

**Public Hearing for Meridian LUXE (H-2025-0035) by Mary Wall,  
located at 2350 W. McMillan Rd.**

- A. Request: Comprehensive Plan Map Amendment to change the future land use designation from Office to Commercial.
- B. Request: Rezone from the L-O zoning to the C-C zoning district on 5.99 acres of land.
- C. Request: Development Agreement Modification to create a new DA with a new concept plan.
- D. Request: Conditional Use Permit for a Self-Service Storage Facility in the C-C zoning district.

Lorcher: Okay. Moving right along. Item 4 on the agenda is application number H- 2025-0035 for a Comprehensive Plan map amendment, a rezone, a development agreement modification and a conditional use permit for Meridian LUXE on McMillan Road and we will begin with the staff report.

Napoli: Madam Chair, Members of the Commission, next item on the agenda is the Comprehensive Plan map amendment, rezone, conditional use permit and development agreement modification for Meridian LUXE. The applicant requests a Comprehensive Plan map amendment to change the future land use designation from office to commercial zone from L-O to the C-C zoning district across 5.99 acres of land. A development agreement modification to remove the property from a current DA to create a new DA that includes a new concept plan and elevations and a conditional use permit for self-service storage facility in the C-C zoning district. The site is located at 2350 West McMillan Road. As shown on the screen the existing zoning is L-O or a limited office designation and the FLUM is office. This is the rezone exhibit. So, the Comprehensive Plan defines office land use designation as a low impact business area. The uses allowed in this typically include professional offices, technology and resource centers. Ancillary commercial uses may also be considered. The Comprehensive Plan also defines a commercial land use designation as a full range of uses that serve area residents and visitors. Desired uses include retail, restaurants, personal and professional service and office uses, as well as appropriate public and quasi-public uses. This is the original -- the overall original concept plan back from 2003 as a part of the Kelly Creek Subdivision. All the residential out here is depicted -- has been constructed and this was what was contemplated for the site that's in question tonight. Here is a little bit more of a closer image for that. So -- I apologize. So, it was anticipated to be 37,000 square feet of office space across ten buildings. So, this is what the previous concept plan had envisioned for this property and why it was given the L-O zoning back in 2003. So, the proposed concept plan, the applicant is proposing 18 commercial multi-tenant units across four buildings, totaling 24,336 square feet of commercial space on the western portion of the site and 41 privately owned storage condos or a self-service storage facility across five buildings totaling 54,000 square feet on the eastern portion of the site. The applicant has indicated that the primary

uses for the commercial buildings is intended to be flex space. However, the C-C zoning district does allow other uses in that as well. Due to the proximity to the residential -- the existing residential surrounding the property hours of operation will be restricted from 6:00 a.m. to 11:00 p.m. for all uses on the site as required in the UDC. In addition, the applicant is proposing to sell the storage portion of the site as individual units, which will require a short plat at a later time if approved. Staff is evaluating the western portion of the site using commercial parking standards and not the flex space parking standards. The commercial parking standards are one space per five -- every 500 square feet of gross floor area, which requires 49 spaces and the applicant has provided -- provided 55 which exceeds that. If it was the flex space standards it would have been one space per one thousand square feet, instead of 500, which would have only required about 25 spaces, which is why we went with the more restrictive parking in this case, because there is -- the users aren't chosen at this time. So, while the parking exceeds the minimum, staff is concerned -- this may not be enough for high intensity uses. With 18 tenant spaces that's roughly three spaces per tenant, sufficient for low office or retail uses, but inadequate for uses like restaurants, drive-throughs or indoor recreation. So, to help mitigate these concerns staff recommend restricting the following high intensity uses within the development, restaurants, drive-throughs, indoor arts, entertainment and recreation facilities. This approach is intended to enhance the site's long-term viability for ensuring tenants have adequate access for both customers and employees. Access is proposed off of McMillan Road through a single curb cut. This -- this access will require a City Council waiver. So, City Council will be deciding whether to approve that access point or not, because it is to an arterial roadway. With this they also are proposing the extension of Lolo Pass as a form of a commercial drive aisle connect with the access off McMillan Road, which is required and was contemplated in the original concept plan for the development back in 2003. It did show that extending, just not in the same location. The location did change over some of the phases of the residential phases. So, ACHD anticipates 77 trips per day for the storage and 55 for the multi-tenant commercial. The total anticipated trip generation is approximately 132 trips per day, which is considered adequate according to ACHD's standards and according to ACHD McMillan can handle the additional traffic that this would create. The applicant is providing a 25 foot landscape buffer to all existing residential uses. After the site -- or after inspecting the site staff observed the existing fence on the north boundary of the site. It's approximately four feet in height. I couldn't measure it exactly precisely, but I observed and it's not a six foot fence it does not appear and appears to be closer to the four foot in height. As a result of this staff is -- staff is recommending a four foot berm with trees that touch within five years of planting on top of the berm. Since the staff report, however, staff did talk with the applicant and the applicant did propose potentially putting up an eight foot fence with vegetation meeting the UDC standards instead of the berm. Staff is open to this approach, but would like to hear public testimony tonight and what the commission thinks about potentially changing that condition in the staff report. So, staff is recommending approval with conditions, a new development agreement and provisions and has received written testimony from Laurel Bower with concerns about increased traffic, safety, noise, parking and decreased property values. In addition we received written testimony from Scott Meeks, Ora Cortez, with concerns regarding increased traffic, lack of parking within the plan that may spill out into the residential, noise, hours of operation and if approved

they request a ten foot sound wall on the north boundary and hours of operation to be restricted to 8:00 a.m. to 8:00 p.m. And I will stand for any questions at this time.

Lorcher: I do have a few questions. So, the city is suggesting a four foot berm with trees on that northern boundary and is that to keep that four foot fence there as well? That's in addition to the four foot fence that's already there?

Napoli: Madam Chair, that is correct.

Lorcher: Okay. And then -- but the developer is suggesting an eight foot fence with no - with no landscaping; is that correct?

Napoli: It would still meet the UDC requirements for landscaping for -- for trees that touch within five years of planting. Correct, that would still be a requirement.

Lorcher: Okay. So, they are suggesting an eight foot fence --

Napoli: In lieu of the berm.

Lorcher: -- in place of the four foot fence, but still trees to have a inter-connecting canopy within five years.

Napoli: Yes, ma'am. That's the conversation we had. Correct.

Lorcher: Okay. Does anybody -- other Commissioners have questions for Nick before we invite the application -- applicant to come forward? All right. Would the applicant like to come forward?

Jones: Good evening, Madam Chair, Commissioners. It says I'm Mary Hall, but I'm not. Mary's back -- Mary Hall is back there.

Lorcher: Okay.

Jones: But I'm going to stand. My name is Natalie Jones and the address is 2205 Mace Road, Eagle, Idaho. 83616.

Lorcher: All right. Thank you.

Jones: And I want to stand and first say thanks to Nick. He's been exceptional to work with. So, we are really grateful for how that process has gone so far. Much of what I have put in this presentation Nick has covered, so we will move through some of these slides quickly. Meridian LUXE is the development we are proposing tonight. I stand on behalf -- on behalf of the land owner. Simply a table of contents for Commissioners if you decide to go back through this presentation. Our project summary, as Nick stated, this is why I'm standing here tonight. We have got a -- we are requesting a Comprehensive Plan map amendment from office to commercial. We are looking for a rezone from limited office, L-O, to community business district C-C, while also requesting conditional use

