

BOISE, IDAHO
DECEMBER 11, 2007

Council met in regular session Tuesday, December 11, 2007, Mayor DAVID H. BIETER, presiding.

Roll call showed the following members present: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS. Absent: SHEALY.

Invocation was given by Robert Barros-Bailey, Deputy City Clerk.

Moved by CLEGG and seconded by JORDAN that the minutes from the December 4, 2007, Boise City Council Work Session Meeting be approved.

Roll call on the motion resulted as follows: YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Moved by CLEGG and seconded by JORDAN that the minutes from the December 4, 2007, Boise City Council Meeting be approved.

Roll call on the motion resulted as follows: YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Mayor BIETER announced that it was the time and place set for the appointment of Geoffrey Engberson as a youth member to the Public Works Commission for a one year term expiring December 31, 2008.

Councilmember EBERLE requested unanimous consent that the appointment of Geoffrey Engberson as a youth member to the Public Works Commission for a one year term expiring December 31, 2008 be approved.

Unanimous consent was granted.

DECEMBER 11, 2007

Mayor BIETER presented a Proclamation to the Boise State University Football Team and declared Sunday, December 23, 2007 as Boise State University Bronco Football Day.

Moved by CLEGG and seconded by EBERLE that the Boise City Checks No. 264370 thru 264875 in the total amount of \$1,982,792.04 as of December 5, 2007 be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

The Authorization to Procure Tires and Tire Maintenance from Les Schwab Tire off State Contract #SBP01257, Purchasing Contract IFB- 08-071, Aviation Department, City Shop Division were before Mayor and Council as enumerated in staff report dated November 29, 2007.

RECOMMENDATION: The Purchasing Division concurs with Aviation Department, City Shop Division in recommending that IFB- 08-071 be awarded to the lowest responsive and responsible bidder, Les Schwab Tire, in a total amount not to exceed \$73,450.00.

Moved by CLEGG and seconded by EBERLE that the recommendations be followed and the bid be awarded to Les Schwab Tire, in the total contract amount of \$73,450.00.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

The City Clerk requested the following claims(s) be acknowledged and referred to the office of the Treasurer:

- a) Angelia Healy, Property Damage
- b) Travis S. Moore, Property Damage

Moved by CLEGG and seconded by EBERLE that the claim(s) be acknowledged and referred to the office of the Treasurer as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

DECEMBER 11, 2007

The City Clerk requested January 29, 2008, in Council Chambers be confirmed for a public hearing on:

- a) CAR07-00058/Hawkins Companies, LLC request approval of a text amendment to Chapter 8 of the Comprehensive Plan and an amendment to the Land Use Map to change the designation of +/-17.131 acres located at 711 N. Curtis Road from School Site to Mixed-Use.
- b) CUP07-00153/Appeal/Targee Properties, LLC is appealing the conditions associated with the Planning and Zoning Commission approval of a conditional use permit modification for a planned residential development located at 309 E. Pennsylvania Avenue in R-2D (Combined Residential with Design Review) and R-1C (Single Family Residential) zones.

Moved by CLEGG and seconded by EBERLE that January 29, 2008 in Council Chambers be confirmed as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

The City Clerk requested February 5, 2008, in Council Chambers be confirmed for a public hearing on:

- a) CAR07-00063/Rezone/Paradigm Development, LLC requests approval to rezone +/-16.71 acres located at 550 S. Maple Grove Road from A-1 (Open Land) to R-2 (Combined Residential).
- b) CAR07-00061/Annexation/Randall Gillingham requests approval of annexation of +/-22.61 acres located at 10026 S. Eisenman Road with a zoning designation of C-3D (Service Commercial with Design Review).
- c) CAR07-00059/Randall Gillingham requests approval of an amendment to the Land Use Map of the Comprehensive Plan to change the designation of +/-22.61 acres located at 10026 S. Eisenman Road from Industrial to Commercial.

Moved by CLEGG and seconded by EBERLE that February 5, 2008 in Council Chambers be confirmed as requested.

