

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, June 14, 2022, by Mayor Robert Simison.

Members Present: Mayor Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault, Brad Hoaglund and Liz Strader.

Also present: Chris Johnson, Bill Nary, Caleb Hood, Joe Dodson, Sonya Allen, Laurelei McVey, Tracy Basterrechea, Joe Bongiorno, and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is June 14th, 2022. It is 6:01 p.m. We will begin this regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: We had no one sign up for the Community Invocation.

ADOPTION OF AGENDA

Simison: So, we will move into adoption of the agenda.

Hoaglund: Well, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to note for the record for those that might be here or online, that Item No. 1, the public hearing H-2022-0015, Bountiful Commons East, they are requesting that it continue to July 19th and we will take that up when we get to that point, but just for a point of information. But I move we adopt -- adopt the agenda as published.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, do we have anyone signed up under public forum?

Johnson: Mr. Mayor, we did not.

ACTION ITEMS

- 1. Public Hearing for Bountiful Commons East (H-2022-0015) by KM Engineering, LLP, Located at 5960 and 5984 N. Linder Rd.**
 - A. Request: Modification to the Existing Development Agreement (Linder Mixed Use - Inst. #2018-052340) to update the conceptual development plan and building elevations.
 - B. Request: Combined Preliminary and Final Plat consisting of three (3) building lots on 2.20 acres of land in the C-C zoning district.

Simison: Okay. Then with that we will move into Action Items. First item up is public hearing for Bountiful Commons East, H-2022-0015. I will open this public hearing with those comments -- would staff like to make any comments after what Councilman Hoaglun just referenced?

Allen: No comments really. The applicant just wasn't able to be here tonight, so that's the reason for the continuance request. Thank you.

Simison: Okay. Was there anybody that was here that was hoping to speak on this item this evening? Okay. Seeing none, do I have a motion to continue?

Borton: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we continue the public hearing for H-2022-0015 to July 19th, 2022.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

2. Public Hearing on Proposed Water and Sewer Fees

Simison: Next item up is a public hearing on proposed water and sewer fees. We will open this public hearing with staff comments and turn this over to Director McVey.

McVey: All right. Thank you, Mayor and Council. So, as the Mayor mentioned this is our proposed two percent increase to the water and sewer base user rates that we presented to you on May 24th. So, as we mentioned, the average impact to our customers would be about \$1.22 per month. We have noticed this in the newspaper for the past two weeks and included it on all city utility bills for the last cycle. To my knowledge we have received very little feedback. We did get a couple of phone calls -- two phone calls to MUBS. We didn't get any in Public Works. So, just wanted to let you guys know that. I know we talked about this the last time, but for the benefit of anybody watching tonight, the main driver for the need for this increase is a significant increase in costs in utility operations and capital projects. As a reminder, we have not increased our utility rates since 2014, so this is the first increase in that time and in order to improve our fund solvency we are seeking a two percent increase today and, then, we are also anticipating adjusting our assessment fees this fall, but the hearing today is just for the two percent utility fees. One of the things to note is that we may potentially need future increases, but we look at our revenue and our expenses and model our -- our -- run our model every year to see if those come in with our projections or not. So, that's the reason why we are not asking for a bigger increase today as we would like to see if these -- some of these large capital projects that are coming in in the next couple of years, how those come in and, then, make adjustments each year as we go forward. As a reminder, Meridian has some of the lowest utility rates in the valley, even with the increases and that is due to current and past council and mayors' and staff's diligent and conservative planning and budgeting and so with that I will stand for any questions.

Simison: Thank you, Laurelei. Council, any questions? Okay. Thank you very much. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, nobody signed up in advance.

Simison: Okay. If there is anybody present who would like to provide testimony on this item, if you would like to come forward at this time or if you are online you can use the raise your hand feature and we can bring you in for comments as well. Seeing no one coming forward or anyone's hand raised online, Council, would you like any further comments from the director or do I have a motion to close the public hearing?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just to comment. I -- I appreciate the fact that there is not public here in the sense that -- I think it's a byproduct of work really well done, Laurelei, not only in Public Works, but also Keith Watts and -- and how we bid projects and are conservative and forward thinking with some of these really expensive capital projects. Efforts are made to save costs long term. It's always a long term vision. The reason you can do relatively modest increases is because of that dedication and discipline. So, much appreciation from all of us to you and your leadership to make this happen, keeping us looking long term. The public benefits and part of our obligation is to take care of those that are, you know, generations down the road and I think that foresight that you lead with provides great benefit to them. So, thank you for that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm ready to make a motion if we are ready.

Simison: To close the public hearing?

Perreault: Yes. I move that we close the public hearing.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

3. Resolution No. 22-2329: A Resolution Adopting New Fees of the Meridian Public Works Department; Authorizing the Meridian Public Works Department to Collect Such Fees; and Providing an Effective Date (June 15, 2022)

Simison: Next item up is Resolution No. 22-2329.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Resolution No. 22-2329 adopting new fees of the Meridian Public Works Department and authorizing Meridian Public Works Department to collect such fees and provide -- providing an effective date of June 15th, 2022.

Borton: Second.

Simison: I have a motion and a second to approve Resolution No. 22-2329. Is there a discussion? Seeing none, Clerk will call the roll.

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

Simison: All ayes. Motion carries and our thanks to you and your team..

MOTION CARRIED: ALL AYES.

4. Public Hearing for Ten Mile and McMillan (H-2022-0011) by Anne Kunkel, Varin Thomas, LLC., Located at the Northeast Corner of N. Ten Mile Rd. and W. McMillan Rd., Encompassing Nine (9) Parcels

- A. Request: A Development Agreement Modification of the Ten Mile and McMillan Development (Inst. #2020-040967) for the purpose of amending a DA provision regarding cross access between the commercial properties and the senior living property.

Simison: Next item up is Item 4, which is a public hearing for Ten Mile and McMillan, H-2022-0011. We will open this public hearing with staff comments from Mr. Dodson.

Dodson: Thank you, Mr. Mayor. Good evening, everybody. The first one here should be pretty -- pretty easy for everybody, so -- the application before you tonight is for a DA modification. It's for nine parcels located around the northeast corner of McMillan and Ten Mile. It's currently zoned C-G and has been for some time. There was a DA modification of 2019 to remove it from a larger DA and, then, a CUP in 2020 regarding an age restricted multi-family unit in the very back lot, the largest lot here. The DA modification before you tonight is specifically for one provision. Because the approved DA includes a provision that requires the senior living facility and the commercial parcels to provide cross-access and cross-parking, the inclusion of this provision is standard for commercial properties, but should have been excluded -- or they should have excluded the senior living property because the city does not want cut-through traffic or shared parking between the commercial sites and the senior living property. Further, the existing approvals required a commercial drive aisle along the rear of each commercial building lot, which provides for the required cross-access. This drive aisle has been constructed already and is in place. So, this is the proposed language. Top is what the applicant submitted in their narrative is the proposed. The bottom is what I am proposing as the recommended DA language, just because it specifically lists the application that started and created the CUP for the multi-family. So, after that I will stand for any questions.

Simison: Thank you, Joe. Council, any questions for staff? Is the applicant with us this evening? State your name and address for the record.

Kunkel: Anne Kunkel. Varin Thomas. 242 North 8th Street, Suite 220, Boise. 83702. The applicant doesn't really have much to add. We have confirmed with staff that we are

fine with the languages as they have proposed. That's -- given the limited nature of the DA modification we don't have anything more to say. We agree. We enjoyed working with staff and to reach this resolution and it accomplishes the goals that we were looking for as part of the modification.

Simison: Thank you. Council, any questions for the applicant? Okay. Appreciate it. Mr. Clerk, do we have anyone signed up on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. If there is anybody that would like to provide testimony on this item, if you would like to come forward at this time or use the raise your hand feature on Zoom. Seeing no one coming forward or raising their hand, would the applicant like to make any final comments? They are waived.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move we close the public hearing for H-2022-0011.

Borton: Second.

Simison: I have a motion and a second to close the public hearing on H-2022-0011. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff and applicant testimony, I move to approve file number H-2022-0011 as presented in the staff report for the hearing date of June 14th, 2022, and that the staff's recommended language has been agreed to by all parties.

Cavener: Second.

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

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

Simison: All ayes. Motion carried and the item is agreed to. Thank you, Joe. Have a good night.

MOTION CARRIED: ALL AYES.

5. Public Hearing for Hatch Industrial (H-2022-0029) by Hatch Design Architecture, Located at 160 N. Linder Rd.

- A. Request: Vacation of the 30-foot wide utility easement along the east side of Lots 8 and 9 of Heppers Acre Subdivision.

Simison: Next item up is a public hearing for Hatch Industrial, H-2022-0029. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next application before you is a request for a vacation. This site is located at 160 North Linder Road on the east side of Linder just north of West Franklin Road on 1.52 acres of land in the I-L zoning district. An amendment to the future land use map was recently approved for mixed use community to industrial for a larger 42 acre property that included this property and this property was annexed with I-L zoning. The current Comprehensive Plan future land use designation is industrial. The applicant is requesting approval to vacate the 30 foot wide easement along the east side of Lots 8 and 9 of Heppers Acre Subdivision. This easement is presumably for utilities, but there does not seem to have ever been any utilities installed within the easement area. The applicant is proposing to vacate this easement, so that the building being constructed on the site can be located closer to the eastern boundary of the site within the existing easement area. A legal description and exhibit map of the easement proposed to be vacated is included in the staff report and is shown on the right there. Relinquishment letters were received from CenturyLink, Idaho Power, Intermountain Gas Company, Sparklight and Nampa-Meridian Irrigation District for the easement proposed to be vacated. No written testimony has been submitted on this application. Staff is recommending approval of the vacation request.

Simison: Thank you. Council, any questions for staff? Seeing none, is the applicant here? Are they online?

Allen: Steve Thiessen or Jeff Hatch?

Simison: Okay. Don't see the applicant here. So, Council, would you like to continue to proceed without the applicant? Okay. Then do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present who would like to provide testimony on this item? Seeing no one wishing to provide testimony, do we have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we close the public hearing for Hatch Industrial, H-2022-0029.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I thought -- thought this was pretty clear cut and so I'm going to go ahead and make a motion. I move that we approve the request for vacating the 30 foot wide utility easement along the east side of Lots 8 and 9 of Heppers Acre Subdivision with application H-2022-0029.

Strader: Second.

Simison: I have a motion and a second to approve item H-2022-0029. Is there any discussion on the motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question for staff, Sonya or Bill. Bill is not here, so, Sonya, I guess you get the short straw. I'm struggling to recall a time that this has happened where we haven't had -- or -- I know we have had an applicant not be here for an annexation and we have continued that. Can you maybe walk us through the process? My gut is to vote in opposition of the motion, simply because I haven't heard from the applicant, but I don't want to -- I also would probably vote in opposition of a denial without hearing from the applicant either. So, help me understand -- maybe some historical about -- if we have experienced this in the past and what the process has been.

Allen: Yeah. Thank you, Mr. Mayor, Council, I -- I don't -- I don't believe there is any issues, unless you have questions for the applicant that you need to have answered before you make a decision on the application before you. The applicant has submitted an application request. That's what's before you tonight. If you don't have any heartburn

with it I would -- I would suggest making a motion. If you -- if you need additional information, then, I would suggest you continue.

Cavener: Thanks.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Discuss the motion. Yeah. I'm in favor. I mean this is very straightforward. It's a -- I don't want to say routine, because it was a request. But all the paperwork is in. It's -- it's just a very common -- not uncommon to have these come forward for easement vacations and as long as everything is submitted properly, every -- all the parties are in agreement, staff is in agreement, I -- I have no problem going forward just based on the type of application that it is, so --

Simison: Almost as if we had the planning administrator this could just like fly right on through. If there is no further comments, ask the Clerk to call the roll.

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

Simison: All ayes. Motion carries. The item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

6. Public Hearing for I-84 and Meridian Rd. (H-2021-0099) by Hawkins Companies, Generally Located at the Northwest Corner of S. Meridian Rd. and Interstate 84

- A. Request: Annexation of 18.30 acres of land with a C-G zoning district.
- B. Request: A Comprehensive Plan Future Land Use Map Amendment to change the future land use designation on 33.13 acres of land from Mixed Use – Community (MU-C) to Mixed Use – Regional (MU-R).

Simison: Next item up is a public hearing for I-84 and Meridian Road, H-2021-0099. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next applications before you are a request for annexation and zoning and a Comprehensive Plan map amendment. The Comprehensive Plan map amendment portion of this site consists of 33.13 acres of land and it showed there on the map on the left and the annexation portion consists of 18.3 acres of land, zoned C-G and RUT in Ada county, that's generally located at the northwest corner of South Meridian Road and I-84. A little history. The northern portion

of this site was previously annexed in 1984 and 2002. No development agreements were required with those annexations. The Comprehensive Plan future land use map designation is mixed use community. The applicant is requesting an amendment to the future land use map to change the designation on 33.13 acres of land from mixed use community to mixed use regional and annexation of 18.3 acres of land with the C-G, General Retail and Service Commercial Zoning District. A conceptual development plan was submitted as shown that depicts how the property proposed to be annexed, as well as the area currently zoned C-G, is planned to develop with two big box retail stores and a junior anchor retail space and that's retail one, consisting of 130,000 to 150,000 square feet. Retail two, which is 80,000 square feet and retail three, lot two, 20 to 30 thousand square feet. Three out pads with two drive-throughs and a four story 80,000 square foot office building. The northern portion of the site already zoned C-G is entitled to develop subject to UDC Table 11.2.B2 allowed uses in the commercial districts regardless of whether or not the annexation is approved. So, I'm just going to back up here for a minute and reiterate that. So, if you can see the red line here on the screen that kind of zigzags, the portion north of that line is already -- line is already annexed into the city and the portion that's to the south is what is proposed in the annexation area. A vehicular connection and stub is depicted on the concept plan to the property to the west for future extension across the Ten Mile Creek and for interconnectivity. The applicant has submitted an emergency access easement agreement with the property owner to the west for access to Ruddy Drive and Waltman Lane. Per the comprehensive plan mixed use designated areas should include at least three types of land uses. The proposed concept plan only includes two land use types, commercial, retail and office. Although residential land uses are still planned to develop on the adjacent property to the west, the property is currently entitled to develop solely with commercial uses. The previous residential development proposed for that property, Tanner Creek, was denied. Reasons for denial included Council's determination that the sole residential use of the property was not consistent with the MUC designation because a mix of uses wasn't proposed and they didn't want to burden this property with providing only the nonresidential component of the mix of uses desired for this area. For this reason staff recommended this property and the adjacent property to the west come in for review concurrently in order to ensure the overall development is consistent with the development guidelines in the comprehensive plan for the mixed use designation. The applicant chose to move forward on their own because the traffic impact study for Tanner Creek was behind theirs and ACHD's queue for review and they didn't want to be delayed with this project. The TIS for the proposed development included the planned residential development to the west, Tanner Creek, and has been accepted by ACHD as of yesterday I believe. A staff report has not yet been received from ACHD. It will probably be another three weeks at least they said until we receive that. In accord with staff analysis in the report, the proposed development is not consistent with the general mixed use development guidelines, the existing mixed use community or the proposed mixed use regional guidelines. The project as proposed is a commercial development, not mixed use. There are no significant attempts to integrate any of the on-site uses or with any of the adjacent uses. There are no community serving uses for existing and future residents. Pedestrian connections are proposed through vehicular use areas, which could result in vehicular and pedestrian conflicts and safety issues. No public or quasi-public uses are proposed, except an open

space area that's located in the middle of the parking area with unsafe access and at the periphery of the development along the west side. Staff is also concerned with the ability of the transportation network being able to support the proposed development even with improvements. For these reasons staff is not in support of the requested annexation with the conceptual development plan proposed due to its inconsistency with the comprehensive plan. As recommended in the preapplication meetings for this property and the adjacent property to the west, staff recommends development applications are submitted concurrently for these properties with a master plan for the overall area that demonstrates consistency with the guidelines in the comprehensive plan for mixed use developments and specifically the mixed use community designation or an alternate designation if proposed. Alternatively, if submitted separately, the development plan for each property should demonstrate consistency with the plan on its own merits. The Commission's recommendation was for denial consistent with the staff report based on their belief the requested use is not consistent with the general mixed use development guidelines, the existing mixed use community guidelines, or the proposed mixed use regional guidelines. Also they needed the findings for the traffic impact study before they were able to support the application. I will go over a summary of the Commission hearing. Ethan Mansfield, Hawkins Companies, the applicant, testified in favor, along with Matt Schultz, representative for Tanner Creek development to the west. Kelsey Lorcher and Joe Lorcher testified in opposition. Claire Manning and Nona Haddock commented on the application. There was no written testimony received. The key issues of discussion were the public testimony and agreement with staff's recommendation of denial due to not having a master plan with the Tanner Creek development to the west. Concern pertaining to impacts on traffic in the area from the proposed development and testimony from the Tanner Creek developers representative that they are in favor of the proposed development and intend to resubmit a residential development plan for the property to the west once ACHD has accepted their traffic impact study. Key issues of discussion by the Commission were as follows: Concern pertaining to the impact on traffic in this area if the proposed development plan is approved and desire to have the traffic impact study reviewed and accepted by ACHD for the overall development area in order to know the impacts and transportation improvement requirements for the development and consistency of the proposed development plan with the comprehensive plan. The Commission again did not make any changes to the staff recommendation, which was for denial and there has been no written testimony received by the city since the Commission hearing. I believe there is a representative for ACHD here tonight to answer any transportation questions you may have. Staff will stand for any questions.