permit for the proposed storage and also a development agreement modification. As Nick shared, this is the future land use map. Our project is outlined and highlighted there in yellow and I wanted to put this on the screen to show the commercial and the office as already designated for -- on this future land use map on both sides of our property. So, you can see quite clearly that there is commission -- excuse me -- commercial and office already book ending sort of both sides of where we are. What I wish I would have put on this slide or the next slide is actually a -- an aerial view so you could see that our piece is actually the only undeveloped piece that remains on McMillan here on this stretch. So, it will be a beautiful thing to finish up what's been happening there on McMillan. So, we are excited. So, the proposed change to the future land use map designation will expand options for development here in Meridian. As Nick shared, the existing designation is office, which includes professional office, technology and resource centers. Our hope to move to the commercial will create a greater range of what we are allowed to put in those spaces, including retail, personal and professional services office uses, as well as appropriate public and quasi-public uses. I think this slide is important. I did a search on commercial real estate marketing platforms and you can see the slide on the left is a search in all of Meridian, Idaho, for lease for office or co-working space. So, every red flag you see there is an available current listing for office or co-working space. The slide to the right is the same search, obviously, again, in Meridian for anything for lease for flex and there is one current listing. That lease -- or that listing I don't think actually has been constructed yet. I think it's Building B and it looks beautiful. It looks like an amazing project. But if someone is searching for flex in Meridian there is clearly some limited availability out there. Here is the zoning map. Again, you can see us right there in the middle with that L-O designation and, then, again, as -- I think this ties in well to the slide that we were just on and it shows where the office is in comparison to our project. So, there is office around us and there is office that's available. So, we don't believe that there is necessarily a shortage of office, which is why we like the idea of moving this to more of a commercial and flex opportunity. So, the proposed change to the zoning designation will, again, as I mentioned expand options for development. The limited office is for office centers and adaptive reuse of residential structures with limited hours of operation. The community business district, which is our hope will allow us again to include self-storage facilities, flex space and retail and more. So, what Meridian needs. I don't pretend to stand up here and tell you as the Commissioners what the city needs, but in my observation what we could bring to Meridian that would satisfy some of the needs are, one, neighborhood retail. We know that Meridian is growing rapidly and I think there is a demand for walkable, like I said, neighborhood retail. So, what we have seen in the vacancy in commercial real estate is less than one percent for retail, which tells us it's booming and there is an unmet need. We could create more retail and we could see that improve the community and, then, also last mile logistics or flex. Again we can go back to a couple of slides prior to this where there is no flex. There is no option for these small businesses. We will talk about the storage units in a minute, but you can't use storage for some of these small business purposes. So, there is a need for flex for someone who has a small business and wants a storefront, also needs a warehouse and perhaps can't go and get an industrial space in addition to office. So, that's what the flex would provide here. Expected users for the flex portion of this development. Here are a couple that I know recently have gone into flex spaces, kitchen tune up, interior design.

This is a popular one where a storefront or a showroom would be beautiful to bring customers in. They see the furniture that's available, but behind that front presentation space is a warehouse where that business owner could, then, store the furniture that comes in and out before staging a space. Beard Wax manufacture, some of these very small manufacturing businesses, Clean Users, Comic Books and Games, again, someplace with a beautiful storefront that invites people to come in, but a place in the back for not only an office, but for storage and warehousing. Wood floor installer, showroom, warehouse and promotional products. So, all of these small businesses would really benefit and these are exactly those businesses that are looking currently for flex space. The conditional use permit requests for storage condos, the integration of these luxury -- I think that's important to mention. These are luxury stories -- excuse me -- storage condos. These aren't your typical 90 square foot storage units that you have seen a lot here in Idaho, but it does fit the zoning intent. It benefits the community. We know it will be well managed and beautiful. The storage specifically will be owner occupied within this commercial development. It serves local businesses and hobbyists and contractors. So, like I said, you can't run a business out of these storage units. However, those -- those that just need storage or perhaps someone who has boats or cars or specific hobbies, this would be a perfect solution for them if they don't have enough room in their homes. You -- you understand. And it's architecturally integrated with the surrounding uses and the flex that we are bringing. Those will marry really nicely together, which we will see in the renderings coming up. So, why we think this conditional use fits in Meridian? It is low traffic, which we will talk about. I understand the neighbors are concerned and we will address that for sure. It's low impact and it will be quiet operations. It does support small business, local ownership and investment and, then, it will be visually appealing. Nick shared this. This was the 2003 approved site plan. This is the 2025 proposed site plan. Nick showed another version of this. So, the flex is to the west. The storage is to the east. So, traffic -- I imagine we will have some -- some others stand up and talk about this and I'm happy to address what I know about it. So, Nick shared that the 132 daily trips that was shared in the traffic study, 77 of those were attributed to the storage units, but I think what's really important to point out is that that rate assumes an average storage -- storage unit size, as I mentioned, of those small 90 square foot units. So, if we put the 90 square foot units into the square footage we are proposing for this storage project we would actually have 550 units. So, what we are proposing is simply 41 larger luxury storage condos. So, if we -- if we run the math off the number of units, then, we actually get down to six trips per day. So, I know sometimes that's -- it feels scary to have maybe storage, but if you really look at these numbers and imagine 41 individual owners, hopefully, that eases a little concern about the traffic coming in and out. They won't be the 550 units that are used for this initial calculation. Hopefully that makes sense. Parking. Nick did mention that we have met the standard and I think 49 spots were required. As it sits right now there are 55 parking spaces, but this site plan does allow us to adjust, so we could reduce the drive aisle width. We can move that center parking island to the south and, then, I have highlighted a couple of places where we could put additional parallel parking. Again, I understand the neighbor's concern. They don't want overflow into the residential. We don't want that either. So, we could potentially put another seven or eight parking spots here, which only increases the delta between what's required and what we are able to provide here. So, again, we have got

the opportunity here to create more parking. Privacy and compatibility. Nick mentioned this as well. We did talk and go through an option. We would like to replace the existing five foot fence. We know it's five feet. With a ten foot fence -- or, excuse me, an eight foot fence. Sorry. Didn't mean to scare anybody. An eight foot fence. So, that would be the buffer between the residential and the commercial. I believe it would end on the east side where the pathway would connect. I don't have a specific slide on the pathway, but we did also incorporate the ten foot path on the front of this project as is required. So, we are excited about that. Here are the renderings. This is what we want the site to look like. So, these two in particular are on the flex. The larger photo would be from within the parking lot. So, this is looking into these spaces. You can see they are quite lovely. And, then, the picture on the bottom would be from McMillan. So, again, it definitely has that retail feel. It's got those man doors that, obviously, welcome neighbors to come in and, then, the slide here -- this is the storage, so you can see that they marry again nicely with the flex you are continuing with those colors and those materials. Both of these images are from McMillan. So, this is what you would see if you were looking onto the project. So, project summary. City benefits. Hopefully I have touched on most of the concerns that have -- that you Commissioners may have, as well as the neighbors, but we really believe that this project meets the growth needs for the city. We think it drives the local economy. It does support small businesses. It creates jobs. We think it's low impact and high function and we are really excited about it. We hope you are too. I will stand for questions.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. Thank you. Are there any restrictions that you are intending on imposing on the actual storage unit uses? If I'm -- I want to do construction or something as, you know, build -- build things inside of my -- you know, my unit. Are there restrictions or -- or noise mitigation for say if I want to run a drill for -- or, you know, saws or something for a significant period of time? I was curious about what your --

Jones: That's a great question. I probably would have to defer to Mary on this one. I know she can stand and speak to that. But, yes, I think that there are clearly some restrictions to the uses that we put in there. I don't want to misspeak and say that I know for sure, but I would love to allow Mary to come up and speak to that.

Lorcher: Want Mary to answer the question?

Smith: That would be great. Yes.

Lorcher: Please state your name and address for the record.

Burnett: Brian Burnett. 1125 West Two Rivers Lane, Eagle, Idaho. I'm the co-developer on this, but we just finished the high end storage units Eagle LUXE, instead of Meridian LUXE, on Highway 16 and, yes, we have covenants and restrictions, just like the ones in

Eagle, and you are not allowed to run a business out of it, so you can store things in it. Most people are going to make it -- honestly make them into man caves and hang out there. They are probably going to store their high end cars and their high end boats, but -- and we do have -- we do have covenants. I don't have a copy of them on me, but they do restrict people from having -- operating businesses. This is why we know there is a demand for flex, because we have got so many people come to us and say we need to run our business out of there and we really can't, so the covenants restrict business usage, unless it's just to store. So, if we get a pool guy and he wants to store supplies in there and come and get them that's fine, but he can't run a business and he can't have customers come in and have customer facing and so it really limits the ability to do any -- we don't allow production there. We had some food truck guys that wanted to go in there and vent them and he had to stop that, so we kind of try to restrict any -- any type of business activity that is, you know, building things, especially if there is noise. I think we used the city's noise ordinances in the covenants, so that for the neighbors and everything, so it's in the CC&Rs. I don't have a copy of those, but we would be happy to taken them if there is certain business you don't want in there. But that's strictly why we have the flex next to it.

