just trying to keep it clean and separated, so -- is there anybody else that would like to provide testimony on this item from the public? Sir.

Mundt: My name is John Mundt. I live in 716 South Tiburon Avenue in Woodbridge Subdivision. Mr. Mayor and Members of the City Council, access, access, access. We have, essentially, a piece of landlocked property and the only access, as Mr. Bernt has said, is Locust Grove -- Woodbridge off Locust Grove and Magic View off of Eagle and the more development you do in this piece of property the bigger the problem is. Thank you.

Simison: Council, any questions? Thank you.

Simison: Is there anybody else from the public that would like to provide testimony?

Johnson: Mr. Mayor, just for the record Deborah Nelson is raising her hand. Or Deborah Henderson. I believe you have already heard from her, so I just wanted to make sure she was aware that you knew she was raising her hand.

Simison: Do you want to see if it's the wife versus the husband?

Johnson: Great question. I will unmute.

Henderson: Hi. This is Deborah Henderson. Thank you. I just wanted to take a moment -- I live at 660 Woodhaven Avenue and my house directly backs up to this development and I just want to take a moment to reiterate what my HOA has represented and what my fellow neighbors have represented and especially with this dense community and the -- you know, the ratio of homes that are backing up to our line of homes and especially when we get into accommodating different zoning requirements and different driveway links. To me it doesn't make sense to be making accommodations for a development that seems to be adding to the problems that we already have existing in our community and in our neighborhood and in our area. So, I just wanted to reiterate the feelings that have already been stated. Thank you.

Simison: Thank you. Council, any questions? Okay. Thank you very much. Seeing no one else coming forward to provide testimony at this time, we will go ahead and ask the applicant to come back up for any final comments. If you can restate your name and address for the record and be recognized for ten minutes.

Thompson: I had a hard time at Planning and Zoning because of my height. I apologize. Brent Thompson. 2476 East La Grasse Circle, St. George, Utah. Also former Meridian

city resident. Thank you for your time tonight, Mr. Mayor and Council Members. It's wonderful to be here tonight. It's always difficult to present a project. No matter what project is presented it seems there is always opposition and it's very similar in your debates about the fine police officer and firefighters of the city. It's tough make the right decisions for the right -- for the city. Just to clarify a couple of things. The original Andorra project -- and I hate that -- I guess we are getting compared to the previous developer versus old developer. I actually had acquired the property under an assignment contract with the previous developer and we -- part of the original agreement was that they would get it through City Council and so I participated listening on Zoom on that approval. Part of the discussion was -- and -- and somebody can certainly go back and check the record -- was the deed restriction issues on 55 and older and that was a matter that was discussed amongst the Council Members and the concerns and might have even been Council Woman Perreault -- sorry for the mispronunciation -- I believe even made those discussions about the challenges of deed restrictions on 55 and older communities. Our target really is to get seniors. It's more of the -- I would relate it exactly to the -- not a competing product, but it is -- the Cadence projects by Brighton -- Brighton Homes. If any of you have been through those projects they are very successful. They also have an assisted living component next to it, specifically the one that's in north Meridian along Chinden. There is an assisted living center there and, then, there are adjacent homes. That's a gated community. Many of those homes are two story cottages and my mother-in-law lives in one and when I come into town that's where I stay is the upper floor and they have a main floor master and they are lovely. They love them. She moved from a three -- or a two-third -- or a third acre lot in Eagle just recently and moved into that project and that was really kind of the foundation of this is to create a high quality product. I think some of the things have been misconstrued and almost slanderous, to be honest. Excuse me. But when I was mentioning 55 and older and Planning and Zoning Commission, I mentioned that I was just turning 51 myself. I have parents that are 83 years old and they are just perfect people right now that would go into an assisted living memory care building such as this, where I, if I lived out of town, would love to have a second home where I could come and visit and -- and, likewise, there is going to be situations where there is older couples that are one -- one of the members of the couple may have to go to a memory care building and how perfect to have that right there. So, when we do say it's targeted for it, it truly is, but we cannot deed restrict it. The two story concept really comes from the Cadence product, which has been highly successful. There is another one that the city has approved over by a Costco as well. So, the market truly does state that is a viable product and the quality of development that we are doing here -- not to mention the -- the double amount of open space, the nine amenities where only one is required. We are going the extra mile and trying to make this a very high end community. These homes are likely going to be -- we are pricing them right around 650, 675. It's actually going to elevate the community, it's going to elevate the area, and we are extremely excited about it. It's tough to see so much animosity. It's -- it's challenging, because we tried to really put the best foot forward. We have already spent over 200,000 dollars in design on the assisted living building and that's neither here nor there whether you accept it or not, but just to show you our good faith in trying to move forward with this project. The only concern when it came up about -- people hear stories and make up their own stories. The only reason it came up -- we did talk to Alan about just because of