DECEMBER 11, 2007

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

The City Clerk requested the following minutes, reports and requests be received by Council and directed filed in the office of the City Clerk:

- a) Sole Source Purchase: Towne Planner Calendar - Parks and Recreation Department
- b) Sole Source Purchase: Lab Testing for Siloxanes in Digester Gas - Public Works Department
- c) Employee Health Plan Trust Trustee Minutes, October 24, 2007
- d) Administrative Policy Group Minutes, October 22, 2007
- e) Community Services Team Minutes, November 15, 2007
- f) Boise City Employee Advisory Committee Minutes, November 14, 2007
- g) Foothills Conservation Advisory Committee Minutes, November 7, 2007
- h) Boise City Building Construction Report, November 2007
- i) Boise City Building Construction Report, Calendar Report, Jan.-Nov. 2007
- j) Boise City Building Construction Report, Fiscal Report, Oct.-Nov. 2007

Moved by CLEGG and seconded by EBERLE that the minutes, reports and requests be received and directed filed in the office of the City Clerk as requested.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Proposed resolution (R-490-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF BOISE CITY, THROUGH ITS DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, AND THE WOMEN'S AND CHILDREN'S ALLIANCE, FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO PROVIDE INDIVIDUAL AND GROUP COUNSELING SERVICES TO LOW- AND MODERATE-INCOME RESIDENTS WHO ARE

DECEMBER 11, 2007

VICTIMS OF DOMESTIC AND/OR SEXUAL VIOLENCE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-490-07) be adopted and that same be numbered Resolution 19900.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Councilmember CLEGG requested unanimous consent that all ordinances on second reading be read by number and title only and filed for the Third Reading Calendar.

Unanimous consent was granted.

Proposed ordinance (O-96-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR07-00053/JOE AND MELISSA RAMAKER FOR PROPERTY LOCATED AT 6312 E. WARM SPRINGS AVENUE) ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LANDS AS A-2 (OPEN LAND); PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Proposed ordinance (O-97-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE (CAR07-00045/WINTERCREEK PROPERTIES, LLC. FOR PROPERTY LOCATED AT 11230 W. JOPLIN ROAD) ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LANDS AS M-1D (LIMITED INDUSTRIAL WITH DESIGN REVIEW); PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY

DECEMBER 11, 2007

LAW; AND PROVIDING AN EFFECTIVE DATE, was read for the second time.

Moved by CLEGG and seconded by EBERLE that further reading of (O-85B-07) be dispensed with and the record show that it has been read the third time in full.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Proposed ordinance (O-85B-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING TITLE 3, CHAPTER 5, BOISE CITY CODE TO UPDATE THE RESPONSIBILITIES OF THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-85B-07) be passed and that the same be numbered Ordinance 6620.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Moved by CLEGG and seconded by EBERLE that all rules of the Council interfering with the immediate consideration of ordinance (O-108A-07) be suspended, that the portions of Idaho Code Section 50-902, requiring an ordinance to be read on three different days, twice by title and once in full be dispensed with and the record show that it has been read for the third time in full.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Proposed ordinance (O-108A-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

DECEMBER 11, 2007

Titled: AN ORDINANCE (CAR06-00079 HARRIS FAMILY LIMITED PARTNERSHIP) ENACTING TITLE 11, CHAPTER 23, BOISE CITY CODE TO CREATE A HARRIS RANCH SPECIFIC PLAN DISTRICT FOR PROPERTY LOCATED WITHIN THE VICINITY OF 3800 WARM SPRINGS AVENUE; AMENDING THE ZONING CLASSIFICATIONS OF THE CITY OF BOISE CITY TO CHANGE THE CLASSIFICATION OF REAL PROPERTY PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM A-1/DA, C-1D/DA, C-3D/DA, R-1C/DA, R-2D/DA, R-3D/DA, R-OD/DA, ZONES TO THE HARRIS, was read for the first, second and third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-108A-07) be passed and that the same be numbered Ordinance 6626.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Lewis Condominiums SUB07-00090 Preliminary and Final Plat, Boise City (existing commercial building on 0.380 acres in an R-3D zone located on the northwest corner of West Colehaven Avenue and North Cole Road or 1433 North Cole Road), was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report.