Smith: Thank you. Yeah, Madam Chair. My -- my thought was storing a boat in there and say I want to modify something on the boat or something like that, is -- are there any limitations, even as a hobbyist or using certain power tools or something like -- you know.

Burnett: Yeah. There is -- Commissioner, there is no restriction against power tools and doing things on your own personal things. We do have restrictions I know in the existing one, because a lot of car enthusiasts will start like a mechanic shop and start pulling in their buddies' cars and so we have covenants against that where people are operating on cars that aren't theirs, even if it's just as changing oil. So, definitely restrictive covenants. They are designed to be super high end, so --

Smith: Thank you.

Lorcher: Just out of curiosity, without putting you into a corner, what do you expect the -- the retail price for one of these car -- or, you know, storage condos would be? Just ballpark.

Burnett: The ones, you know, down on Highway 16 -- so those we have kind of a -- we have a lot of different sizes.

Lorcher: Okay.

Burnett: Again, we have a lot of different features. These will have water and sewer in them, so like I said, they end up being a man cave. They can put a toilet in there. They can't put a shower or anything that -- where you can live in it -- make it a livable dwelling. Usually there is a car lift. They are about 180 dollars a square foot. So, anywhere -- depending on size -- from 68,000 dollars up to 300,000 dollars if you want to put two together and have 2,000 feet; so --

Lorcher: Okay.

Burnett: Yeah. So, pretty expensive.

Lorcher: All right.

Burnett: But they are priced -- they are expensive and so you usually don't get people who are breaking the rules and trying to run, you know, small businesses out of them.

Lorcher: Right. Okay. Commissioners, do we have any questions for the applicant?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I have two or three questions if that's okay.

Lorcher: Sure.

Perreault: Okay. So, curious if this is accessible by large trucks and how large those trucks might be. It seems like it's kind of a tight angle to get in there and I would imagine people are going to have furniture delivered. Maybe you have a stager that wants to bring some pretty sizable vehicles in to make deliveries. Can you -- can you share about that, how that access will work?

Lorcher: Yeah. Go ahead.

Burnett: Sure. I will take that on. It's restricted. The one that we have an Eagle, you know, we have people who want to do storage units and just store furniture and we don't let any semis in there. It's basically just box trucks. So, you know, the smaller box trucks, almost like a U-Haul you would rent to pack your furniture in and leave. So, it's restricted to that. I don't think you -- the access inside of here, even to get into that flex space, will not allow larger trucks to get in there.

Perreault: And so the same for -- same for the commercial condo users, then, they are not going to be bringing in large delivery vehicles?

Burnett: That's correct.

Perreault: I want to chat about the entrance on McMillan. You didn't address this, but has ACHD -- you are making a request to -- to close off that access. Has ACHD limited that on a right-in, right-out and can you share with us why you want to close that access off?

Burnett: I would probably refer to Mary, the engineer, for that.



Lorcher: Come on up. We got plenty of room.

Jones: This is a team effort.

Lorcher: Absolutely. If you could just state your name and address for the record that would be great.

Wall: Mary Wall. 5636 North Portsmouth Avenue in Boise. I'm not clear on your question. You -- you said closing off that access?

Perreault: Yes. Our staff report says that there is a request to close the access from McMillan.

Wall: No, not to close it. To -- to -- to -- to allow it.

Perreault: To allow it.

Wall: For you guys to allow it. ACHD --

Perreault: I apologize. You closed it.

Wall: -- is -- is good with the access --

Perreault: Uh-huh.

Wall: -- the one access. They had us line it up with Palantine Way across the street and based on their numbers and everything I -- it is not going to be a restricted access.

Perreault: Okay. So, is there -- has there been any consideration made of having Lolo - Lolo Pass Way be just emergency access only and have all other access come in from McMillan?

Wall: We haven't talked about that, because they had asked for it to be a continuous road. Part of -- when we started working on the development and working with city staff they wanted the continuation -- the connection to the north, as well as to McMillan Road. So, we haven't talked about that. We did design it, so that it was like people wouldn't be so inclined to go up into the neighborhood. So, we did -- did try to do that, try to discourage people from wanting to go through the neighborhood to get to anything in the commercial area, other than the neighbors maybe wanting to come down.

Perreault: Thank you. Just one more question.

Wall: Okay.

Perreault: Some of the testimony has -- has addressed limited hours of delivery, limited hours of operation. Is that something that you would consider putting in the DA? I assume the commercial condo users probably close up by 8:00. So, can you address that, please?

Burnett: Yeah. I don't see a problem with that -- with restricted hours. I don't think anybody's going to -- or there isn't any reason for anything. We -- we are already restricting it for high uses and high traffic, like restaurants and things shouldn't be in there. It should be interior design studios, you know -- you know, customer facing where two customers pull up, show them their stuff, they leave, you show them the back -- into the house where they have product. So, I don't -- I don't see a problem with that. I don't think -- I don't think that's a big deal.

Lorcher: Okay. Thank you.

Stoll: Madam Chair, if I may.

Lorcher: Commissioner Stoll.

Stoll: Just to follow up on the issue of noise with the storage condos. So, there is nothing that you have in place or proposing to have in place to limit somebody that's working on their car from working on their car at 1:00 a.m. at their location?

Jones: I think the entire project is limited -- I think currently from -- is it 6:00 to 6:00? Or 6:00 --

Lorcher: 6:00 to 11:00.

Jones: To 11:00 p.m. And I think what Commissioner -- oh, boy.

Perreault: Perreault.

Jones: Perreault -- was saying that someone else wrote in and said they want to restrict those hours from 8:00 to 8:00.

Stoll: Does that apply to the --

Jones: That's a request.

Stoll: But that applies to the flex space. I'm talking about the storage units that are privately owned, some used by hobbyists and wanting to work on their cars. Is there any limitation on them --

Lorcher: Hanging out until --

Stoll: -- hanging out, music blasting, working on the car loudly.

Burnett: I mean, Commissioners, I don't believe -- I believe in the Highway 16 storage that we built there are hours of operation and after those hours you have to have your doors closed. You know, most of the time if the door is closed -- these doors are, obviously, highly insulated. These are all completely insulated units with fire barrier walls, so you can have water and sewer and all that and the pipes don't freeze. So, AR -- I'm not going to say soundproof, but when you close the doors you probably can't hear inside the units. So, we would probably do that through the CC&Rs to restrict anything after 6:00 o'clock at night or 8:00 o'clock at night to be your doors closed if you are inside of your unit. That's probably how I would solve that.

Wall: You also said that CC&Rs comply with the city --

Burnett: Correct. And, then, the CC&Rs do comply with the noise ordinances that you guys already have in the city. So, if there is a problem and someone's using their storage unit too late and there is a complaint we will, obviously, have to address that.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: So, who is the primary enforcement entity there? It sounds like there might be a staff person on site for the storage condos, but after hours is it -- is there like an association?

Burnett: Correct. There is a homeowners association that will control that section of it, the storage unit section, and there will be an active on-site person, of course, until they are all sold on the facility site and a property management company that will -- you know, that helps us, obviously, sell them and, then, manages the homeowners association and all the rules and regulations and landscapes and all that will be included in there, so it will all be maintained by the HOA.

Lorcher: All right. Thank you very much. Madam Clerk, do we have anybody signed up to testify?

Lomeli: Thank you, Madam Chair. We have Brian Burnett.

Lorcher: Okay.

Lomeli: Oh, that -- Daniel Fisher.

Lorcher: Good evening, Mr. Fisher. If you could state your name and address for the record that would be great.