Simison: Thank you. Council, any questions for staff? Okay. Thank you. Is the applicant here?

Mansfield: Sorry about that, Mr. Mayor. I got too excited and jumped up before it was my turn. I have a presentation. I think Sonya is pulling it up right now.

Simison: If you could state your name and address for the record.

Mansfield: Sure. My name is Ethan Mansfield. I'm with Hawkins Companies and our address is 855 West Broad Street in Boise, Idaho, and we are the developers on this project. Let's see if I can make -- oh, thanks, Sonya. Okay. First I would like to thank you all for your time this evening and I would like to thank staff for working on this application with us. Your service to the community is much appreciated during this time of exciting growth. Our request tonight is for a comprehensive plan amendment to regional mixed use for about 33 acres and an annexation and rezone to general retail and service commercial for about 17 acres on the northwestern corner of Meridian Road and I-84. Before we dig in I think it's extremely important to acknowledge that 16 acres of this site is already entitled and zoned C-G, as Sonya mentioned. As you all understand, the zoning of a piece of land governs the specific uses and the design criteria of those uses allowed on that land. The land use map or comprehensive plan, on the other hand, helps define and guide the general character of future development. It helps you make decisions about annexations, rezones and conditional use permits. In this case the 17 acres on the south side of the site are what requires this sort of action, not the northern 16 acres. The northern land is entitled and only a site plan approval is required to develop it. The southern 17 acres are funky, there is no doubt about it. First they sit about 20 feet below the on ramp to the Interstate. There is a steep grade going down to our site. Next the only way to access this portion of the site is directly through the northern portion of the site. As such, regardless of zoning or land use, the character of the development of this southern parcel of land will largely reflect what is developed on the 16 acres of entitled property to the north. Please consider this point throughout the discussion tonight. Now, let's chat about the overall plan for our site. Hawkins proposes to develop a mix of retail, food and office uses. Anchoring the development is a 145,000 square foot national retailer. Here are the renderings of this user. Here is a perspective looking west and northwest and here is looking west and, then, looking south from Waltman. In addition we are proposing another large format retail box, as well as a junior anchor. Several food users and a shop space and a four story 80,000 square foot office building in the southeast corner of the site. Linking these uses is a network of pathways that extends throughout the site and provides connectivity to the west and north. We propose a ten foot multi-use pathway along Waltman to provide connectivity to the east and west and a pedestrian and bicycle access bridge to Tanner Creek, the residential development to the west. A sidewalk currently exists to provide connectivity to the south. The development includes a one acre parklet positioned to provide a transition from the apartments proposed to the west to our commercial development. It includes a one-third acre urban plaza located near the office development and while we understand that outdoor patio seating does not officially qualify as an amenity per code, outdoor patios don't suck and so we have decided to include two next to our shops building and these are directly connected to Tanner Creek via a pedestrian pathway that does not go through a parking area and here is the renderings of these features. So, this is looking at the park, looking northeast from the park and southeast, northwest and, then, here is a bird's eye view of the urban plaza. A couple more views of the plaza and, then, this is the outdoor patio space. Tanner Creek, a residential project from Schultz development, with 264 multi-family units and 128 single family homes, is proposed immediately west of our project. Last June City Council denied the same Tanner Creek proposal. Why? Because it did not have commercial uses required by the mixed use land use designation -- designation

associated with it. As Matt Schultz will share with you later this evening, Council specifically directed him to wait until commercial uses developed to the east. Well, here we are. Our application fulfills City Council's request. It provides office space, retail and restaurants within walking distance and thoughtfully connected to the Tanner Creek development. So, why couldn't we wait for Tanner Creek's application to apply with ours? First, comp plan amendments are only processed two times per year, December 15th and June 15th. Tanner Creek had proposed to submit in early January, relatively concurrent with our December 15th deadline. However, ACHD required Tanner Creek to submit an updated traffic impact study. These take a while, both to produce and to be reviewed. Tanner Creek submitted their updated TIS in late March and it was approved yesterday and now Matt is busy assembling the final application documents and he is planning to hold his neighborhood meeting next Monday and will submit -- submit shortly thereafter. At this point to require Tanner Creek to come in concurrently with us would, at a minimum, require a six month hold until next December. As we need housing and commercial services to serve the intense growth that Meridian is experiencing right now, this is a risky and potentially costly move. We may not have a commercial user in six months. It's also a move that could be avoided by simply acknowledging the reality of the situation, that Tanner Creek and our development will complement each other and create a desirable regional commercial and residential hub. Staff is also concerned about the current development rights on the Tanner Creek site. Let's talk a little bit about the existing development that could occur on the site without going through an additional entitlement process. There is an existing development agreement on this site that governs the development of the site. Only one of two site plans could be built in that location right now without City Council approval. This is the first one and this is the second one. Anything else outside of these two site plans would require a trip back to the City Council for approval. What is the likelihood that if our site is approved for retail, food and office uses, that the contiguous land owner would scrap a residential project and sell the land and, then, that another 37 acre development with the same uses as ours will develop next door in one of those two specific configurations shown here. Right now I think that likelihood is nonexistent and I think we can all agree that this corner, our corner, is the right place for the commercial component of a mixed use development, while the previous location was not. Now, let's talk about the comp plan amendment and the subsequent rezone. Here is a description of the mixed use and mixed use regional land uses from the comp plan. In general, the purpose of the mixed use designation is to provide for a combination of compatible land uses within a close geographic area that allows for easily accessible and convenient services for residents and workers. The purpose of the mixed use regional designation is to provide a mix of employment, retail and residential dwellings and public uses near major arterial intersections. Development should be anchored by uses that have a regional draw with appropriate supporting uses. Now, here is a map showing the general location of our development overlaid with -- over the top of the comp plan map. The surrounding development is already a regional destination. Several big box stores and hotels are located on the east side of Meridian Road. Two regional entertainment uses and event center exist across the freeway to the south. The interchange is also the gateway to downtown Meridian and Meridian Road in front of the site is the third busiest roadway segment in the state, surpassed only by two segments on Eagle Road. In other words, the entitled portion of the site is begging to be developed

into a regional destination. In that spirit we are proposing a retail center with a regional draw, a regional employment hub, restaurants and amenities that are complementary to Tanner Creek, which will provide 400 housing units within walking or biking distance of our site. Put simply, our development will serve residents of the entire region, while maintaining walkability to residents of adjacent multi-family and single family housing developments. Per the comprehensive plan the mixed use regional designation is also the only mixed use land use designation that supports the general retail and service commercial zone. This appears to be expressly designed for the subject parcel. Commercial uses in, quote, unquote, close proximity and/or access to interstate or arterial intersections. End quote. It is logical to continue that zone to the south closer to the interstate and the mixed use regional designation supports this, while the mixed use community designation does not. Based on the comments we have heard from staff at the preapplication meeting last fall, the entire reason that this site was designated community, rather than regional mixed use, was that the transportation infrastructure serving the site was insufficient to support a regional draw. This is an extremely reasonable point. However, it seems that rather than limit the use of the land on this very visible regional corner, it might be better if we simply increase the capacity of the transportation network. Here is how we propose to do this. First, we propose to work with ACHD to extend Corporate Drive across Ten Mile Creek to Waltman. Next we will improve Waltman to a collector roadway with a center turn lane throughout the project. We will also install infrastructure for a future transit stop on the corner of Waltman and Meridian Road. Here is a cross-section of the proposed roadway improvements in front of the site. We originally proposed an additional left-hand turn lane onto Waltman from Meridian Road and a corresponding second westbound lane on Waltman along the site. This was not accepted by ACHD. The accepted proposal does not include a northbound left turn lane or a second westbound lane on Waltman per ACHD's direction. I'm about out of time, so I would like to quickly address the integration of our site with the residential uses to the west.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I'm going to give you some more time. I have a question for you.

Mansfield: Thank you, sir.

Bernt: Can you be more specific and elaborate a little bit more about the transportation aspect of what you just described? Like what you are willing to do. What -- okay. There we go. What ACHD said you couldn't do, as opposed to what they said you could do.

Mansfield: Mr. Mayor --

Bernt: That was just too quick.

Mansfield: Mr. Mayor, Council Member Bernt, a great question. I can go through that a little more slowly. So, would you like me to start with the extension of Corporate Drive?

Bernt: Right here.

Mansfield: So, Mr. Mayor, Council Member Bernt, we are proposing to extend Corporate Drive across Ten Mile Creek to Waltman and that will be a -- a two lane roadway. We are going to improve Waltman Drive to a collector roadway with sidewalks on both sides -- or, sorry, sidewalks on the south side where -- where we have control of the construction of sidewalks, a multi-use pathway, two lanes in either direction and a center turn lane.

Bernt: Mr. Mayor, follow up?

Simison: Councilman Bernt.

Bernt: So, you are going to improve -- I noticed that the -- the -- the portion that goes across Ten Mile Creek from Corporate to Waltman is not sort of near where your project is. It's -- it's further -- it's further west; right?

Mansfield: Mayor Simison, Council Member Bernt, that's correct.

Bernt: So, are you proposing to not only do that, but that entirely -- so, are you proposing to redo the transportation network on that -- basically the entire road of Waltman Lane or just your portion of it?

Mansfield: Mr. Mayor, Council Member Bernt, we are proposing to do just our portion. We anticipate and expect Tanner Creek to also do their portion and that's why I'm showing that red line, because once both -- we -- we are kind of -- as you have seen master planning --

Bernt: Right.

Mansfield: -- this development and so we are anticipating that entire segment to be constructed as a collector roadway.

Bernt: Got it.

Mansfield: Mr. Mayor, Council Member Bernt, do you want me to keep going?

Bernt: Yeah. Yeah. And so another question would be maybe a little bit more detail on what -- in what you proposed to ACHD and they said no to, but said yes to what they approved.

Mansfield: Mr. Mayor -- Mayor, Council Member Bernt, yes, absolutely. So, what we proposed in our TIS to ACHD -- what we submitted in our traffic impact study that ACHD reviewed was a northbound left-hand turn lane on Meridian Road and, then, a westbound

lane on Waltman to receive that second northbound turn lane and, then, in addition, our traffic impact study proposed to continue that westbound lane all the way to the third westernmost boundary or driveway of our retail site. ACHD in their comments back to us essentially said, no, you don't -- you don't want to -- or you don't need to do that northbound left turn lane and we only want one westbound lane as shown here.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If I remember correctly there is already an area on Meridian Road for a left -- a second left turn lane. It's currently stripped out right now, but it exists. It's there. So, I -- I'm not -- ACHD is saying no to that? It's actually already existing, it's just not being able to be used right now, but it's -- it's there, the left -- a second left turn lane going north on Meridian Road onto Waltman, it already exists, but they have it stripped out, so --

Simison: Well, we have ACHD on here, so we can pick that up with them as soon as we get through the presentation.

Bernt: I'm clear. We are good.

Mansfield: Mr. Mayor, thank you. And -- and I'm, again, happy to answer any of these questions and -- and help clarify, but we will let ACHD take a crack at it first, because they are the experts.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Can we go back another slide to the overall -- no. One more. Yeah. So, would -- would your proposal include acquiring all of the right of way of West Corporate Drive? At what point would that be completed, that connection?

Mansfield: Mr. Mayor, Council Member Strader, that right of way currently exists and has been acquired previously by the efforts I believe of ACHD, but I -- I don't know by whom. But it does exist as right of way.

Strader: Mr. Mayor, if I could follow up.

Simison: Council Woman Strader.

Strader: Just to make sure I am understanding, are you proposing with ACHD that you do an agreement and that you will build the road or are you proposing just to build the segment on your C-G property and, then, you believe ACHD will complete this? Because we -- we are going to need a complete -- my opinion we need kind of a comprehensive solution to come forward here through one -- one way or another.

Simison: And maybe we can help answer that. I believe that this Corporate Road connection has been part of all the previous conversations for the development of this project for the last 16 years. So, it's probably already tied to the existing development agreements on this property.

Mansfield: Mr. Mayor, you -- you are correct. We are anticipating and we have discussed with ACHD the possibility to cost share on the Corporate Drive to -- to ensure that's extended, as well as the bridge over Waltman, you know, redone as a collector bridge -- bridge over Ten Mile Creek. Excuse me. You know, prior to certificate of occupancy of any -- any of our developments.

Strader: Thanks.

Simison: Ethan, we will let you finish your presentation, then, we can come back to questions.

Bernt: Sorry, buddy.

Simison: No, you are good.

Mansfield: Thank you, Mr. Mayor. So, let's -- let's pick it up where we are discussing the integration with the surrounding development. So, I would like to quickly address the integration of our site with the residential uses to the west. We both integrate and buffer our regional development by providing a one acre pocket park between the residential portion of the development and the commercial portion of the development. This represents nearly 40 percent of the frontage along Ten Mile Creek and serves bicycle and pedestrian traffic that travel between the two uses. The remaining frontage is separated by 129 feet of riparian area creek, landscaping, and a 20 foot drive aisle. Importantly, we feel that this building is oriented in the best way a regional store could be to minimize impacts to the surrounding residential development. In sum, we are beefing up the transportation infrastructure to keep pace with a mix of uses that we want to be on this corner. Our proposed mix of uses is of a similar scale and fits appropriately within the surrounding development. While we can develop the northern portion of the site with only a site plan review, we want to incorporate the land to the south, which will develop in a character similar to the north and integrate with the residential property to the east. With roadway improvements and enhanced connectivity delivered by this project and Tanner Creek to the west, we proposed to capitalize on the location of this site to deliver homes, jobs, goods and services at the population epicenter of the Treasure Valley. We look forward to your approval of this project. Thanks so much and I'm happy to stand for any questions.