the cost of construction and so forth, we did bring up the conversation of what if we went back to what the original Andorra application was, which were really senior apartments. It wasn't a full scale memory care assisted living building like we have designed now and we since -- that was a matter of about a week and, then, we decided that that was not the direction we were going to go. So, we have gotten far down the road on design. We have gone far down the road on -- on our application here. You will see the landscape plans are very highly detailed, much more detailed than we have -- we have ever presented and I'm developing projects in Eagle. We have got a 50 acre development in Star right next to the new Albertson's along Can-Ada and Highway 44. We have got four projects going in Caldwell. We are very well heeled. We do everything with our own capital. There is nothing that's leveraged. We have closed out on the property. Unlike the previous application, the applicant did not own any of the properties that he presented and so I don't know what else we have to do to show that we are good faith. We are trying to make this work and make it really a gem for the city. The assisted living building -- excuse me -- is, essentially, coming in around 20 million dollars. It's a tremendous facility and one that's not -- there is not one like it in the area at all that I'm aware of and it's going to be a phenomenal building if it's approved and I think, likewise, this community as well. It's a higher end community. I was a little disenfranchised in Planning and Zoning. A lot of the residents were complaining about families moving in. I mean heaven forbid if we have a family that wants to live in -- in the community. But we are not targeting trampolines, we are not targeting, you know, young families. We really aren't. And any young family that can afford a 675,000 dollar house, you know, I guess more power to them. But that's really kind of where we are -- where we are at on this project and I'm -- sorry, there is always something that I forget afterwards, but if you have any questions I'm happy to answer those.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I just wanted to get clarification on -- as you mentioned, I do have -- personally I don't know that that add -- that putting a 55 plus deed restriction really -- really has the effect that the neighbors might prefer, which is to maybe have fewer cars, fewer traffic. A lot of -- of homes with, you know, 58 year olds have two cars or three cars. I don't think that putting that deed restriction is really going to cause -- is really going to create the effect of not having the traffic and not having the number of vehicles. What I think would, however, would be to have smaller footprints of homes. So, not an 1,800 square foot home or 2,000 square foot home, but a 1,200 square foot home and so my question for you is what -- what are the average sizes of the single and two stories and can you talk to us about a 12 foot setback. If you have a ten by ten patio out there, you have got two feet of space between your patio and your property line. So, can you give us some more understanding of really about how it's going to work for the resident and, then, also what sizes these are going to be and how that plays into your market?

Thompson: Sure. Appreciate it. Let me -- let me kind of address the -- the setback issue and the rear yard setback, because I think that's where this maybe disingenuous comment may have come from -- come from. After our Planning and Zoning meeting a couple of residents wanted to have a discussion about how far is their home from this -- from their particular backyard and wanting us to guarantee that it would be exactly a certain footage that it showed on a conceptual plan and I just simply was being honest, I can't guarantee -- we are not doing a condominium plat where everything is -- is laid out specifically on -- on, you know, every corner and it's just unreasonable to do so and we may have a mix of builders. We may decide to have somebody like a Brighton Homes may want to buy this development and come in and do that and it's tough for me to say to somebody that says, yes, we guarantee it's going to be 27 feet, because we just don't know. There is going to be some variation, there is going to be high end architecture, simply because we have to. We can't put in amenities with -- with 61 homes and this type of amenity package, gated and -- and expect that that's -- that's going to fly. So, it's in our best interest that we do the most high quality. As far as square footage is concerned, the architects really have those plans. Those are conceptual at this point, simply because we haven't gone into those designs, but we are going to be probably around the 1,600 to 2,000 square feet overall. Very similar to those homes that are being built in the Cadence properties, if you have seen those.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: For clarification, the applicant is referring to the Cadence project. I'm intimately familiar with the Cadence project and I would say the vast majority of homes in the Cadence project are single level. Vast majority.

Thompson: Surprisingly, many that are in the interior portion are a -- have a two story component to them.

Bernt: Some do. I mean I --

Thompson: And we are not specifically saying -- that may just say that the market says that that's what we are going to have are all single stories. What I don't want to do is say that we are not going to have any two story product.

Bernt: Right. And I totally respect that, but you said many of the homes in the Cadence project are two story and that's just not factually correct.

Thompson: True. I will just let you -- I will have to agree with you.

Bernt: Okay.

Simison: And just for the record, there is at least two, if not three, Cadence projects in Meridian, all under the same name done by Brighton. So I don't want to -- I mean there is -- just so we are also clear. I don't know where they all are.

Thompson: Yes. And I actually just bring that up just simply to kind of show where the thought process is in our design and really what we are -- we are going after.

Bernt: Mr. Mayor?

Simison: Council Woman Perreault, have you got an answer to your question? I haven't heard anything on the rear setback specifically to what you asked, but I don't know if you got what you felt you were asking.

Perreault: Thank you, Mr. Mayor. I think his answer was, essentially, it's going to be somewhere between 12 and 27 and he can't specify what the setbacks will be, because there will be homes that are -- that are -- that those decisions will be made by whoever the builder is that goes in that. He is just giving us a range, which I think is a pretty significant range, but the minimum could be 12 feet and so we really don't have specifications on that at this time. So, that's my understanding of your response.

Thompson: Council Woman, it would be just I think similar to any other project where we have traditional sides, fronts, and rear setbacks, but --

Perreault: Just wanted to clarify. I'm asking these questions, because I'm trying to get to the -- the issue that I feel is the biggest issue at hand for the neighbors and that is traffic and what's going to contribute to traffic is poor road layout. We know that's true, but the city can't do anything about that. But we can have -- you know, we can have something to do with the number of -- of residents that are living in this and if you have a 1,200 square foot home you are likely not going to have four or five people, you are likely going to have two people and now we have cut down the number of residents living in here. That doesn't -- may not work for you as -- from a -- from a business standpoint, but I just want to kind of clarify that if we have smaller -- smaller properties, then, we alleviate some of the concerns regarding traffic and -- and that's kind of the point that I'm getting at and -- so that we are not having this 55 plus discussion anymore, because I don't -- I don't think that that, for me at least, is not an element of this is whether it's age restricted or not. So, my question to you is -- is there -- would there be consideration with making the homes smaller, so that we have fewer residents in the area and that -- that resolves, in my opinion, some of the concerns and also in my opinion makes it more appealing to the age that you are marketing to and -- yeah. So, that's, essentially, what I would like to know.