Fisher: Daniel Fisher at 2382 West Apgar Creek Drive in Meridian. So, our street Apgar Creek abuts right to the north end of the project. I live very close to the corner of Apgar

Creek Drive and the proposed through street Lolo Pass Road, which is a very quiet residential street right now Apgar Creek Drive. I would like to pose the question regarding the land around the Kelly Creek -- our end of Kelly Creek Subdivision, how many times the land -- or how many acres of the land around our subdivision has followed the city's comprehensive use map? The answer is none. All of the land that abuts our street or on the east end -- excuse me -- the west end of our street, since it was developed, has -- the Comprehensive Plan map has been thrown out the window. The development agreements for Lochsa Falls have been tossed every single time. What have we ended up with? We ended up with high density apartments at the end, which now draws traffic down Apgar Creek Drive, which wasn't going to be a problem. Well, guess what, the traffic is crazy and getting out on Goddard Creek Drive onto McMillan -- I have got to speak fast because they only have three minutes -- is a nightmare and you are going to put another street very close to Goddard Creek Drive, which is already very tenuous getting out onto McMillan with that two way traffic and you guys know how busy McMillan is. It is dangerous. It is absolutely dangerous. And to put a through street to Lolo Pass onto Apgar Creek Drive with truck traffic is absolutely insane. Now, it might not be semi-truck traffic, but you know how big a box truck can be? Do you know how heavy a box truck can be? Pretty dang heavy and pretty dang dangerous and they are going to feed out right onto our street Apgar Creek Drive and they are going to go left, right, extremely dangerous. In fact, I would say reckless to allow a through street from a business park with storage, with warehouses, with whatever you want to call them -- man caves with -- with things going on at all hours. Is -- it's ridiculous. It's -- it's -- we need to stick with the -- stick with the plan. Stick with the plan. Because light office -- quiet light office -- oh, it might have a few more trips during the day, but it's not going to be people at all hours working on cars, working on whatever and, then, truck traffic going right out onto Lolo Pass Road -- it's -- it's just ridiculous. It's not safe. So, I would ask you to, please -- Ms. Perreault, you made some very good points regarding the safety and the viability of this. It's -- it's absolutely ridiculous. So, stick with the plan. Thank you.

Lorcher: Thank you very much. Madam Clerk?

Lomeli: Madam Chair, we have Penny Fisher.

Lorcher: Good evening. If you could state your name and address for the record that would be great.

P.Fisher: Sure. It's Penny Fisher. 2382 West Apgar Creek Drive, Meridian. As he stated before -- my husband stated before, we live on the corner of Apgar and Goddard. There are two homes before you hit the proposed drive through on Lolo Pass on both sides. So, there are four homes and it's a corner. When they -- when we were first presented this as on site they presented the entire area being luxury condos. With -- that entrance they told us was going to be a drive through, but it would be kind of like an emergency access to only those people with keys or -- so very limited usage and that the main entrance would be on McMillan. So, that's how it was presented the whole entire thing. So, we were like okay. Since that time they have now, as you can see, cut it in half, so now we only want this. We are going to put flex spending -- or flex commercial. They did not present it to us as commercial when we originally were spoken on it. So, this to me I

feel like is a bait and switch. Tell the landowners, the homeowners around this area to use it, we will use condos, you know, storage units. Since, then, even on Ten Mile -- if you go up Ten there is already another luxury condo being built within -- just around the corner and so at this point I don't think that this is the best use of land because of the fact that the commercial is there and it will bring the traffic directly into -- again, there is -- it's directly surrounded by homes all around it. The west is Goddard Creek, which also is residential. We do have the commercial on both ends, like you guys do have on the committee and as I have driven around Meridian there is no real commercial in the middle of a residential area. I believe -- and I could be wrong, but light office is what it's zoned for and I believe that would be the best use is keeping it as light office, especially as that's how it was presented originally and it's changed since it was presented to us.

Lorcher: Mrs. Fisher --

P.Fisher: Yes.

Lorcher: -- are you telling me that at the neighborhood meeting that they just had, what, two weeks ago, they -- they didn't have it --

P.Fisher: It was not -- it was a month ago --

Lorcher: Within the last --

P.Fisher: Yeah. The first homeowners -- they presented -- they were going to do the entire site condos.

Lorcher: Right.

P.Fisher: There was no commercial in it and the way they presented it is the traffic would come in from McMillan on an existing thoroughfare, because right now if you drive in there it's -- there are some homes on that and some businesses that were there, but it's just open, there is no -- so, really, there is no access to and from in there, because it's just --

Lorcher: Right.

P.Fisher: -- it's dirt. So, they said they would put the main entrance onto McMillan and, then, that -- because we were worried -- because it's -- there is homes. There is a home, a sidewalk, the street, sidewalk and a home and so we are like asking about that and they did prevent it -- present it to us that that would be closed off and the only access to and from would be the people that owned the condos, but the main source would be on McMillan.

Lorcher: And this was your last neighborhood meeting, not your --

P.Fisher: We have only had one.

Lorcher: Okay.

P.Fisher: We have only had one and that was how it was presented --

Lorcher: For this design.

P.Fisher: This design was not, no. I do have a copy of the original design. I have took a picture of it. That was how it was presented to us. After -- I don't know how many weeks. There are other people that will have the exact dates after we got a letter in the mail saying that they were told that they had to change it and include the flex commercial --

Lorcher: Okay.

P.Fisher: And that's -- so, then, they said, okay, the storage units are only going to be on this side, not the other.

Lorcher: Right.

P.Fisher: So, when it was presented to us originally it was only condos. There was no commercial whatsoever.

Lorcher: Okay. All right. Just wanted to clarify.

P.Fisher: Uh-huh.

Lorcher: Commissioners, do you have any questions for Mrs. Fisher before we ask her to sit down? All right. Thank you very much. Madam Clerk.

Lomeli: Thank you, Madam Chair. The next person signed up is Doug Pill.

Lorcher: Good evening.

Pill: Good evening, Madam Chair, Commissioners. My name is Doug Pill. I live at 4520 West Brennan in Boise. A couple of notes. I just -- I think Nancy did her -- Natalie did a wonderful job expressing the value proposition of the project for the community. Small business will -- will -- is needed. Meridian is -- we are identified as growing. Whenever I attend Meridian City Chamber of Commerce meeting it's all small business. Those are the folks that are thriving and growing in this community. Along with that I just wanted to touch on the developer himself Brian Burnett. I have done a number of projects with Brian throughout the Treasure Valley and here in the community. There is no better developer. When Brian tells you he is going to do something he gets it done. He is the best developer neighbor that I have ever dealt with in this community and others. He listens. He goes above and beyond. City needs a four foot berm with a four foot fence. It's going to cost him more to put in an eight foot fence, but at the end of the day it's going to be esthetically better and so those are the types of things that he does for his projects and his neighbors. So, thank you.

Lorcher: Thank you very much.

Lomeli: Next person signed up as Rod -- is it Ludlow?

Lorcher: Thank you for coming tonight. If you can state your name and address for the record that would be great.

Ludlow: I will. My name is Rodney Ludlow. I'm the home owner of 2347 West Apgar Creek Drive. Our house is located on the corner lot of Apgar and the private drive Lolo Pass. So, that Lolo Pass will pass right adjacent to our house. I understand that development is part of the -- is part of growing and part of the development in Meridian is which I agree with. It should grow. My understanding for community development is to have a soft transition from family homes to light commercial to commercial development. This new property abuts our house. The developer of the property called our neighborhood meeting on April 28th, 2025, and presented a preliminary improvement plan for the 5.51 acres. The planners develop luxury storage condos, including -- including extending the private drive of Lolo Pass from the Kelly Creek neighborhood into this development and installing a security gate for limited access. At that time all of the attending neighbors accepted this plan with a few minor comments and requests. Later a letter was sent out on May 30 modifying the plan and -- that was presented. The letter informed us that they wanted to modify the current zoning from L-O to C-C, which accepts a much broader range of commercial business, longer business hours, some up to 24 hours. This plan revision included extending Lolo Pass Drive through to McMillan. I am against rezoning this property. My main concern is -- is the new plan extends the private drive of Lolo Pass through the new development and connects to the main artery of McMillan Road. The point that I wanted to make sure that was understood -- the new connection would create the fifth entrance into Kelly Creek Subdivision, four of them connected to McMillan. If Lolo Pass were extended to McMillan Road this connection is within 50 to 60 yards of the main subdivision entrance on Goddard Creek, which is divided and has a water feature. My request to this Council is to table the rezoning until the development can provide more specific plan of Lolo Pass, its designation that -- and is designated as emergency secure access to the new property and not connected to McMillan Road direct.

Lorcher: Okay. Thank you very much.

Ludlow: Thank you.