Simison: Thank you. Council, questions?

Bernt: Mr. Mayor, I got a question.

Simison: Councilman Bernt.

Bernt: Thank you for your clarity early with the transportation stuff. I appreciate it. So, my next question has to do with your -- your amendment to the comprehensive plan, the FLUM. So, if you -- my -- my question is if you are already trying to make a -- you know, a FLUM change, comprehensive plan change, why wouldn't you make that change if you are needing to match the -- the -- the -- the -- the commercial use? Why not do it C-G throughout the whole project, instead of having it be mixed use, when you don't have any anticipation of making anything residential?

Mansfield: Mr. Mayor, Council Member Bernt, that is an excellent question and we did have a reason behind it. So, the -- the main there -- there are kind of two reasons. So, the first reason is because we anticipated coming in concurrently with a residential use in Tanner Creek. The reason that they got held up was simply because of a TIS issue. They were fully intending to come in with us as planned, so we had actually applied in December -- and we met the December 15th deadline and Matt was expecting to apply and, then, he contacted ACHD to just check in and ensure that everything was okay and at that point was instructed that he needed to do an update to his -- to his plan. So, at that point we had already submitted with mixed use regional. Staff actually directed us not to go to the commercial, because, then, we would be leaving the mixed use community portion upon which Tanner Creek is placed, as a purely residential project with no mix of uses. So, we -- that's the entire reason that we -- you know, we were originally planning to come in together was because he had the residential, we had the commercial and that -- I mean that complements each other to a mixed use development and I should note that we are extremely open to a comprehensive plan change to commercial if that is what the Council desires. I would also hate to leave Matt in a lurch by, then, having to provide some small component of commercial or development just to comply with the mixed use comp plan designation when we have a mix of uses here already.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: We love it when -- when developers and applicants get together and try to sort of do a mini master plan of an area. So, thank you for working together in that regard. But I do have a question about that. If Tanner Creek were not to be approved, then, where does that leave you guys as far as now you are no longer meeting your development agreement to have multiple uses. That -- that's the -- the first question. And -- and, then, of course, then, how would -- you know, would you just re -- redo your concept plan or what would you do?

Mansfield: Mr. Mayor, Council Member Perreault, that's a -- that's also a great question and I -- I think I have an answer for you. So -- yeah. So, what if Tanner Creek didn't come in? So, currently there is -- there is two kind of commercial plans that exist on that and they would -- whatever developer would have to probably come back to you all to seek to get permission to what -- for whatever came next if Tanner Creek did not come. So, at that point you would have some discretion over whether or not you wanted additional commercial there or if you were more interested in having residential, you know, you

would have the authority to kind of guide that and dictate that, because it is mixed use -- commercial community now. So, you know, another option would be simply to allow us the FLUM designation of commercial, which would, you know, give us what we want, but, again, I would hate to -- to not allow Tanner Creek to come through because of that and if you guys are okay with that -- or Council is okay with that, then, that's perfectly acceptable to us, as long as we can both come in. Another alternative is that we can offer to remove the 80,000 square foot big box store. I -- I do have a Massey plan that shows residential on the site, so we could potentially do a multi-family product there if that's something that -- that Council is interested in. The reason, obviously, we did not propose this originally was because we know that Tanner Creek is right behind us, so -- but, you know, if -- if that is something that Council desires and they want some residential there, we are certainly happy to accommodate that. And, again, I should also mention really quickly that would require a conditional use permit, so it would be reviewed for all of the standards in the UDO that -- that are important.

Strader: Mr. Mayor, I have a quick question for staff.

Simison: Council Woman Perreault still has questions.

Strader: Oh, I apologize.

Simison: No worries.

Perreault: Sorry about that. So, one of the -- you know, the project that you mentioned to the east with Home Depot and Winco, you know, getting in there is sometimes a little bit awkward. It's a narrow road. However, they have that frontage road that runs all the way along -- you know, the front of Winco, around Home Depot, and if -- if all of that traffic was moving through the parking lot north, you know, and out of Winco on the north side onto that, essentially, what would be an extension of Waltman, that would be an entirely different flow of traffic; right? Because they have that frontage road it -- it's able to move traffic and disperse it away from the multiple stores in there in a much more even capacity. Is there any -- has there been any consideration of doing that same concept on your site, so that Waltman isn't carrying the load of all the vehicles coming in and, then, they are going up and down the parking lot to exit versus going out onto a frontage road to exit?

Mansfield: Mr. Mayor, Council Member Perreault, were -- did you have additional questions you --

Perreault: Yeah. One -- just one more.

Mansfield: Sure.

Perreault: Just some feedback really. The little plaza area in the middle, I personally wouldn't go buy food and walk to the middle of the parking lot and sit down and eat it or hang out there. I -- I would feel that -- I feel like it would be a lot more -- I mean you got car exhaust and all that stuff. I feel like it would be a lot more beneficial to take smaller

spaces and put them up next to the restaurants and whatnot to create more of that plaza space, but that's just a -- I wouldn't go out -- it's almost like an island unto itself. I probably wouldn't utilize it, but if you had smaller spaces all around the buildings that create the same effect I think it would be more efficient. That's all.

Mansfield: Mr. Mayor, Council Member Perreault, that is great feedback and we will certainly look into -- to doing that. I -- I can see a spot that appears like it may work well, in fact. So, thank you. To answer your other question, you know, we -- we do have a few different kind of continuous drive aisles and I wish I had highlighted those more kind of robustly, but that first kind of eastern most driveway does kind of feed a continuous -- it's a little bit hard to tell, because there is so many trees on this plan, but you can -- you can actually see how it curves, so it starts south, curves around, and, then, it kind of provides access to each of these pads and, then, it loops around and -- and connects to this main east-west drive aisle in the center of the site and, then, you curve back and -- and -- and can kind of go out behind that retail one building. So, I think, you know, we -- we can additionally kind of add kind of wayfinding markings to -- to enhance that connectivity if that's of interest, but that's kind of the intent and also a lot of the traffic to reach the southern portion of the site would come south or through the -- the drive aisle behind retail one. I'm not -- did that answer your question?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yeah, it -- it -- yes, it is a bit hard to see on this, so I -- I didn't quite gather it. I just assumed like the -- the two -- the two aisles that loop around on the east side, those are drive-throughs; right? And -- yeah, I just don't -- I guess I just don't see like a main road that's coming in that's collecting all of the traffic and keeping people from driving across all the parking spaces.

Mansfield: Yeah. Let me -- or Mr. Mayor, Commission -- or Council Member Perreault, let me -- let me get to a better site plan for you, because I think it will become a little bit more clear. I think maybe our transportation piece might show it. So, here is kind of the start of the eastern most drive aisle of our site. You can tell there is no parking spaces right on it. You do have to turn off into a parking field and, additionally, you know, you turn either as you are, you know, driving into it to the right to access the retail one parking field or to the left to access the pad parking fields and -- and/or the drive through area. So, you know, this is kind of a feeder. I would say the main feeder really to get back to the -- the stuff on the south is on the far western drive aisle. So, obviously, the drive aisle immediately in front of retail one would most likely only be used by retail one customers would be the anticipation. That's how it's -- that's how it's designed to function here.

Simison: Council Woman Strader?

Strader: Thanks, Mr. Mayor. A quick question for staff and, then, maybe the applicant will react to it if appropriate, but I guess -- you know, so my understanding is that we

consider comprehensive plan amendments twice per year, but I -- I didn't interpret that that we can only approve them certain times per year. So, I guess my question would be if we were -- we started considering this. If we were to continue it is it true that they would have to wait until December or could we perhaps continue this for two months until Tanner Creek could come through and, then, continue considering -- you know, continue to consider it.

Allen: Council Woman Strader, Mr. Mayor, I will defer to the planning manager on that.

Hood: Mr. Mayor, Council, good evening. We actually -- we talked about this, because the language in the code actually says the Council may act on comprehensive plan map amendments twice a year. Now, that's a calendar year or how that works -- it is actually a question. I don't know if Bill wants to also chime in here, but it did come up, because we were playing that scenario. They -- obviously, we are together tonight with the two that were submitted then. I think that is a viable option potentially to continue this for some time and still be within the confines, but I'm not an attorney. And, again, did -- did bring that up and raise that -- that same question here recently.

Nary: Mr. Mayor?

Simison: Yes, Mr. Nary.

Nary: Mr. Mayor, Members of the Council, so prior -- when this used to be part of the Idaho Code before it was in the UDC, that was the standard that the courts applied. You had to apply for it, but presuming -- Council can't hear all of these things in one day or in one evening or make one decision one time. So, we have bundled them over the years and, then, process them through as long as they meet the deadline for -- to apply for the change. So, I have no concern if the desire of the Council is to continue this for a bit to let Tanner Creek catch up and, then, hear them together. Again, I don't know if the applicant's okay with that, but I don't have a legal issue with that.

Simison: Council Woman Strader, the applicant is getting their feedback for you on that question. Councilman Borton.

Borton: While they are doing that, Sonya, can you put a fine point on the specific use that you can do with the mixed use regional that you cannot -- the -- with the zone, but mixed use community prohibits it. Why is the map amendment required for this project?

Allen: Mr. Mayor, Councilman Borton, Council, because of the square footage of the big box, it's over 30,000 square feet --

Borton: I thought that was already annexed and zoned.

Allen: Excuse me. You are right. It is. On that portion of the site.

Simison: Let's go back to question --

Allen: I believe it was the office -- was -- was it 80,000? Yeah. Eighty thousand square foot office building. And that is in the annexation area. It's not allowed in the mixed use community, but it is in the mixed use regional.

Borton: Okay. Thank you.

Simison: Back to your question, Ethan.

Mansfield: Mr. Mayor, the question was about the continuance or --

Simison: Yeah. Council Woman Strader was essentially asking if we didn't have to make a decision tonight and want to continue. Staff said that's okay.

Mansfield: Mr. Mayor, our -- our -- obviously our preference would be to reach a decision tonight. We are happy to provide additional information to you tonight if that helps make a decision and I -- it makes it really difficult, primarily because we have, you know, something in the works with retail one that, then, gets pushed off and the more it gets pushed off the less likely it is to happen and so we are -- we are challenged in that respect, because the economics of it are continually changing and we can -- we understand that, you know, you cannot make decisions based on that, so that's just kind of where we are and I'm just trying to be honest with -- with Council. Yeah, we would obviously prefer an approval, but -- and -- and happy to answer any questions that would help you make the decision and if it's just waiting for Tanner Creek we -- that is what it is.

Simison: To play off of that, you also have something in the works for the four story office?

Mansfield: They -- we -- we do have several interested users, Mr. Mayor, yes.

Simison: Maybe in companies in the community, they are looking to stay here and expand.

Mansfield: To my knowledge there -- there are companies in the community that are interested.

Simison: Yeah.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, among the challenges that this chicken or the egg has is you are -- you are, in essence, saying -- you are asking to be conditioned to provide extremely significant off-site improvements -- roadway improvements, some of which are perhaps coming with -- with agreement in a future Tanner Creek application. Maybe. Maybe not. Right? But that's part of it. But also the connection to Waltman, which isn't annexed yet, so how does

-- if -- if that's a piece of the puzzle that's required that you are consenting to provide the northern connection -- or not Waltman. Excuse me. Corporate. Yes. Right? That crosses county property that's not subject to any application, I believe. So, how does that condition -- and you are asking to agree to that, but that's a -- I don't see how you can do that.

Mansfield: Mr. Mayor, Council Member Borton, in previous approvals there have been -- I should -- let me start over. Previous approvals have been conditioned upon providing the Corporate Lane extension and bridge. The -- the assumption being the right of way is there, there needs not be a land use application to improve what is now a piece of grass and no bridge, to a bridge and a roadway. So, there -- there needs not be a land use application to construct those improvements. Those are off-site improvements that we, in discussions with ACHD, have agreed to construct with them.

Borton: Mr. Mayor -- and I may be missed --

Simison: Councilman Borton.

Mansfield: I think I might be missing something, too.

Borton: So, the -- the connection -- Waltman going north to connect to Corporate, who owns that land? I mean who -- whose property are you building a road on?

Mansfield: Mr. Mayor, Council Member Borton, currently nobody's property. It's -- it's currently right of way. It's been acquired by Ada County Highway District.

Borton: Okay. Okay. That's -- that was the disconnect. Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to I guess dialogue a little bit further. I mean of course you would like an approval tonight. I'm sure every applicant that comes before us would. I'm struggling with the same concept as Councilman Borton, which is that the comprehensive strategy to address the transportation network is dependent on the development of another property. In your presentation in your timeline you stated that you would have to wait until December. We have established that that is not true. It's possible that you might wait two months for Tanner Creek to come through and, then, you are off and running. Do you -- so, are you saying, no, no matter what, I want a decision tonight or are you more flexible? And I will just tell you like I -- with the information before me today, without Tanner Creek before me, I -- I can't get on board with it. That's just me. But I -- anyway, if you want to maybe reflect further, but --

Perreault: Mr. Mayor?

Simison: Yeah. Let the applicant -- if they would like to reply at this time or not. Okay. We are going to defer on that response to Council Woman Perreault.

Perreault: Thank you very much. I wanted to add on to what Council Woman Strader was saying and that's just that Tanner Creek isn't approved. You are coming back with another comprehensive map amendment to C-C on that southern property and you are going to spend just as many months out waiting to do that in December than if you wait for two months for Tanner Creek to come through and have an approval potentially at the same time. So, you could be risking more time delay if -- you know. And so I guess that's -- you know, the -- if -- if Council -- again these are ifs; right? I'm just -- I'm just talking this out to make sure that we are -- that -- that we are helping the timeline work for you. If you were to get a denial this evening based on the fact that -- that we don't see this as a mixed use regional in and of itself, then, you are waiting a year before you apply again. So, I -- I -- I agree with Council Woman Strader in that I am concerned -- I'm concerned about approving your application based on something another applicant is doing, but we don't have the information and no guarantee it will get approved and, you know, I understand that when they apply, if they are -- if they are applying and -- and stating that they are a portion -- that -- that -- they are mixed use community currently as well, I think, and so, then, they are going to say, well, you know, our commercial piece is -- is -- is the Hawkins application, then, I just think it -- I mean was there any discussion about actually submitting these applications jointly and realizing that you need this comprehensive map approval to do that, but --

Mansfield: Mr. Mayor, Council Member Perreault, that was the -- the original intent was to submit them concurrently, not -- not jointly. In the TIS we included background traffic from Tanner Creek and vice-versa. So, essentially, what we had was joint -- pretty much joint applications, with the exception of Tanner Creek experiencing the delay, because they had to update their TIS versus us who had a TIS ready to go -- or, frankly, us who really didn't need a TIS, because we are not coming through with a conditional use permit or a preliminary plat. This is all just a comprehensive plan amendment and annexation and rezone. I suppose one other point -- or one other point I would like to just understand is if we did pursue the same project, but instead of the 80,000 square foot big box, we provide multi-family thereby meeting the intent of three different types of uses, would that push us anywhere into the approval this evening, because that appears -- if we are simply waiting for a residential component to come along, we can provide that and it does appear that what I'm hearing is that we expect Tanner Creek to provide that. However, we are willing to also provide a component of multi-family housing.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Ethan, can you go back -- you had a -- I think the previous slide that kind of had your more commercial, your more retail concept map before us.

Mansfield: Yeah. Something like this or more zoomed in --

Cavener: More zoomed in.