Moved by CLEGG and seconded by EBERLE that Lewis Condominiums SUB07-00090 Preliminary and Final Plat be granted as requested subject to conditions stated in staff.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Toli Park Subdivision SUB07-00093 Preliminary Plat, Boise City (proposed mixed use subdivision with 12 residential lots, 3 commercial lots and 4 common lots located on the north side of W. State Street approximately 350 feet east of N. Pierce Park Lane), was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report.

DECEMBER 11, 2007

Moved by CLEGG and seconded by EBERLE that Toli Park Subdivision SUB07-00093 Preliminary Plat be granted as requested subject to conditions stated in staff report.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Racers Ridge Subdivision SUB07-00089 Preliminary Plat, Ada County (proposed residential subdivision with 179 lots and 15 common lots located on the south side of East Columbia Road approximately 1.5 miles east of Technology Way), was before Mayor and Council.

David Abo, Planning and Development Services, presented the staff report.

Kevin McCarthy, applicant representative, addressed the Council in support of the subdivision.

Moved by CLEGG and seconded by EBERLE that Racers Ridge Subdivision SUB07-00089 Preliminary Plat be recommended for approval to Ada County as requested subject to conditions stated in staff report with the condition that our Planning staff work with the developer and the County to strengthen the provisions on eventual annexation of this property.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Mayor BIETER announced that CUP07-00137/Appeal/David Hammerquist appeal of the Hearing Examiner's approval of a Conditional Use Permit for a kennel and training facility located at 1609-1621 N. Orchard Road in a C-2D (General Commercial with Design Review) and R-2 (Combined Residential) zone. The application included a request for a General Exception to apply the standards of the C-2D zone to the R-2 portion of the project has been withdrawn.

Mayor BIETER announced that this was the time and place set for a public hearing on the Special Events Fee Increase.

Proposed resolution (R-484-07) by the Council:

DECEMBER 11, 2007

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: A RESOLUTION APPROVING A NEW SPECIAL EVENT PERMIT APPLICATION FEE PURSUANT TO TITLE 5, CHAPTER 10; AUTHORIZING THE INCLUSION OF THE FEE IN THE BOISE CITY CLERK'S FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE, was read in full.

Robert Barros-Bailey, Finance and Administration Department, presented the staff report.

There was no one in the audience to testify on this issue.

Mayor BIETER announced that the public hearing was closed.

Moved by CLEGG and seconded by EBERLE that the proposed resolution (R-484-07) be adopted and that same be numbered Resolution 19899.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on the Department of Planning and Development Services Proposed Fee Increases, proposed ordinances (O-98A-07); (O-99A-07); (O-100A-07); (O-101A-07) and (O-102A-07).

Jennifer Gilliland, Planning and Development Services, presented the staff report.

Joe Kuntz, Building Contractors Association representative, addressed the Council in support of the amendments, but addressed issues they have with some items.

Brad Bettencourt, 7774 Snohomish Street, addressed the Council in support of the ordinances.

Mayor BIETER announced that the public hearing was closed.

Moved by CLEGG and seconded by EBERLE that further reading of (O-98A-07), (O-99A-07), (O-100A-07), (O-101A-07) and (O-102A-07) be dispensed with and the record show that they have been read the third time in full.

DECEMBER 11, 2007

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Councilmember CLEGG requested unanimous consent that to direct the Building and Fire staff to come up with a process to address the issues that are being raised by these amendments, particularly the issues of affordability and Fire Service and bring that report back to Council.

Unanimous consent was granted.