Lomeli: Madam Chair, the next person is Ryan Shipp.

Lorcher: Good evening.

Shipp: Good evening. Ryan Shipp. 2358 West Apgar Creek Drive.

Lorcher: Okay.

Shipp: Meridian, Idaho. Bill actually hit on a lot of the points I was going to bring up. One of the reasons we moved into this neighborhood was the family friendly -- friendly atmosphere provided. We currently have -- I'm on the corner of Lolo Pass and Apgar Creek. Lolo Pass being the proposed route. We currently have kids in the neighborhood always outside playing. I have a five year old here. I have raised two other kids in this house. I would just like to -- to point out that Apgar Creek already has so many entrances to the main roads and adding another one isn't going to change the traffic that's already - - or, I'm sorry, adding another one is only going to add traffic that's already there. That's all I had.

Lorcher: Okay.

Shipp: Thank you.

Lorcher: Thank you very much for your testimony.

Lomeli: Madam Chair, the next person is Case Doorn. Sorry.

Doorn: Hello.

Lorcher: Hi.

Doorn: Good evening. Yeah. My name is case Doorn. I live at 2371 West Apgar Creek. So, on the other corner of Apgar and Lolo and -- yeah. If I'm -- it sounds like I'm repeating other people it's because I am, so -- yeah. Basically Plan A was light office. So that's great. Right? Projects all transition from residential to commercial. Low traffic onto McMillan and in our neighborhood. Again, April 28th we had the neighborhood meeting. It was presented as all commercial condos. We talked about the access to Lolo. It was fire egress only. Gated. We talked about entrance into McMillan and it was suggested that it would have that very low traffic number that they propose. But, obviously, you can see, right, this plan changed. They added the commercial flex space. They added the Lolo Pass throughway and based on the -- whatever approach they are using to the traffic study there is a huge range, between six to 44. I would agree there is -- traffic is already a significant issue on Goddard Creek and McMillan. As you are on Apgar Creek we already get traffic that's merging into our neighborhood to cut around the traffic, you know, again, just south of this neighborhood is a school and creates significant traffic. So, what else? We talked about comments. So, any neighborhood comments I'm sure were, hey, let's keep it light office, let's not go to commercial. I don't know who provided any comments regarding we want more or different commercial space in lieu of the commercial condos. Speaking for myself if -- you know, you could maybe convince the condos were all right in the original plan, but in this plan with the mixed use commercial I -- I think it needs to be reconsidered significantly. What else? Public comment. So, again, I would -- my comment would be to reject this plan to actually do an actual traffic study to understand these intersections and traffic, both from the south side and Goddard Creek. In terms of the overall site plan, if you look at where the retail is and where the



commercial space is, there is plenty of it on all four corners of our development, on the other side of -- the other road over there. Sorry. Not Ten Mile, but Linder. And, then, also as we look at, you know, the map that they proposed, it was interesting that they portrayed it still as light office. So, it wasn't shown as red. If you would zoom out more, show it all as red, you would see a lot of red, because we have plenty of that. Let's see here. Yeah. So, in their presentation they were talking about why this was such a great development and -- because it was going to be low traffic, low impact, light operations. As we have been kind of digging through this, obviously, not quite true, so --

Lorcher: One question before you leave. What school is near your community?

Doorn: Well, we have --

Lorcher: Is it Willow Creek?

Doorn: There is a -- there is an elementary to the south of us in the next neighborhood over in Bridge. Hunter.

Lorcher: Bridge. Hunter. Okay. So, that's on McMillan. And is there one north of you?

Doorn: Yeah. There is Willow Creek in our neighborhood --

Lorcher: In your neighborhood.

Doorn: And Sawtooth. And there is Rocky --

Lorcher: Right. those are on Linder. Okay. All right. Thank you very much.

Lomeli: Madam Chair, I have Tami Hinderaker?

Lorcher: We try.

Hindraker: I'm Tami Hindraker. I'm at 5015 North Lolo Pass Way. I think it's a beautiful project. There is need for business. This is a terrible location. If you are okay if I use your presentation? Would that be okay? So, previous -- I don't know how to go backwards. So, she used the word that we are book ended. This is Ten Mile. So, you have got a major road there and you have got Linder, which is another major road. Your book ended completely by neighborhood. So, we are talking about making a commercial environment. In this neighborhood within three houses we have three special needs children. We have multiple older population that has -- we have had people walking the neighborhood with dementia that we have had to help out. The numbers and the reality boots on the ground are never the same. I'm a veterinarian. I can tell you that from experience. So, what -- what is going to happen with an entry on and off -- you see a lot of accidents on that road and whether or not it says that McMillan can handle this traffic as it is right now it cannot. It takes me three to five minutes to get out of that neighborhood and sometimes it is an extremely sketchy turn. We are talking about across the street directly from this you are actually taking North Palantine Way directly into a commercial

property directly sharing the road that has immediate access to Hunter Elementary School. So, that is another huge thing for school busses. They are running their time frames way too long to be surrounded by a -- by houses. I have seen their -- I mean it's a beautiful project. It's not -- you know, we have even looked into doing a project similar to this. This is not the location for it. This is going to have an extremely detrimental -- despite good intentions this is going to be extremely detrimental to our neighborhood and unsafe. We don't have -- this is a -- we have already had issues with changing zoning because of it creating a massive amount of traffic through our neighborhood. We have people standing out on the corner telling people to slow down. We have had multiple near misses with special needs children and now we are asking for both flex and industrial traffic. These are huge condos. It's unreasonable to think that we are not going to have large trucks, trailers, boats pulling through the neighborhood. Maybe it's not at a high rate, but even -- even one child being harmed by this is too many and we are not talking about a soft transition into a commercial zone, we are talking about literally both of the neighbors that are directly next to that are going -- and all of us -- this is going to be the new thoroughfare and an exit from McMillan off when there are traffic backups. So, we have those accidents. They come off into our neighborhood to try to avoid that traffic. So, great project, terrible location. It just can't happen. Thank you.

Lorcher: Thank you.

Lomeli: Madam Chair, I have Eric Hindraker:

E.Hindraker: Hello. I'm Eric Hindraker. I'm also at 5015 North Lolo Pass Way. We are just a few houses down from the proposed development. So, we are reiterating a lot of what's already been stated. But I also am just in favor of keeping it of a soft transition. Keeping the L-O zoning. I really want to address what the developer said about being booked in on the -- book-ended on both sides by commercial. It is single family home on all four sides. So, currently this is already an island. It's not commercial, but even light office is a somewhat commercialized zoning. So, you go all the way to commercial. It would be surrounded on four sides by single family homes and the other thing that hasn't really come up is that self-storage is an industrial development, so they are asking for a conditional use permit on top of their commercial zoning, which would actually be an industrial use surrounded on all four sides by single family homes. So, my concern -- I know there is -- there has been comments about this is not for business use. But my main concern is that it sounds like there is no limitation on people coming in working on cars, doing their woodworking, doing -- playing loud music if they like. I realize there is CC&Rs, but those are more of a suggestion. I just think it's going to be unfairly enforced by the neighbors having to file complaints. The HOA isn't going to be monitoring at midnight. They are not going to be enforcing late into the evening, so it's going to be up to the neighbors to be trying to enforce the rules, which I think is unfair. Other issues. I know it's been brought up that this has lower traffic than standard storage, but it also has roof lines that are nearly twice as tall. So, esthetically, we are turning this into a high roof line industrial esthetic, rather than the already proposed just lower use, earlier closing and just more esthetic L-O use and I guess as long as I have a minute I would also just say that one of my biggest concerns is having access into the neighborhood. So, even if

this did push forward if it could be with the condition that that's an emergency access that would definitely be my vote as well.

Lorcher: Thank you very much.

Lomeli: Madam Chair, no one else has signed up.

Lorcher: Is there anybody on Zoom that would like to make any comments? No?

Lomeli: Madam Chair, one person is online, but they are not raising their hand.

Lorcher: All right. Anybody else in Chambers that would like to make any comments? Would the applicant like to come forward? Oh, did you raise your hand? I'm sorry. Come on up. Sorry. Turned my head too soon. Good evening. If you could state your name and address for the record that would be great.