Thompson: It would be very difficult if we were to limit every home to a 1,200 square foot footprint. Just simply -- part of the reason -- the old product that was designed was a one car garage and there were many duplexes and there was no storage and one of the arguments that I have had with that product is is that who -- who doesn't need storage and there is just literally one car and the floor plans weren't something that you would

want as a fee simple buyer to come and purchase. So, we have tried to come up with the best happy medium that we can come up with and the design that we have done with the homes and that I have directed them to do, which is really, in listening to the neighbors, just see the changes of the roof lines and Jamie mentioned that earlier. We are trying to soften those homes out the back. It's not going to be like the -- the standard cookie cutter homes that have, you know, kind of blanketed the Treasure Valley, to be honest, where it's just a lot of two story and there is no design on the backside of the home at all. They are just strictly two stories of vertical. We have really done the best we can to kind of come up with that design and it may just be that they -- they end up being many single level homes. I have a gated community in St. George that I developed and most of the people actually are from Idaho, mostly eastern Idaho, and it is highly desirable for them to have that flexibility to actually have -- and I know there is arguments of single story versus two story, but there are a lot of very active people that are in their 50s that can very easily go up and down stairs and want to go up and down stairs to get that activity and that's -- I mean you may say that's disingenuous to state, but that's -- those are the facts and we are really trying to hit that market and to be able to afford to do the amenities and the open space and make it as nice as we want to make it -- it -- we really need to have that additional size.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Is it Brent?

Thompson: Yes.

Cavener: Brent, appreciate your presentation. It's clear you are very enthusiastic about your project. Always appreciate when a builder or a developer has got some enthusiasm for what they are doing. You -- you have referenced the Cadence projects a lot and I look at where this is located much different than where the Cadence projects kind of exist and, really, we heard a lot of testimony, particularly from the neighbor representative, about what this part of town was envisioned to be and so appreciate the challenges of being compared to a previous application. That's always frustrating, because that's not what's before us. You are before us tonight. But I think where a lot of the questions that you are getting peppered with is because that project really supported what is kind of envisioned for that area and -- and I'm struggling to see that connection here. I think this is a really unique project. We have approved gated communities. You have got a ton of amenities. There is a lot of benefits. I'm struggling with that right location argument and you -- you were -- in your testimony you talked a little bit about you are not quite sure what else you could do and I don't know if that was a rhetorical statement or if you were really seeking feedback and the reason why I bring that up is that before we took public testimony our good Council President Bernt asked -- I think your representative about including a 55 and older in your marketing and branding and promotional materials in the DA and it sounded at the time that you were opposed to that.

Thompson: Not the branding and the marketing and so forth. Absolutely not. As far as the deed restriction, yes, because it's very difficult to enforce and that puts that burden upon us as a developer, as well as -- I use myself as a perfect example of who wants to live -- I personally want to own a home here and it's something that if my parents are at the assisted living memory care facility, I want to be able to legally live there and I'm an empty nester, all my kids are in college or married and I don't think that that demographic, because I'm not 55, should impede me or anybody else in my -- my age group from -- from buying --

Cavener: It's a state of mind. I get that. But I think that the -- the thought is is that it's not about the activity level, it is about the -- the family household level; right? And that if you are 55 it's unlikely that you have got a full house by that point. You are likely maybe an empty nester or you are looking to transition like your mother-in-law did from a larger house with a larger yard to something a little smaller. So, I think that that is supportive of kind of the concept that we are going for here. Talk to me a little bit about -- about the heights. I think my good Council Member Perreault talked a lot about significant heights in the multi-story within here and why that's so necessary for this type of a project. Again, if -- if the thought is we really want this to be a 55 that supports the memory care and the concept of this particular part of town, why these multi-story projects are so necessary -- your multi-story units are so important.

Thompson: We are not trying to force them to all be two story, we just simply want the option to have some two story product available, simply because it -- it's -- in my opinion it is needed in the market and it's proven to be valuable to the market.

Cavener: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks. I just have a few questions. I wanted to clarify -- I think maybe there was some confusion. I think what Council Member Bernt was saying would be, you know, if you are stating your intention is to market to 55 and up, that we would memorialize that in the development agreement. City Council cannot do a deed restriction, from what I understand legally. I think you would have to restrict yourself if you owned that property. So, just a clarification. Could you, please, tell me what the level of acuity is that you are serving in the -- I have heard it called a lot of things -- independent living facility? Is it an assisted living facility? Is there a memory care unit? Is it skilled nursing? Just want to give you a chance to talk about what your business plan is for that piece of the property and, then, I'm just curious about this green space here in the south portion of the property. If it's serving -- I am a fan of functional turf, like functional grass, but if -- if a lot of this is not functional, just wondering about that choice and if you can kind of tell us what's envisioned for that big piece of green there. Thanks.

Thompson: Council Woman, are you referring to the green north of the assisted living memory care building?

Strader: Yes. It's in between the assisted memory care and the -- I believe what is your future office building.

Thompson: Yeah. That is actually the Five Mile Creek that runs through there. So, I imagine where the darkest screen is located, that's just a small creek that runs along there and I believe there is a path and -- and so forth in there.

Strader: Yeah. And so I just wanted to understand -- is your intention to sort of leave that a natural area with plantings? Is your -- the reason I'm asking is if we, you know, just put a bunch of nonfunctional turf everywhere it just sucks up a ton of water, just being frank. I love grass when it serves a purpose and people use it and walk on it, throw a ball on it, but when it's just -- you know, if it's the Five Mile Creek and you are just going to kind of leave that natural and, then, put grass, you know, near the assisted living facility, that seems to make more sense. But I just wanted to clarify it looks like quite a large area of your property.

Thompson: Yeah. We have got a very detailed landscape plan that should be part of the -- the package there that's all laid out, but it is a usable -- we want it to be an enjoyable space that people would come and sit next to and enjoy there. Not just all turf.

Strader: Yeah. I just wanted to make sure that there were -- you are being thoughtful in terms of the amount of turf and its usability; right?

Thompson: Sure.

Strader: And ties into the question about the acuity level. So, like to me if this is a skilled nursing facility with a memory care unit, you know, I'm not sure how much -- tell me a little bit about that and how that ties in.