Mansfield: Okay.

Cavener: It was like the previous slide that you were on before you moved over to that one.

Mansfield: The woes of having too many slides.

Cavener: And while you are looking for that I guess what I'm going to ask you to do -- that one right there. Perfect. Help walk me through -- if -- if I'm a customer at lot -- lot eight or lot six, that south -- southwestern property and I want to leave to get onto Waltman to go home, what -- what are my options? How do I get there? And I will just share -- because here is kind of what I'm envisioning a little bit is the retail complex at -- at Eagle and Fairview, very popular, but there is a challenge if you are shopping at let's say the marketplace Albertsons and, then, you want to go to Goodwood for dinner, navigating through that to get there is really challenging and it's something that has been challenging both for the customers, the -- the owners, the employees and -- and at first glance I see some of the same problem. I think it's -- to what Council Member Perreault is trying to inquire about how you are trying to move traffic through there. So, maybe walk me through -- if I'm a customer at -- at -- at lot six what are my ways that I'm able to get home? And you can use your mouse if that's helpful.

Mansfield: Thank you. Mr. Mayor, Council Member Cavener, I -- I just want to make sure we are kind of on the same page with referring to this particular -- this southwestern -- so, if I am a customer trying to leave the center -- I have a couple of options. I think the most efficient would be to head north out of the parking lot, turn left on this service drive here, go north and, then, I can turn either left or -- left or right onto Waltman, depending on if I need to go north, because keep in mind we have connectivity now to the north.

Cavener: So, Mr. Mayor, if I may.

Simison: Councilman Cavener.

Cavener: Ethan, I agree with you. I think that that's likely the place that the -- I think not just the customers from the lot eight, but I think throughout the complex are going to use that kind of backage area to kind of be an express lane out and I worry, because it's right by where you have put this little pocket park and so I can appreciate what I think that you are -- you are doing. I -- I just think that there needs to be a little bit more thought put into how you are going to navigate pedestrians, bicycles, but you are wanting to be thoughtful of them and putting them in direct conflict of -- where I think is going to be kind of the -- everybody knows it's the secret way out and I think that this -- if you are wanting to move forth in -- in a manner which I -- which I think you are trying to accomplish, which is to really integrate the -- the residential and the commercial uses together, how are you going to orientate traffic needs to -- in my opinion to have a second look?

Mansfield: Yeah. Mr. Mayor, Council Member Cavener, that's noted and I think that's a great point. I -- I think it's also -- my colleague Colby just mentioned to me that we -- we do have two other routes that are -- that are possible. So, another route that might be equally used is -- is up here, you know, going this way on the north kind of the -- sorry. The eastern most side -- heading north on the eastern most drive aisle to get out here, likely to turn right on Meridian.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Ethan, you are an expert when it comes to some of this stuff. I know you are not here before me kind of implying that's where you think people are going to go. I mean that is the furthest approach that a -- that a customer is going to take and I appreciate that it's there as an option and certainly if that back way is blocked that's the way people will go, but I think it's important that we look -- and you know the buying habits and the driving habits of the customers that your tenant is seeking out and I think that we -- we all know that they are not going to take the long way to get home after they have got a -- you know, a trunk full of groceries and other -- other dry goods from -- from a proposed retailer. So, just for what it's worth I'm going to push back on you a little bit. I -- I think you guys have put a lot of thought into this, but I think the way you are going to move traffic deserves the equal amount of thought being put into it.

Mansfield: Mr. Mayor, Council Member Cavener, that's noted and I think one option might be to -- but, you know, potentially look at some sort of paint or other kind of traffic calming measures on that rear driveway and I think, you know, to -- to -- to get out to Meridian Road and turn right and go south -- this may not truly be the -- the slowest route. I -- I -- I don't -- I don't know. But, obviously, if you are trying to get north this would be the fastest here for sure.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, I guess I want to just address one thing of timing that the applicant has raised is the -- the -- simply switching out a commercial office -- or commercial user to a residential component hasn't been reviewed by planning, hasn't been reviewed by P&Z, has been reviewed by ACHD and, of course, it wasn't noticed, by that way, so I don't know that neighbors in that area would have a bigger concern about that than they know right now it's just two stores or multiple stores and restaurants. So, I would be concerned in simply just saying we will flip it to a -- a -- a residential component and we are good to go, because I really am concerned about that from a record standpoint.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Cavener: Thank you. I would like to share a couple of thoughts based on what Councilman Cavener was presenting. A comparison of two shopping centers I can think of right now that have these backage roads. One that I think does it well and one I think does it poorly. Centrepont Way on Ustick and Eagle -- Centrepont Way -- it is a collector road. That's not what you are proposing here, but is a collector road that runs behind Kohl's and all those other stores. It's done especially well. You know, gets people out of that parking lot, there is multiple exits out of there. In Nampa the -- the area that has the Chick-fil-A and the Burlington Coat Factory and everything on that south side, there -- there are these roads that run behind the stores there on the west side of that. No one ever uses them, because they don't even know they are there. So, one is done well and one is done not so well, but both with the same intent. So, my recommendation would be to make that either -- if that's going to be one of your main exits and entrances to -- to really build it up that way and -- or to build up the -- the most easterly exit as more of like a boulevard type of feel. One way or the other you need to have a design that shows that this is how you are exiting, because there is nowhere in here that is obvious that you are supposed to use this as the main entrance and exit. So, I think that's what Councilman Cavener was somewhat getting at. The second thing I wanted to ask was -- from another slide that you had it showed that maybe there was some multi-family that was going to go in there in the western side and the Tanner Creek development. Why buffer one section of that and -- the north section and not the southern section when there is essentially going to be multi-family all up and down that same -- same side. There is not different uses that are abutting that western boundary; right?

Mansfield: Mr. Mayor, Council Member Perreault, are -- and you are referring to the multi-family --

Perreault: On the Tanner Creek application.

Mansfield: On the Tanner Creek application. And you are referring to our buffer with our current kind of proposed plan? So, you are referring to this area right here?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: No. I mean the park. So, why have the park and all of that space that's buffering -- yes, the -- that building is -- is big, but the building to the south is not small, so unless there is a different type of residential use between the -- the largest building and, you know, where the park is buffering it and I don't understand the reason to buffer the north side, instead of the south side. They are both pretty significantly sized buildings.

Mansfield: Mr. -- Mr. Mayor, Council Member Perreault, the -- the site plan -- we -- we are open to feedback on the site plan I think. I mean it's not -- I think we site planned it this way because this small parklet does provide a buffer to some of the development and I

also did want to point out that there is 130 feet between the building and even the sidewalk on the -- across the side -- across the canal on the Tanner Creek side. So, there is 130 feet and an additional 20, probably, to the actual building itself. You know, we could explore changing the open space a little bit. I don't -- I don't know that we are completely closed off to the idea of working to get a site plan that makes more sense and I think we certainly can't -- we feel that this is the best that we could come forward with at this time, but we are certainly open to -- to -- you know, we are not omniscient. If you guys have feedback we appreciate it.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I might not have phrased my question very well. It wasn't a -- a recommendation necessarily. What I was asking is is there something specific about Tanner Creek on the west side that causes you to buffer one area and not the northern area and not the southern area?

Mansfield: Mr. Mayor, Council Member Perreault, I'm sorry I misunderstood your question. No, the product is similar. It's both multi-family. The Tanner Creek product -- and Matt's here and he can speak a little more to this perhaps, but the Tanner Creek product is all multi-family along the portion that interacts with our development.

Simison: How about for the property to the north of that open space, I don't -- with open space -- I mean to be honest with you this open space to me is just like a fish out of water, except for we didn't want to put too much next to that property and a lot of the property to the north -- or -- I'm trying to look at this as the regional and -- you know, everything all together and why does this open space exist on your portion of the property. I cannot go to any regional retail center and expect to go sit in the park. I mean per -- it just seems like we are just throwing something in to make it -- me check a box that's required for development in a lot of ways, because it just seems awkward, but --

Mansfield: Mr. Mayor, you know, you are correct, I don't -- I don't go to a shopping center to go sit in a park either and -- and, frankly, we would not be opposed to removing that park area I don't think. The -- the intent was not to put it in the center of a parking lot, because, then, you really have -- you know, you have got the Home Depot in Eagle, right, where you walk up and you see this dilapidated little sad looking gazebo thing that's like rotting away and you are like, oh, that was a failed city planning exercise. As a former planner, you know, I realize it's extremely valuable to -- to have open space and sometimes in certain developments it's just not appropriate, because we all know it won't get used and so we are -- I -- I don't disagree with you that it may not get used in this location. The intent was to provide a -- an extra little bit of buffer. If we are going to put it somewhere -- if we have to put it somewhere, this is the spot that makes the most sense, because the adjacent walkers and bikers may actually use it, rather than walking to the middle of a parking lot and drinking their Coke.

Perreault: Mr. Mayor?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I -- I -- I think this is one of the areas where, you know, I -- I sort of see a shortfall in terms of what we ask for from our mixed use and I -- and I think we are trying to get better and better about it, but like the true integration of uses I think is a -- is a high mark to try to hit, but like an example of that might be, you know, if -- if instead of the island in the middle of the parking lot, all along the west side you had this kind of continuous strip of green space and, then, that saddled up to, you know, restaurant uses that had integrated their patios with that park space, for example, and you had bike paths going from the residential so people could come and have like a dining experience off of this park near some retail uses, like that would be an example to me of sort of integrating those things together. I'm not seeing that integration necessarily. I think it's good to keep the areas separated out if it can be achieved, but that -- that's just some feedback about the open space. I agree like having it as kind of a little island in the middle of a parking lot is not the best use. If you feel that buffering and transition are needed, I would rather see more of it than less and, then, I also agree with Councilman Cavener, I think -- I think you need to come back with a lot more -- if it even, you know, moves forward a lot more thought around explaining the traffic flow within the parking lot, how people enter and exit. So, I just -- I don't -- I don't personally feel like this concept is baked tonight enough to make a decision, like saying things like maybe we will swap out a residential use -- like that doesn't give me a lot of confidence to make a decision. But I -- I have already said where I'm at, but just -- I -- I guess that's more feedback for you.

Mansfield: Mr. Mayor, Council Member Strader, just -- just to make a comment, this -- this is an annexation and a rezone, it is not a site plan review, so I think -- I appreciate all of the comments and these can be dealt with in a site plan review and if specific -- if specific things are needed we -- you know, this is -- you -- you can condition these in a site plan -- for a site plan review. You know, we -- and -- and, you know, I can think about all of these things that you are saying tonight and we can start working on making changes to them, so just my thoughts on -- on the application at hand.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I appreciate that, Ethan. Yeah. I -- whatever we decide -- I don't know what that is, but I -- I would like to hear from everyone tonight and move forward. That will probably bring up some more questions and issues and whatnot and -- and, then, we can keep trudging forward and -- and see where we end up. So, I'm -- I'm ready to hear from some others if you wouldn't mind.

Simison: Thank you, Evan. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we do. First is Joe Lorcher.

Simison: And when you -- when you come forward if you will state your name and address for the record and be recognized for three minutes.

Lorcher: Joe Lorcher. 740 West Waltman Lane. My property is the property where the red arrow was going north. That property I sold to Ada County Highway District back in 2008. So, that is owned by Ada County Highway District. So, I just wanted to clarify that. I'm here to testify saying that it just can't handle the traffic that this is going to bring. If any of you have tried to use that intersection to try to get through -- I know the fire department can't get through at 5:00 o'clock. We have seen fire trucks stuck at that intersection trying to get through and with the Ada County Highway District saying they are not going to add another turn lane, that there is still going to be just one lane and expected usage is 900 cars per hour during peak season -- or peak hours, I'm a one car trying to get through there. Right now it's probably five cars per hour and we get stuck. So, something major has to be done to that intersection before this can be considered regional. Let's keep it community mixed. Let's try to keep the density down as much as we can and the fact that they are saying they are with Tanner Creek and Tanner Creek is saying they are with them, but they are not. They are just using the good part of being together and not coming and showing all the parts together. So, I really would like them to present together their proposals and their traffic impact studies together, instead of saying -- just using the fact that this one's residential, so this will help us and this one's commercial, so this will help us on the mixed use definition, but they are not coming in together to make it so we can see the whole picture and all the traffic impact that that's going to cause and they are asking to change it to a regional land use, instead of community land use, and one of his definitions was easily access to a regional land use area. Again, this is not easy access. This intersection it's just way overcrowded now and -- and just can't use this kind of usage and I can't remember who talked about a second turn lane already stripped out. It's not stripped out, it's an island. It can be changed, obviously, and take that island out, but right now there is only one lane turning left, one lane going on to Waltman Lane and -- and with this increase of traffic that's got to change -- and I mean it's not something you guys can do, it's obviously Ada County Highway District, but just want to put all those things in thoughts together and -- and I think the best thing to do -- is -- is hopefully just postpone this and wait until they can come together and present it together. We are not against developing this land. There is coyotes over there killing my cats, so I would like something to happen, but I want to keep it minimal as possible. Keep it community, mixed use, so that we don't have 400 houses across the street, we have 200 houses, which is plenty. That's all.

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

Johnson: Mr. Mayor, next is Kelsee Lorcher. Kelsey is on Zoom.

K.Lorcher: Hi. Can you hear me?

Simison: Yes, we can.

K.Lorcher: Okay. Kelsee Lorcher. 2099 West Snyder Drive, Meridian, Idaho. The city requested for Tanner Creek and Hawkins to apply together or at the same time and to propose a master plan. Hawkins has failed to provide that master plan and moved forward and applied on his own anyways. Yet Hawkins is still relying on Tanner Creek to be his other elements of mixed use to have his proposal approved today. This area is designated for mixed community and should remain mixed community, as Waltman Lane, Meridian Road intersection is already burdened with heavy traffic issues. Mixed regional is highly inappropriate for this area, as it is a high dense commercial development and will create a bigger burden, more traffic issues, for the gateway of Meridian. Development in this area needs to follow the comprehensive plan that took two years and 200,000 dollars to complete. So, we should follow it. Another important issue with this application is Hawkins does not have their impact study -- traffic impact study completed and neither does Tanner Creek. So, there are many details and facts that are not being presented today and without all the facts and without a master plan this development should not be approved. Hawkins jumped the gun when they should have waited for Tanner. Per the staff report in regards to the northbound left turn from Meridian Road, it says there is inadequate storage for northbound left turns into the project site onto Waltman Lane. A dual left turn is likely needed in this location, even with community use -- even with community uses occurring here, let alone regional serving uses and as you heard from Ethan there will be no second left hand turn lane. According to Ethan's slideshow at the neighborhood meeting last week there is a slide that said that there would be 10,891 vehicles daily on Waltman Lane and that's not even considering Tanner Creek daily vehicle trips and over 950 vehicles per hour during peak hours. This intersection absolutely cannot handle that kind of traffic. I want to leave off with an important paragraph from the staff report. It said -- it is essential that analysis by both the Idaho Transportation Department and the Ada County Highway District be fully and thoroughly reviewed and that Commission and City Council be able to consider the full array of both land use and transportation impacts before making a decision. Considering approvals in silos, either iteratively through subsequent requests by different projects, or by multiple agencies in different stages of review, may cause irreparable harm -- irreparable harm to the city's flagship and namesake interchange and entryway into the city. There should be no lingering or unanswered questions and nothing left to chance or later change given the importance of this area. That's all. Thank you.

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

Johnson: Mr. Mayor, next is Clair Manning. And Clair has a slideshow, so he's coming in as a panelist and, Clair, you can share your screen.