Abernathy: Good evening. My name is Tiffany Abernathy and I live at 2235 West Apgar Creek Drive. My house backs to the end where the storage units will be. I'm a -- I'm a nurse by -- I am a nurse. So, I see a lot of the things that go on and what developments do for families. It can be great. It can bring a lot of benefits -- income for families and that type of stuff. But I also have two children that are disabled and they like to run out into the roads. I see people speeding down Apgar Creek all the time and that is a huge concern and to see an increase in traffic coming in because of a development of businesses would be very concerning for me with two children that are development delayed. So, I would just request that the city look at this and take into account all aspects. Thank you.

Lorcher: Okay. Thank you very much. Anybody else in Chambers that would like to make a public comment? Would the applicant like to come forward and --

Lomeli: Madam Chair?

Lorcher: Oh. I'm sorry. One more time.

Lomeli: Someone online did raise their hand.

Lorcher: Oh, start and stop. All right. Person online if you can state your name and address for the record.

Martinez: Hi. My name is Serge Martinez and it's 2311 West Apgar Creek Drive. Thanks a lot for taking my concern. I would like to mention that last year as we speak I agree with all the neighbors, who was -- had a chance to speak and give their concerns. Last year we actually had an accident right on the Apgar Creek Drive, because of the traffic and because of the rezoning previously we had -- we had condos right next to our -- condo apartments next to our one single houses and as a result of avoiding the traffic on McMillan lots of neighbors -- lots of people trying to cut their traffic and as a result actually

we were -- our car got hit actually on the right -- right on the street. So, I'm also very concerned about the rezoning and I think it's a very bad idea to have that rezoning. So, I would advise to keep it as a L-O zone or if it's going to be this project will go into effect to have Lolo Pass Drive as only emergency exit. Thank you.

Lorcher: All right. Thank you. Madam Clerk, anyone else?

Lomeli: Madam Chair, no.

Lorcher: All right. Anybody else in Chambers before we ask the applicant to come forward? I'm looking once and twice. All right. Please come on up. Thank you.

Burnett: Ryan Burnett. 1125 West Two Rivers Lane, Eagle, Idaho. 83616. Commissioners, public, I agree with all these people who have come up here and testified. I did submit a plan that was complete storage units at the beginning. First I -- let me take this back. I just want to go through -- oh, wait. Maybe I'm going the wrong way. I want to go through some facts. Nope. Where is the old plan? The original plan. The original plan of L-O zoning with the light office. You will see that they had a major access going into the residential. That access will be there no matter if it's commercial or not. I know one of the neighbors said that we -- it would probably be great if we had a traffic impact study. The traffic impact study will show you, because we do have one that we have submitted with the file, that the traffic for storage and flex space is lower than any commercial designation. It is not an industrial designation. I'm building them on Highway 16 right now, which has ten times the traffic of McMillan and only two lanes. McMillan has a center lane that you can pull out into. I have the landowner Kelly Fulfer here that developed the entire area and has lived there for 30 years. There is actively Superior Construction. A construction company is on this site with massive semis and equipment until the last three, four months when we decided to do this project. So, we are used to pulling in and out of here with massive semis. I agree with them. So, my original plan was just storage condos. I only have one access off of Highway 16. They did not require me, because the traffic is so low, to improve Highway 16 and/or have an alternate second access. So, I have a fire access. So, when I came to the neighbors I assume that the -- that ACHD would be the same as ITD and they will allow me to put -- the city would like the concept of this high end storage condos, the lowest traffic impact that you can put on a piece of property and that I could fire restrict the access going into the neighbors. So, that was the original plan we submitted. Through working with Nick and the people that Nick said neighbors that did not come to my neighborhood meeting, apparently there were several that were requesting commercial, that they thought the area should have -- be commercial. Nick can speak to that. So, he took on many phone calls and asked me if there was any way we would modify this project to create some jobs and create some commercial. I believe we had -- at the beginning we even had a nursery that wanted to go -- wanted to go in the front. So, we modified this plan for the city. We called the city. The city said you do not need to put out a new neighborhood meeting, because you are within the time frame, but we felt to be good neighbors we would send out what the city was suggesting that we do to our site plan and the ACHD with working with them said no matter what the traffic count is they did not want fire access, because we were moving

from just storage units to have some flex place or commercial, which in the old designation or the original zoning, how it is right now, is going to require that access to go through anyways. So, my original plan was what I presented to these neighbors. Like Doug Pill said, I'm a man of my word. That's what I wanted to happen to this property. That's what I think is the best use. I was only accommodating the neighbors that called in, the city's requirements and my requirements from the government agencies like ACHD. If we could go back to the original site plan. If ACHD would let me fire access restrict the neighborhood and just build condos and I could do a similar layout I would be more than fine to do that. So, that is how we got here. But -- so, those are the facts. Everything that they have said is true, but as I was going through the process, the government agencies -- you know, that's what you do when you are a developer is work to try to make neighborhoods happy, government agencies, police and fire, everybody and so that's how it morphed into the plan that we have, with a little bit of input from everybody and we tried to do the best plan that we could.

Lorcher: Right.

Burnett: I'm fine with going back to the original storage condos, like I have on Highway 16, with the absolute lowest impact and fire restricted access on the north. If the city will allow that, the fire department will allow that and -- and ACHD I would be fine with that.

Lorcher: All right. So, stay there. Nick, do you have any comments as far as why the plans have changed as you were in discussions with Brian?

Napoli: Yes, Madam Chair. To address some of Brian's comments, for one if this was all storage we would be recommending denial tonight. I will put that out there, because the L-O zone as it currently sits would create jobs and employment, which is why part of the plan was changed. I did receive calls from several neighbors, none of which are in attendance tonight, after the first neighborhood meeting that they had. Many of them were not happy with more storage. On top of that our City Council has not -- not -- has not been in favor of more storage here in the city, as we already have quite a bit. Employment is somewhere that the city is lacking in the valley. We are the center of the valley. Employment is extremely important to the city. The comp plan calls this as limited office, which is why we worked with the developer to find a hybrid where we could have some employment, as well as some of this storage. So, that's where we ended up with the plan that we are at now. As far as with that, if it was all storage staff would be recommending denial tonight, because it provides zero employment. So, if that answers your question.

Lorcher: Commissioners, do we have -- oh. Go ahead, Brian.

Burnett: I -- I do believe this is the right product. There is a -- I mean just like Natalie mentioned, we will be building flex in Star. There is a massive demand for flex for small businesses that can't buy their own building, can't find anything to rent, they need an office front. They are not high traffic, high impact. They are the same as office. The storage on the right side of this is the lowest impact you could have. We do have a traffic

study. It's not industrial. I think this is a phenomenal plan. Do I wish I could restrict the access going north into the subdivision? I do. I don't think we need it. I think the turnaround and the traffic going onto McMillan would be fine. There is three lanes with a center lane. So, obviously, that's a city and fire and ACHD thing. I don't know if our traffic impact study can support that like it did for me on Highway 16, but if -- if that's -- that's the biggest concern I'm all for it.

Lorcher: In your packet ACHD wrote a letter and that I think probably satisfies their traffic impact study. They are not going to require one. They are not going to do one, because they already know what the impact of the volume here is, so -- but they are also required -- requiring you not -- not requesting -- requiring you to have pull through on Lolo Pass Lane -- or road, so --

Burnett: Regardless of what the development is.

Lorcher: Regardless. Since 2003 when Kelly Creek Subdivision came about it was always said this road will be extended at a future time. So, that's never been a question regardless of how the neighborhood's grown around that.

Burnett: That's correct. And I think the confusion is just the traffic. These -- this is the lowest traffic impact, the storage units definitely. If you think about someone going -- those storage units will probably be utilized on Saturday and Sunday and so it is the lowest impact. It's lower than what it is originally zoned and I think it will create less traffic and the safety of those kids and I do not think people will use that access as much as McMillan. It will -- I will make that entrance beautiful and make it the main entrance and, you know, we can even -- you can kind of see on the drawing that we can kind of stub it into where that -- that entrance looks a little bit more narrower, you put curbs in it and people refrain from using it. So, there is certain things we can do, but I'm definitely willing to work with ACHD and the neighbors, you know, to make it -- even signage that maybe we can restrict it that no trucks go back there. None of the box trucks are allowed to go - - go through there. We could put signs up. I'm willing to work with them. Like I said, my original plan was the lowest impact on the neighbors.