Thompson: Yeah. We have a separate operator that's going to be operating the facility, but they have -- and I could have our architect speak more directly to that, the number of memory care units versus assisted skilled nursing areas, but there is a number of -- maybe I could invite them to come up. Jamie did speak a little bit about that as far as the memory care numbers.

Strader: Mr. Mayor, if that's okay with everybody else, I would love to hear in a little more detail more about that piece of property.

Simison: Go ahead.

Koenig: So, the area in question north of the assisted living is Five Mile Creek and that will be just left natural grasses, much as it is now. In fact, we can't do anything for the distance of 50 feet on either side of that. As far as the -- the assisted living and memory

care, I believe there are 12 beds, eight units that are memory care, and the remainder are assisted living.

Perreault: Mr. Mayor?

Simison: Council Woman Strader, did that answer your --

Perreault: Are they skilled nurse -- is it a skilled nursing facility?

Koenig: Skilled nursing is a higher level of care.

Perreault: It is in a higher level of staff and a higher level of --

Koenig: Yes.

Perreault: -- space not used for living, so that's kind of what I think Council Woman Strader is getting at, is there was a comment made by one of the neighbors about, you know, how many nursing stations and whatnot. So, just trying to get a feel for -- is this mostly just residences and there is just very little interaction with medical staff or is this an actual skilled nurse -- because memory care is very heavy on -- on medical staff, so it seems to me that if you have just sort of an independent slash assisted living facility and memory care, they are two really different uses.

Koenig: In the eyes of the code I guess they are very similar, but you are right, that the memory care does require more -- more care and more oversight because of the condition. But it's a pretty minimal percentage of the building.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Thank you. That helps me understand where you are coming from. I don't -- you know, 12 beds doesn't -- doesn't seem like a huge heavy use in terms of the acuity to me, so I appreciate you explaining a little bit. Yeah. I mean I don't know if you guys have given anymore thought to, you know, some of Councilman Bernt's comments and now with the clarification that -- that I don't think City Council -- at least I personally would not be asking you for a deed restriction, but I think if your business plan is to market to a 55 and up community, to memorialize that in the development agreement to me seems to make more sense, just given the traffic and other issues in this area. I don't know if you have thought about that anymore. I will let you maybe mull that over, but I'm -- my thinking is along those lines as well. I think some other Council Members may be leaning that direction.

Thompson: Yes. And I think what I'm hearing from Council Members -- and I appreciate your feedback -- is, you know, can we do single levels and so forth and I know that that's something the residents would -- would prefer. Maybe a concession or something that

we can compromise on would be as -- something along the Woodbridge border that we do single level homes, but we have not -- we would require that we -- we are able to use, you know, the lot as intended, meaning that -- I'm not sure exactly what those setbacks are going to be, but to allow for the design, because they are only 40 foot wide lots and we need to have that flexibility if we were to go to all single level on that. Sorry. On that side. That's something that I would be willing to -- to do and certainly with our marketing and the development agreement. We are not trying to pull any -- any fast ones. Our assisted living building -- if Jamie were to show you the detail and so forth of these rooms, they are not something somebody is going to want to come in and use as -- rents as an apartment or -- or anything else. So, it's strictly for that use. And our operator is out of St. George and I'm sorry they are not here to answer those questions and I -- I'm not qualified in that regard.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If I'm hearing you correctly, you would consider a DA restriction to single level on the west side?

Thompson: Considering all the -- the feelings about it and kind of the direction of the Council and I believe where -- where I feel everybody wants this project to be, I think we could still make it a success, but I cannot have a one hundred percent single level, because it would be too much of a burden, if that --

Perreault: Yes, that --

Thompson: From a real estate perspective.

Perreault: That's a fair concession, which I appreciate very much. I understand the significance of what that gives up for sure from a market standpoint. Is there going to be any integration -- it just feels like two separate applications to me. So, I'm kind of trying to get my head around, you know, that -- if it really is to -- I mean it kind of just feels like two totally separate uses and are they intended to be -- like you said, the intention would be that you have a parent in memory care or assisted living and maybe a younger -- I have an aging parent, I'm making accommodations for their housing as we speak and I'm not making long-term housing decisions for myself based on a parent that will be in a skilled nursing -- or in an assisted living facility for a year or two. I'm just -- you know, that -- that isn't exactly -- I probably wouldn't buy just because I had a parent that was going to be in -- in an end-of-life -- it's not a -- it's not really an end-of-life facility, but -- but it kind of is. I mean last -- I mean I think on average assisted living is one to two years or so. So, there is that element of it, as far as you are talking about, you know, having individuals that might move into those homes, because they have a family member in the assisted living, I don't -- I don't anticipate that that actually would be a true correlation, but if you have market information that says that it will, that's -- that's totally fine. I -- I don't think that Council is trying to -- we are not intentionally trying to limit you. I think most of these

questions are trying to understand, so that we can make a good decision and for -- at least I am -- I am making comparison to the past application, not because I intend them to be the same -- and thank you for clarifying that you -- you bought that on assignment, because I was under the assumption that it was the same owner, but for the purpose of there was a lot of support -- I was actually not a Council Member, I was Planning and Zoning -- I was Planning and Zoning chair when that application came through and there was a lot of support from the -- from the neighbors and there was a lot of support from the community and so -- and there was support from Council. So, I'm -- I'm kind of trying to figure out what did we do right -- what was done right in this, so that we can help understand what to do in this, why did we get support there and we -- you know. So, that's the only reason that I'm asking those questions, not -- not because we are expecting you to recreate that past -- and, then, could you address further Councilman Cavener's concern, which is also mine, about how this sort of fits into the overall area. It seems to me like the way -- I mean, to be honest, the way these roads are done, there is not sidewalks, it feels rural out there a little bit still, you have these business buildings, you have these medical buildings, then, to put a really nice -- you know, a really nice neighborhood that are nearly 700,000 homes, it just doesn't kind of get that to fit.