Proposed ordinance (O-98A-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING TITLE 4, CHAPTER 2, BOISE CITY BUILDING CODE; ADOPTING THE 2006 INTERNATIONAL BUILDING CODE AND THE 2006 INTERNATIONAL RESIDENTIAL CODE (PARTS I THROUGH IV AND IX); AMENDING OR DELETING SPECIFIED SECTIONS OF THE 2006 INTERNATIONAL BUILDING CODE AND 2006 INTERNATIONAL RESIDENTIAL CODE; SETTING MINIMUM STANDARDS FOR MODULAR NON-HUD STRUCTURES; ADOPTING CIVIL PENALTIES AND APPEALS PROCESSES; ADOPTING CRITERIA FOR UPGRADE AGREEMENTS; ADOPTING A PROCEDURE FOR PROCESSING APPEALS; CREATING NEW FEES FOR ADMINISTRATIVE SERVICES AND APPEALS; APPROVING A SUMMARY OF SAID ORDINANCE; AND PROVIDING AN EFFECTIVE DATE FOR ADOPTION, was read for the third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-98A-07) be passed and that the same be numbered Ordinance 6621.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Proposed ordinance (O-99A-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE AMENDING THE TITLE TO TITLE 4, CHAPTER 15, BOISE CITY CODE; AMENDING TITLE 4, CHAPTER 15, SECTION 2 BOISE CITY CODE TO REFLECT ADOPTION OF THE 2006 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (IECC) AND SETTING FORTH AN EFFECTIVE DATE; DELETING TITLE 4, CHAPTER 15, SECTION 3 BOISE CITY CODE WHICH STATED AN EXPIRED

EFFECTIVE DATE; AMENDING TITLE 4, CHAPTER 15, SECTIONS 4, 5, AND 6 BOISE CITY CODE TO CONFORM THEM BY RENUMBERING; AMENDING TITLE 4, CHAPTER 15, SECTION 7 BOISE CITY CODE TO RENUMBER IT AS SECTION 6, TO INCREASE THE APPEAL DEADLINE AND APPEAL FEE, TO DELETE LANGUAGE REGARDING APPEALS TO DISTRICT COURT, AND ADD LANGUAGE FOR APPEALS TO THE CITY COUNCIL; AMENDING TITLE 4, CHAPTER 15, SECTION 8 BOISE CITY CODE TO RENUMBER IT AS SECTION 7; DELETING TITLE 4, CHAPTER 15, SECTIONS 9 AND 10 IN THEIR ENTIRETY; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-99A-07) be passed and that the same be numbered Ordinance 6622.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Proposed ordinance (O-100A-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE REPEALING AND RE-ENACTING TITLE 4, CHAPTER 1, BOISE CITY PLUMBING CODE; AMENDING OR DELETING CERTAIN SECTIONS OF THE PREVIOUSLY ADOPTED 2003 UNIFORM PLUMBING CODE; DELETING THE REQUIREMENT FOR DUPLICATE LICENSING; CLARIFYING THE DUTIES OF THE PLUMBING AND MECHANICAL BOARD; UPDATING CRIMINAL PENALTIES; ADOPTING CIVIL PENALTIES; ADOPTING A PROCEDURE FOR PROCESSING APPEALS; INCREASING, IN EXCESS OF 5%, APPEAL FEE AMOUNTS; APPROVING A SUMMARY OF SAID ORDINANCE; AND PROVIDING AN EFFECTIVE DATE FOR ADOPTION, was read for the third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-100A-07) be passed and that the same be numbered Ordinance 6623.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Proposed ordinance (O-101A-07) by the Council:
BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

DECEMBER 11, 2007

Titled: AN ORDINANCE AMENDING TITLE 4, CHAPTER 05, BOISE CITY CODE TO ADOPT THE 2008 NATIONAL ELECTRIC CODE; AMENDING OR DELETING CERTAIN SECTIONS OF THE 2008 NATIONAL ELECTRIC CODE; INCREASING, IN EXCESS OF 5%, APPEAL AND VARIOUS ADMINISTRATIVE FEE AMOUNTS; ADOPTING A PROCEDURE FOR PROCESSING APPEALS; APPROVING A SUMMARY OF SAID ORDINANCE; AND PROVIDING AN EFFECTIVE DATE FOR ADOPTION, was read for the third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-101A-07) be passed and that the same be numbered Ordinance 6624.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Proposed ordinance (O-102A-07) by the Council:

BISTERFELDT, CLEGG, EBERLE, JORDAN, SHEALY and TIBBS.

Titled: AN ORDINANCE REPEALING AND RE-ENACTING BOISE CITY CODE TITLE 4, CHAPTER 9, INTERNATIONAL MECHANICAL CODE / INTERNATIONAL FUEL GAS CODE, TO INCORPORATE PROVISIONS WHICH CLARIFY JURISDICTIONAL AUTHORITY, BOARD DUTIES, APPEAL PROCEDURES, AND REVIEW STANDARDS; INCREASING THE APPEAL FEE; INCREASING CRIMINAL PENALTIES AND ADOPTING NEW CIVIL PENALTIES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE, was read for the third time.

Moved by CLEGG and seconded by EBERLE that the proposed ordinance (O-102A-07) be passed and that the same be numbered Ordinance 6625.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Mayor BIETER announced that this was the time and place set for a public hearing on CAR07-00047 and CAR07-00021/Barber Valley Specific Plan/Brighton Corporation request for approval of a Specific Plan District Zone for +/- 246.87 acres generally located at 3107 E. Warm Springs, 4941 E. Mill Station Drive, 5225 E. Mill Station Drive and 6400 E. Warm Springs Avenue in mixed zoning districts; a request for annexation of 40.5 acres at 6400 E. Warm Springs Avenue; Boise City Parks and Recreation request for approval of a city park of approximately 66.7 acres as part of this

DECEMBER 11, 2007

application; and a request an amendment to the Boise Comprehensive Plan Land Use Map to change the land use designation from Estate Density Two Units per Acre to Planned Community on 39.64 acres at 6760 East Warm Springs Avenue.

Hal Simmons, Josh Johnson and Bruce Eggelston, Planning and Development Services, presented the staff report.

David Turnbull, 12601 W. Explorer Drive, Suite 200, Brighton Corporation representative, addressed the Council in support.

Charlie Vaughn, Environmental Conservation Service, 5220 N. Sawyer, Suite A, Garden City, answered the Council's questions.

Debra Hardy, 6712 Glacier Drive, Riverland East Neighborhood Association representative; Chris Hendrickson, 5264 E. Branchwood, Harris Ranch Neighborhood Association (HRNA) representative; Carmen Cadena, 3961 S. Mill Site Avenue, HRNA representative; Deanna Smith, 1208 E. Jefferson Street, East End Neighborhood Association representative; Pete White, 6706 Glacier Drive; Rocky Bogart, 2105 Warm Springs Avenue, Warm Springs Estate Neighborhood Association and Nadine York, 6706 E. Glacier Drive, Riverland Terrace Water Board representative, addressed the Council with various concerns relating to the Specific Plan District Zone as presented.

Shawn Martin, Ada County Highway District, answered the Council's questions.

Mayor BIETER announced that the public hearing was closed.

Moved by CLEGG and seconded by EBERLE that CAR07-00021/Brighton Investments, LLC request for approval of an amendment to the Boise Comprehensive Plan Land Use Map to change the Land Use designation of +/-39.64 acres located at 6760 E. Warm Springs Avenue from Estate Density Residential (2 DU/Acre) to Planned Community be approved.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

Moved by CLEGG and seconded by JORDAN that CAR07-00047/Barber Valley Specific Plan/Brighton Corporation

DECEMBER 11, 2007

request for approval of a Specific Plan District Zone for +/- 246.87 acres generally located at 3107 E. Warm Springs, 4941 E. Mill Station Drive, 5225 E. Mill Station Drive and 6400 E. Warm Springs Avenue in mixed zoning districts; a request for annexation of 40.5 acres at 6400 E. Warm Springs Avenue; and Boise City Parks and Recreation Department request for approval of a city park of approximately 66.7 acres as part of this application be approved with the following amendments: 1) that we add a condition requiring equity on the funding of the Wildlife Mitigation Plans at the one year review period, if those plans are to be merged; 2) that the City of Boise believes that roundabouts are the appropriate traffic controlling mechanism along the Warm Springs and that we recommend to ACHD to minimize signaling along the Parkcenter Bridge; 3) that Condition No. 3 be amended to say that, "Brighton shall grade the terrace property so surface water drainage is away from existing lot..."; 4) to include the condition modifications as requested by the applicant that address the alley in Harris Ranch; and 5) that findings be returned to the Council on December 18, 2007.

Roll call on the motion resulted as follows:
YEAS: BISTERFELDT, CLEGG, EBERLE, JORDAN and TIBBS.

Motion carried.

There being no further business the meeting adjourned at 10:35 o'clock P.M.

APPROVE:

MAYOR

ATTEST:

CITY CLERK