Manning: Hi. Can you hear me?

Simison: Yes.

Manning: I'm -- I'm Clair Manning at 650 West Waltman Lane. Can you see my screen now?

Simison: Yes.

Manning: Okay. So, first I would like to thank the Planning and Zoning staff for their detailed analysis of this application. They did a phenomenal job on the report and I don't think you have -- I don't think the responsibility of the city leaves you with any other choice but to deny this application. The city did spend a lot of time and resources developing this comprehensive plan and there is a good reason this was designated mixed use community and not mixed use regional and the simple fact is that we can't -- that this area does not -- is not well suited for the high traffic those kind of commercial buildings will bring. So, I had a couple quick slides to show -- illustrate some of this. You can see from the -- from the image on the right that there is just this really short left turning lane. It is not stripped out as Joe pointed out and there is just an island here and I was looking at it today after I talked to ACHD and the reason they were telling me they don't want that is there is not a real good way to put in that second -- that second lane and so I would encourage you to bring them into your questioning, because there really isn't a good way to improve this left hand turn and you can see once you are on Whitman Lane there really is a really short runway before you are into the complex and it really just can't sustain the amount of traffic that you are trying to put through there without backing things up and blocking the arterial intersection. There is a lot of things to talk about here I don't have time for, but there is a whole slew of problems with this intersection and they are really not making any improvements to this beyond widening the road out here to Waltman on a collector. So, I would encourage you to bring in the ACHD representative to talk a little bit about that and your questions and so ACHD is currently evaluating the traffic study and they will only provide a staff report after a site plan, so that report is not part of that access you have in this area. However -- so, I did include an excerpt that I was able to get today and you can see that with their analysis with the Tanner Creek isn't a report card that any parents can be proud of, because there is a lot of level service at F ratings on this intersection and I saw in the report 13,500 trips being generated from the retail alone, which really outstrips the 3,000 trip guideline for a collector. So, I really do think that you are overburdening this area. So, in conclusion this area really can't sustain the current commercial zoning. They are entitled, sure, but it really just can't sustain it and, you know, for that reason you can't really compound this problem by changing the land designation to mixed use regional, because it can't handle it. So, I can't really say anything better than your staff did when they pointed out that you could cause irreparable harm to the flagship entrance to the city, so please deny this application.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for your presentation. Did -- this is impressive. So, you had mentioned that you didn't see any other improvements that the applicant was suggesting to Waltman other than widening it. Were there are specific things that you had in mind that you would like to see there?

Manning: Well, I mean -- I'm going to go back up to this. I mean really this kind of needs to be only a right hand turn, because -- you can see where I have my truck parked there to turn like into that insurance and if you look backwards here you can see that you are blocking anything trying to go to the left-hand turn and that's really -- that's really causing a dangerous situation. So, you are only going to be able to get out from the right hand here and, then, yeah, they can widen it through here, but I mean with 13,000 trips on -- for retail, I just don't think that they can sustain it and I -- I think once they put this in there is no way I'm going to be able to get out of here without going through like the Corporate interchange. I would also encourage you to bring in ACHD on the timing, because I don't think they can actually develop it until that bridge is done, so I'm not exactly sure why they are trying to rush this through and saying that they can get services needed to Meridian faster. Do I answer your question?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yes, it did. Thank you. I really appreciate the feedback.

Manning: All right. Thanks.

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

Johnson: Mr. Mayor, next is William Kissinger.

Simison: Good evening.

Kissinger: Good evening, Mr., Mayor, Council, staff and fellow community members. I'm William Kissinger. 420 Waltman Lane, Meridian. I have occupied that property located at 420 Waltman Lane for the past 17 years. However, this property and the farmhouse located there has been there since 1918, making it over 104 years old. Now, it's probably one of the older houses still left standing in Meridian. If it sounds like I'm proud of that, I am. I appreciate each of your commitment toward the future of Meridian and do not envy your task of diligently reviewing an ever growing list of requests. I appreciate your doing your very best due diligence on this one, an extremely important one, and as many others have put it, a very gateway to our downtown area. I'm not sure what I might be able to say in my allotted three minutes that may sway your opinion in one way or another from the hours of compelling testimony that the applicant and others has already presented, but I do know that if I say nothing I would probably live to regret it. So, at the risk of seeming redundant, if you have never had the pleasure of traveling down Waltman Lane I would encourage you to do so. It's just that. A lane. It's not a road. It's not a street. It's

not an arterial or a collector. It's a lane. Now, envision over 10,000 vehicles a day traveling on this thoroughfare and adding to the already congested intersection at the end. Just because you pay so-called experts for a traffic study doesn't mean it's automatically a good idea. It sounds like this Council is justifiably concerned about traffic. Any road improvements suggested by this project, as well as the Tanner Creek project, fall short, if not completely fail to address this issue, collectively or individually. The proposed secondary left turn as we have talked about on the northbound Meridian Road was reportedly denied by ACHD. That was confirmed tonight. As well as the fact that putting a center left turn lane down Waltman does very little toward addressing the tremendous increase in traffic volume. I think we all agree with that. From what I see the pedestrian walkway proposed by Hawkins Development only goes part way down Waltman ending at their property line. As you know, community development should be about community type service, including connectivity for such things as bikes and pedestrians, both of which may be in all -- all in our futures given the current price of gas. Allow me to clarify one thing that Mr. Mayor may have said that was regarding the open space to the north of the proposed park, the one acre park. To my knowledge that is -- that grayed area is private property and not part of this project. This property should be developed, but deserves a purposeful plan worthy of the location that is being developed or proposed for. The city planner is right. Waltman is the ideal location for community serving uses. I will wrap up. There are multiple reasons this project, as well as the Tanner Creek project, are not the right fit for this location. That said I would encourage this Council to recognize the recommendations of your very experienced planning staff and deny this applicant on the basis of not fulfilling the comprehensive plan towards a true mixed community use. Thank you.

Simison: Thank you. And, yes, you were putting at my -- my point, because that piece was private property, not part of it, which is why I think they put that piece down below to help --

Kissinger: And the buffer further up to the north.

Simison: Yes. Okay. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have a question. I just want to say thank you for coming. We do take these public hearings very seriously and so your comments don't go unnoticed. So, thank you.

Kissinger: I wish I would have paid attention in FFA to parliamentary procedure.

Johnson: Mr. Mayor, next is Matt Schultz.

Schultz: Good evening, Mayor and Council. Matt Schultz. 4914 South Colusa, Meridian. As a Meridian resident I'm excited to see something happen on this -- this property. Been driving by for the last 22 years. I know when we started Tanner Creek five years ago we always said some day the property east of the Ten Mile Drain will be commercial and we are not the commercial property, even though that got approved 12, 13 years ago for some commercial. Ironically with the same anchor that wants to move and flip across the -- the -- the Ten Mile Drain now. So, essentially, what Tanner Creek was asking for was to move that commercial site plan over here and let us be the -- the residential transition, if you will, going west into the existing medium density. The only reason we are not here in front of you with them -- hate to be the spoiler of the party, but ACHD said, hey, your traffic study is four years old that you did back in 2017. Go update your traffic counts and resubmit. Well, updating traffic counts to do to the new study took a couple months and, then, they are at about five, six months right now in review. We just got approval of the traffic study itself yesterday to be able to submit to you and when that is submitted to you the application gets transmitted to ACHD and that's when they generate a formal staff report at that -- at that juncture. So, whether you approve it tonight or in a few months I do think it's worthy of approval that -- that commercial they -- they able to bring in this -- what was an ITD parcel that -- that got auctioned off with the Ten Mile interchange redo. That's the one they are asking to annex. The rest of it was already annexed and so it's - it was a surplus ITD property that they would like to bring in and kind of bring it into the fold with the rest of their stuff. There is some site plan questions. There is some other issues you guys are going to work through, but in general I think the -- the -- the C-G is the proper zone. I personally think they should be prohibited from multi-family. That's just -- that's just me -- under a DA and -- and that we are providing that and we haven't officially done that. I know you may not approve it, but for the record we did -- staff did -- did recommend approval twice. P&Z recommended approval twice. The first time we came through the comp plan was going through and you said, hey, come back later when the comp plans done. That was the reason we didn't want to talk about it. And, then, we came back, it was COVID summer of 2020 that I was up on Zoom out of McCall. You said, hey, Matt, a lot of things we like about Tanner Creek, but until we know for sure that there is commercial coming in next door, we don't want to let it go, essentially. That's how -- that's what I took from it. I know it's been portrayed a little bit differently, but I took from it you didn't want to let all that commercial go and what if they bring in a bunch of residential and -- so, again, it's this issue of -- of submitting jointly, which we attempted to do and -- and Hawkins was afraid of missing the boat by six months and it seems like they won't miss it by six months potentially. I'm not saying you should continue it, but we will probably be in front of you, if all goes well, by late August, early September is what it's looking like. So, we support them as a neighbor and traffic's a big deal. No matter what Corporate gets extended with our first phase or their first phase no matter what. Something has to happen to that intersection. I'm surprise ACHD shot down the -- the extra left-hand turn lane. That blows my mind, because something needs to happen with that intersection. If Tanner Creek doesn't blow it up, the commercial blows it up, whether it be community or regional. The commercial something has to happen there. It doesn't really -- it's -- it's splitting hairs I think on -- on uses when it relates to traffic, so -- so, with that that's just my thoughts. Thank you.

Simison: Thank you, Matt. Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Such irony in asking you for updating your traffic study when I just saw one last week in an ACHD report that had traffic counts from 2018, but, you know, whatever. So, my question, though, is do you anticipate when you send in the -- the traffic study with updated numbers that they could potentially, then, agree to an additional left turn lane or is there a right of way issue that's -- that's preventing it? I mean is it possible they come back, and say, yeah, okay, Tanner Creek, plus -- you know, plus the commercial application, now we are -- I mean has that conversation been had with ACHD?

Schultz: Yeah, Mayor, Council Woman Perreault, I am under the impression that our traffic study and their traffic study both considered each other in their background counts and so what you have is the full story and the traffic studies at that intersection today. That -- that is what's in there. We -- we -- we made sure we -- we coordinated, we integrated. I know that our residential is like 75 percent less traffic generation than commercial. Commercial is, obviously, the elephant in the room when it -- when it comes to traffic generation. But there is going to be some heavy infrastructure done and I'm shocked that there is not something that needs to be done more at that -- that Main intersection for the commercial, so --

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

Johnson: Mr. Mayor, the last sign up is Mike Swenson.

Simison: Good evening.

Swenson: Yeah. Mike Swenson. 815 West Waltman. So, we are right on the very end. We have lived there 27 years and our -- our house was built in '53, so we are not the oldest house, but we are pretty old. The -- you know, I am actually going to say something for the development. There was actually something before Tanner Creek that was proposed. We have been watching these things for a long time and they drag their feet so long that the commercial developer pulled out and the thing folded. But the big issue is -- is just even the traffic on Meridian Road. I mean it's -- it's a zoo there, you know. You -- you know. I mean you make a left. I mean you are lucky if you get through, you know, that -- you almost have to honk your horn and pray for -- you know. You know, one accident in that -- in that area is, you know, going to be catastrophic. I mean we are -- we are going to be backed up until next Tuesday that -- it will be ugly. And you know -- you know, unless we come up with a better plan, you know, in terms of traffic and getting it moving, you know, I -- I don't think we can go forward. Thanks.

Simison: Thank you. Council, any questions? Okay. Thank you very much. Is there anybody else that would like to provide testimony on this item in the room? If you would like to come forward and state your name and address for the record, please.

J.Lorcher: I'm Joey Lorcher and I live at 740 Waltman Lane. Not a lot I can say that hasn't already been said by my family and other people in our community, but one thing I would like to point out that Ethan's presentation was a lot of -- well, they should do this as pertaining to Tanner Creek's plan. Well, we are going to build, you know, sidewalks and whatnot to this point and they should do this. There is no -- they haven't presented a contract or a written agreement to us between the two developers saying this is how it's going to be, you know, black and white. We are going to build it to here and, then, we are going to build it the other way. I would like to see that, because it would just, you know, be more comprehensive and also we were presented with a map from Tanner Creek after this last time we went through this for a road going -- connecting the two developments, not a pedestrian pathway, but a road going through one to the other and I don't know if that got lost -- they ditched that plan or what, but just a little wishy washy on what they are saying they are going to do and what they are going to do. I would like to see an actual plan of what they are both going to do, so that's all.

Simison: Thank you. Council, any questions? Thank you. Is there anybody else that would like to provide testimony at this time? Council, would you like to ask ACHD any questions?

Hoaglund: Mr. Mayor, yes, I would.

Simison: Okay. Kristy. Councilman Hoaglund.

Hoaglund: Thank you, Mr. Mayor. Kristy, if -- if you could weigh in. A couple of things have popped up I would like input on and one, of course, is -- is the no second left turn lane off of Meridian Road, the thinking behind that, and also the -- the Corporate extension. The time frame for that, for the bridge and -- and the extension of that roadway, what -- what are the time frames that ACHD is looking at for that extension?

Inselman: Mayor Simison, Council Member Hoaglund, this is Kristy from ACHD, for those who don't know. For Corporate Lane, that's a collector roadway, so that's typically done through development. We don't have a timeline specifically set for when that road is going to be extended. It's through development. So, if it's part of the requirement of this developer to extend that roadway it would be done with this development. We do have the right of way already through that property, so there is kind of like a little strip of land that you can kind of see between the two properties. So, we already have right of way up to the Ten Mile Creek and, then, obviously, there would have to be coordination with the irrigation district to get that bridge across to make that connection when that roadway is built. It would be done at the same time. We wouldn't want a road to go up and just stub to the creek and not go anywhere. We would require that connection and that would necessitate coordination. With regards to the left turn lane, I'm not sure I can provide a lot of enlightenment on that this evening. There was a -- a report that was already in the

packet for you that was written by Paige in our office and I did reach out to her and -- because this is kind of an annexation and rezone we typically don't get into really detail as to what we would require of a development application. So, when we saw a development application they would look at that a little closer. She did have in here that -- the no left turn -- no additional left turn lane there at that intersection. She just said it wasn't feasible. There is not enough existing right of way and unique intersection configuration. But I think that -- I mean, obviously, we would look closer when we saw a development application. I think another gentleman brought up that -- that first driveway access and her brief said that that would be restricted to right-in, right-out, so you wouldn't be able to turn left into that first driveway access from Waltman, it would be a right-in, right-out only.

Hoaglund: Thank you, Kristy. I do have a follow up, Mayor.

Simison: Councilman Hoaglund.

Hoaglund: And, Kristy, I'm just -- out of curiosity, the state highway coming from Kuna to Meridian at -- at what point does that -- is that ACHD jurisdiction for that intersection or is that ITD or how -- how is that particular intersection managed?

Inselman: Let me take a look. I apologize. It may take a minute or two, because when I'm switching back and forth to my very detailed map on my remote desktop it slows down my internet, so it might take me a minute to get that answer. I don't know where our right of way line ends and theirs begin, so I will -- give me just a few minutes and I will pull that up.

Hoaglund: Yeah. Mr. Mayor, it's -- it's one of those things where you have jurisdiction lines and -- and not sure where that -- where that comes together and who is -- who is in charge of what and -- or if there is -- like we do with the adjoining communities is if there is coordination on some things like that. So, just kind of curious about that.

Inselman: So, jumping over to my right of way map, that's under our jurisdiction.

Hoaglund: Okay. Thank you, Kristy. Thank you, Mayor.

Inselman: You are welcome. And there is just one left turn lane there today. It's not -- there is no striping for a second. There is that landscape median that's there. So, there is not two currently.