Thompson: Really it's -- the location -- I think it's a wonderful location where you don't have to deal with some of the challenges of Eagle Road as far as living in Eagle or in north Meridian and we think that people are going to be attracted -- and, again, that's why I think the 55 and older community will be attracted to it, because of the proximity to the hospital and all the medical buildings and so forth that are there. There is really -- out-of-state buyers are probably our main target that are going to come and -- and live there and there are going to be a lot of out-of-state buyers that will be bringing their aging parents and so I do think that -- that that is going to be a market that is viable.

Simison: Just a few comments for -- feedback from myself on -- for whatever reason I cannot quit looking at the center with the three units that backup to the pool and think that that is -- is a wise decision from -- from just a -- even if it's older or younger, you know, having homes that backup that close to the pool just seems like a challenge in my opinion and, then, combine that with the fact that -- at least from what I understand all the homes on Alley A don't have the parking -- the driveway, in essence. So, I know Council doesn't like to redesign, but I'm sitting here saying why not pull that down, remove those three homes and put the parking back into those alley load lots by extending it out. It loses three potential homes in this facility, but it also puts parking in the ones that are likely as the -- the two story. Those will be ones that may have more use all the time. It seems odd that those are the ones that we have the least parking around from that standpoint. Thoughts? Comments?

Thompson: In regards to the parking, as Alan reiterated, is it -- you know, we are -- we are well overparked than what's required. It would be very difficult for us to lose any units at this point. We -- and I appreciate the comments, Mr. Mayor. It's -- we have -- this has taken over a year to kind of come through redesign after redesign and we have tried to accommodate the neighbors as much as possible and we appreciate it, but we are to the point where we are -- we are just -- we are exhausting everything we can do and including

the concession that I just gave up. Otherwise, we would have to figure something else out I think. It's just too difficult and we -- we actually eliminated an alley there to get those homes next to the pool and it actually improved the -- the open space that we had and that was some feedback that Alan gave us and such, but --

Simison: Okay. My other concern larger for Council is the piece of property that's missing to the west and how that will be incorporated into this area in the future. Honestly, that's probably my -- my biggest concern overall with this -- this concept.

Thompson: It may be helpful if I just give a little bit of history with that is when the previous applicant came through with it it was no longer under contract and they did not disclose that to the Council when the approval came out, in which I was surprised as I was watching it. What ended up happening is -- our understanding was is we were going to go and acquire that property that was there to the west and, in turn, the previous developer tried to go acquire it the very day that we closed on our assignment and so it was a little bit of a challenge for us to deal with that and we have -- we have done the best we can. We have acquired this piece to the north, which we feel is a much better arrangement, rather than leaving a four and a half acre piece that's on Magic View that would have been left there to be designed as -- as I don't know what. I mean this way it's integrated and we feel it's a much better project the way that it is now with that piece. The ladies that own that property were not interested in selling it at the time and we have tried, we gave them the exact same offer. We offered to close in a week after we acquired the property and they just simply decided they didn't want to sell. The previous applicant bought that remaining acre piece that's on the north part of the canal. I'm not sure why, but they acquired that on their own through a -- what I deem is an illegal lot split or a metes and bounds purchase and it complicated the project and so we have done the best we can with what we have. We acquired more property to make it a better project and that's why, Mr. Mayor, I'm just kind of saying that we have -- we have really done everything we can, even though it may not seem so, we have really bent over backwards trying to -- to make it work.

Simison: I understand that, but I think it still leaves the question of how would that property integrate in with this long term and that's a question you can't answer when you don't own it.

Thompson: Correct. And we stubbed the street to it. We have tried with this pathway to work with it. The cul-de-sac even on that northern piece we actually even tried to work with that. I even tried to buy that from the applicant several months ago, but was notified by the city staff that there was -- we could not bring that in without bringing in the other piece, which we could not control. So, we have -- we have gone the extra steps to try to make this as -- as good as possible. We have tried to integrate that property into the -- into the project, because it would make it a better project, but, nonetheless, we are -- we are kind of where we are at in regards to that and in terms of what can be developed there, something very similar to a building we are doing in memory care. It's about the same size. They have the ability to do that there.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Brent, you mentioned that you are willing to make some concessions there on the west side. I hate designing things on the fly. Mr. Overton, the HOA representative -- representing the HOA had talked about making sure about the 27 foot setbacks, two story, and I think it was 12 for single -- whatever that was. There -- there are some issues -- I don't think the questions have been answered, because you don't have the right people here for the -- for the memory care, the 91 units, and the breakdown and what that looks like. I'm thinking do you need some more time to kind of put something together and come back and make sure the neighbors are completely understanding what you are presenting as -- as we would also understand what that would look like for those units to the west, as well as have someone be able to answer questions about the memory care facility and any other changes you might want to -- want to make to this? I mean there is good things about this project. I mean I think there is -- we see, you know, developments all the time and for these folks it's an impact, but not realizing 21 units backed up to 61 units is an awfully good ratio. We see it, you know, three to one quite often, if not more. There are issues with traffic that doesn't matter what we put here won't resolve. So, I'm just trying to think through some of these things. Do you want one more crack at this or do you want us to go ahead and thumbs up or thumbs down tonight and -- because I'm not quite sure exactly what you are proposing for the west side. With your concession what does that mean, what does that look like, what does that include for setbacks.

Thompson: I appreciate the question. The setbacks themselves would just simply be what's allowed in the TR-D zone -- I forget the -- TN-R zone and that's just simply due to feedback and everybody wanting, you know, single family homes along -- or single level home, excuse me, along that border. We would have to develop the architecture of that, which we already have in our renderings what a single level home would look like. It would be very similar to what most product is here in the entire Treasure Valley. Very similar to it. So, I don't think we need to go back to -- to kind of figure out what that rendering would be. I think that's in our rendering package there. As far as memory care and assisted living, I'm not sure if we -- we didn't answer that correctly. We have an operator that's in place. I don't -- I don't know if in the past that's -- how deep you want to dive into that, but we could certainly -- certainly do that, but --

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Follow up on that. Yeah. Because I'm not familiar with memory care, you know, it's not something we do very often in terms of what does that look like. Ninety-one units and there are 12 beds related to some sort of nursing capabilities or assistance. What does that look like for the rest of the building, you know, that's -- those are the types of things I'm just wondering about that -- you know.

Thompson: I can understand that.

Strader: Mr. Mayor?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You know, I -- I agree with Councilman Hoaglund. I -- there is a lot of great things about this -- this application. I love the open space. I think that your amenities are -- are spot on. I love the pathways. There is a lot of rural -- there is a rural aspect of that side of the town just because of the creek and I think that everything looks great. The only -- the only thing that wouldn't make me support this application tonight is the fact that you are not willing to make it a 55 plus community. That's the reason why I supported the last one and I know you don't like it when we -- that we -- that we are comparing the last one to this one. I understand. And I don't mean to do that, but that was -- that was -- that was a big deal and I think Councilman Cavener nailed it on the head when he said that it's not necessarily the footage, I guess, but the amount of bodies that -- inside the homes that will make that type of a difference and so if you are willing to make that concession for me I will be in support. If you are not, then, I won't be and I just want to be -- I just want to be up front.

Thompson: Are you -- are you saying, Council Member, that we have a deed restriction of 55 and older?

Bernt: I'm saying that, yes, in the development agreement that you make this -- agree to have this project 55 years old or older.

Perreault: Mr. Mayor?

Bernt: I don't know what that has to do with the deed. I'm not a real estate person. I'm not that smart.

Simison: Mr. Nary would like to say something.

Nary: Mr. Mayor, Members of the Council, two things. So, on that question on the 55 and older, without it being a deed restriction, from an enforcement standpoint through the development agreement it would be very difficult for us to enforce that. So, we wouldn't be able to do that without a deed restriction. So, they could agree in the DA to create a deed restriction for it and that we could verify. So, that's the only way we could enforce it. I mean, obviously, they can enforce it themselves if they wish, but the other thing I was going to mention -- and, again, depends on where we go tonight or a future with this, talked a great deal about one story, but as we have mentioned before, we really have to talk about with the height limitation that you want, because we really don't deal with stories in the building department, it's really height, and so I don't know what the height limitation is in the TN-R district. I'm sure Alan does, but that would be the height limit that they

would be allowed, unless they restrict themselves down to a lesser number. That I guess they would need to decide if that would work, too.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: And I would be in favor of anything that would be able -- where we would be able to enforce that. So, what -- if that's a deed -- whatever Mr. Nary spoke of is what I'm -- is what I would like to be supportive of this project.

Thompson: Okay. We would have to consult with our attorney, because I do not know what the ramifications are if we have that as a deed restriction and, then, later down the road it -- the property is sold and how that's enforced and we need to make sure that that's -- my understanding was is that we cannot do that anymore, but --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I had a couple questions for the applicant and, then, a question for Councilman Bernt if that's okay.

Simison: Can you make sure your mic --

Perreault: Is that --

Simison: Yeah. Just get close to your mic.

Perreault: So, what -- what is the purpose of -- this is a mixed -- or, excuse me, medium density residential in our Comprehensive Plan and you have chosen to request a TN-R zoning. If you are not doing the three foot -- three foot setbacks why the TN-R? Why not do an R-8? Is that because of the rear setbacks that you would like them to be shorter versus what the R-8 may require or what's the reasoning for -- for doing the TN-R?

Koenig: I think our early conversations with Planning and Zoning it just seemed to fit the best for both the three story building and the single family homes.

Perreault: I'm sorry, could you repeat that? With the single family homes and what?

Koenig: With the single family homes that we are proposing it just seemed to fit for TN-R in both instances.

Perreault: Okay. I would welcome planning staff to maybe share their thoughts on that if they wouldn't mind.

Tiefenbach: Alan Tiefenbach. Meridian. There was quite a long discussion about it. Part of it was the advantage of having -- having parkways and some of the sidewalks that are required with TN-R. Part of it is that there is different dimensional standards in the TN-R zone district for the way the streets have to be laid out, the way that private streets have to be built, because they wanted to do private streets. Another option they could have done was to rezone the northern half to residential, but they -- they wouldn't have been able to do assisted living and some of those residential zoning districts, as well as the office building. So, there is any -- there is any different variations of things, but this was recommended for mixed use neighborhood and TN-R is a zone district that is consistent with what they wanted to do and what the comp plan recommends.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: A question regarding the entrance off of Magic View Circle. Was there consideration made of -- of actually having that come in off of Wells, which is a wider street that doesn't really have as many parking challenges and if -- if not why not. Was that a limitation that ACHD gave you? And, then, what is the distance between the entrance to the development and the entrance to the undeveloped property that CBH owns on the north side?

Thompson: Can we -- I misunderstood the question. Why can we not --

Perreault: Enter in on Wells Street versus on -- off of Magic View. There is an area where you have a pathway in between -- the route in the middle on the east side, why not put the entrance to the development there versus off of Magic Circle?

Thompson: I believe that's probably Fire Department and Planning staff.

Simison: Deputy Chief, would you like to respond, since you raised your hand?

Bongiorno Sure, Mr. Mayor and Council. Yeah. The fire code calls for -- when you have over 30 homes, the two entrances have to be at least half the diagonal apart. So, that's the purpose of having two -- the entrances. I don't know if -- Alan, if you can put the map up that might be a little easier to look at. Thank you. I don't remember where -- oh. So, we only have one entrance. So, I think -- no. There is two. Yeah. That's right. There is one on each end. Sorry. I get all these projects mixed up. So, they could do it as long as we meet that half the diagonal rule.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Again, not trying to redesign your project. However, Magic View Circle -- or Magic View Road, it -- ever since the -- I remember when we did the application for the

-- the nursing facility on the north and we were told over and over again, no, there is not going to be parking problems on Magic View. No, we are not going to park our construction trucks there and it's been a nightmare and I don't even live in that area and I'm aware of how -- and it didn't go away when they finished. I don't know why, but there are people that park there constantly and it isn't safe. So, the neighbors aren't making a big deal out of that. It really truly is a problem and there is not anything that the city can do about that and so for the sake of trying to help, you know, with -- with an approval is there consideration of -- if I'm looking at this correctly, you could potentially bring that in off of Wells and still accomplish what you are trying to accomplish and I think that would -- personally Wells -- I think Wells is a much better location to -- I think that will also encourage people to -- to not go onto Magic View at all and really will probably likely be more likely that people will take Wells, make a right out, and to -- to head towards Eagle Road than to go through Woodbridge. Just by having the entrance off of Wells versus Magic View I think you will significantly change the traffic patterns. I just -- I know that area really well and that's just a recommendation of mine. That's not -- that's not something that would make me consider a no vote on your application to be clear, I just think it's a really good idea.

Thompson: Councilman Bernt -- and you mentioned you live in Woodbridge; is that correct?

Bernt: Depends. Yeah.

Thompson: You mentioned it earlier on that it was obvious to everybody. I wasn't aware of that --

Bernt: Yes, sir.

Thompson: -- that you are in Woodbridge.

Bernt: Yeah.

Thompson: The typical part is is we cannot have ex-parte communication with -- with council members, with mayors, in regards to our projects and --

Bernt: Sure.

Thompson: -- it's difficult when we have a -- a community that -- not only in our neighborhood meeting, but in the Planning and Zoning Commission and so forth have said that they -- they have voted down every project that's put forth to the City Council and as if they are the City Council and that's -- that's been demonstrated to us and we are starting to feel that that is -- is the case as well, that they have a lot of influence on the project and it's -- it's concerning and so when it asks do we want to go back to them and discuss with them, it's really not. They have been very consistent with the Snorting Bull plat, to be honest, and I hate to say that, it's not my nature to talk about that, but it feels very unfair for us when we have presented a very high quality project and it's been

picked apart simply because of the challenges that we cannot fix, the traffic in Woodbridge and --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: So, just a thought. Are you -- are you -- what -- what did your question of me living in Woodbridge have to do with the ex-parte -- I'm trying to make a correlation between what you are saying and -- and your question toward me?

Thompson: I feel -- I feel almost as if we are disadvantaged, because there is communication that -- that -- that appears to happen between the neighbors and so forth and we just feel like -- I feel like I'm disadvantaged --

Bernt: Mr. Mayor?

Thompson: -- with this application.

Simison: Councilman Bernt.

Bernt: I -- I don't know what you are talking about, but I will be very clear that I have had zero communication with any member of the Woodbridge board, Mr. Overton, who is the Woodbridge president, or any type of discussion anywhere else. I have been doing this for a long, long time and we actually go through training as a -- as a newly elected official the importance -- through ICRMP the importance of ex-parte and what that means. I hope you are not inferring that I have had ex-parte communication with my neighbors with regard to this or how I wield any type of influence over them at all and I don't know if that -- I just -- for me, sitting in my seat and the decision making that I make, it's really important that I'm super clear about that and I think that you understand. I'm not saying that you were inferring that, I was just making it very clear on the public record.

Thompson: And I just wanted to have that understanding as well.

Bernt: We are good?

Thompson: Absolutely. The challenge is is that we do not have the ability to talk to Council or Mayor and so forth and see what you really envision in this. This is the first time I have heard that this is a medical area, that somebody wants to have a medical building there, or any of that -- that discussion. We haven't had any feedback from the city as to that, hey, this is exactly what we want, other than the cottages that were -- that were presented. But in this market and with the building costs that are what they are right now we cannot build those cottages with one car garages and sell them and be able to make a return on those.

Bernt: With -- Mr. Mayor, with regard --

Simison: Councilman Bernt.

Bernt: -- to my comments, they are very consistent and I think that's the very -- I think that's the most important thing when -- when dealing with the development community is that when you come here you are -- that you understand the consistency of who we are and what we represent. So, I take that really seriously and if you were to go back I think I -- I think it's only been one application on this particular property and my -- my comments then mirror the comments now and the comments that I made are well known throughout the entire city. You don't have to live in the city of -- in the Woodbridge community to know how that subdivision out -- God bless our Planning Department, all right, but we did a terrible job designing that section of our city over there. There is just --

Thompson: And that's what I said in the meeting when I was accused of saying it's broken and I threw up my arms.

Bernt: And I have no idea --

Thompson: It's not our problem. We cannot fix that.

Bernt: And I'm not aware of discussion between you and them and if they disagreed or if you disagreed with them.

Thompson: Well, it was public record in the Planning and Zoning minutes. But all I said was we cannot fix the problem, the poor planning that had happened in Woodbridge and to allow that to become a collector, when it wasn't intended to.

Bernt: I respect that comment.

Simison: And maybe to bring it back to your -- the question about the medical, I think we do have our planning manager here, we are going through the comp plan and part of the conversation that -- when we redid our comp plan was the connection between ICOM and ISU and the hospital and the area that is the county to the west of this property, how that can all play into the connection from that standpoint. Now, I don't know that it meant everything had to be medical in the area, but it -- to see as a continuation of healthcare-related opportunities and connectivity was a big part of what that would lead to. So, I don't know if Mr. Hood has a thing that he would like to add, just so we have a better understanding all at the same level. Did I miss something?