Lorcher: Right. Well -- and I mean the fact that ACHD asked you to align with Palatine Way -- you are not a straight shot. You have to kind of zigzag through your proposed site plan in order even to get to Lolo Pass. So, it's almost like it's a secret special -- you have to know it's there.

Burnett: Correct. You visually don't just see through the project at the -- at the other exit, so -- and it is -- it is -- it does look smaller. It is kind of hidden in the back corner and, you know, like I said, I do -- I do think this is a great plan. We do create the developments. You can go look at them. Highway 16. I think it's absolutely beautiful and trying to, you know, make this the best that I can and I don't agree with the traffic, because -- well, one, I live on Eagle Road, so McMillan is great and, second, you know, Kelly Fulfer has lived there for 30 years. His family homesteaded this property and we have been driving semi trucks in there for 30 years until three months ago.

Lorcher: Right. Commissioners, do we have any questions for Brian?

Smith: Madam Chair, I have a question. It could also be for staff. Nick. Maybe even Caleb. I understand the requirement from ACHD. I guess I'm curious as to why ACHD wants that kind of through lane so close to Goddard. It feels like that's normally something that -- of the type that they would oppose this kind of setup from my experience. It doesn't quite -- why that was stubbed in the first place, because that stub, it's there, but --

Napoli: Yeah. Madam Chair, Commissioner Smith, it's a good question. So, not only ACHD, but the city code, you know, requires stub streets, which is how we get connectivity over time throughout the city, because it has been piecemeal over a long time is where we have gotten today. So, this stub street was stubbed here with the concept plan as shown previously or the office development, you know, at that time, correct, they actually show two accesses to McMillan, which nowadays definitely not, as the traffic on McMillan has increased. But having that second access point it was stubbed. City code does ask for those to be extended and it's actually not a public road, it will be a private commercial drive aisle, so it won't be -- actually Lolo Pass won't be extending as a public street. It will be private. It will be a commercial drive aisle. So, it actually won't be a public street as it goes through their site and with that you already know -- when they did this in 2003, you know, the exact placement of it, the offset requirements, those type of things, it does change with development over time and since 2003, 22 years, you know, ACHD actually was the one that requested -- at first the city was against the access to Palantine, after some conversations with the developer and ACHD aligning it south with -- that access south of McMillan on Palantine and, then, connecting it to Lolo Pass, it still requires a City Council waiver, because our code asks for it to be restricted. Staff can't support that based off of the city code. However, that's where we ended up and they are requesting City Council waiver for that access to McMillan, so --

Burnett: I just have one more comment. I know that one -- the only other question I didn't answer from a gentleman and we did have it at the neighborhood meeting -- is that, you know, we have got houses from 24 feet to 30 feet high. These are actually about 23 feet high. They are lower than houses. So, just in case you are worried about your site picture, they are smaller than houses.

Lorcher: And, then, you have the canopy.

Burnett: Correct.

Lorcher: Okay. Commissioner Smith.

Smith: Yeah. I have just one follow up. I just -- for my -- and I won't dig too deep on this, because this is kind of venturing in the academic now less relative. Was Goddard not there when this was originally stubbed or was it there -- again -- it's -- it's purely just to me the proximity of the -- of Goddard to kind of where this connection is just seems odd, but I can always also pick your ear outside of this application as well.

Lorcher: I'm sure Goddard was created when Kelly Creek went in in 2003, because that was a farm -- or a construction company or whatever he was doing there for the last 30 years; right? I mean I'm just speculating. I don't know for sure, but based on what's been happening on McMillan to me that -- that street was probably created as an entryway, because we are -- what did you say, the family's name of Fisher --

Burnett: Fulfer.

Lorcher: Fulfers. Were already managing that land forever.

Burnett: Correct.

Smith: Nick, do you have --

Napoli: Madam Chair, Commissioner Smith, so, yeah, as far as that, correct, Goddard Creek as you can see on the original concept plan it's actually outside of this part of Kelly Creek Subdivision, but it was existing at the time. As far as the actual construction date of Goddard Creek I would need to get back to you on the specific information on when it was constructed, but, correct, all of the landscape buffers actually on the west side of Goddard Creek are part of the Kelly Creek neighborhood HOA's responsibility to maintain.

Smith: Okay. Thank you.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: Thank you. I don't mean to keep pushing this topic, but the years I have been doing this we have allowed for emergency access only in numerous situations. So, just trying to understand the difference. Is it because this is coming into a commercial area, not a residential area, that that emergency access only would not be allowed? I mean I can think of a ton of situations where that has been permitted. So, I just want to understand that a little bit better.

Hood: Madam Chair, Commissioner Perreault, if you don't mind me giving a little stab at that. I think some of the -- and at the heart of some of the -- even revisions that have been talked about tonight from the original concept that the applicant brought to what you see today is we want -- not only the jobs that Nick mentioned, but also just the neighborhood serving types of uses. If you don't have that connectivity to the -- to the neighborhood what we don't want is people turning left out onto McMillan to, then, turn left into this site when they live on Apgar Creek or somewhere really close. So, that connectivity provides access and so some of those neighborhood serving uses that I'm hoping for, if approved, go in here. So, there is something that I can walk to to get -- again, that service that me or my family may need. So, that's the concept anyways. We are in academia a little bit. But that's why it was put there and why we are still pushing



for that is so you don't have to push more traffic onto McMillan, you can actually access them from the neighbors. Again, I'm hopeful that some of these folks in here will go and use the businesses that eventually -- whether they are office uses or the proposed businesses tonight or whoever goes in there, but that's the concept and why emergency access doesn't really meet that requirement for having neighborhood connectivity, it's all part of -- and if I may just two more quick things. The -- the office use here was actually a use exception back in 2003, that that original developer asked for for that reason to have these -- again, the concept was neighborhood serving uses and the other thing that I will continue to address the Commission here, but also with one eye look towards the neighbors -- it sounds like there is an existing issue out there on Apgar Creek Drive and I can offer to help with some of that. Commissioner Smith is well aware of this, but we work -- I work -- part of my job is to work with Ada County Highway District. They have residential traffic calming that they can do some of that cut through volume speed analysis. So, irregardless of what happens with this project, contact me, the Ada County Highway District, we can have them put some hoses out, look at the existing potential cut through and speeding issues there on Apgar and see what might happen with that. There will -- I don't want to get into all that now and, you know, take -- take over this meeting, but things like speed humps and things like that, but you would have to consent to that as a neighborhood, but they can at least start there with doing that some -- some of that evaluation, so -- thank you.

Lorcher: Commissioner Perreault.

Perreault: Thank you. That answered my question. Thank you, Caleb.

Lorcher: Commissioner Stoll.

Stoll: This is more for Caleb or -- so, anyway, the requirement to not have an emergency access onto Lolo Pass Way is that being required -- requested by ACHD or Meridian staff?

Hood: Madam Chair, yeah, this might be better for Nick, Commissioner Stoll. I will speak again from the city's perspective. I just addressed that. I do not know what is in ACHD's staff report I'm sorry, I did not look at that.

Napoli: Madam Chair, Commissioner Stoll, it's a good question. So, yes, and I like Caleb -- the city -- correct, it was stubbed there. We do want it as a through street. However, it is your purview to -- if you guys want to recommend it as a fire access only you guys can -- ultimately City Council is going to be the decision maker on that as you guys are recommending tonight on this, but ACHD did want it as a through street as well. So, the city -- I talked with ACHD on it. They never even contemplated as a emergency access only, because it was a local street and there was potential that it could have been stubbed as a continuous local street down to McMillan, but with the proposed development continuing the local street onto that property it was better served as a commercial drive aisle and not a local street all the way to McMillan.

Stoll: Thank you.

Lorcher: Any other questions for Brian before we close the public hearing? All right. Thank you very much. All right. Can I get a motion to close the public hearing?

Smith: So moved.

Stoll: Second.