Hoaglund: Okay. Thank you.

Inselman: But I -- I don't -- I don't know what that would mean. That would -- other staff would need to evaluate the reasons why.

Simison: Council, any additional questions for Kristy? Okay. Seeing no additional questions, Kristy, you are good for now. Council, would you like to take a quick break

before you have the applicant come up and close? Okay. We are going to go ahead and take a ten minute break. We will reconvene at 8:10.

(Recess: 7:58 p.m. to 8:10 p.m.)

Simison: All right. Council, we will go ahead and come on back and I will go ahead and invite the -- well, I will do one more call for anybody who may have shown up during that recess to provide testimony. I don't see anybody new. So, I will invite the applicant to come forward for any final remarks. State your name and address and be recognized for up to ten minutes.

Mansfield: Mr. Mayor, my name is Ethan Mansfield. Hawkins Company. 855 West Broad Street Boise, Idaho. And thanks for -- thanks again for having me. Appreciate the discussion on this one. I don't have a ton to add. I would like to point out that ACHD has accepted the traffic study. Some of the testimony sounded like that wasn't clear. I just want to make that clear. On June 3rd we got an e-mail -- it comes in e-mail form and I clarified that with Paige at ACHD. So, there is just an e-mail that says we have accepted your traffic study and here is what we will expect of the development or here is what we are kind of looking at and, again, there is no formal staff report as Kristy noted, it's just the e-mail, so -- so, what -- what we are talking about is an e-mail from ACHD, no formal assessment. I will note that we are open to the installation of a northbound left turn if there is space. We would work with ACHD on that if that's something that moves the needle and -- and a corresponding receiving lane on -- on Waltman. So, I want to point that out. I would like to kind of remind everybody, once again, that the north half of this site is already zoned general commercial. You know, we can move forward with retail one. We -- what we would like to do is incorporate the entire center into one cohesive development. We have office users, as you asked Mayor Simison. We have office users lined up. They want to do it. We can't move forward with them until we have entitlements. So, that's the challenge that every time we push the entitlements farther down the road the -- the vision gets murkier and murkier for tenants looking to open office space and office space is becoming increasingly more tenuous and we would like to nail some folks down before they make different decisions. And, then, finally, I think it's our perspective that -- you know -- and I said this in the presentation that, you know, this might be a little bit tough -- tough corner from a transportation perspective. It's a piece of vacant land right now. We think that rather than limit the number of trips in and out of that land, why don't we increase the infrastructure. Why don't we enhance the infrastructure to support the geographic nature of this. You know, I -- I think that there is kind of two options. One is to limit the land use. The other is to expand the transportation network and I think the city as a whole would be better served and, you know, I have lived in the valley my whole life and it's changed a whole lot and I -- I just think we would be really well served to allow us to help with the transportation infrastructure, install critical pieces of transportation in exchange for this -- this development. I think that's all I have got. I'm happy to answer any questions.

Simison: Thank you. Council, questions, comments?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Ethan, yeah, I -- I don't disagree with you. We worked awfully hard -- or others, Council and the Mayor's office, at one time to get ITD to give up this land that wasn't being used really very productively and like to see it be used for good purposes. But, you know, these two properties are joined at the hip pretty much and I just wanted to get your thoughts on -- we heard Matt talk about late August, early September coming in with Tanner Creek. Is that a possibility from your perspective of -- of coming back at that time and we can hear the two proposals, but -- because they are joined at the hip, because I have to say, you know, under the MUC guidelines or what you are requesting for MU regional, it -- it doesn't cut it, you know. So, by our own rules we can't go there. So, your thoughts, please, on coming in with Tanner Creek back -- when Tanner Creek comes in.

Mansfield: Yeah. Absolutely. Mr. Mayor, Council Member Hoaglund, this -- this is a great question. I think, you know, if I were to rank my preferences, obviously, an approval would be most welcome. A continuance -- sure. We -- we can work -- work with that. It's not preferred and, then, obviously, we would not like a denial. That's kind of where we are looking. Another option -- would the Council be -- what -- what is the Council's thought on a commercial designation? I can't remember if it was Council Member Bernt or -- or Borton that asked the question why not commercial and we are completely open to commercial. We feel that this proposal complies with commercial. We -- we would accept that right now. It -- it -- but we don't want to leave Tanner Creek out to dry and I'm wondering like can we move past this, you know, understanding that mixed use has to be like a jurisdictional line in the sand. This area has -- you know, like mixed use in this region has to contain three mixes of uses and this use and this region has to contain three uses and can we kind of understand that this area here can be commercial and this area here can be residential and achieve the same -- the area has mixed use and it's the same project. So, I'm curious if we can -- as a -- as a community kind of think about it like that. I -- I guess that would be my thought and I understand the value of the comp plan and I think we all understand that the comp plan is a -- is a valuable tool. Extremely valuable. I was a planner at the city of Boise. We lived and died by the comp plan, second only to the zoning code.

Hoaglund: Mr. Mayor?

Mansfield: That's my thought.

Simison: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Ethan. Yeah, the comp plan we do try to follow it, but there are times where we find that, you know, it needs tweaking. What we thought would happen isn't happening or didn't happen like we thought and -- and so sometimes those -- you know.

And that's something -- you know, I'm not necessarily opposed to considering, but I think looking at legal counsel Mr. Nary to do that C-G that would -- would take a process that we are not set up to do tonight; is that correct? So, the -- the fact is even if we were open to that as a Council -- I don't know where others are on that -- you would have to go back through the process, come through, so our timing frame would be, oh, maybe late August, early September -- not.

Mansfield: Mr. Mayor -- Mayor, Council Member Hoaglund, you make an excellent point. I was under the impression that legal counsel had -- had mentioned the change in use. If we changed a commercial -- the commercial -- the specific use being -- moving to residential instead of keeping the site plan exactly the same, because that would really impact -- certainly have some impact on the surrounding community. There would be fewer trips generated, because we would be swapping out commercial for residential, but ACHD would still deserve another look, maybe a shortened look, but another look. With this proposal we wouldn't be proposing anything different, other than calling it commercial. But I may have misunderstood the legal counsel's direction.

Hoaglund: And -- and Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to follow up, Ethan. One of the things that -- by hearing both of them at the same time, traffic impacts -- we have heard from the -- the neighbors, you know, there is going to be an impact and will the roads be adequate to handle what would be coming with both developments and I think that really needs to be understood before we -- we make any -- any decision. So, it's -- I -- you know, what -- what you have proposed, what you brought forth I can get excited about. Yes, you know, there is roads, there is access, there is those types of things, but in terms of what Meridian needs with some commercial space, with some office space, there is some good things about that, so -- but it's just all these other issues that we have to nail down and make it all work together and -- and I don't know if it will, but by coming back at the same time I -- I think that would at least give us a good chance of reviewing everything and making a really informed decision. But that's my opinion. Other Council Members might think differently, but that's -- that's how I look at it.

Mansfield: Mr. Mayor, Council Member Hoaglund, I would just like to ask a quick question and that question would be if we did come back what elements of the combined plan that is -- other than what's in front of you, which is a combined site plan and two TIS's, one that takes into account -- each one taking into account the other, what additional would you need to see to be comfortable in the approval of both together versus one now and one later? Is it simply a syntax issue with the mixed use regional or are there very specific things that we can do, you know, if, in fact, this is continued what -- what might we be able to do with Tanner Creek more than what we have shown now to -- to help you all feel comfortable with the development?

Perreault: Mr. -- Mr. Mayor, may I address this?

Simison: Council Woman Perreault.

Perreault: It's -- it's not a wording issue, it's not a comprehensive plan issue, it's not a zoning issue, it's that since the application -- applications were not presented together or as one application, we can't -- we can't take the other application into account at all in favor of your application and vice-versa. That's not what we are -- and -- and -- and staff will have to -- have to clarify this, but we -- we have talked about floating, you know, map changes and I don't know whether that would qualify in this situation or not, but that's why I was asking about whether you were going to join your applications, not just present them at the same time, because we -- we can't technically take that into account at all, because it has -- it has its own -- you know, it has its own requirements within its own zoning. It has -- I mean they are just -- they are two totally separate applications in our minds and we -- we -- and we have to look at them that way. Our planners have to look at them that way. So, really, the only -- you are kind of asking us to guarantee that we can take both into consideration at the same time. The only way we can really do that is if they are in the same application. So, as Councilman Hoaglund mentioned, as it stands right now, since it doesn't meet the mixed use regional, I don't -- I don't want to vote denial, because I think that this is a -- you know, a great proposal, but I wouldn't be able to say that this meets the mixed use regional on its own and so that being said, you -- you mentioned something along the lines of could we switch this to commercial. Are you talking about actually changing the comp plan -- doing a comp plan amendment to the commercial -- comprehensive plan category or with -- with a C-G zoning or are you talking about -- that's -- that's kind of where I'm -- because there is an actual comprehensive category with the C-G zoning and we actually haven't had a conversation about that tonight, but I think that's what Councilman Bernt was referring to. Why don't you keep -- why don't you actually, you know, suggest the commercial and not a mixed use regional?

Mansfield: Mr. Mayor, Council Member Perreault, I was, in fact, when I was responding to Council Member Hoaglund, referring to the commercial land use designation. We are requesting a C-G zoning designation regardless of whether we are going for MUR or commercial land use designation and so the thought being, yes, there is actually an e-mail in my inbox from -- from Sonya recommending that we do not switch to commercial. That was kind of the initial -- we -- we floated it and it was not recommended, because they still wouldn't be able to support the entire project, because Matt's project wouldn't have the mixed use component. So, we would be fine to go to commercial. If you wanted to approve us with commercial tonight we would absolutely accept that and the only thing that would change in the legal description is mixed use regional to commercial. The project would remain exactly the same and so that's why I was asking if it was a wording issue and -- and I guess that's what I'm -- I'm asking tonight is -- is that is -- is that on the table? Because I believe it -- based on my understanding the comprehensive plan we do actually comply with the commercial land use designation.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Personally I am in the mixed use category at this time, but I can't speak for anybody else. There -- there is a piece of information I'm going to need, even if this is pushed into September, which is not just for ACHD to accept the two different traffic impact studies, but I'm looking for the feedback from ACHD on the whole picture. So, that -- that -- that's important to me. Hopefully that helps.

Simison: And if I could piggyback on that then. I would love for ACHD to, quite frankly, come and present on why two left-hand turn lanes, for example, are not plausible, possible, or is it just in the current right-of-way configuration or long term. I know that may be a lot of work for them to -- I don't want them to overanalyze it, but I would like to say, then, to tell us why you can, can't, sort of shouldn't long term, short term, forever and, you know, ultimately I'm -- my hope is that Linder Road will reduce some of the traffic in this area that makes some of these turning movements okay, but for how long, you know, for -- for what purpose. You know, there -- there is other things in play that could help, but, you know, we -- I go up Meridian Road and turn left into the Winco, you know, off of Meridian Road and you only see eight cars stacked there and you are turning into a major commercial area, so the other lane could probably -- I think it's right to ten is on the other side. I don't know which one will generate more long term from that standpoint. So, a little bit more from ACHD's perspective about the impacts. We have invested a lot of money between the MDC, the city, ACHD in the road network configuration, the property and we want to see this move forward, we just don't want to be -- to turn into a traffic jam for everybody all the time and especially from 4:30 to 6:00 each day -- we are going to 7:00? Okay. 7:00. You know, from that standpoint. So, more -- and, Kristy, I know you are on there and this may be a little bit out of whack, but we would love to see a little bit more from ACHD's participation on the conversation ultimately.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: There we go. Am I on? Am I off? Okay. Good. So, I -- what I -- what I think would be helpful for me -- the mixed use community designation and the -- the descriptions in the staff report are spot on. I see. These -- they are adjacent uses, they are not mixed uses, and that's a big distinction and I think the staff report and our staff did an exceptional job in describing what in their opinion they thought the application lacked with regards to mixed use and integration and a lot of those elements, if it's -- it's maybe more a redesign than -- than you were thinking might be necessary. This and Tanner Creek, quite frankly. And I would think it gets remanded -- this would get remanded to P&Z to marry up with Tanner Creek, not just remanded to us about a future date and let P&Z see both applications together, see how you can address the mixed use community. Our staff report talks about the -- kind of the letter and the intent of the mixed use community designation and what it's trying to do. I think there is a huge opportunity in this location to apply those elements in both projects, let P&Z vet that. I agree with the Mayor, it would be great to hear ACHD's detailed analysis on the access and, then, quite frankly, yours. This single left-hand turn, if ACHD says it will be single left forever, I don't -- I just cannot get my head around how this project can be successful with a regional

draw with a single left with no stacking. You said it, you -- this property's been entitled for commercial. This could have been built ten years ago and if somebody could have done it they would have done it and I think -- and I have heard this for at least ten years, that is a fatal flaw and challenge for this property. That's not your fault; right? But -- but I think that's just the elephant in the room is how do you -- even if you get entitled how can you be successful with lack of access coming north realistically. I just don't get it. So, the mixed use integration I think -- again, our staff and the staff report really answers a lot of your questions and how this -- there is opportunities for it to be better and if it gets remanded back, marries with Tanner, gets vetted at P&Z, you know, vetted it before and raised some of these concerns. Just trying to be helpful. I think you deserve that. To see what might give it a chance to be successful.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just -- I wanted to piggyback on Councilman Borton's comment about, you know, going back through the process, because I think if -- if you want to come back with that full C-G for this, that would have to go back through the process and my -- my comments might better be so far off, you know, because if -- if that's what you want -- because we just can't change that on the fly. That -- that might be the -- be the route to go is -- is if you want to redo it and say, okay, if we are going to come in with Tanner Creek, they are going to do this and it -- you know, staff can relook at it. I mean we have got our future land use map for that area. I don't know, Sonya, you know that process better than I do, but -- what that would look like and if it's that -- how that -- how that works.

Mansfield: Mr. Mayor, can I ask a clarifying question really quick? Mr. Mayor, Council Member Hoaglund, you -- you said come back with the full C-G zone or -- because we do actually -- that is what we are proposing is the full C-G. We are not proposing the commercial land use at this time. Sorry. I just want to make sure I understand.

Hoaglund: For -- this is for your southern parcel that would be annexed. That -- that portion sounds like -- because you got the entitlement already.

Mansfield: Right.

Hoaglund: Northern portion.

Mansfield: And we are asking for C-G zoning on the southern portion as well. That's part of our current application.

Hoaglund: Okay. That's right. Not -- well, MU -- yeah. It's MUR right now.

Mansfield: Correct. Not the commercial land --

Hoaglund: Okay.

Mansfield: The language got --

Hoaglund: I got it. I got it.

Mansfield: It's very confusing. Sorry.

Hoaglund: No, I --

Mansfield: I just wanted to make sure I was on the same page and understanding with you.

Hoaglund: Yeah. I was looking at Commission recommendation, denial based on the belief -- the request not consistent with general mixed use development guidelines, the existing MUC guidelines, or the proposed MUR guidelines, which is our -- our requirement -- what our future land use is -- is requiring. So, I guess that's why I'm looking at you, Sonya, and was trying to figure out if they are at C-G, does that have to go through that whole process or is that a future land use map amendment that we would have to go through? What is the exercise that somebody -- somebody has to jump through hoops here somewhere, I'm just not sure who it is.