Hood: I don't know that you missed anything, Mr. Mayor. I was just going to add a little bit of history, one, just to defend ourselves a little bit. No one on my team was here when Woodbridge was built. So, that is generations of planning and, quite frankly, as Mr. Overton pointed out, it was the developer, actually, that proposed to split that corridor and create the position that we are in today, so it wasn't planners that did that. That was a developer that did that with phase two of Woodbridge. We have been trying to rectify or at least help that so we don't put a developer in a situation where they are put on the spot to correct an existing deficiency in the transportation network. I will just refresh your

memory or if you didn't know, this used to be part of the Med-Tech District, which we no longer have and, quite frankly, when we meet with developers we don't go through all the history of Meridian, because that's past history. That doesn't exist anymore. Really it doesn't come into play anymore. So, someone may have bought a lot out here ten years ago and that was a thing. It's not a thing anymore. We don't have that Med-Tech District and that alignment with St. Luke's and the rest of the medical district that's there today. It's what the Mayor just said, with the new Comprehensive Plan in the designation, we do envision some more office and medical office going in here, but there are a range -- a whole host of different land uses that can be appropriate within this whole area west of Eagle Road and up to Woodbridge Subdivision. So, I know that didn't add a whole lot to the conversation, but I just felt the need to add a little bit of the commentary there.

Simison: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I wanted to get clarification, something you said about -- we understand and frequently hear how challenging it is to invest the -- the cost and the time to get to Council and, then, have this conversation about completely changing the project. This is -- it's sort of this -- we have -- we have talked a lot about is there anything that we can do to help -- we are frequently asking our Planning staff to, please, try to disclose to an applicant anything that they are aware of that Council would likely have a discussion about and so that's what our Planning staff we feel like diligently does. They, obviously, can't make those decisions for us, they can only apply what code says. So, we -- I feel for you. I get that. This is a conversation we frequently have. I wanted to address, though -- you said something about you are not wanting to go back through the process again. I think when Councilman Hoaglund was talking about giving you an opportunity to make those changes, it would just be a continuation, you would come back before Council, you wouldn't be going back through Planning and Zoning again. So, I just wanted to clarify that if that's what you were referring to.

Thompson: That would be, again, public hearing again or just simply coming back to a vote?

Perreault: We can -- yes, there would likely be another public hearing. We can limit the public hearing --

Thompson: That's okay. I'm just clarifying.

Perreault: Yeah. We can limit the public hearing only to the changes that we are recommending. We have done that in the past. We can -- we can say, you know, we are only accepting commentary on anything that's been changed from what the original application is. That's something that we have done. Not that that would have to be Council's decision, but --

Thompson: I appreciate that and I just wanted to clarify one thing of what I was saying earlier about the subdivision and -- and the situation that we feel somewhat in an unfair position. When we met with the Planning and Zoning staff and we have gone through our application, we have got -- all the details are in our packet, you know, in regards -- and the details of the streets and the widths and we have gone through Police and Fire Departments and all those things have gone through. We have gone through the P&Z meeting where we were unanimously approved through that process and didn't get the same kind of feedback and I understand it's different and so forth, but I'm just wanting to express it felt a little different tonight and I apologize, Councilman, but it's the introduction of, hey, I'm in Woodbridge, everybody knows how I feel, it was kind of -- set an environment where, to be honest, if I were in that position I would have recused myself, simply because there is a large Council here, the Mayor is here, and it's -- it's something for me I honestly feel disadvantaged --

Bernt: Mr. Mayor?

Thompson: -- and I just need to express that, because that's -- that's exactly how I feel and I understand that you are not, but I also feel it's important that I be able to have my voice as well in regards to that.

Simison: Councilman Bernt.

Bernt: Mr. Mayor. Come on. I mean I didn't say that I -- that I had already made known what I feel. I said that what I -- I wanted it to be known where I lived and I said that everyone in the room probably knows already where we -- where I live and it's not only -- no -- no. One second. Let me talk.

Thompson: Absolutely.

Bernt: Thank you, sir. So, the reason I said that -- and I have said it in other applications and other Council Members have used that example in other applications -- referring to traffic with Woodbridge, because it's terrible.

Thompson: Absolutely.

Bernt: Okay. So, that's what I was talking about and I would appreciate it this night that not one more single word about ex-parte and me. All right? Unless you have evidence, unless you -- listen. Listen to me. Unless you have evidence of ex-parte information of me speaking to any member of my community -- all right? Enough. Are we on the same page?

Thompson: I did not say that you had ex-parte --

Bernt: Answer my question. Are you willing to make -- are you -- are you willing to -- are you willing to make that commitment to me tonight? We are done talking about it unless you can provide evidence.

Thompson: I did not say ex-parte. I said that I feel disadvantaged and that's a fact. I feel that way.

Cavener: Mr. Mayor, I would like to make a motion.

Simison: Councilman Cavener.

Cavener: I would like to move that we continue this for four weeks to September 14th to allow the applicant to take the feedback they have received from the City Council tonight and the public, to continue this conversation. It's well past 10:00 o'clock. I think that the applicant and the Council will be best served to continue this to September the 14th.

Thompson: Councilman, you don't need to give me a stare down.

Cavener: There is -- there is -- there is a motion on the floor, sir.

Simison: Do we have a second? Do we have a second?

Hoaglund: Second the motion.

Cavener: Sir, your time -- we have given you ample opportunity to speak tonight and I'm struggling here. I'm giving you an opportunity to come back in a few weeks to take this feedback from the Council and if you have got a concern with myself, with fellow Council Members, you are welcome to send me a letter. My phone number is 208-695-4536. You are welcome to call and talk to me about my conduct, but I will not allow this continue any further, sir.

Thompson: Thank you.

Simison: I have a motion and a second. Is there any discussion on the motion? All those in favor signify by saying aye. Opposed nay? The ayes have it and the motion is continued -- the hearing is continued.

MOTION CARRIED: ALL AYES.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Apologies for not following parliamentary procedure. Appreciate your forgiveness.

Johnson: Mr. Mayor, also I didn't catch the second on that. Thank you. Thank you, sir.