Lorcher: It's been moved and seconded to close the public hearing for Meridian LUXE. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: So, I think the developer's put a lot of thought into this and tried to look at things from every angle, which is always appreciated, because we see a lot of developers who don't do that. So, all in all as a concept I'm -- I'm okay with the concept, but I would prefer to recommend to City Council definitely that there is limited hours of delivery and operation in the DA. Council can determine what that will be. Would definitely take the applicant up on additional parking spaces as much as they are -- as they are capable of adding, just not knowing who those end users are going to be on the commercial condos, I think that will be beneficial. I -- I drive past the similar concept at the corner of Linder and Ustick where they are -- there are about a thousand square foot commercial condos there. I rarely see that parking lot full, so I am not anticipating it being crazy. That's a very similar project to what you are going to see real estate offices, chiropractor offices, things like that. I am not concerned -- and this is rare for me to say -- I am not concerned about the neighborhood being able to access these. In this particular case I don't have a problem with asking the neighbors to drive around and get back on McMillan to access these. There is a lot of times when -- I mean I'm a big fan of connectivity and always have been. So, my preference is to recommend to Council that emergency access only be implemented on Lolo Pass Way if, of course, ACHD is going to permit it. I mean we don't have control over what they will limit the applicant on, so --

Lorcher: Okay. Thank you.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I think I'm generally aligned with Commissioner Perreault. I think -- I think the problems that I do have or the kind of questions I do have around this development aren't with the applicant at all, it's with the requirements from the city and ACHD and that would

exist with any development and so I'm trying to be -- you know, if I can remove those variables -- the development on its own in -- in kind of a vacuum, if we can kind of put it there temporarily is -- it's a pretty good project. I think it's a really good project actually. I am not super concerned about the amount of traffic toward the commercial -- or, sorry, toward the -- the condos, the commercial I think that's really very highly varied, but I don't think any -- the restrictions that Nick put in place -- or staff put in place I'm not too concerned about that. I agree with you, maybe limiting the operating hours, you know, with things like, you know, board games -- things that were mentioned. I'm a bit of a nerd myself and so I know board game places -- sometimes you have a game night or something, so it's like 8:00 to 8:00 might be a little restrictive. I more just want to say that for -- if City Council looks at the transcript or watches the video, that, you know, there is probably a happy medium somewhere in there. So, I don't want to be too restrictive, but I think, you know, in my mind 8:00 to 10:00 or something like that feels more appropriate. All in all that's -- you know, leave that to City Council. As for Lolo Pass I think listening to staff and the applicant a little bit I have been convinced to not want it necessarily fire restricted or emergency restricted. I would still support a motion that requested that. I think with the applicant's intention to try to limit the desirability of that direction and staff's point about connectivity, I don't love that it was -- because it was an obvious -- I don't love that it was stubbed in the first place necessarily there. Again, I don't know what I would do with a magic wand, but I think this is kind of making the best of a -- kind of odd layout and I agree with Caleb, have it on my notes really highlighted, ACHD traffic study traffic calming. I think there are other issues may be happening on Apgar that can be resolved after working with ACHD, city transportation commission, et cetera. So, I'm generally supportive of this. The only area where I'm a little bit, you know, like -- I would like maybe some more conversation if any of the other Commissioners give their feedback of whether or not we want to emergency access restrict that Lolo Pass Drive.

Lorcher: Okay. Commissioner Stoll.

Stoll: Yeah. Madam Chair, I like the project overall as far as the concept. I have driven by that area for 22 years wondering what was going to happen with that location, especially as development continued on. Now, it seems to be -- have that answer. So, overall I like the design. I think it's needed and appropriate. I understand staff's point on connectivity, especially given my past life and I'm very supportive of that concept, except in this situation. Given that things have changed as far as the type of land use or the use that's going to be -- is being proposed. I am only in favor of restricting it to emergency access on Lolo, so my vote that's going to have -- that's going to be a requirement. I also would encourage staff not to wait for the neighborhood to request your -- request of ACHD to do their studies. Let's just get it done and look at it. I have heard enough testimony that there is problems there. So, that's my thoughts.

Lorcher: Okay. Mr. Garrett, any thoughts?

Garrett: Yeah. I'm -- generally I like the concept. I'm not as concerned about the fire exit or the regular exit. These -- the uses are very limited in daytime uses and as going to -- being the owner of a storage condo I see it once a month. So, I just don't see those types

of things being heavy -- heavy impact on the neighborhood. As far as the other uses on the flex space, I can't speak to that. I just have to go with what the industry studies are. But I think that from the concept I don't have any problems with it at all. I know that -- I drive on McMillan on a regular basis and I know the traffic. Hell, where isn't traffic bad in Meridian now. It's a fact of life and -- but we all know that we don't want freeways everywhere either, so I mean we just have to live with it and -- and do the best we can.

Lorcher: As far as my thoughts are concerned, the -- as Brian said, the lowest impact of -- of commercial use you can have are these storage condos and when you go to City Council, because of their aversion to storage in general, you might want to come up with some different words. You know, they are luxury suites that are different than going to Store-It; right? You are not having people put their stuff in. If somebody's spending 350,000 dollars on a storage unit they are not putting their grandma's furniture in there for, you know, a couple of months. So, it's a little bit different concept. Thank you for creating landscape and buffers between Apgar and the -- and the facility. I like the fact that Palatine or Palatine Way is not a straight shot. I disagree with my fellow Commissioners, I do think it should be open access, because I don't like taking left turns. So, in order for me -- if I'm in Kelly Creek I would have to come out to Goddard, then, come out to McMillan and take a left if I was going to use any of this flex space or be a fancy person and get one of these storage unit or condo suites or I would have to go all the way to Linder and come around. This gives the opportunity for the people within not only your street, but your entire community to be able to use these services. It might be a dentist, it might be an orthodontist, it might be Edward Jones, it might be a cabinet builder or an interior designer. It's not going to be In-N-Out. It's not going to be a drive-through. It's not -- if it's -- maybe we can keep it open for 10:00 o'clock so that Commissioner Smith can play Dungeons and Dragons all night, so -- but I -- you have to be careful what you wish for, because if another concept comes in here that might create more volume, then, the conversation we are having tonight gets even greater. This developer so far has -- is willing to do what it takes to make sure that your neighborhood is safe, that your neighborhood is esthetically appealing, that it's going to limit their accessibility to it, but also be able to have you use the services that are provided as well. There is -- the frontal facings of storage units have gotten much more sophisticated. I was driving down Ustick today, I think there was one that had like a nice kind of gray wall with beautiful trees in front of it and you wouldn't even know if it was there if the words weren't on the side of the road. So, we are going to make a motion tonight and this will go to City Council, so you will have a chance to voice your concerns again. So, this is not their final step of all of these things and in between that time the developer will work with the city to be able to come up with a plan and all of that information is public on our website, so you can be able to see those changes as they go through the process. So, does anybody have a motion?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: More statements regarding the fencing. My preference would be a four foot berm -- berm with a four foot fence, rather than an eight foot fence. I just think there is also some security that that adds. It does give, in my opinion, a better look to the -- you know, there is the 25 foot landscape there, but it just makes it look -- look a little bit, you know, nicer. It's not a hill I'm going to die on, but that's -- that would be my preference and recommendation. And I do agree with you about City Council's aversion to storage condos. There are five storage -- or, excuse me, five storage unit facilities within a mile and a half of this location.

Lorcher: Right.

Perreault: So, it's very concentrated there. So, thank you for that.

Lorcher: Yeah. I don't think developers would build them if there wasn't a need for them either. So, our community continues to grow and we all have too much stuff, so I guess we need storage, so -- would anybody like to make a motion?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2025-0035 as presented in the staff report for the hearing date of October 16th, 2025, with the following modifications and recommendations. To consider limiting the hours operation or delivery within the DA at City Council's determination. To require the applicant to add additional parking where possible. And to discuss the possibility of closing off the Lolo Pass Way entrance on the north side and create emergency access only entrance and, then, recommend that there be a four foot berm with a four foot fence on that residential boundary.

Garrett: Second.

Lorcher: It's been moved and seconded to approve File No. H-2025-0035 to City Council. All those in favor say aye. Any opposed? Motion carries. Thank you for all coming tonight. I encourage your president of your HOA to get a hold of the City of Meridian to talk about mitigation for traffic along Apgar Way or Creek, so that your neighborhood can continue to be safe. Thank you.

MOTION CARRIED: FIVE AYES. TWO ABSENT.