Allen: Mr. Mayor, Councilman Hoaglund, Council, the issue is is that the current land use designation, mixed use community, their development plan is not consistent with. Mr. Borton asked earlier what the square footage of that other -- that office building. It's 80,000 square feet. What I -- what I also didn't answer, Mr. Borton, was that the other commercial retail building is also 80,000 square feet. That is over the threshold of the square footage allowed in the MUC designation, unless there is a vertically integrated use or it's a grocery store. A grocery store is limited to 60,000 square feet. Everything else, unless it's vertically integrated, is limited to 30,000 square feet. So, when you raise that -- you can have C-G zoning either way, with mixed use community or mixed use regional it's the threshold of development that is allowed in each of those designations that is the key factor here. So, if you go up to the mixed use regional, then, keep in mind that with that you are increasing the intensity of the use and the transportation issues in this area and if -- if -- what I -- what I told the applicant is his -- his development is more commercial in nature and that probably would be more fitting designation for this area, but if just this property is designated commercial, that would leave the other mixed use community portion on its own with a much smaller area and it -- it would be impossible to develop consistent with the mixed use community designation. I told the applicant if they wish to do that to change to commercial from mixed use community, that the adjacent property to the west should also come in with the comp plan map amendment, so that that property isn't left with mixed use community. So, either -- I would recommend with the current development plan for Tanner Creek probably a medium density residential and a medium high density residential designation to allow for the single family and the multi-family use. So -- so, there is some different variant -- variations that you -- we could get there on, but the -- the -- the big factor is if -- if you go above the mixed use community to either commercial or mixed use regional, you are looking at significant traffic impacts to this area with the type of development that could be allowed.

Mansfield: Mr. Mayor, I have a quick clarifying question for Sonya as we move forward, if, in fact, we do continue. I just want to make sure I understand. The comp plan, I believe, mentions a 30,000 square foot footprint versus total building square footage. I don't believe the office building itself is out of compliance with the mixed use community land use designation. I think the reason we are asking for regional is solely because of the 80,500 square foot big box store. Can you -- can you clarify that for me?

Allen: Mr. Mayor, Council, the applicant is correct. I just verified that. So, I misspoke earlier on the retail building.

Mansfield: Thank you, Mr. Mayor. Thanks, Sonya. And I didn't mean to put you on the spot. I just wanted to make sure that we were -- yeah, we are not coming forward and proposing something crazy. Make sure we are -- we all know what's going on.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I don't know if the applicant wants to answer this or maybe Sonya as well. Why can't you come in with a comp plan amendment for commercial and just -- not a mixed use at all and Tanner Creek come in with a comp plan amendment for residential and -- and not -- I mean that just seems so much cleaner to me. Does it have to do with the timing? Because if they already have an application in -- or if they -- they are going to have an application for their project in, but even if they don't have an application for their -- for their plat or -- or whatever, they could also come with a -- could have -- no. One more day. With a comp plan amendment as well and it just seems like it would be so much cleaner to go that route than trying to tie these two together.

Mansfield: Mr. Mayor, Council Member Perreault, that is certainly an option that -- I -- I think we -- we would totally consider I think. Unfortunately, you know, what I'm -- what I'm hearing from all this is -- so -- so, the unfortunate piece is that would have to be applied for tomorrow by Matt and I think what I'm hearing here is that it seems to be working -- like both of the plans on their own seem to be working out -- we support it -- it sounds like most of Council supported Matt's project last time, but the reason they didn't support it was because there wasn't a commercial component, which is now here and so now that the commercial component's here I'm hearing that we are on the right track generally with it and so it -- it -- it appears that there is like -- this is fine, this is fine, this is only fine with this, that's only fine with that. So, I guess -- but I guess it -- it appears to be -- because it's going to be the same project whether or not the comprehensive plan says commercial or mixed use regional and Matt's going to come in with the same project whether it says -- whether the underlying comp plan designation is mixed use community or medium density residential, I don't understand why they -- I guess I -- as a -- as a planner myself -- a trained planner myself I don't understand why the comp plan is -- is held up as the -- the -- the thing we -- we need to pay attention to when they -- when we are suggesting the same exact land uses, land use patterns, and circulation -- everything. It's just

commercial versus mixed use regional. But I'm totally -- yeah, I'm open to feedback and listening.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You know, it's not uncommon for us when we get in these patterns of, you know, if you do this or if we do that or, you know, we might be amenable to it if you did this and we wish you did that or we don't like that park there, we want to tot lot there, we want, you know, to get rid of the skyscraper here, but we want a dog park over -- it always turns into a complete mess on the dais one hundred percent of the time and I'm not going to tell you how I would hope that you would do your project, because, guess what, I'm not a planner, you are and Hawkins Companies have been doing this for how many decades, you know. So, I'm not going to tell you what you should and shouldn't do and -- because you guys are the smart guys, I have full faith that you are going to put something together, along with your neighbor, that's going to make sense. I hope that it's creative. I hope that it's thoughtful and I hope that you guys do a good job at it. For me right now the reason why I am not supportive of your project as it stands is because of the impact that it's going to provide to this area. It's not ready. It's not even close to being ready and you said something earlier about murkiness. My -- my -- what -- what keeps me awake at night with these type of projects is not dotting all the I's and crossing all the T's and making it even more murkier, not only for this geographic area, but, you know -- or this -- this one project, but -- but the entire intersection. It's going to be -- for me to be comfortable with approving your project or Matt's project or any other project in this area, the transportation aspect of it has to be fixed. We need details and I know this is a unique ask from ACHD, but we cannot approve this -- at least I can't -- I can't come to the table with even coming close to an approval until I know that the transportation and access to this works. For me that's it. I trust you. I trust Matt. You guys are going to come together and make a great project whatever that is. Whatever. I don't care. I just want the transportation of this fixed before you come back. I hope I was clear.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I -- and we haven't closed the public hearing, so I -- I would like to hear from Matt on his thoughts on this. What we are talking about being joined at the hip. Maybe he has a whole different perspective on this. Doesn't want to touch them with a ten foot pole. I doubt it. But we will find out.

Schultz: Well, Matt Schultz again. I'm a little murky, so -- after listening to you guys up here debating it. The nuances of -- of the comp plan versus the zoning and how it comes -- and if you remember when I got up here I said I just hope he gets this commercial and I get the residential and it's -- the whole thing's considered a mixed use. We have the Ten Mile Creek going through the middle of us, so it's -- we are going to have connections.

We are going to have vehicular connection in the middle, plus Waltman, and so I -- but I don't think there is any way for you guys to get the big picture and I said it before, I'm shocked that there is no major improvement to that intersection recommended by ACHD and that needs to -- we need some clarity on that and -- and -- and, B, I just think they need to come back with us. We are not -- I don't think we need to do a comp plan amendment. Get creative with it, I think we can, hopefully, just continue them tonight and we would work together to make sure we do come back. We are -- we are both a hundred percent on the same page and we have all these details worked out on -- on the traffic, so there is no murkiness, because that's not good. Murkiness is not good. So, that's -- we heard you.

Hoaglund: Mr. Mayor?

Schultz: Thanks.

Simison: Councilman Hoaglund.

Hoaglund: Follow up, Matt. I mean if we continue this -- I mean we can pick a date later in August, not knowing where you will be in the process --

Schultz: That would be close enough I think.

Hoaglund: We can continue --

Schultz: We will let him speak, but --

Hoaglund: I mean it's their project, but we could continue theirs and -- and marry -- marry the two up for a future -- future time when that comes through, if that's the Council's desire, so --

Mansfield: Mr. Mayor, Council Member Hoaglund, we are willing to accept a continuance. I think that seems like the right move here.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, as I spoke earlier, my concern is, again, we don't really have a plan here. We have a zone and we have a comp plan amendment that may or may not marry up to what the ultimate request is and we have never noticed that to these neighbors. These neighbors came to talk about a regional shopping center and an office park and now we are talking about adding another office building, instead of another -- another commercial store and I don't know what their opinion of that is, because no one's ever told them that until tonight. So, that's what I'm concerned with on whether or not we should continue this or remand it, because it's never been looked at by P&Z. It has not been evaluated by planning. I guess I'm concerned about from a noticing

standpoint and our record to simply pivot here at this meeting and, then, just keep moving forward in two months.

Mansfield: Mr. Mayor, Mr. Nary, I would like to just state that we have no intention of changing what we originally came here and proposed tonight, which is a comprehensive plan map amendment to mixed use regional proposing the site plan that was presented today. I did present some options. Those are apparent -- those are now off the table. Just want to be clear. That we are -- we are looking for an approval of an annexation, a rezone, and a comprehensive plan map amendment, all of which are noted very clearly in the notice and I -- I think Sonya would agree with me and -- what are your thoughts, Sonya? Just want to make sure we are all on the same page here.

Allen: The current development plan is not consistent with the mixed use regional designation. So, if that's what you are planning to stick with, I -- I believe that you need to make some changes to your concept plan to make it more consistent with the mixed use regional designation as -- as outlined in the staff report.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Just wanted to ask a clarifying question. So, if -- if this southern property is annexed would the applicant not need to bring -- I assume they are going to do some sort of plat and DA and a concept plan that would be attached to the DA. Is that not going to be a future part of this process that -- where we would have further discussion regarding the concept plan or does that have to be figured out now?

Allen: Mr. Mayor, Council Woman Perreault, Council, annexation is part of this application, so the development agreement is what is under your purview right now. The northern portion is already annexed. There is no development agreement on that and they are not required to come back in with the subdivision plat. They do have existing parcels out there that they can reconfigure if they wish. They could plat it if they want to, but I don't believe that that's their intent. So, this is your bite right here.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, that was one of the reasons I suggested remanding it to P&Z, as opposed to continuing it. It doesn't slow it down for you at all, quite frankly. It wouldn't get to us until Tanner Creek was here. They got to go through P&Z anyway, so that allows that to be vetted and to give I guess input on it, if there is no change in the plan -- I mean I agree with staff, I -- I'm not -- I will just tell you really supportive at all. In addition to the transportation problems, because it -- it is in essence is saying your comp plan is wrong and I get it, but if it's saying the mixed use components of comp plan, whether it's community or regional, all of that is wrong and as a city we should do something just

totally different. That's, in essence, what your application is and -- and -- which I appreciate, but I'm not so certain our comp plan in this area is wrong with those mixed use components. So, whether you change this -- this site plan, concept plan, whether Tanner Creek does anything different than what you have done today, totally up to you, but from my perspective there would be value at that remand married up with P&Z to have the mixed use components -- I think community, but at least regional addressed and that's -- that would require some change in -- in what you presented, in my opinion. Either way it goes to P&Z first. Mr. Mayor?

Simison: Councilman Borton.

Borton: Murmur about remand. The question for Bill is because we don't have a date yet when P&Z would be, we almost need to pick a date, knowing that at that date we would remand it to P&Z. It seems clumsy, but we are kind of stuck.

Nary: So, yeah, Mr. Mayor, Members of the Council, Council Member Borton, no, we have -- we have done this before. We have -- remand it back to P&Z at this point. They will have to, then, work with planning to find the date of when it would best, because it will have to be noticed and, again, if there is going to be some change from mixed use regional to mixed use something else or whatever else they want to do and -- and if you don't mind, Mr. Mayor, maybe I could add at least for the applicant's perspective -- when -- when the city approved this new comp plan in 2019, because you were asking sort of in the vein of comp plan is a guide, ordinances is the code, and the code is the ordinance you have to follow and that is true. But this City Council has made a commitment to our community that we are going to be slowed down on changing those comp plan designations and not simply change them because somebody asked to. So, it is something that this Council has committed to and that's why we added that provision into our UDC that allows it only twice a year, rather than anytime they asked. So, there is other factors at play and that's what I think -- why we are here and I didn't know if you knew that, just because the way you asked that question. I kind of got a sense from your planning side why you were asking that. But we would simply direct a remand. They would work with the Clerk and the Planning Department to set a new date and they would have to renote it.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just want to make sure I'm understanding Councilman Borton's recommendation. So, Planning and Zoning heard this already. I assume that this similar presentation was made to them as what we saw tonight, is that -- is that not the case? Is there something -- are you recommending that they take whatever changes they are going to make to Planning and Zoning, plus like ACHD's information and, then, have P&Z review it or what -- what changes is P&Z going to review from what we have already seen -- or what we have seen this evening. I apologize, I wasn't tracking with that.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: That's up to the applicant. Ultimately what, if anything, they change to try and address the mixed use components -- maybe nothing and you may choose to go to P&Z, which had recommended to us in its current form denial and they very well -- if you bring the exact same application, without being, you know, next to Tanner Creek, we might get the same answer, so if there is a change or perhaps no change, but seeing Tanner Creek with it gives it comfort it didn't already have, P&Z would, then, provide some context for all -- for us and our decision making process. But if you do make some changes and try and incorporate some of the mixed use components, I think all the better and P&Z might agree with that as well. Mr. Mayor?

Simison: Councilman Borton.

Borton: I will make a motion to move this forward, but before I do when we get to this clumsy clunky part of local government it's just trying to get this thing right, which I -- delays stink. They really do. I totally get it. Matt knows it; right? You have been in the middle of these things. But we are trying to get this right and this is a critical -- you know, in the heart of the city. We have been struggling with this for a while. So, hopefully, this process gets us there. I'm going to make a motion that we continue H-2021-0099 -- excuse me -- remand it. Remand this application --

Simison: Need to close the public hearing --

Borton: Do we keep it open?

Simison: -- on a remand?

Nary: Mr. Mayor, actually you close the public hearing, because it's going to renote it as well and start a new public hearing. So, that's fine.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will amend that motion to close the public hearing on H-2021-0099.

Bernt: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just a question about this. We haven't done a lot of remanding since I have been on Council, so I -- I don't know that the -- I -- I didn't hear from the applicant that they are necessarily planning on changing this -- changing their concept plan to comply with mixed use. What I have been hearing is that they -- they want us to call what is essentially commercial mixed use and we are not able to do that, so it -- I just am trying to still wrap my head around the purpose of the remand if -- I haven't heard from the applicant that they are intending on making any changes to their concept plan to fit the mixed use regional. It's the fact that they really just need to not use the mixed use regional or come in with a -- with a joint application with Tanner. So, I still would like some more clarification on the -- have the applicant said, hey, yeah, we are definitely going to go ahead and change our concept plan and we will make it fit with mixed use regional no matter what happens with Tanner, then, I would understand a remand to Planning and Zoning. So, I apologize if I'm just not getting it and everybody else is, but would like more clarification on that.

Simison: Councilman Borton, would that be something you would make clear in your motion on the remand?

Borton: Sure. Well, I think the motion is to close the public --

Simison: Right. The motion is there. That's why I'm -- I don't want to -- we would need to --

Borton: I will do that next.

Simison: Okay. Is there further comments on this -- on the -- to close the public hearing?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I apologize. I -- I somehow heard that his motion was to remand, so my apologies.

Simison: He will get there.

Perreault: I wanted to make sure I had an opportunity to say something before it got completely voted on.

Simison: Okay. All those in favor of closing the public hearing say aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Simison: Councilman Borton.

Borton: Thank you, Mr. Mayor. So, part of the reasoning that the remand exists is there is a possibility that if there are no changes, just like what we are presented with today, that it could get a vote for denial. In lieu of a denial it's an opportunity to -- at the very least address additional information for ACHD, both from the developer's perspective and from the highway district's perspective on these fatal -- these difficult transportation challenges that -- that we -- we are trying to wrestle with. But also the -- whether or not you believe it's really necessary to make any mixed use components -- elements that both P&Z and our planning staff and our comp plan require of this area or whether you want to continue as you have understandably -- you have explained it. To continue as you have, not make any changes and come back with what you have already presented today. That's a decision you have got to make. So, does that help kind of answer that? Okay. So, with that context, I move that we remand H-2021-0099 back to the Planning and Zoning Department for the reasons described in today's public hearing, for the applicant to work with our Planning staff and City Clerk to coordinate the next public hearing, the noticing requirements et cetera, so --

Hoaglund: Second the motion.

Simison: I have a motion and a second. Discussion? Hearing none, Clerk will call the roll.

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

Simison: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

7. Public Hearing for Future Land Use Map Ada County Area of City Impact Cleanup (H-2021-0098) by City of Meridian Planning Division

- A. Request: Comprehensive Plan Map Amendment to clean up the map to better align with the adopted Ada County Area of City Impact (AOCI) boundary AND removing Civic designations and areas that will be serviced by other jurisdictions (Boise).

Simison: Thank you. And work on this and, hopefully, come back with something for everyone. Okay. Next item up is Item 7, public hearing for future land use map county area of city impact cleanup, H-2021-0098. Open this public hearing with staff comments from Mr. McClure once he's ready.

Hoaglund: Yeah. Mr. Mayor, just while they are getting things ready, I just thought maybe for each Council meeting we could have a theme for the night and I think tonight's theme is murky.

Bernt: Yeah. I -- you know -- Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I was a hair passionate. I have been doing this for five years. You guys shouldn't be that surprised. Murky. Hashtag murky.

McClure: Mr. Mayor, Members of Council, apologies for that. I'm here to present an application for a comprehensive plan future land use map amendment. Haven't had enough of those tonight. There are no associated entitlements with this application. The genesis for this application goes back to December of 2019 and is focused on the area of city impact boundary. After the new comprehensive plan was submitted Ada county staff led some coordination efforts to define the boundaries between most of the cities. The Board of County Commissioners ultimately adopted our new comprehensive plan in 2021 with some minor tweaks to the area of city impact boundaries. This amendment generally aligns with those boundary changes. There is also an additional AOCI change at the request of ACHD. They are developing a project on Franklin Road east of Eagle. That project falls in both Meridian and Boise boundaries. They have decided to move forward in Boise and they have coordinated that both with Ada county and Boise. As stated, a key element to this amendment is continued coordination with other agencies. It's also intended to better reflect our service planning, to improve transparency, to reduce errors and to maintain the plan as a living document. Broadly, the changes proposed with application are either map changes, either to the area of city impact and the future land use designations or they are simply graphic changes. The map changes are broadly shown by the purple circles on the map here. The graphic changes include a new special planning area designation previously just for the Ten Mile Plan and some other land use symbology and general land use tweaks -- legend tweaks. The Field Sub Area Plan, which was previously adopted, is now shown and delineated on the future land use map and I will briefly walk through the specific changes in the next few slides. Area one is on the left. The only change is to remove the highlighted area from the area of city impact. This change is already adopted by Ada County, having previously been coordinated with Star and Meridian. Meridian does not plan to service this area and there is no access to it from within Meridian. Area two is on the right. This is really exceptionally minor. I just wanted to daylight it, because it's something I like to try to get normally. It's just a request for consistency. Generally we like land use changes to either follow the center line of roads preferably and if that's not occurring to consistently do whatever else has been occurring, which in this area it was following parcel lines. It -- it just -- it's a little wonky and it's hard to see here, but normally that would be a scrivener's error I would just fix, but since I'm doing these I figured I would throw it up there. Like to have consistency would be the short. Area three on the left here is the ACHD change I previously mentioned. Area four is a little bit of a mess. There are no impacts to properties within Meridian. The properties have previously been annexed, zoned, and are entitled and the future land use designations are being stretched or shrunk to align with prior decisions. Areas being removed are already zoned in Boise or planned to be serviced by Boise. Area five on the left is another area of city impact cleanup to remove property that has already been annexed into Boise. If you are familiar with the old barn on Fairview east of

The Village, that's -- that's basically this. Boise's annexed that. The changes on the right in Area Six -- both of these have civic designations, which is for agencies or quasi-public agencies. However, both of these properties are privately owned. The one on the right is Old City Hall, which is now a wonderful building and the one on the left is a bit of a mystery, but it's a single family home that is R-4 zoned and surrounded by medium density residential. So far as I can tell it's been that way for decades. Anyways, both of them were civic and they shouldn't be. Area Seven here, these changes are cleaned up -- are cleanup to reflect previous entitlements and uses. The one on Franklin includes a commercial office development in Meridian and a county commercial use wedged between industrial and the cemetery. The proposed change is from medium high density residential to commercial to reflect the commercial uses already entitled. The other change is from commercial to civic to reflect property owned by the educational institutions. Those are the map changes and area of city impact changes. So, just briefly go over some graphical changes. This is a new symbology for the future language map being proposed. We have been using these internally and for some unofficial maps for a while now. There was an effort here to balance how -- how busy the map appears with how readable it is. Previously it wasn't very readable. Many of the colors were too similar without other distinguishing elements. However, we didn't want to just code every single -- every symbol with a bunch of patterns and major eye hurt. So, hopefully, we have achieved some balance here that makes the map a little bit more readable, while remaining clear. We have had positive comments from staff that have various color deficiencies on this new symbology. As previously mentioned, the other graphic changes to note is the special planning areas. The red dashed line here used to be just the Ten Mile specific area plan on the legend. Now we are proposing it be special planning areas. Sub area plans. You can see the Ten Mile Plan would still have it, but now we have added to The Fields area in the -- in the northwest corner of the city. On March 4 staff had all properties falling under the -- the changes -- the AOCI and future land use designation changes. On April 21st the Planning and Zoning Commission heard this application and recommended it forward to Council without -- for approval and without any changes. There was no public testimony at the hearing. On June 8th there was a letter sent to Council by a citizen from Alpine Point I believe with some concerns changes northwest of Eagle on Ustick, Area Four. While appreciate their interest, time and diligence, the comments do not change the side boards that define the context per staff's recommendation. Previous decisions in this area I believe set the stage and this is intended simply to reflect them. I have another exhibit I can go through if you would like to talk about it, but, otherwise, would stand for questions and request that you approve H-2021-0098.

Simison: Thank you, Mr. McClure. Council, questions for staff?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks a lot, Brian. I'm really struggling with area four. It just doesn't make sense to me. I have read through it. I think he just offered to walk through that in some

more detail. If you could do that I would really appreciate it. And, then, I guess a follow-up question is understanding that the county is kind of driving the bus, what if we disagreed on Area Four? What would happen? Thank you.

McClure: Mr. Mayor, Councilor, the map here describes some of the nuance behind the Area Four changes. The green hatch on the right going top left to bottom right is the city of Boise. The blue hatch going bottom left to top right is Meridian city limits. The area in the middle is the county enclave, which is part of Boise's area of city impact. Looking at the large blue dashed line, the extent of the future land use designations in the 2019 comprehensive plan, we have already deviated from it quite a bit. Part of the Delano parcel south of the enclave there has -- was previously split in Meridian and Boise. Council has already acted on that. Council has also acted on the Fast Eddy's project in the lower right area. The property that has the store on it was actually part of Boise's area of city impact. They negotiate -- he negotiated that with both cities. The property in the middle is part of an agreement that goes way back with the city and what is now -- I'm going to lose their name here. Used to be United Water then New Suez now Veolia -- I probably butchered that. But, basically, we have agreed to not service -- service that with water and, then, in the top northern corner where you have the future collector going through behind the office park and adjacent to the subdivision in Meridian, all of that's actually already been annexed by Boise as well. It looks like there is a lot of landscaping back there, but most of that's owned by the county and will be a future roadway. So, there is plenty of opportunity I guess to disagree with the county and certainly your purview, but most of the decisions here have actually already been made there. The only real one that's on the table would be the one in the middle. I would just say that we try very hard to coordinate with our partner agencies. We do have an agreement to basically not provide services here and the current area of city impact lines split the property anyways, so, hopefully, that answered your question, but most of this has already basically been decided.

Cavener: Mr. Mayor?

Simison: Council?

Cavener: Mr. Mayor?

Simison: Oh. Councilman Cavener. Sorry.

Cavener: Mr. Mayor. Brian, I guess speaking -- I -- and I guess I kind of share some of Council Member Strader's concerns about Area Four more than anything. So, that -- that piece of land there in the middle that's -- that doesn't have any type of an effect on it, has the -- the property owner indicated a preference in terms of -- if annexation were to occur would they prefer it to be in Boise? Would they prefer it to be in Meridian? Have we had that -- any communication with them and what has been their response?

McClure: Mr. Mayor, Councilor, I sent them a postcard notification. They have reached -- not reached out to me. I couldn't say whether they have coordinated with Ada county

or city of Boise. I would have to believe they were notified by those agencies when that change occurred on their side, but I don't know that for sure.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I hope I'm understanding this correctly, but that section that Councilman Cavener just mentioned, Ada county approved area of impact, is that -- am I understanding that correctly? Is that AOCI?

McClure: Mr. Mayor, Councilor, yes. So, the AOCI stands for Area of City Impact. The gray and white dashed line there is the Ada county approved one, which reflects Boise's boundaries and land use designations. The blue one is the one that Meridian -- it's our planning area that we approved with the 2019 comprehensive plan that currently splits that property down the middle.

Perreault: Mr. Mayor, a follow up?

Simison: Council Woman Perreault.

Perreault: So, the owner of that property could apply for a use change to Ada county and Ada county could take them through that process?

McClure: Mr. Mayor, Councilor, they are currently zoned in the county, so anything they wanted to do -- well, there is some nuance here that maybe Caleb wants to touch on. Ada county requires anyone touching our -- our -- our boundaries to -- to talk to us. But if we didn't -- they didn't like what we said, they could eventually choose to pursue something in the county. However, they are part of Boise's area of an impact and Boise has a future lines designation over their entire property.

Perreault: Mr. Mayor, one more question.

Simison: Council Woman Perreault.

Perreault: So, we had a lot of conversation about that section of Centrepont Way going through their property with the Delano application. If they were to apply for, you know, use in the county, does the county have to honor the desire for Centrepont to go through that? I mean are they -- I assume they are subject to the master street plan that ACHD has, but I mean can that significantly change where Centrepont is anticipated to go if that's the route they were to take? I know that's not part of what we are considering here this evening, but I just am curious.

Hood: Mr. Mayor, Council Woman Perreault, so Brian kind of mentioned it, but our area of city -- area of city impact agreement with Ada county, they would not process an application for real development on their property. They could rebuild a home. They

could even do an addition. But if they wanted to develop their property they are contiguous to Meridian city limits, they would not process a real development application, they would push them -- right now they would push us to probably us and Boise, to one or the other, because the property is split, but, no, that scenario could -- would not happen, because Ada county would not be the lead land use agency. The property has to be annexed as the next step. I will just -- if you don't mind, Mr. Mayor, just to piggyback a little bit on Mr. Cavener's question. I have not talked to them either, but back when we did the comp plan and Delano, as Council Woman Perreault just mentioned, that property owner was part at the table. I never directly talked to them, but they were engaged, they were part of that and that's my understanding, too, is they understand -- I don't know if they had a preference to be in Boise or Meridian, but they are okay with being in Boise. Again, I have not heard that from their mouth, but that's what -- that's -- I'm under the impression and understanding that -- that that is the case and, again, to Brian's point, all the utility providers have had those same conversations about that and -- and that is really the plan at this point.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Is there a technical reason that we can't provide utility services to this parcel?

Hood: So, Mr. Mayor, we -- we don't have anybody from Public Works here. That -- that was part of the concern, though. I don't remember exactly what it is. I don't think there is any way to loop -- so, water isn't our issue; right? That's Veolia -- Veolia -- however you say their new Suez name. Their service area. So, water really isn't our concern or city of Boise, because it's contracted either way with them. Sewer, though, was a concern with -- with depth of that elevation and getting it back to service. So, again, Public Works had some level of concern. Could you do it? Sure. Throw enough money at it you can -- you can make it go uphill. But that was part of the conversation. Boise was -- Boise is better positioned to service that property than Meridian.

Strader: Mr. Mayor?

Simison: Mr. Hood, I think that goes back to the -- you know, we -- we have long worked well with Boise on these -- on these parcels to make these determinations. Very few people have a strong desire for one city or the other. It is really about serviceability.

Nary: And Mr. Mayor --

Simison: Mr. Nary.

Nary: -- members of the Council, my recollection when we did that land swap previously for the prior application, that was one of Suez's asks at the time, because it is already in their service area, because it was originally in Boise's area of impact. So, that's why they wanted to keep what they have had there and so that's -- that was our agreement with

them, because we have cooperative agreements with Suez, Veolia on where service will be done by the city and where the service will be done by Suez. So, I think that was Public Works compromise, that this parcel was not problematic to them to not serve.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. That -- that's starting to make more sense to me in terms of the rationale of why Area Four is being -- you know, kind of coming out this way then. So, that makes more sense. And, then, I guess my only remaining concern would just be similar to Council Woman Perreault, just making sure that -- you know, that our Centrepont Way connector ultimately comes through, but it sounds like ACHD's master street map will reflect that, so just confirming that. You know, the city of Boise works with ACHD the same exact way that we do, so there is no chance of somehow the city of Boise having a different vision and that's not getting that critical road connection.

Hood: Mr. Mayor, I -- I can address that, although I won't guarantee that something crazy couldn't happen at the city of Boise. They will review an application -- at the staff level, though, we are on the same page. We have got both ends of Centrepont and they understand that that is the plan and -- but, again, it's subject to public hearing. But to your point, Council Woman, same master street map, same ACHD, that is certainly the plan and there is an expectation that any development app -- when a development application is submitted on that property, the two points of Centrepont will -- will connect.

McClure: Mr. Mayor, I would just note that the dashed pink line being shown on the map bisecting that property is the master street map line.

Strader: Got it.

McClure: Thank you.

Strader: It sounds like we have done everything we can from a communication perspective, so that it will all come out the way we need it to be. Thank you.

Simison: Council, any additional questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have any questions. I just want to say thank you for these kinds of -- these kinds of applications. They are the super boring part of what you guys get to do, but they -- but they help us in a huge way and they help keep us on track and helps the public be clear in what we are doing and so just really appreciate the time and effort you guys have put into this.

Simison: All right. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item this evening?

Johnson: Mr. Mayor, we did not.

Simison: Okay. We have no one who signed up in advance. Nobody online. But one person in the audience and he's waiving. So, with that, Council, what's your pleasure?

Hoaglund: Well, Mr. Mayor, will this come back I think with the actual action item?

McClure: Mr. -- Mr. Mayor, this would come back with a resolution. We are looking for your approval tonight on --

Simison: And close --

Hoaglund: I will close the public hearing. Mr. Mayor, I move we close the public hearing on H-2021-0098.

Cavener: Second.

Simison: I have a motion and a second to close the public hearing. All those in favor signify by saying aye. Opposed nay? The ayes have it. The public hearing is closed.

MOTION CARRIED: ALL AYES.

Hoaglund: I'm sorry, let me go back to my original question. That was -- we are going to -- you are going to have an action item coming back to us or do you want us to take action by --

Hood: So, Mr. Mayor, yes and yes. So, if you can approve this tonight and we will prepare a resolution probably two weeks or so, that will also be on your consent agenda and we will ask you to take action on it as well.

Hoaglund: Okay. So, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we approve the future land use map Ada county area of city impact cleanup H-2021-0098 as presented to us tonight by staff.

Cavener: Second.

Simison: I have a motion and a second to approve the Planning and Zoning recommendations? Is there any discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move we adjourn.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 9:19 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT E. SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK