

Meridian Planning and Zoning Meeting

October 3, 2024.

Meeting of the Meridian Planning and Zoning Commission of October 3, 2024, was called to order at 6:00 p.m. by Chairman Maria Lorcher.

Members Present: Commissioner Maria Lorcher, Commissioner Jared Smith, Commissioner Patrick Grace and Commissioner Matthew Sandoval.

Members Absent: Commissioner Brian Garrett and Commissioner Andrew Seal.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons, Sonya Allen, Linda Ritter, Nick Napoli and Dean Willis.

ROLL-CALL ATTENDANCE

_____ Brian Garrett	___X___ Andrew Seal
___X___ Matthew Sandoval	___X___ Patrick Grace
_____ Enrique Rivera	___X___ Jared Smith
_____ Maria Lorcher – Chairman	

Lorcher: Good evening. Welcome to the Planning and Zoning Commission meeting for October 3rd, 2024. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the City Attorney and the City Clerk's office, as well as the city -- city's Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony of the meeting you will be unmuted and, then, able to comment. Please note that we cannot take questions until the public testimony portion of the meeting. If you have a process question during the meeting, please, e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. If you simply would like to watch the meeting we encourage you to watch this on the streaming -- streaming on the city's YouTube channel. You can access it at [city -- meridiancity.org/live](http://city--meridiancity.org/live). With that let us begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Lorcher: The first item on the agenda is the adoption of the agenda. There are no changes to tonight's agenda. Could I get a motion to adopt tonight's agenda?

Grace: So moved.

Smith: Second.

Lorcher: It's been moved and seconded to adopt the agenda. All in favor say aye. Any opposed? Motion -- motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. **Approve Minutes of the September 19, 2024 Meeting of the Planning and Zoning Commission**
2. **Findings of Fact, Conclusions of Law for Outer Banks (H-2024-0026) by J-U-B Engineers, Inc. located off the southwest corner of W. Franklin Rd. and S. Ten Mile Rd.**
3. **Findings of Fact, Conclusions of Law for Baldcypress Multi-Family (H-2024-0028) by Pivot North Design, located at 3570 N. Eagle Rd.**

Lorcher: Next is the Consent Agenda. We have three items on the Consent Agenda. To approve the minutes from the September 19th Planning and Zoning meeting. Facts and Findings and Conclusions of Law for Outer Banks Subdivision and Facts and Findings and Conclusions of Law for the Baldcypress Multi-Family Community. Could I get a motion to accept the Consent Agenda as presented?

Grace: I move to accept.

Rust: Second.

Lorcher: It's been moved and seconded to accept the Consent Agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Lorcher: At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and our Unified Development Code. After staff has made their presentation the applicant will come forward and present their case and respond to staff's comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor for public testimony. Each person will be called only once during public testimony. The clerk will call the names individual -- individually of those who have signed up on our website in advance to testify. You can come to the microphones in Chambers or you can be unmuted on Zoom. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or presentation for the meeting it will be displayed on your screen and our City Clerk will help you run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group allow you to speak on their behalf, you will have up to ten minutes. After all of those who have signed up in

advance have spoken we will invite any others in Chambers who wish to testify. If you wish to speak on the topic you may come forward in Chambers or if on Zoom you may raise hand button -- use the raise hand button and if you are listening on a telephone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please be sure to mute those extra devices so we do not experience feedback, so we can hear you clearly. When you are finished if the Commission does not have any questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. Please remember we will not call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the Commissioners will have an opportunity to discuss and hopefully make final decisions -- decisions or recommendations to City Council as needed. So, a couple of things I would like to do before we start the meeting. I would like to introduce Sam Rust. He is our newest commissioner. So, welcome, Sam. He is from the impact area in southwest Meridian. So, he lives out on -- south of -- south of 84 and this Commission is comprised of commissioners from all different parts of the City of Meridian and the impact area. So, we all have an interesting perspective because we don't all live in the same place. He lives in southwest Meridian. I live in northwest Meridian. Commissioner Grace lives in another place as well. So, we have a different perspective on all of the city, so that we can hopefully make good decisions in regard to our community. Secondly, we have a couple applications which may go longer than anticipated based on public comment and if we get to 10:00 o'clock tonight we will not open any new applications after 10:00. Hopefully we won't get to that point. We will try to do this efficiently and -- and move forward. And, finally, we invite anybody who is on Zoom or in Chambers to speak. If you are addressing a particular topic, such as your community, traffic, schools and all those types of things, we don't need every person to talk about the same subject every single time. So, if you see that a person comes up and discusses that particular application and what you want to say is something that they have already iterated, it is not necessary for you to come up unless you really would like to speak. But everybody has their right for their three minutes, so we will do that as well.

ACTION ITEMS

4. Public Hearing continued from September 19, 2024 for Meridian OZ (MCU-2024-0002) by Pivot North Design, located at 1475 E. Franklin Rd.

- A. Request: Conditional Use Permit Modification for a multi-family development consisting of 36 residential units on 2.39 acres of land in the R-40 zoning district.

Lorcher: All right. So, with that I would like to open the public hearing for Item H-2024-0002, to continue the Meridian OZ for conditional use permit modification for a multi-family development for 36 residential units. We will start with the staff report.

Starman: Madam Chair, staff is bringing up the staff report. I'm just going to plant a seed with Commissioner Rust, since he is new to the Commission and did not participate in the initial portion of this public hearing, if you have had an opportunity to review the record, meaning the minutes and/or the video and you feel like you are -- you are able to participate tonight you -- you have seen the -- the previous testimony and you are prepared to dive in, that's perfectly fine. If you haven't had an opportunity to do that or you don't feel comfortable it's okay to recuse as well, since you weren't a part of that first part of the public hearing. So, I will leave that to your good discretion. But either way is okay.

Napoli: Good evening, Madam Chair, Members of the Commission. So, this is a continuation from the previous hearing. Meridian OZ. I did -- we did have a chance to meet with the applicant and make some changes or some proposals for you tonight and the applicant has two options. We will be presenting two options for you here tonight. So, we can move along with the applicant as long as you guys are comfortable with that.

Lorcher: Yes. That sounds good.

Stamen: All right. For the benefit of Commissioner Rust, I will just review a few stats. This was previously approved under conditional use approval in November of 2023, last year, and really what we are seeking to modify in that conditional use approval are the items that you see boxed in red. So, we are looking to go to the full height limit that's permitted for this zone. It's R-40 zone. We are proposing 36 units, 18 one bedroom, 18 two bedrooms. That's another difference from the previous CUP approval. And, then, the parking that goes along with that unit count has modified.

Lorcher: Yeah. I do need you to state your name and address for the record before you really get into it.

Stamen: Danielle Stamen. And our offices are located at 116 South 6th Street in Boise.

Lorcher: Thank you.

Stamen: You are welcome. Okay. A quick review of the proposal of the buildings and, then, I will focus in tonight on -- on the item that caused the carryover from last time. So, we were discussing I think the privacy and the boundary at the south of the site. South of the site, to reiterate, is a current residential property that is not incorporated into the City of Meridian, but maybe annexed in the future. So, we are proposing a six foot high closed vision fence and that condition is listed in the staff report as part of the proposed approval. Additionally, there is a requirement in accordance with the city's comp plan to provide cross-access easement between the sites. So, you can see our future cross-access easement -- we have located -- that the vehicular one is located where it was previous, but the pedestrian cross-access easement has been moved 85 feet to the east. If you recall from last meeting the residential property, the house is

located to the south and west of where that cross-access easement is proposed. So, there will be a fence there and, then, the cross-access easement is basically a driveway stub and a sidewalk stub that ends in a six foot high closed vision fence. We did look at several locations for this cross-access easement and it should be noted that closer to Locust Grove Road there is a significant drop in grade right there. So, our proposal would bring up that grade meeting the street elevation, which is, of course, necessary to get that drive aisle in. So, the red dashed line is showing where the retaining wall would be that physically really prevents a vehicular cross-access easement there until the site to the south possibly is regraded in the future. So, there is really two options to consider. One we could put the driveway in where it's located in this exhibit with that pedestrian cross-access located a little bit to the east. We could also -- I think alternatively pursue a cross-access easement that the location is determined at a later date. Let's say the property to the south is sold, it's -- it's currently on the market and we know more about the use of that property. I think that's the biggest curveball here is we really don't know if that will be a light industrial use, a residential use, a multi-family use. So, we really don't have a great vision of what type of traffic may be moving through that cross-access easement. You can see the residents located to the south and we have also wanted to show the grade difference that's really preventing us from putting that easement closer towards Locust Grove. It's about a four foot drop. To show just how this site could be built out to the -- to the south, we are not proposing this build out. It's really just to see how that could connect. If it was multi-family of the size that our project is proposing you could have that center cross-access easement work quite well for parking access, but this is not to say that we are proposing that, we are not purchasing the site and that really could be anything allowable by the city if it's annexed. To I think make the point for sort of an open location easement on this one, the previous CUP approval did not identify a location for this cross-access easement, so I think that's a point to be made that following the precedent of the previous approval there really was no location. It's a condition that is contingent on getting the certificate of occupancy for this project. And that's all I have.

Lorcher: Commissioners, do you have any questions for the applicant before we take public testimony?

Grace: Madam Chair, I have a couple questions.

Lorcher: Commissioner Grace.

Grace: Thank you, Danielle. So, can you just clarify -- I thought I read that the -- had the elevations changed at all on the -- on the structures or is it just the 18 and 18, one bedroom, two bedroom?

Stamen: The previous CUP approval was for a two-story development. We are proposing a three story -- three three story buildings.

Grace: Okay.

Stamen: So, that's why -- the previous approval was around a 35 foot height limit and we are proposing about 45 and because the -- the site has a significant grade difference from one point to the other, the max height is also pinned to average grade plane, so we would like the flexibility because we are locating those buildings at three different site elevations, if that makes sense. Yeah.

Grace: And, then, second question is are you -- so, can you -- can you just clarify. Are you suggesting you -- you -- you would like to wait on identifying the location of the cross-access easement? Is that the vehicle one or the pedestrian one or both?

Stamen: It would really be both. I think for our team, frankly, there is value in just putting it in where we have proposed and -- and being done. I don't know that that serves the site to the south in the best way if it's annexed, but from what we know now ideally it would be located where we have proposed in that first option.

Grace: And you are comfortable waiting -- developing and waiting a little while on that? We could. I -- I think we wanted to bring two options to the Commission and understand what you thought was -- was most prudent.

Grace: Okay. Thank you.

Lorcher: Any other comments from Commissioners before public testimony? Okay. Thank you very much. Madam Clerk, do we have anybody signed up for this application?

Lomeli: Madam Chair, I do have a Brian Redson that signed up.

Lorcher: In Chambers?

Lomeli: Yes.

Lorcher: Oh, you have no comments. Okay. Is that it?

Lomeli: Madam Chair, yes, that's it.

Lorcher: Okay. Did you have any other comments that you would like to make? Can I get a motion to close the public hearing?

Grace: So moved.

Smith: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: I think the applicant has addressed the concerns of creating some privacy. I understand, you know, the city wants cross-access for future development and that it is not as enforceable later than it is at the beginning, which is why I want the cross-access to begin with. I personally like the white vinyl fence and stubbing it out and if it's not to the preference of the next landowner to the south, then, that's something that they will have to work with. That's not your concern, because it's not your land. Those are -- those are my comments. In regard to the person who lives there, that should give them enough privacy and lack of access for that parcel to be continued in its current use.

Grace: Yeah. Madam Chair, I -- I agree with you on the privacy. Maybe I was taking a different approach on the -- on the access. I was looking at it like if -- if we could create that flexibility for the -- the future, you know, development of that parcel to the south. I guess I was looking at that as -- as a -- as a good thing, but if it -- if it makes it harder to enforce that, then, I guess I understand that piece as well. So, I wouldn't be opposed to sort of locking that in now I guess.

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: Yeah. I think we really asked as much as we possibly could and if -- the applicant has done a great job working with the city and the Commission. I think we should move forward with approving the CUP.

Lorcher: Okay. Thank you. Commissioner Rust, are you comfortable with the information that you would like to vote on this or do you want to recuse yourself on this?

Rust: I'm comfortable voting.

Lorcher: Okay. Well, Commissioners, I'm open to a motion.

Smith: Madam Chair, as a point of -- just before you get into that, point of clarification. Do -- it's just regarding the motion specifically. Do we -- because this is not as it was presented in the staff report. This is a change from that. Do we need to specify specifically whether we want the easement in a specific location or like -- I guess the question regarding the specificity of the motion that we will need to make considering the continuance.

Starman: Madam Chair and Commissioners, I think it is -- you can provide as much specificity as you like, but I think it is adequate to -- the basic motion would be to approve the conditional use permit as proposed in the staff report and as -- with respect to the easement as presented by the applicant today with the location being certain and being built at this -- and the improvements being constructed at this time I think that's adequate for the motion. When the findings come back for your final consideration staff will have the definitive language at that point and that will be your final order relative to

approval. But I think for tonight's purposes a motion that is somewhat similar to what I just described as adequate.

Lorcher: Okay. Thank you. And just to clarify, we are creating a motion for a conditional use permit for the multi-family development and I think the language we want to include in there is cross-access and privacy at this time.

Grace: And, Madam Chair, we typically approve CUPs; right?

Lorcher: Correct. This says recommend -- recommended approval; is that accurate?

Starman: Madam Chair and Commissioners, that -- that is not accurate. This is -- you are the deciding body here. So, this is -- that's a typographic error. We should -- you should phrase your motion as approving not recommending, but that's your direction -- and/or denying for that matter. But there should be a definitive action, not a recommendation.

Grace: Okay. I will take a stab, Madam Chair.

Lorcher: Okay.

Grace: After considering all staff, applicant and public testimony, I move to approve File No. MCU-2024-0002 as presented in the staff report for the hearing date of October 3rd, 2024, with the -- confirming I guess -- or the following aspects. Is that the location of the easement would be at a fixed point at this time and the inclusion of the proposal for the privacy fence.

Lorcher: Do I have a second?

Rust: Second.

Lorcher: It's been moved and seconded to approve a conditional use permit for Meridian OZ. All those in favor say aye. Any opposed? All right. Motion carries. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

5. Public Hearing for Ziggi's Coffee (H-2024-0035) by KM Engineering, located at 4801 S. Tavistock Ave.

- A. Request: Conditional Use Permit to construct a drive-through establishment with food and drink services including an outdoor seating area on 0.497 acres in the C-N zoning district.

Lorcher: The next item on the agenda is for Ziggi's Coffee for a request for a conditional use permit. We will start with the staff report.

Napoli: All right. Madam Chair, Members of the Commission, the next item on the agenda is a conditional use permit for Ziggi's Coffee Shop. The applicant is requesting a conditional use permit for a drive through establishment within 300 feet of a residential district. The drive through restaurant will be approximately 825 square feet and one story in height. The site consists of .49 -- .497 acres of land, zoned C-N, located at 4801 South Tavistock Avenue. As shown on the screen the current zoning is C-N and the FLUM designation is mixed-use neighborhood. Some brief history about the site, as it was annexed in 2015 as a part of Hill Century Farm North Subdivision and the development agreement from this currently governs the site. Access is proposed via a private drive aisle on the south portion of the property connecting to South Tavistock Avenue on the east. The applicant did provide a queuing study showing the site's ability to hold eight vehicles prior to the order kiosk. However, staff has some concerns with the -- with the queuing. The specific use standards for a drive through require stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles and public right of way by patrons. Staff had concerns about the compliance with the standard as the drive through queueing may extend onto the main private drive aisle during peak hours, which will conflict with uses in the immediate area as that daycare was recently approved to the west. Staff recommends the applicant work with the neighboring property to the west to create a shared access between the two properties or redesign the site to allow for additional stacking. Additionally, there is an option to have the escape lane exit back onto the private drive aisle through the landscape buffer. This could add additional space on the site for queuing. Further, as demonstrated on the site plan, it appears larger vehicles may have a -- have a difficult time navigating the turning radius to enter the second stacking lane. The applicant is currently working with the developer of the subdivision on extending the landscaping to the existing curb along Amity Road. That will be revised with the submittal of Certificate of Zoning Compliance and design review. The conceptual building elevations were submitted for the proposed restaurant. The proposed building design includes the following materials: EFIS, brick, standing seam metal panels, parapet, metal wall caps and glazing. Staff recommends the incorporation of more fenestration and glazing on the north facade, as this will be the primary facade visible from East Amity Road. Staff is recommending approval with conditions and has not received any written testimony at this time. I will stand for questions.

Lorcher: Would the applicant like to come forward? Or are they --

Lomeli: Madam Chair, the applicant is on Zoom.

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

Lindstrom: Yes. Thank you, Madam Chair, Commissioners. My name is Connor Lindstrom. I'm with KM Engineering representing our client and Ziggi's Coffee. Address is 5725 North Discovery Way, Boise, Idaho. And, then, we also have our engineer Brian Redson. He is -- he is in person there, too, if you have anymore technical questions. Nick, I don't know if you are able to pull up my -- my presentation for me. That would be awesome.

Napoli: Are you able to see that, Connor?

Lindstrom: Yes, I can. Thank you so much. Okay, So, yes, first off, thank you, Nick and staff, for working with us on this application. We would like to start by just saying that, yeah, that Nick's covered a large majority of -- of what we are proposing, but I will go into a little more detail. So, if you want to go to the next slide that would be great. So, this shows a vicinity map here. Properties -- we have Tavistock, Amity -- Amity Road within the Hill Century Farm Subdivision. This is a vacant lot currently. The lot to the west is also vacant and there is the -- the daycare that will be going in down the way as well. Next slide. So, the -- the conditional use permit we are submitting specifically for Ziggi's Coffee to operate the drive through and walk up coffee shop. This is an approximately 825 square foot building that's proposed. It will be able to serve, yeah, both drive through customers and walk up customers and, then, within that patio area that's just to the south of the building there will be some future outdoor seating. We don't have a firm grasp on exactly how many seats, but envisioning it maybe a couple picnic tables there and so the -- the general hours of operation will be 6:00 a.m. to 7:00 p.m. That's what we are proposing. Seven days a week, which falls within the -- the zoning code. But we have the -- the queuing lane that was mentioned by Nick there. We are showing, once you get into the site, eight vehicles that can queue before the ordering and, then, from the actual window where you pick up your -- your drink it would be 13 total vehicles could queue. But we have a double stacking lane there and we also have the bypass lane and -- and the bypass lane specifically will allow for, you know, customers that maybe they -- something happened or they -- they got to get somewhere else they can exit and escape through the site around that ten foot escape lane there. Next slide. I -- I would like to just -- before I get into some of the concerns that the city has I would like to mention, you know, and go through these specific use standards here. So, the first one are -- the stacking lanes shall have sufficient capacity to prevent obstruction of driveways, drive aisles, and the public right of way by patrons. This is a standard that the city doesn't necessarily believe we are -- we are abiding by. They have some concerns, though, with stacking up into the -- the private drive. So, first off, you know, this does mention public right of way by patrons, too, with -- with the -- the sidewalk, but that is a private drive there. So, if you go back, Nick, to the site plan. The -- to the south where the -- the entrance into the site is from a private drive, it's the only entrance that is allowed. The -- the subdivision standards limit any access off of Tavistock or Amity Road. So, that's really the option we are left with here is to come off of the private drive. Nick, if you want to go forward. The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designated employee parking. So, we wanted to really emphasize that we wanted to have an area designated for parking to the west separate from the -- the driving aisle. So, Nick, if you go forward. The slide -- one more. One more. Sorry. So, this was a revision that we -- we kind of went through with staff. You know, we -- we heard their concerns. They mentioned maybe moving the building further to the west here like this, where you have the parking on the east. But with this option we felt that there was going to be some -- you know, some parking traffic that was maybe going to come in and park that wasn't actually going to use the drive through and you would have vehicles queuing back into that area where cars

would need to come in and park. So, we just felt that there was too much congestion there and we -- we did explore this and gave this to staff and we also explained that this wasn't going to increase the amount of vehicles queuing. So, with this, you know, it just didn't seem to be a great fit and, therefore, if you go back, Nick, to the specific standards slide, we felt that the -- the site plan that Nick presented for you does meet this -- this code section well and it will allow for both parking and circulation through the site. I will ask -- number three, the stacking lane shall not be located within ten feet of any residential district or existing residence. That's something that's, yeah, easy to meet there where we are well outside that ten feet. At the neighborhood meeting we had some neighbors walk up to the neighborhood meeting, which was held at the site. They lived in the south and they were supportive and they were really excited to have a coffee shop nearby where they can walk to and they said they will be the first customers when it opens. So, that's great. Number four is any stacking lane greater than one hundred feet in length shall provide for an escape lane. Our -- our drive through proposed is greater than a hundred feet, so we provided that escape lane. We actually also worked with staff to add a -- a bulb out, too, and that was at the request and -- and we made sure to add that. And, lastly, the site should be designed so that the drive through is visible from the public street. That's -- you know, we feel that that is easily met. It's very visible from both Amity and Tavistock, even given the -- the landscaping we are proposing. So, if you -- the next slide, Nick. This just shows the queuing analysis that was completed. This is not the complete analysis, since there are some screenshots there that I took from -- and it should be in your staff report. The reason why I'm showing this is, you know, we reached out to a traffic engineer and they had to go through this process and -- and do the calculations and measurements and the science I guess if you will. I'm -- I'm not a traffic engineer, so I don't know all the ins and outs, but they -- they take the -- the -- all the data, given the site plan we provided, the existing conditions of the site, as well as I believe proposed conditions for the area and they -- they analyze, you know, what is the use and how many trips is this going to create and they -- you know, they show here that during the peak hour, which is in the a.m. time -- I don't know the exact time. I would believe between like maybe 6:00 and 8:00, somewhere in there. But we are showing a total of 36 trips and that's at the peak, which would be 18 in, 18 out. So, with that, you know, if you see the calculation down here, that's all taken into account and that you are in the 95th percentile, the queue would be four vehicles. So, even during the -- the greatest, you know, peak hour -- so, I'm probably going to see four vehicles queuing there. We do understand that there are some other coffee shops in the area that have, you know, have problems in the past and -- and created some large queues. Ziggi's products is -- well, it might be similar. The -- the name branding, but it just -- it just isn't there. So, if you go forward, Nick, to -- a few more slides. Keep going. Keep going. One more. I -- I know I'm having you -- you jump around, but thanks -- thanks for doing this for me. So, this is -- this shows the average transactions that -- that Ziggi's has and this is for a site in Colorado. This is one of their more busier sites, if not their busiest, and during their peak time between 7:00 and 9:00 a.m, it looks like you are seeing per hour 46 transactions and 39 transactions. So, this kind of aligns with, you know, what the -- the peak could be in Meridian, but -- I mean this is at the -- the most profitable where there are other Ziggi's. Meridian will be the first Ziggi's location and we just don't believe that this is going to be

like a Dutch Bros, if you will, at this time. So, the -- the transactions just show that, you know, in -- in general 80 percent of those are vehicle transactions, people come into the drive through, but we do have the walk up as well, which accounts for about 20 percent of -- of the -- the transactions. All right. Nick, you can go back. Sorry. Keep going. Keep going back. Couple more. Okay. Oh, sorry. Back to the site plan there. So, yeah, with that queuing analysis, you know, it -- it took a look at this site plan and -- and it shows that we are not going to have the issues that the staff is -- is worried about. You know, that -- it's all based on the city growing and we understand that the city is going to the south of Meridian, but we feel that this is just based on conjecture, their concerns, and we are kind of like -- where does it end? I mean will there ever be enough? I -- I don't know. And we feel that this -- we should trust our traffic engineer and the science, you know, and they did that -- that traffic analysis. Next slide. So, this year, you know, we -- we submitted our site plan. We went through multiple meetings with the city that we thought we were meeting their concerns by adding the -- the bulb out to the escape lane. We -- we tried different site options and, then, we got, you know, about a week and a half ago staff said, you know, we are recommending these conditions of potentially adding more parking to the west on the -- the adjacent site, so you can, then, get rid of some of your parking and, then, allow for this greater escape lane and maybe a shared access. So, this drawing -- I'm going to throw another -- this is Nick's drawing. I know he is doing his best, but it does show what he's kind of talking about in the conditions that where you would have a shared access with the property to the west and, then, you would have your -- your kind of -- your island that's required with landscaping and, then, you would, then, be able to pull into the site to the east to queue and that you would have that additional escape lane there. There are some concerns with this, though, given that the property to the west is not going to be owned by Ziggi's. I mean that -- that's owned by a different property owner. We actually did reach out to them about this option and -- and they don't believe that it's beneficial for Ziggi's or them. They are not -- they just don't see this as being a great option and it really dictates the way that their site will develop and they would like to keep it, you know, as single access points for each lot to allow for the most flexibility for future users. This, too, would require them to put in parking stalls on their site for -- for Ziggi's needs and, you know, they are not really willing to do that at this time. So, you know, we -- we have gone out of our way to reach out to that property owner. We have worked with the city and we feel that this site plan here that staff's proposing is not going to be a greater solution. You are going to have some more pinch points there with cars trying to exit from the parking area and from the escape lane, as well as from the site to the west and we actually think it would create a larger issue there. So, with that, you know, we would like to stick to our existing site plan that we have submitted and, hopefully, you see where we are coming from and if you would like to move forward, Nick, another slide. Okay. Yeah. I -- I think that's all I have. If you guys have any questions, please, let us know. Like I said, Brian Redson is there in the -- the Council Chambers, too, that -- our -- our engineer. Not a traffic engineer, but our civil engineer and he could also help answer some questions. So, thank you for your time.

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

Grace: Madam Chair, I -- I do have a couple questions.

Lorcher: Commissioner Grace.

Grace: And, I apologize, I forget your name, Mr. Lindstrom.

Lindstrom: Yes. I would show -- I would show my face, too. I don't know if that's an option.

Grace: Right on the screen, Connor, so --

Lindstrom: Okay.

Grace: What -- do you know what that private drive to the south I guess, what does it serve? What -- what -- what -- what's beyond that to the west?

Lindstrom: Yes. And, Nick, I don't know if you can pull up that -- or my presentation again on the vicinity map. That might be helpful. It's one of the first slides, I believe. Yeah. Slide two there. So, you can see this is -- these are all the platted lots within Hill Century Farm there and so those right now are vacant lots to the west. There is a daycare across the way on a private drive. I -- I don't know, Nick, if you could point to that lot for that daycare that is going in. Yeah. I think it covers a couple lots there. So, right now we have mostly vacant lots in this commercial area where that's proposed commercial and, then, you have to the east some other lots there that are for commercial uses, too. But that -- the private drive is just to serve these lots specifically. So, any of the residential users would come south -- further south on Tavistock and would not be turning into this -- to this private drive.

Grace: Okay. And, then, I'm trying to get a sense of how many people may be parking there and so I think I read in the -- in the packet that the parking space requirement depends on the seating that's going to be available and do you have a sense of how much seating is going to be available for -- I guess not -- not drive through, but indoor, obviously?

Lindstrom: Yeah. Thanks, Councilman. So, as far as indoor goes definitely there is no indoor seating that's going to be there. We will have at any given time a couple employees so they would need parking. But, then, as far as outdoor seating goes I don't believe we have an exact number. I have been talking with the Ziggi's team that's -- usually they have a couple -- like circular picnic style benches with an umbrella that you would see it like at Sonic or something like that that could seat, you know, three or four or five people. So, we feel that having some parking there is -- is necessary. We are showing the seven spaces. I believe the code -- in talking with Nick we could probably get down to like, you know, four or five, but given Ziggi's model, you know, seven is what they would really like to see and have the most parking available.

Grace: Okay. Thank you.

Lorcher: Okay. Any other questions?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. A question for the applicant. I think one thing I'm just struggling to square -- it seems like -- it -- it seems like the claim is that the layout as proposed will not be sufficiently congested to back up onto the street, yet simultaneously the layout that staff is requesting will be too -- too congested to maneuver within the parking lot. It -- correct me if I'm wrong, but it seems like each of these options serves roughly similar amount of cars and so I'm -- I'm curious to how you can kind of square that circle if -- it feels like you are trying to say that this won't be as congested as a Dutch Bros -- this won't be as busy as Dutch Bros. But when staff is asking you to reorient the location for the drive aisle, the concern is that it's going to be too busy to be maneuverable. So, can you help me understand that. What it is specifically about that layout that is going to make it -- I understand the idea of cars, you know, stacking behind the parked cars, but that would to my mind create -- that -- that would require the same amount of congestion that you are saying won't put these cars on the -- on the road here. Does that make sense? Is that --

Lindstrom: Yeah. Madam Chair, Commissioner Smith, thank you. Yeah. I think I can help -- you know answer that. So, this -- this site plan here, as we show it, you have the double stacking line off of the -- the private drive and we -- as you can see it's -- it's to the east of where the parking area is. So, yes, you -- as you come into the site you have option, obviously, to turn right into the queuing lane or to turn left -- you know, stay to the left and -- and park. With this, too, it -- it gives you the option to have -- you know, if there was a busier day, Ziggi's provides, like you would see at Dutch Bros or Chick-fil-A, they have somebody that can stay -- stand outside between the two queuing lanes and have outdoor orders -- you know, people that could order before you get to the ordering board to make things move quicker. So, that's kind of -- this site plan provides all of that. Nick, I don't know if you can go forward to the -- your site plan drawing there. So, with this, as you can see, if we move the access further to the west it would be on the -- the property line between the lot to the west and the Ziggi's lot. With this we are introducing both traffic from the Ziggi's location site, but also the traffic to the west and at this time we -- we don't know what -- you know, what that use is going to be. It's within the same zone. So, there is a multitude of different uses that could be allowed there and so you have that situation and, then, also, too, because the requirements with landscaping and the parking island that would be needed there, as you come into the site and you turn right you are going to have to navigate that parking island and kind of -- it's going to be a pinch point there from cars exiting from the parking area and the -- the drive through, as well as cars turning into the site for the drive through. So, we just feel that, you know, this creates more congestion, more -- more cars and pedestrians interacting in one area, whereas if we have the single access point that we are proposing and, then, the future, you know, use to the west having their own single access, you are kind of separating more vehicles from each

other creating a better flow and less incidences of, you know, interaction between cars and peds. So, that -- that was our understanding. We also don't feel that adding this allows for that many more cars to queue. I mean maybe you could sneak one more in there, but it is -- but we don't feel that that's worth -- worth it given the -- the other issues that are going to, you know, potentially be created with this -- with this site plan. So, I hope -- hopefully that answers your questions.

Smith: Thank you.

Lorcher: Okay. Thank you. Madam Clerk, do we have anybody signed up to testify?

Lomeli: Madam Chair, no one has signed up.

Grace: Madam Chair, can I ask one more question? I'm sorry. Of the applicant.

Lorcher: Yes.

Grace: Okay. I will try to be quick. Connor, if you had already said this I apologize, but I see you have two lanes there that -- that merge into one on this -- on this picture that's up. Are you going to have like speakers on each side? Are you going to have employees out there or are they all going to merge to one lane without having placed their order? And I'm asking because it -- it -- it -- it could affect, you know, the backup onto the street.

Lindstrom: Madam Chair, Commissioner, so Ziggi's vision is -- is to provide the -- this double stacking. So, there is some extra area there if it did get busier and, then, therefore, you know, if -- if we did have -- let's say all these cars were here, if it got that busy we would definitely have somebody out there taking orders, you know, walking between the -- the two cars there -- or between the two lanes where they can take, you know, outdoor orders and, then, you would also have your -- your normal ordering board there just to the east of the building. So, I will -- I will start with that. And, then, second is the -- the majority of the time this site will not be as busy as you see all these cars here. So, this is like the most cars you -- you would probably see, but more likely than not, though, you are -- you are really only going to have maybe a car or two backed up -- as seen in the traffic analysis it said four. So, if -- if there are four at that time you would really only be using a single access point. So, that's where Ziggi's only felt that there would need to be one ordering board there just on the east side of the building and, then, if there was to be a busier day they could have somebody else out there, too. So, that's why you are not seeing like two ordering boards like you would see at a McDonald's or something like that. So, hopefully, that answers your question.

Grace: Yeah, it does. Thank you.

Lindstrom: Yeah.

Lorcher: Madam Clerk, is there anybody signed up online?

Lomeli: Madam Chair, I don't see anybody raising their hand.

Lorcher: Okay. I will take a motion to close the public hearing.

Grace: So moved.

Rust: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: My only concern about this plan is that they claim that, you know, it will be kind of like more of a slow and go, as opposed to everybody clustering at the same time, but there is a daycare on the same street and I would imagine that during the peak hours of drop off is the same peak hours that people are getting coffee. So, that private road, if they do end up in that private drive, they are all stacking there while parents are trying to drop -- drop off their kids and since we also don't know, since this is the first Ziggi's in the community, you know, what if it becomes like a high school hangout after school and we get, you know, 20 cars and they don't have that cross-access capacity, you know, is the -- is the developer to the west of them going to ticket and tow everybody that, you know, parks, because the high school kids are -- families or, you know, groups that want to sit on their patio -- I mean, you know, I guess you plan for the worst and you hope for the best, but I have a feeling that -- that if this becomes popular as this part of Meridian grows, there is a lot of potential for a lot of things to go wrong. So, that would be my only concern. So, right now the business model says, yes, it's going to be a slow flow, everybody will be moving nicely, everybody will kind of come along, but eventually, based on the vicinity plan, there is going to be at least eight businesses there all using that same private lane and, you know, there is a high potential if their product is -- you know, becomes very popular that people are going to be stacked out in that private lane. So, you know, I -- I mean success sometimes is a double-edged sword, but I understand what the city is trying to say is to prepare for growth, because there are people there, plus the community -- the subdivision is just on the other side of this and, then, you have the walk up as well. So, I'm not going to say no to it, but those are -- looking at this application from, you know, that perspective, knowing that a daycare is going in there for sure and now knowing to the -- to the developer to the west says no to cross-access, those would be -- those would be my concerns.

Smith: Yeah. Madam Chair?

Lorcher: Commissioner Smith.

Smith: I -- I think you are spot on. I think -- you know, I hope with -- as with all businesses that move to Meridian this is successful, but we -- we can see the impact of successful coffee shops and I think, you know, that -- to my -- again, I -- I'm no expert

here, but to my perspective, from my experience in this kind of coffee shop, this feels very overweighted toward parking and -- and not enough focus on -- on drive through capacity. Feels like this -- I don't think we may would -- maybe would have this issue if this parcel were 25 percent bigger. It just feels a little -- little constrained, a little small, and I applaud them for trying to do -- trying to make this work on this parcel, but I -- I -- I don't see how I could support this without kind of following staff's request. I -- I -- I mean even looking at this -- this tapering down from two lanes to one, just the number of contact points also between the cars here and that tight turn angle into the drive, there just seems to be a lot of opportunities for human error to be introduced, issues to come up, backing onto the road, I would -- I -- to be candid I would prefer for the parking lot to be congested more than I would prefer that road to be congested, especially knowing there is a daycare that -- near there. I think there are a lot of factors in this that I think this specific site plan isn't workable, but I think staff's site plan could be -- staff's proposal and conditions could be more amenable.

Grace: Madam Chair, can I just see -- Nick, the staff's proposed layout of that? In that -- in that layout all that's changed is the -- well, the -- the -- the window itself is in the same location; is that right?

Napoli: Madam Chair, Commissioner Grace, yes. So, this schematic is really -- it's not a thou shall, it's more of a suggestion as far as like how it could work with our conditions. We are showing the cross-access there and that -- between the two properties. This isn't exactly how it needs to be laid out if that's how they choose to do it. This was just -- for me to provide a potential, you know, image. Obviously, it's very rough. You know, I think that it was just a potential solution. It's not thou shalt. This isn't how it has to be within that condition. It's really just having that cross-access between the two properties, getting that entrance further away from the intersection on Tavistock and as well as allowing for some additional queuing, you know, and as far as -- I did hear some concern from Connor regarding the off-site improvements. You know, obviously, we are not going to require the parking on the other half to be paved and all of that, that's not going to be required with this application. Same with the planter Island. The full approach would, obviously, have to be paved for adequate ingress and egress for the property, but, you know, this is just showing how it could potentially abut parking on that west side so you don't have to have five feet of landscaping there and integrate with that future property on the development, because we don't know what's going to go there. We do know that there is a daycare to the west. We don't know what's going to go on the other four pad sites that are sitting out here and if it is busy, you know, if it is high traffic users I could see potential conflict points and I think having cross-access can potentially solve some of those issues on that private drive.

Grace: So -- okay. Thank you, Nick. I appreciate it. I don't -- I guess I -- I'm fine with this proposal. I -- I do have the same concerns you do, Madam Chair. I'm just not sure how you address them. If you want a coffee shop there, if it's like any other coffee shop in this city it's going to be busy and -- but at the same time it wouldn't be the first coffee shop that was really busy and, you know, I look at the some of the ones that are

traditionally drive through coffee establishments where I live and they are super busy, too. Somehow it works. And so staff did recommend approval on this. It wasn't like they -- they didn't, so -- but I do have concerns, too. It's going to be a busy place. I'm just not sure I have a better solution for it.

Lorcher: Right.

Rust: Madam Chair, it looks like based on this drawing that we are talking about a difference of two cars queuing, as I'm trying to approximate scale here, which doesn't feel like we are gaining a lot from moving the egress over to the cross-access and, then, I really don't like the 180 turn that would be required to use the parking that is introduced. So, I -- my inclination would be to go with the original site plan, because I know that we aren't gaining that much. That's just my thoughts.

Lorcher: Thank you. Commissioner Sandoval, any comments?

Sandoval: No.

Lorcher: Okay. Thank you.

Grace: Madam Chair, for a motion.

Lorcher: Yes, please.

Grace: After considering all staff, applicant and public testimony, I move to approve File No. H-2024-0035 as presented in the staff report for the hearing date of October 3rd, 2024, with no modifications.

Rust: Second.

Lorcher: It's been moved and seconded to approve a conditional use permit for a Ziggis Coffee. All those in favor say aye --

Starman: Madam Chair, before you vote, may I just ask for a clarification from staff? My recollection is that the -- if the motion is to approve the staff recommendation the conditions envisioned the shared access; is that correct?

Napoli: Madam Chair, Members of the Commission, Kurt, yes. Correct. You know, in the staff report it's not a -- holding them to this schematic that we have right here, it is asking them to create a cross-access entrance with the neighboring property to the west is the condition that would be in that. It's not the exact language, but that is the language that is in it. It's not, you know, requiring them to do exactly what this is showing right here. It is asking them to move that entrance further to the west. That's correct. And share it with that --

Starman: Thank you, Nick. So, my -- if I understand the intention of the maker of the motion and the second, I think the intention of the -- the maker of the motion is to approve the CUP, but with the site plan proposed by the applicant. If that is accurate, then, I would -- I would recommend that the maker of the motion, with the concurrence of the second, modify your motion, so it's not going to be staff's recommendation, it's going to be to approve the CUP as presented in the staff report, but with the modification to the conditions that would have required the movement of the ingress and egress point. Does that make sense?

Grace: It does. Do I need to withdraw the prior motion or --

Starman: Madam Chair and Commissioners, it's your prerogative. You can amend your motion with the concurrence of the second or you can withdrawal and make a second motion. Either way works.

Grace: I will just -- excuse me. I will just withdraw it and, then, start over. So, with that -- thank you, Kurt. With that after considering all staff, applicant and public testimony I move to approve File No. H-2024-0035 as presented in the staff report for the hearing date of October 3rd, 2024, with the following modifications: To adopt the site plan as presented and proposed by the applicant and not the recommended site plan that's in the staff report.

Rust: Second.

Lorcher: It's been moved and seconded to approve Ziggi's Coffee with the applicant's rendering of the site. All those in favor say aye. Any opposed?

Smith: Nay.

Lorcher: I think we have enough yeas for it to pass, so motion passes. Thank you.

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

6. Public Hearing for Cedar Springs Animal Care Facility (H-2024-0036) by Sandee Transtrum, Biltmore Co., located at 4759 N. Summit Way

- A. Request: Conditional Use Permit to develop a 4,450 sq. ft. animal care facility offering general practices, such as, examinations and small procedures on 0.249 acres of land in the L-O zoning district.

Lorcher: All right. The next item on the agenda is for Cedar Springs Animal Care Facility has a request for a conditional use permit. We will begin with the staff report.

Ritter: Good evening, Commissioners. I'm Linda Ritter. So, tonight we have before us a request for a conditional use permit. This site consists of 2.49 acres of land, zoned L-O, and is located at 4759 North Summit Way. The applicant is requesting a conditional

use permit to develop a 4,450 square foot animal care facility, offering general practices, such as examinations and small procedures. There is no overnight boarding being proposed. So, the applicant states as the population of Meridian continues to grow the need for additional pet care for residential -- for residents is limited. Foothills Veterinary Clinic will be a neighborhood clinic with general business operating hours. Never before 6:00 or after 10:00 to treat general pet health and small procedures. Again, no boarding services will be available and pet outdoor access will be confined to a small fenced area under staff supervision. Additional noise insulation and landscaping will be used on the building to ensure that the veterinary clinic will be -- will be a valued addition to the surrounding community. Conceptual building elevations were submitted for the proposed structure. Building materials consists of stucco, shingle roof, anodized aluminum storefront, stone veneer and accent paint. Final design is required to comply with the design standards in the architectural manual -- manual and the recorded development agreement. The applicant will have to submit for a certificate of zoning compliance and a design review prior to building permit issuance. So, this is the outdoor area that no pets can be out there without supervision. There were no written testimonies for this and so staff is recommending approval of this proposed conditional use permit with the findings in the staff report.

Lorcher: Thank you. Would the applicant like to come forward? Hi. Please state your name and address for the record.

Poulson: Madam Chair, Commissioners, my name is Jason Poulson with an address of 1580 West Cayuse Creek Drive, Meridian, Idaho. Tonight representing Biltmore Company as we bring before you a conditional use permit application for an animal care facility, Foothills Veterinary Facility, in the Cedar Springs commercial business park. This project can be considered an in-fill project, as it would occupy one of the four remaining lots in that Cedar Springs commercial subdivision, a 20 year old subdivision in North Meridian. That subdivision is located just south of McMillan Road on North Summit Way and for the knowledge and -- and as staff has proposed the future land use, this subdivision is classified as office use with a zoning of L-O. In that zoning an animal care facility requires a -- a conditioned use, which brings us here tonight. Additionally, development code under animal care facility states that animals should be indoors unless otherwise supervised outside, as Associate Planner Ritter shared. Also that they will comply with state and local ordinances to help maintain and -- and avoid any nuisance to those surrounding businesses or residences. This Lot 18 is .249 acres. Again, it is to build a 4,450 square foot building, single user, in this commercial building and located at 4759 North Summit Way. This facility was strategically thought out and planned to be located in the center of this commercial business park to provide additional buffers through common area parking lots and additional commercial buildings between other businesses in that commercial park and surrounding residential areas. This 12 by 14 foot dog run that would be required in veterinary care to make sure that animals are taking care of what business they might have. It will not be utilized unless supervision is in place. Additionally, it has additional landscaping and a fence to enclose any such excited animals that -- that might use that space. The business and the owners there understand that they must comply with all L-O zoning

operation -- requirements, operating between 6:00 a.m. and 10:00 p.m. and they will offer general animal care for house pets, small procedures and examinations. This facility is intended to be a family owned and operated facility with a husband and wife team. A couple renderings to comply and conform with the existing structures in that commercial park, to give you an idea what the building might look like, and, again, we appreciate your consideration of this conditional use permit. We agree with all of staff's findings in the staff report. We know that it will be a value to the surrounding neighborhoods and -- and to Meridian as a whole. Thank you for this chance and I will stand for any questions.

Lorcher: Commissioners, do we have any questions for the applicant? Thank you very much.

Poulson: Thank you.

Lorcher: Madam Clerk, do we have anybody signed up to testify?

Lomeli: Madam Chair, no one has signed up.

Lorcher: Can I get a motion to close the public hearing?

Rust: Madam Chair, I make a motion to close the public hearing.

Smith: Second.

Lorcher: It's been moved and seconded to close the public hearing for Cedar Springs Animal Care Facility.

Starman: You call for a vote, Madam Chair.

Lorcher: Oh. May I have a vote to close the public hearing? All those in favor say aye. Any nays? Motion carries. Sorry about that.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: I was all ready to talk about it. Any comments from Commissioners?

Grace: Madam Chair, I -- it's a great service. It's probably going to do very well in that area. I sort of live in that north -- north Meridian area. I still wish they would do something with McMillan, but I know that's not your problem. But, yeah, it looks like -- looks like it's going to be a great business and it's in a good location.

Lorcher: And the way that rendering is that's on the screen it's within an established business park. Commercial area anyway. So, it adds to that in-fill and adding businesses to our city, so that's a good thing, too.

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: Yeah. This just makes a ton of sense here. Just the planning and how it's surrounded as far as mitigation, it's great news.

Lorcher: All right. Thank you. I would be open to a motion.

Grace: Madam Chair, I'm happy to do it. I don't mean to steal all the motion glory, but -- after considering all staff, applicant and public testimony, I move to approve File No. H-2024-0036 as presented in the staff report for the hearing date of October 3rd, 2024, with no modifications.

Rust: Second.

Lorcher: It's been moved and seconded to approve Cedar Springs Animal Care Facility. All those in favor say aye. Any opposed? All right. Motion carries. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

7. Public Hearing for Baratza Subdivision (H-2024-0016) by Ella Passey, The Land Group, located at SE corner of N. Black Cat Rd. and W. McMillian Rd.

- A. Request: Annexation of 80.3 acres of land with R-8 (26.98) and R-15 (53.32) zoning districts
- B. Request: Preliminary Plat consisting of 347 building lots, 29 common lots and 1 right-of-way lot
- C. Request: Council Waiver for block length on six (6) street segments that exceed the maximum 750 ft. block length requirement on land that is currently zoned RUT

Lorcher: Okay. The next item on our agenda is for -- Baratza Subdivision is requesting annexation, preliminary plat and a proposal to the City Council for a waiver for block length and we will start with the staff report.

Ritter: Can you hear me now? So, tonight we are here for an annexation and a preliminary plat. So, this site consists of 80.3 acres of land, currently zoned RUT in Ada county and it's located at the corner of Black Cat and McMillan Road. The applicant is requesting to annex the property in the city with 26.98 acres of land zoned R-8 and 53.32 acres of land zoned R-15 for their proposed preliminary plat consisting of 377 lots, 348 buildable lots, one common lot, 20 common open space lots and one right-of-

way lot. There are structures at both 4023 and 4375 McMillan Road and they will be removed and the existing wells and septs will be abandoned as required. So, because the applicant is proposing an R-15 zoning staff recommends that the applicant provide a mix of dwelling types, such as single family attached or townhomes, within Block 5, Lots 2 through 15, Block 12, Lots 1 through 12 and Block 13, 1 through 12, of the proposed development as allowed by the Comprehensive Plan for R-15 as the smaller lots in here that we would like to see a different type of housing -- a mix of housing within this development. The subdivision is, again, the R-15 and R-8 zoning. The subdivision is proposed to develop in five phases as shown in the phasing plan here. The first phase will include all parameter and arterial roadway frontages with multiple use pathways. The North Grand Lakeway collector for public street connections and the primary common area amenity. Again, development of the subdivision is required to comply with the subdivision design and improvement standards in the UDC. There are seven common driveways that are proposed with this subdivision and there are six block faces that exceed the maximum block face standard and the applicant will be requesting a waiver from Council for those. So, a 25 foot wide landscape buffer is required along Black Cat and McMillan Roads and a 20 foot wide buffer is required along the internal collectors. Landscaping will be done according to the UDC standards. So, staff recommends ten foot wide detached sidewalks are provided along all collectors and arterial streets within the abutting site for the public safety. The Pathway Master Plan depicts a ten foot pathway along the internal collector streets and along the north side of the Calkins Lateral. So, the landscape plan reflects a buffer from North Black Cat Road, ranging between 70 feet from the south to 90 -- about 97 feet in the width on the north. The Creason Lateral and the Milk Lateral, as well as the maintenance road are both located within those buffers. Along McMillan Road to the north there is a buffer shown with a width of 101 feet from the end of the pavement. The Creason Lateral is also located within this block. There are landscape strips of at least 25 feet in width between the lateral and the exterior property fences. Both arterial buffers meet the minimum requirement for at least one tree per 35 feet in width. These areas contained in the lateral are shown to be sod. Buffers of at least 30 feet in width are provided on North Grand Lakeway. Twenty feet is required. Eight feet wide. The landscape parkways are provided along most of the interior -- internal local streets. All required buffers must comply with the UDC. So, the applicant is proposing no more grass within the landscape buffer along McMillan and Black Cat Road. So, the staff is requiring the applicant to change this to regular sod as from past experience once the area has been transferred to the homeowners association this area will be mowed as the perception will be it looks and feels unmaintained. So, this is a diagram received from the applicant. So, this is like regular sod and this is the no mow -- no mow grass and these are pictures of it. So, we just feel that the -- it won't be maintained as it is perceived to be or recommended to be. We feel that the homeowners will not like the look of that and also staff is requiring the applicant to revise the landscape to incorporate landscaping within the areas to the -- on the -- along the south border of the property, because right now they are just showing gravel along that area. We want them to work with the irrigation district to enter into some type of agreement to provide landscape and other than gravel in the common open space area. The applicant will need to revise the landscape plan accordingly with the understanding that trees will not

be allowed in this area, but grass and maybe shrubs may be allowed to be added if negotiated with an agreement with the irrigation district and we are asking them to add grass in the borrow ditch along Black Cat Road. So, based on the standards in the UDC a minimum 15 percent of qualified open space is required to be provided within the development. The applicant has met that requirement. They -- a minimum of 16 amenities -- amenities are required to provide. The applicant proposed a barn style open air gathering space with restrooms, open grassy play areas, natural play areas, picnic areas, open space common shelter playgrounds, sports fields, pedestrian and bicycle circulation, large pond water feature, meandering pathways are planned within the centralized amenity areas. All the common space areas are required to be landscaped with one deciduous shade tree for every 5,000 square feet of area and include a variety of tree, shrubs, lawn and other vegetated ground cover per the UDC. So, this is a picture of the current roadways in the area. So, it is at the corner of Black Cat and McMillan Road and as we can see Black Cat and McMillan Road are just two lane roadways, so they have their -- two lane roadways with no curb, gutter, sidewalk. So, North Black Cat Lane is scheduled to be -- so, let's see. To be widened in -- sometime in the future around 2031. So, this development -- again, it proposes like five access points for us. The primary access will be a collector street off of McMillan Road, which will be north of Lakeway, which will come in around here towards the northeast side of the property and the property and connecting into Quartet Northeast No. 2 and at the southeast corner of the property there are three accesses which will be local streets. One is a western access to North Black Cat Road, which aligns with West Quintale Street and an eastern access which connects to West Vizio Street from the Volterra Heights Subdivision and an additional southern access which connects to North Bartok Avenue also in the Quartet Northeast No. 2. So, per the ACHD's staff report due to high water table in the area permeable pavers may be necessary internal to the site to accommodate high groundwater. Permeable pavers are allowed provided they are designed in accordance with ACHD policy and the best management and, then, based on the proposed development ACHD is requiring the applicant to improve North Black Cat Road and West McMillan. They need to dedicate 50 feet of right of way from the center line of North Black Cat Road abutting the site, improve McMillan Road with 17 feet of pavement and three feet of gravel shoulder. A 12 foot wide gravel irrigation access road as proposed and a ten foot wide multi-use pathway abutting the site to tie into the existing east of the site. Construct a dedicated westbound turn lane on McMillan Road when Grand Lake Way is constructed to intersect with McMillan Road. Dedicate right of way as necessary to accommodate the left turn lanes. Improve Black Cat with 17 feet of pavement from center line, a three foot wide gravel shoulder and five feet -- five foot wide sidewalk -- concrete sidewalk as proposed located a minimum of 47 feet from center line and tie into the existing improvement south of the site. Other than specifically approved this application direct access is prohibited on McMillan, Black Cat and Grand Lake Way and should be noted on the final plat. So, Jamestown Ranch Subdivision is Baratza was formerly known as this. It was requested to annex into the city and subdivide the 80 acres of land with R-8 zoning into 294 building lots and 25 common lots. The proposed development was denied by City Council in 2022. Council stated the reason for denial was the proposed annexation is not in the best interest of the city and would be detrimental to the community for the following reasons: The

proposed development would generate additional traffic on West McMillan Road and North Black Cat Road. West McMillan Road from North Black Cat Road to North Ten Mile Road would not be widened at three lanes until 2023 at the earliest. North Black Cat Road from Ustick Road to West McMillan will not be widened to five lanes until 2023 at the earliest. The new staff report for ACHD anticipates that the -- to exceed ACHD's acceptable level of service plan and thresholds in the p.m. peak hours as a three lane road under the 2025 total conditions, but meets ACHD's acceptable level of service plan and threshold in the shoulder hour under 2025 conditions. Shoulder hour is defined by ACHD as one hour before and one hour after the peak hours, during which traffic is rising toward a decrease from peak and congested conditions are infrequently occurring. These are the traffic counts from the -- and I apologize, these are labeled backwards. This is from the 2021 report. At that time ACHD said with this existing project that the level of service for -- I can't even see behind this -- McMillan Road would be F. So, with the new report they are saying better than E, but it does not meet the acceptable level of service plan and threshold in the p.m. peak hour and for Black Cat Road they -- it was better than D and with a new one it's better than E. So, the traffic went up in these areas with the projects that have been entitled in this area and so with this development they are saying better than E, but it does not -- but it exceeds ACHD's acceptable level of plan and thresholds in the p.m. peak hour. So, in the -- there is a roundabout that is scheduled to go at the intersection of McMillan and Black Cat Road, but it will not be constructed until 2029 at this point. They had previously said it would be in '20 -- I think it was 2025 at one time, then, it got pushed back to 2028 and now it is saying 2029. So, five conceptual building elevations were submitted for the proposed subdivision. The applicant states that the house and products throughout the development are single family detached units featuring a variety of regional -- regionally appropriate designs. Per the applicant the public -- the project site's unique history about agricultural is captured within the site design and building designs. The homes are planned as a one and two-story single family detached. The homes will be designed in traditional modern farm and ranch theme and will be constructed using a variety of high quality materials. So, design review is not required for single family structure. However, because the rear and sides of the home facing North Black Cat Road, McMillan, North Grand Lake, and Quintale Way and North Bartok Avenue and Vizio Street will be highly visible, staff recommends a DA provision requiring those elevations incorporate articulation through changes in two or more of the following modulations. Projections, recesses, step backs, pop outs, bays, banding, porches, balconies, material types and the other integrated articular elements to break up monotonous wall planes, roof lines and visible -- that are visible from the public streets. Single story homes will be exempt from this requirement. Design review is, however, required for single family attached and townhomes. Design review will have to meet the requirements of the city's Architectural Standard Manual. A certificate of zoning compliance and design review application will also be required for the gathering barn and the pool area for submittal for review and approval prior to permit -- building permit issuance. The -- the city received a letter from the West Ada School District and it states that the elementary and high schools are over capacity. Pleasant View Elementary has no room to put another portable or space to create another classroom with the -- in the existing building. The children in the area will need to be bused to

another school that may not have the capacity. So, the city did receive written comments from about 14 people. Kathy Roundy, Lisa Brittan, Shawn Freeman, Carma Wallace, Carrie Hovey, Cheri Starr and Danielle and Eric Williams, Nolan Halterman, Ritchie and Megan Abromiet -- sorry if I butchered that name. Stephanie Mathis, Brittany and Dave Williams, Matt Calvert, Patty Phipps and Craig Block. All of the -- all of the comments were opposing the proposed development for the following reason. Insufficient roads, overcrowded schools, in conflict with the goals of the Comprehensive Plan and the request for higher density. Based on our UDC code staff is recommending approval of the proposed conditional use -- of the proposed application with the findings and staff recommendations in the staff report and at this time I will take any questions.

Lorcher: Would the applicant like to come forward? Hi. Please state your name and address for the record.

Clemens: Jeff Clemens. Address is 804 South Eagle, Eagle, Idaho. 83616. Good afternoon -- good evening, Madam Chairman and the rest of the Council. I will admit that when I woke up this morning I did not know I would be giving a presentation in front of the board. Matt Adams, unfortunately, had an emergency, so you get my presence instead of his. I may lack a couple of the exact details he has, but my speech will be a little bit shorter. Can we bring up the presentation, please. Maybe not. I will kick it off while they are throwing up the presentation. There is one thing I'm hoping that comes out of the presentation, if nothing else, is that -- do I have -- great. Want to go back up to the top. Okay. That we were thoughtful. We tried our best and we spent a lot of time, energy and focus on how we can best integrate the community and bring some of the history with it and it starts with the name Baratza and so Baratza is Basque for orchard and kind of going back to the roots of what that may be and that's why I love the first picture of a little kid with an apple sitting there saying, hey, I would like to have a little bite of it in the -- in the orchard; right? And so this kind of gives a high level what we will start with. We will start high level and, then, how we interact within the community, about the community itself and, then, I will wrap it up from there. First off, Baratza is located in the heart of a medium density residential zone. It's right on the southeast corner. It's approximately 80 acres. It's bordered by Black Cat and McMillan. All the things that have kind of already been said there. The one thing I kind of note is to the south of us is Quartet and to the east of us is Bridgetower West, fully are built out communities. So, this kind of is almost an in-fill community within the overall context when you look at it overall. Wanted to kind of give a higher level, because, then, it kind of brings in to where we go, which is -- you will notice the 16 -- do I have a little pointer that I can point on here? I guess not. The 16 is approximately one mile to the west of the property, which is due to be complete in the next couple of years. All of what we looked at -- we understand we are not an island. A lot of the comments that Linda had is your community is not an island unto itself and where -- there is things in how it impacts the world. When we set about going back as it was denied the last time it came through here we really set about how we can change how it was presented last time, change in what we are doing and affect the way that it makes it better before we start incorporating homes into the community and so first off -- yeah, it is not -- but -- okay. Streets is -- kind of looking at it. I'm sorry. I was just making sure I got the right -- okay.

I didn't realize I had graphics. Mine's always this one set there. So, again, learning as I go. Is Grand Lake -- Baratza will be the last connection to Grand Lake, which gives a connection from Black Cat to McMillan. It is an arterial roadway and that would be part of our improvement, as well as dedicating the remainder pieces for the roundabout for ACHD to make the Black Cat and McMillan right of way. That would be done before any closing of any home that we have and most of these things I'm presenting to you right now are all things that we are doing up front to address those issues that were brought up by staff. Next is a pedestrian connection. Along McMillan and Black Cat we will be tiling the -- the canals, as well as incorporating the pedestrian walk, as well as connecting it to the east. There is a hundred foot or so section outside of our property boundary that would, then, connect the entire pedestrian path all the way along that road there. Ultimately what you see here -- okay. Back that way. What you see is everything in green and everything in gray will be installed up and complete before our first home is occupied. So, that allows for all of Grand Lake to be completed and that up and running. You will see that there is the pedestrians along and the road widening along Black Cat and McMillan prior to any homes going on to -- being occupied. Lastly, we had the incorporation in the 2028. I know Linda referenced 2029. Somewhere in there I do know that right of way has been acquired by ACHD with a large part of the right of way being the last piece. Now, the fun part. Baratza is -- is -- is about an identity, about a place and so there is a context in which we are in the overall community and there is -- how do we create a theme -- how do we create a place, a sense of arrival into and part of Meridian and that comes with it of -- when you look here you kind of see green; right? Linda mentioned that we -- 15 percent is the minimum, but when it comes down to it we are 23.8 percent open space, so -- and we took that purposefully, meaning we want to incorporate green. If it's an orchard it should feel like an orchard. If it's -- how do I go and make this sense where you have -- and everybody understands what Baratza is and that means you go and have more open space. Sixteen is the minimum. We are at 21 with regards to amenity points required for the community. So, going above and beyond, not -- really because we want this to have a thought to it and we thought putting a Costco in the middle of it would be awesome on that park, but, really, the reason for the Costco representation is that is the size of our park, 6.3 acres right in the middle, the heart of the community, the soul of the community sitting there. Also along with a sense of arrival when you see that connector coming off the left-hand side and, again, I wish my -- oh, there -- it's just really slow. You will see the east-west road or the left or right road. That's not just a road, it is the -- that leads into where we have a ten foot parkway, an eight foot sidewalk and another ten foot landscape zone, in which we can tree line the streets. So, if you can imagine when you are going down that street you have large trees that are double stacked on both sides of a walkway heading into the park that feeds also off of Grand Lake. When you come off a Grand Lake you go right into the park and you overlook the space onto a lake, onto a rec center, so -- and, then, you also have all the interconnected walkways throughout. So, this is a thoughtful design in which we are bringing in different types of home sizes and different types of product within the community that are all interrelated and part of this community. Part of our thoughtfulness and part of our wanting to be here in front of you is also to kind of present with that image that it should be and could be. This is actually a 3D rendering from The Land Group and what our vision is of the

rec center of the -- the gathering barn as we called it, you have the pool, you have the lake that's about an acre and a half, if I have the acreage right, across the way leading into the tot lot that's not just a tot lot, it's actually a themed tot lot in which kids can play and they kind of have this feel like it's -- you are in a barn. You have an identified split rail. So, if you kind of look along the bottom you see railing that's not just your typical three rail. It's like how do we go and bring in the identity, as well as the orchards? We will go and have a space with which we will have orchards within the overall park itself, as well as a big park and, then, when you have the themes within -- you got the cool barn that you can walk up and slide down. You have logs on the side. Again, it's -- it's all coming together to bring a sense of identity within the community itself and, then, you end up with an overall concept of the zones of the homes as well and we really thank staff, they have been great to work with. Thank you very much. And we pretty much concur with every condition that they have in front of us and we will be more than happy to -- to incorporate them. The one that we have a little bit of a problem with in which we think within the context of the community is incorporation of attached product. For us we want differentiations of product, but we also think we can arrive at that same place with differentiation of home site sizes. So, what you see here in the yellow is our lower density product, which I think is important, because the surrounding community is Bridgetower West and Quartet and matching up property lines and making sure we have the same size home sites along the boundary should be as a buffer, so that we are living adjacent to our neighbors. Thoughtful about that. Once you get inside we went for a little bit more dense to try to achieve a few more homes inside, but also keeping it detached. Right now we have detached homes within Meridian and because of the smaller home site sizes and because of, you know, trying to create a value for that buyer with a nice community, we think we can achieve the same value, same pricing we could with an attached product and -- if that is the goal of the city there is to try to make that achievable. Here is our product size that is there. Overall it was about also listening to the neighbors, because in our neighborhood meeting about the condition for attached product, there was a common theme and that theme was, well, we don't -- what kind of density, what are you guys going to do there, are you going to make something that feels right within the community that doesn't stand aside and that part I think we have tried to achieve with the fact that all of our homes, all of our streets are tree lined -- a majority of them I should say are tree lined. They all have parkway separate sidewalks. We have more open space than I would say most of those other communities even adjacent to us as well to get there. And, then, trying to create that sense of community with those homes along those roads. Beyond that on the waiver request I was told we have to ask for this request. The maximum length is 750 feet. We are requesting the maximum length of the 776 feet. So, three percent more or whatever that percentage is more. We are very conscientious and conscious of the fact that this wants to be a pedestrian community and we are going to be putting in traffic calming throughout the locations, bulb outs, ways that we can make sure that the pedestrians get around, because that's as important as anything else, besides the cars getting through here as well. I also just mentioned on Grand Lake we actually created a larger buffer than required, because we thought that also would make that part of the entry and through there even better. With that I thank you for your time. Hopefully I

kept it under my ten minutes and I really do appreciate it. I'm here to take questions for anybody that has it. I have got a host of people here to help me answer questions, too.

Lorcher: All right. Thank you very much. Commissioners, do we have any -- hold on one second. Do we have any questions for the applicant? Commissioner Grace.

Grace: Thank you, Madam Chair. So, can you touch on that -- I have a couple questions. Can you touch on that last -- maybe not the last, but the -- the -- the issue related to the mixed product type and you said you talked to the community --

Clemens: Yes.

Grace: -- and your -- the feedback you received is they would prefer more of the -- the single family home and not the -- the townhome type or the --

Clemens: That was our take away. That was our -- we didn't have specific writing notes. I think we had close to 20 or 30 people attend. All of them were -- how is it-- what is going on in the community? How is -- what kind of homes are you going to build? What are they going to look like? And I won't speak to specifics or say I don't want townhomes, but the general feeling was attached product was not -- they had more detached. We want -- people are going to be living there, we don't want rentals and that was kind of the theme. So, I -- I'm kind of condensing it down and I don't want to speak for anybody, but that's what we took away from it.

Grace: So, in 2022 the city thought it wasn't in the best interest of the school and I'm trying to -- other than maybe that diagonals -- excuse me -- that diagonal street that you described that kind of goes from southwest to north --

Clemens: Uh-huh.

Grace: -- what have you changed? I mean the issue with the schools, the McMillan --

Clemens: McMillan and the location of where Grand Lake was coming through it's been completely changed. The fact that we are tiling the canals and creating all the pedestrian connections has changed from that one. As far as -- we are also assisting on a turn pocket -- I don't think it was part of the -- I don't know all the specifics to it. If there is anything else I'm missing -- to the specifics on that and between the two that were there and I also admit that -- yeah. So, yeah, that -- that's different. Sorry. What did I do? I was looking back at the -- the land plan. And, then, the -- the overall pedestrian connections in and throughout the entire community are different.

Grace: Okay. Last question, Madam Chair. The -- the -- the gathering barn, is that like a clubhouse?

Clemens: That's a clubhouse. It's -- it will be a thematic clubhouse that is going to be a barn themed type of space where you would have gatherings and there is a small kitchen, you know, you are having a little party for the HOA and those kind of things.

Grace: Is this envisioned to be all one?

Clemens: Yes. So, in other words, everyone will have access to these amenities. Baratza is one community. It's 342 homes, all one community, integrated with the walks and integrated with the themes and the fencing and the parkway separated sidewalks and -- and everything about it. This is all about one community.

Grace: And you have one pool.

Clemens: One pool and five acres of other stuff for that, yes.

Grace: Right.

Clemens: And, again, a gathering barn and a shade structure and a tot lot.

Grace: Okay. All right. Thanks so much. Appreciate it.

Lorcher: I do have a question. So, does the new owner for this parcel from the last --

Clemens: Correct.

Lorcher: -- application -- so, we want to treat it as its own. I'm just kind of curious, knowing that it had gotten denied before based on the application previously, you chose to go with R-8 and R-15. Why was that?

Clemens: Within the context of the plan for R-15 that allowed up to 15 to the acre is actually currently at the medium density for the higher and in discussion with staff that was the direction -- even to the point where the tax would make it even more dense than that. We were trying to come up with a balance within the community itself for -- for allowing for the -- the open space and we really wanted a theme with all the open space.

Lorcher: But also knowing that with R-15 you have to have a variety of products, not just attached homes, but you are telling us that --

Clemens: I -- sorry.

Lorcher: So, you are telling us that you would prefer just to have all detached homes, but just different sizes to be able to accommodate the zoning of R-8 and R-15; is that correct?

Clemens: Within our reading of R-15 we are not aware of anything specific that says you have to have a type of attached and detached home within R-15. I do know it's in that -- the town and design plan itself, but I -- I -- we weren't -- we weren't able to find it within the code itself and -- and maybe we are wrong on that, but that we did go look for it to say is that specifically are we asking for something outside of the code for R-15.

Lorcher: Okay. Thank you. Commissioners, other questions for the applicant before we open public testimony? Thank you very much.

Clemens: Thank you very much.

Lorcher: All right. Madam Clerk, do we have anybody to testify for this application?

Lomeli: Thank you, Madam Chair. We have Craig Bock.

Lorcher: Hi. If you can state your name and address for the record I would appreciate it.

Bock: Yes. My name is Craig Bock and I live on 3894 West Viso Street in Bridgetower West, formerly known as Volterra Heights I guess.

Lorcher: Okay.

Bock: Okay. So, I'm -- I'm adjacent to the project, as well as some of the -- several other folks here. Madam Chair, Commissioners, thank you for the time. Can you hear me okay?

Lorcher: Yes.

Bock: Okay. Yeah. Hey, I think, yeah, they -- there are some design features that I do like of the -- of the -- I think they did a great job there from a design standpoint. However, from a community standpoint and our -- and -- and the -- the facilities and services, I do think that it is still a detriment to our community. Okay? And -- and some of those are -- and were mentioned already for the schools and -- and, honestly, I was here for also the -- the -- the apartment complex that was going to be -- that was approved right next -- that's going to be built next to Walmart, okay, and there were -- so, there were traffic studies done for that and this one's using a 2021 traffic study and so I'm confused as to these numbers. Okay. But -- as well as what the school is providing. West Ada School District -- yes, they -- they -- they state that everything is at or above capacity at this point. This project will add 171 -- is what's projected -- students to this. The apartment complex that was approved in 2022 they were projecting 94 for that. So, that's 265 additional students. All right? That's on top of that. And at that time for that project West Ada School District stated that, you know, at -- not even considering those -- that project and, of course, not this one either, these -- considering all of the approved development they were going to be far exceeding the -- the current capacity of the schools and they -- they threw out numbers there that -- in

their table that showed about 3,000 additional students over the approved developments of what's happening out there. So, you know, I understand 265 is a drop in the bucket according to 3,000, but it does just keep adding up here. Okay? So -- and -- and -- and school facilities are essential facilities for this kind of community. Safety on McMillan Road and pedestrian crossways are not considered in the traffic study and these communities and the proposed as well -- my community where I'm at and the proposed are in the school walk zone for Pleasantville View Elementary School and at the time of the conditional use permit for that project the school itself, ACHD recommended that a crosswalk with a beacon crosswalk be installed at San Vito Way and McMillan as that -- as the residential development occurs, which I now live in across and south of McMillan. Am I over?

Lorcher: You can finish up, yes.

Clemens: Yes. So, thank you for this extra time. So -- and at that time the vehicle traffic study showed about 4,000 vehicle trips. Okay? And the October '22 study showed 9,650 and, then, this project is projected to add 2,804 additional to that and so the traffic study did not account for any of that and so it -- it -- it -- it -- as a school walker it -- it does cause a detriment to our community to be able to get over there.

Lorcher: Okay. I'm going to have to stop you there. Thank you. Just to let everybody know who is going to come up, we have read the public comments, we have read the staff report, we have read the ACHD reports, we have seen those numbers, so -- and we have seen the West Ada School District numbers as well. So, we are very well versed in all of the numbers that are there. Madam Clerk, who is next?

Lomeli: Thank you, Madam Chair. We have John and Cindy Caldwell.

Lorcher: Okay. Just John? Mr. Caldwell, if you can state your name and address for the record, please.

Caldwell: Which one of these is live? Are they both?

Lorcher: They both are.

Caldwell: My name is John Caldwell. Like the city. 3843 West Viso. So, right down the street from this new --

Lorcher: Okay.

Caldwell: First, I'm in strong agreement with my neighbor Craig Bock. My concern is -- I will be brief. My -- my concern is that the needed infrastructure will be built five or six years after this development adds about 3,000 additional vehicle daily trips. That block of McMillan is already a parking lot. I'm not an expert, but it sure looks like the ACHD admits there is a problem already. As staff pointed out, the summary findings in the traffic impact study of the subdivision concluded that McMillan Road west of Ten Mile

Road is anticipated to exceed ACHD's acceptable level of service planning thresholds in the p.m. peak hours under the 2025 conditions. This seems like putting the cart before the horse. It seems like we should make the needed infrastructure changes and, then, add the homes.

Lorcher: Thank you. Madam Clerk?

Lomeli: Thank you, Madam Chair. We have John Caldwell.

Lorcher: Oh. Mr. Caldwell just spoke.

Lomeli: Oh. Sorry. That name is listed there twice. Thomas Snook.

Lorcher: Nope. Not online. I don't see it. Okay.

Lomeli: And, Madam Chair, that's it.

Lorcher: Okay. Is there anybody on Zoom that would like to speak?

Lomeli: Madam Chair, no one is raising their hand.

Lorcher: All right. Would the applicant like to come forward to address some of the concerns?

Clemens: Jeff Clemens. Same address. First off, I concur on the infrastructure and that was our focus in making sure all the infrastructure is in with regards to the primary roads and the collectors before our first home is occupied. So, back to our focus on making sure whatever we can do around the area, which includes a crosswalk across the street at Grand Lake as well getting across the street. So, just kind of get that focus there. Thank you.

Lorcher: So, before you walk away, when you say crosswalk are you just talking about painted lines or is there actually a signal?

Clemens: Signal.

Lorcher: So, like the safe -- where you press the button and it blinks?

Clemens: Yes.

Lorcher: Got you.

Clemens: A signal.

Lorcher: And then -- so, the ACHD improvements are projected. They have been postponed once, if not twice, to 2029 for the roundabout.

Clemens: Yes.

Lorcher: If -- if you get approval for this project when would your product become available? 2030?

Clemens: If we get approval our first occupancies are in 2027, 2028.

Lorcher: Okay.

Clemens: Time frame -- by 2029 we have approximately a third of our homes maybe. So, about a hundred or so.

Lorcher: You have got five phases; correct?

Clemens: Yeah. Five phases.

Lorcher: Okay.

Clemens: The first phase is only less than a hundred.

Lorcher: Okay. Commissioners, any other questions for the applicant? Thank you very much. Can I get a motion to close the public hearing?

Rust: So moved.

Grace: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Commissioners, any thoughts about this proposal?

Grace: Madam Chair, I -- I see some things that are positive and negative and, you know, the density compares. It's comparable to that which -- which is around it. The -- you know, the developer doesn't -- the applicant doesn't control the streets. I appreciate that last comment about the phasing and when these might be completed. It looks like by 2029 when some of these improvements are done it will be about a third full. So, I mean I appreciate that the applicant's worked with the community on this. You know, the school is -- the school issue is a problem. It's -- it's -- you know, it's -- it's these kinds of things that lead to the overcrowding that -- I didn't like the potential busing. Eventually it might lead to a bond and -- but this is what it's zoned for. I -- I think they tried to make some adjustments to it and on balance it's -- it's a -- it's a -- an appropriate fit for that area.

Lorcher: I -- I live in this area and I'm also in the impact area of Highway 16 and frequently Ustick, McMillan, Black Cat are closed for various reasons to support the highway project and I think we had about 60 days in which we were required to take Black Cat to McMillan down over to Owyhee Storm and come around again while the bypass road was being created and Owyhee High School is in that area and soon to be Cole Christian. So, even though it's not directly at this intersection, everything around it -- surrounds it does impact it. I'm disappointed to see that this new applicant is pursuing R-15. The density is -- is medium density. Single family homes is what will eventually go here. I think your farmhouse style is lovely and the lake is fabulous, but one of the reasons why it got denied -- and the last time around was there were too many houses and they were at 294 and you are proposing 347 and that's 53 more units. You have got six or seven different private little streets where it feels like you are just kind of filling in space because you can and I will tell you these little private streets, whether there is two or three houses, when it comes to services like whether it's trash or snow removal or anything else, becomes a real cluster at these corners. So, the design to be able to put all these houses into this space the way it is just seems too cluttered for this area. Besides the fact that it's been reiterated before, you know, we cannot control the infrastructure. ACHD is on their own timeline. If we waited for every road to be built their house would never be built; right? So, it's just kind of the way Idaho goes. But this will be a great project, but I do not think it's in the best interest of the city at this point in time. Not with the density at McMillan and Ustick and Black Cat. When Highway 16 opens possibly in 2025-26 to alleviate some of that traffic. They are also looking at extending Linder to make it five lanes between Pine and McMillan, which would also alleviate some of this to be able to create some flow, then, at that point in time. So, I am not in favor of this project, even though it has a lot of great elements, but for a person who lives in this area and drives McMillan, Ustick and Black Cat every day and sometimes caught up in a mile behind where I have to be, it is not the right time for this project.

Sandoval: Madam Chair?

Lorcher: Not appropriate. Not appropriate. Commissioners, any other thoughts?

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: Yeah. Yeah. No, I'm -- I'm in agreement with most of what you said. I drive through there and that is backed up pretty much every day. Maybe waiting there for ten minutes to get past that stop sign. I think R-15 is definitely excessive for the area and the issues with the school I just can't look past that. I got young children in school and they are starting to get really crowded in the area. So, I agree, I don't think that would be the right project at this time.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I will try to keep it short, as I'm going to be echoing -- mostly echoing what you and Commissioner Sandoval said. I have a little bit less of an issue with some of the density. I think, obviously, this is probably a bit too much. But again -- again, it's a question of not just the level of density but level of density at this time if this were -- if this were proposed and, you know, in -- in five, ten years and we had a little bit more infrastructure in the area developed and built out, I would be more okay with tinkering on the margins and maybe asking for some revision to some of the layouts and some of the shared driveways and -- and -- and some tweaking here and there. But I think with this level of density at this present time with this level of infrastructure, given that this is specifically an annexation, I -- I -- I don't think I can support it. If this were, again, also a preliminary plat and not an annexation, there are a lot of if some -- if some things were slightly different I could see myself supporting something close to this, but this is not -- I think given all the circumstances I -- I don't think this is something that I can support at the moment. If -- if there was a proposal for lower density at this present time I could also see myself supporting it. But this is just the combination of factors for this specific application. I appreciate the open space in the middle. There are certain things about this that I actually really love and I would like to say, hey, in -- in a few years' time maybe we can have more of a clear headed conversation and more of an informed conversation with something like this and I would love to see it. I love a lot of the green space. I love a lot of the open space. I love a lot of the intention that went into some areas. But there are some areas and some things like the density that are just too much at this present.

Lorcher: Thank you.

Rust: Madam Chair?

Lorcher: Commissioner Rust.

Rust: I'm torn. On the one hand I resonate a lot with what you have said -- what Commissioner Smith has said. I also know from experience that a bird in the hand is often worth two in the bush and that density is -- this area is only going to continue to grow. Highway 16 is coming in. The applicant has increased density from the last time around and I feel -- I fear that density will only increase from here the next time we see this project if we do not pass it now and I do really like the open space and the pond, the lake concept. So, on the whole I understand the infrastructure concerns, especially the schools, but I do think that this is a good design for the area and as the applicant pointed out it is getting phased in. We are only talking a hundred homes by the time the roundabout is in and other infrastructure items, you know, probably will be in place before the subdivision is fully complete. So, I do support the proposal as it stands, while recognizing some of the concerns that are outside of our purview.

Lorcher: Thank you. I'm not sure how this is going to go. We are the recommending body to City Council for this. What I also didn't mention is the school's -- Pleasant View

is full. It takes three years to build a school. There is no -- as far as I know no elementary schools planned at least in the next year and busing the kids to Star Middle seems pretty far for me, so -- can I borrow your piece of paper, please? So, with that in mind I am allowed to make a motion, so I can give you a little break there. After considering staff, applicant and public testimony, I recommend -- I move to recommend denial to the City Council for File No. H-2024-0016 for the hearing date of October 3rd for the following reasons: The current timeline and traffic at Black Cat and McMillan cannot sustain the current use, much less than adding more homes to it. The schools are over capacity at this point in time and busing our kids is probably not in the best interest of the families. And that the density of the subdivision is too great for the space allowed.

Sandoval: Second.

Lorcher: It's been moved and seconded to deny Baratza Subdivision. All those in favor say aye. All those opposed? All right. We have got a tie. So, is it me?

Starman: Well, Madam Chair, you can ask the clerk to call roll, but I think it was a three-two vote in -- in favor of the motion. But to be clear we will have Madam Clerk call roll.

Roll Call: Lorcher, yea; Grace, nay; Smith, yea; Sandoval, yea; Seal, absent; Garrett, yea; Rust, nay.

Starman: So, the motion passes and the recommendation to Council is --

Lorcher: So, just to be clear, I want to make sure it's -- I'm saying denied. Is that right?

Starman: My understanding, Madam Chair, is you voted in favor of your motion, which was to recommend denial.

Lorcher: Correct.

Starman: So, that's how I understood and --

Lorcher: Just want to make sure.

Starman: To summarize for everybody's benefit, including the members of the community here as well, so the motion passes and the motion, to be clear, is a recommendation from the Commission to deny the applications that were before you tonight, including annexation and preliminary plat and related actions.

Lorcher: Okay. Thank you very much.

MOTION CARRIED: THREE AYES. TWO NAYS. TWO ABSENT.

- 8. Public Hearing continued from July 18, 2024 for The Gateway at 10 Mile (H-2024-0010) by KM Engineering, LLP., located at NE corner of W. Franklin and N. Ten Mile Rd.**
 - A. Request: Conditional Use Permit for 390 multi-family units in the R-40 zoning district.
 - B. Request: Preliminary Plat consisting of 31 buildable lots and 3 common lots on 38.99 acres of land zoned C-G and R-40.

Lorcher: All right. We have one more; right? No. Two more. Sorry. That was wish -- wishful thinking. Okay. Let me give a second to get my thoughts here. Next on the agenda is Item 2024-0010, The Gateway at Ten Mile requests a conditional use permit and preliminary plat for a multi-family community in the R-40 zoning district. We will begin with the staff report.

Parsons: Thank you, Madam Chair, Members of the Commission. As you mentioned, this item was continued from July 18th hearing. The main reason for the continuance was the applicant wanted more time to work with ACHD on access from Ten Mile Road. If you had a chance to look at the staff report you can see both Franklin and Ten Mile in this area are really starting to see a lot of congestion as well, which has been a common theme at tonight's hearing. So, currently Ten Mile is operating at a level of service F. I know -- if the Commission had it -- has reviewed the public record on this you probably noticed there is 70 plus comments -- written comments on this particular property. A lot of them concerns with the schools -- overcrowding of the schools. Excuse me. Traffic on the roads. High -- so much high density in one area. Excuse me. But I do want to point out to not only the audience, but also the Commission, that this property was annexed in 2020 with a concept plan. At that time the City Council determined that this was in the best interest of the city to annex this and zone it appropriately with the C-G zoning and the R-40 zone and the concept plan that was tied to that particular annexation and development agreement for that project did show high density residential and a mix of commercial and employment uses on the site. So, really our purview tonight is really to discuss whether or not the CUP meets the code requirements and the preliminary plat meets the subdivision requirements. As far as the use and the road layout, all of that is within conformance of that -- not only the Ten Mile Interchange Specific Area Plan, but also that concept plan in the development agreement. You can see here in the exhibit before you in our presentation, as I mentioned current zoning of this property is C-G and R-40 and the -- the future land use map designation is mixed-use commercial and you can see currently it is vacant land there on the northeast corner of Franklin and Ten Mile Road. As I mentioned to you, this is two -- two applications, so a preliminary plat which consists of 31 total lots, but nineteen of those are commercial and 12 are R-40 lots to allow the construction of the multi-family development. I would let the Commission know when this project was approved with the development agreement two of the commercial lots -- if you can see my cursor here -- we are allowed to either be a civic use or open space as part of the development. The -- the developer has the option to choose how they -- they use those

two lots in the future and, then, you can see on the -- the road -- there are some public streets being extended with the proposed development and so this is -- actually, if you follow my cursor here, the internal street within the development is all public, including the northernmost access to Ten Mile and the cul-de-sac. All of that will be dedicated right of way to ACHD and that -- those three sections will be required to comply with the Ten Mile Interchange Specific Area Plan. On the eastern most boundary is Wayfinder Street. What you see here. As you can see there is two adjacent properties that prevent that connection from happening at this time. So, the applicant will have to wait for that to happen in order for them to get access to Franklin in that location and access to a signalized intersection that is planned for that area. In the interim staff -- both staff and ACHD are supportive of the right-in, right-out only access to Franklin Road that you see depicted here. On the -- the original submittal the applicant was proposing a private street. It's not necessary. They can achieve the same result without that application and staff is amenable to that. We do not want a private street to connect to an arterial. Our code restricts it. So, this would be a shared access between those lots. They will provide a cross-access easement and, then, ACHD is also requiring mitigation. So, basically, a right-hand turn lane into the site to get folks off of the -- the roadway as they enter into the development. Again, staff is also amenable to the approved access -- full access to Ten Mile in this location where the public street will be constructed. Where the applicant and the staff and ACHD differ a bit is the central access here on Ten Mile. Originally the applicant was proposing a full access as part of their traffic study and both staff and ACHD said, no, that is -- that is not going to work and so the applicant went back, amended their traffic study and said what if we proposed a right-in, right-out, would you be amenable to that. In my discussions with the applicant I informed them that the code doesn't grant staff the authority to -- to allow that one, just because they have a -- a backage road, essentially, a collect -- a public street that they are constructing as part of their development. So, this access isn't necessary or -- or doesn't meet the requirements of the code. However, they can request City Council waiver of that access point. So, their discussion -- or their presentation to you tonight will include that request, that either you support it or make at least a motion of -- or chime in on that access and move that forward to City Council. But ultimately Council will decide whether or not they approve the right-in, right-out only access to Ten Mile in that specific location. And, again, that would be a cross-access driveway, not a public -- public or private street. As far as the subdivision improvements go, the only required landscaping that is required would be the landscape buffers along those -- those public streets and staff did find that the applicant met those requirements. Now, as far as the multi-family development, the CUP is for 390 residential units. You can see here along the -- the public street the applicant is proposing townhome style three story, tuck under garage style apartments and, then, central are conditioned space four story apartments. Again, as I have mentioned in my opening remarks, this site plan -- this layout is consistent with the concept plan in the development agreement. Right now we are going to -- we are determining whether or not it meets open space parking requirements, site amenities. Staff fines -- and, then, this is kind of what it looked like. I like to see the color pictures. It's easier to follow it. The black and white figures. But this was the original concept plan in the development agreement or some version of this and you can see here, as I mentioned, here is that open space civic use that I

mentioned and, then, here is the -- the layout for the multi-family. So, the applicant is providing the required open space per UDC standards. So, it's roughly three acres or so. They do meet the site amenity standards. I will go through those real quickly with you. So, it looks like clubhouse, swimming pool, fitness center, dog parks, bike repair station. You will also note on the site plan that there are some additional garage spaces on this site for storage or parking, but it's still in excess of what the code allows. So, it really is not meant to be -- so their parking count will not suffer if these garages are used for storage rather than parking. So, just want to make that clear on the record that they are above and beyond what the code requires for parking. The other part of it is that spine road that goes through the development and separates the multi-family from the commercial, will also have parallel parking on it for the Ten Mile Interchange Specific Area Plan. So, not only do you have internal parking, but there will also be that pedestrian element on the street to allow people to park and have interconnected walkways between the two. That was part of our analysis we did when we annexed the property in 2008. So, total parking spaces provided is 744, with 363 of those being carports and 231 regular and, then, as I mentioned, 150 garage spaces. So, it's actually a fairly nice development. One other note that I would make. The applicant, as part of the review of the annexation back in 2020, the applicant also provided details for some of the internal plaza areas for the commercial development and that's some of the schematics and graphics that you see here. That was part of staff's analysis back then and, then, also provided a pretty robust pedestrian circulation plan for the development as well to show how it all integrates and connects to one another. The one notable change here is staff is recommending that they lose the bike lanes on the internal spine road there in favor of ten foot multi-use pathways. That's pretty consistent with ACHD standards and the applicant is in agreement with that. So, they will work with ACHD. That changes the configuration of their -- their street template, but, again, they still should be able to work within those parameters and still make it work without changing too much of the site plan. West Ada School District has asked that they provide some additional connectivity between Street A and Street B along Ten Mile, because they anticipate picking schools -- school children up from this facility. So, I just encourage the applicant to continue to work with them and -- and add that to the inclusion that is part of their plan. And as you know the Ten Mile Creek does bisect the property here. We still don't have a plan for what we want to do at that intersection just because of how it's laid out, but maybe at some future point maybe ACHD buys it and relocates their pond site and gives the applicant the additional property on the east side so they can incorporate it into the development. A lot of things can happen, but for right now it will just be open space and natural along the creek. As I mentioned to you, I will get to the building elevations. Here is the open space exhibit as I mentioned to you meet -- meeting UDC standards. Again, they have the option of using this to add more open space as required by code and, then, here is some of the elevations that are proposed for the development and, then, the garages as well. Again, a final design will be required to comply with the Ten Mile Interchange Specific Area Plan and our Architectural Standards Manual. Based on conversations with the applicant early in the week we did tell him that we could not support the right-in, right-out access to Ten Mile as I discussed because of the code, but we did agree that we had a mishap on the condition of approval, so we are asking you if you -- on your motion tonight to modify

Condition 2-H to allow that language as underlined and, then, also the -- along Ten Mile and Franklin has existing sidewalks already that we won't require the applicant to remove and so we need to strike that Condition 3-C from the staff report. As I mentioned to you, a lot of public testimony on this one for the various reasons. Again, staff is recommending approval with the conditions in the staff report and the modifications on your screen. Staff will stand for any questions.

Lorcher: I do have a question. If I'm coming south on Ten Mile -- so, I'm coming from Albertson's at Cherry Lane, how do I get into this? Because I can't turn left on Ten Mile; right? I have to go down Franklin and go around?

Parsons: Madam Chair, Members of the Commission, you can -- the public street A that you see here that will be full access. You will -- you will have a turn lane to move -- to get into that site.

Lorcher: Did ACHD say it would be lighted or it's just a street?

Parsons: Yeah. It won't be signalized.

Lorcher: Not signalized. Okay. All right. And, then, the same thing if I'm going east on Franklin past Ten Mile, the one street that you are showing here is a right-in, right-out, so I would go up to -- what is it -- Wayfarer did you say and, then, go in that way?

Parsons: Madam Chair, Members of the Commission, in the future you will be able to do that, but for now you would have to go farther east to the light and, then, turn in and turn back --

Lorcher: And, then, go back?

Parsons: -- past FedEx and tie into the site, because they are extending that stub street currently.

Lorcher: Okay.

Parsons: So, yes, it will be a challenge. The applicant's also working with ACHD on trying to get a U-turn at the Ten Mile Interchange to circle back at that intersection and turn back into the development as well. So, a few more tweaks to happen, some more analysis with ACHD, but all in all, again, as the plan is presented it meets the code, UDC and ACHD's policies.

Lorcher: Okay. Any questions for staff?

Grace: Yeah. Madam Chair. Bill, so if the code prevents that right-in, right-out on Ten Mile, what happens to that street? Does it -- it just doesn't exist or it gets -- or what?

Parsons: Yeah. Madam Chair, Members of the Commission, if -- I presume you are talking about the right-in, right-out here?

Grace: Right.

Parsons: Everyone would enter here at the public street.

Grace: And that would all -- that would be an exit street only, then, or what --

Parsons: No. It's full access.

Grace: Oh. So, in -- in the chairwoman's example of coming south on Ten Mile you could go left there into that street.

Parsons: That is correct. You could turn there.

Grace: Okay. Thank you.

Lorcher: Any other questions for staff before we ask the applicant to come forward? Okay. Would the applicant like to come forward?

Bower: Mr. Parsons, can I have my presentation, please? And, Madam Chair, Commissioners, Jeff Bower. 601 West Bannock in Boise. Here tonight on behalf of the landowner and applicant. Mr. Parsons did a fantastic job. I know it's getting late, so I'm going to go very quickly through my presentation. He said everything I was going to say, but we are here to answer some questions. With us from the development team are Derek and Trevor Gasser and Andy Daleiden, he is our traffic engineer from Kittelson and Associates. He is going to say a bit about the access. We do want to inform the Commission, even if it is a Council level decision, we would like a recommendation. I think you have already identified some of the issues we see with the removing access B. It's really a great distance between our accesses and so Andy is going to speak to that some more. So, project location has been covered well. We wanted to give a present aerial just to show some context. The area is developing or developed very quickly. We kind of view this as an in-fill site at this point. You got the Ten Mile Creek commercial project to the south. The FedEx and Amazon distribution centers to the east. To our north I think that Bill might have gone over this so quickly, but there is actually a rail line there. So, there is 200 feet of right of way between us and our neighbor to the north. The west is a storage use and a -- and a church use. This is part two of this project. So, this slide is just to show the Commission our existing zoning. So, we do have the C-G on the Ten Mile and Franklin Road frontage and the R-40 high density residential interior and I have set that against the approved conceptual site plan that's included in the development agreement. I did want to highlight a couple things from the development agreement and -- and Bill did touch on these. Does my cursor work up here? There it is. So, number one was the preservation of a civic lot. This is on the city's future land use map as a civic area in this corner up here and the -- and the idea behind that is to reserve property for a future transit multimodal transit

potentially on this rail line. So, we are reserving about an acre there for that future use, reserving this corner down here for -- at this point the city parks department. It could be a really cool park feature on the Ten Mile pathway here and, then, the last condition I wanted to point out was that the Council actually required a minimum density for the site. They said you shall develop between eight and 15 units per acre on all 39 acres. So, this project is right around ten. So, we did go on the low end, but I just wanted to flag that for the Commission. Bill covered the plat well. We meet all the lot standards that are applicable. Pulling out the -- the R-40 residential component, again, a mix of different multi-family types, apartments and townhome style development. Again, Bill went over the amenities, but we think we have kind of gone over and above here. I believe we have eight different amenity types significantly over the required open space and really touching on all of the lifestyle amenities, which are kind of what we are targeting here is -- is folks that want these lifestyle amenities, as opposed to just open -- open space amenities. Meet or exceed all of the required open space. Turning to the G-C zoning, this area is around 22 and a half acres. The site plan depicts two different colors of building. So, the buildings in the front along the frontages were single story and, then, the more yellow building setback, those are anticipated to be multi-story commercial. Not really sure what the uses will be at this point, but we will generally conform to the C-G or I think an office in the back or other professional services with restaurants and other things in the front. Site circulation. Again, Bill covered well and Andy is going to do -- do some more, but we do feel like we have provided a really good integration here between the -- the commercial and the residential, so that you do start to capture some trips and you have a truly walkable community that is part of the Ten Mile specific plan goal. We also think we have really good connectivity between the -- the -- the commercial uses, so that people can easily get between different businesses in the -- in this project. These plazas -- I wanted to highlight where they will be in context of the development, again, providing sort of linear walking spaces from the residential through the commercial and, then, out to the street front. To touch on a couple of the questions and the comments as it relates to the West Ada School District busing, absolutely on board with that. We have a similar comment from VRT that also wants some bus stop area on Ten Mile. We hope to coordinate with those two agencies, so that we can overlap and have a nice facility. I know there was one more question. That's it for now I think. Stand for any questions. But Mr. Daleiden does want to come up and speak to the access just a bit.

Lorcher: Would you like to come up and make your comments?

Daleiden: Madam Chair -- Madam Chair, Commissioners, Andy Daleiden with Kittelson and Associates. 101 South Capitol Boulevard, Suite 600, Boise, Idaho. 83702. I'm a senior principal engineer with Kittelson and Associates and we worked on the traffic impact study for this project. We collaborated with Ada County Highway District and City of Meridian in the process of developing the traffic impact study and, then, also once submitted addressing comments, you know, from both agencies to come to the final product. A couple points just wanted to highlight related to the access to the project. So, the slide you are looking at -- there is a couple items. One is there is four existing access points on Ten Mile Road and the project's consolidating those into two.

So, one would be the northern access -- Access A and that's the public street that Bill referred to and, then, also Access B, which is proposed as a right-in, right-out and we worked with Ada County Highway District and the City of Meridian staff on that item. Right-in, right-out is located 825 feet north of the signal at Franklin and Ten Mile and at this point -- and you will see in Ada County Highway District's staff report that they approved the accesses for the project, both on Ten Mile, but also on Franklin with the condition there, you know, ties to City Council's -- City of Meridian's approval if they recommend approval for the right-in, right-out at Access B. Some of the benefits of that access, one it -- it improves connectivity. It is able to provide a little bit of a grid system, which is often left out of projects and that's one of the components that it helps with. It Also -- by doing that some of the trips are reduced at -- from access and north on Ten Mile, as well as Access B, the right-in, right-out and in the future there will probably be a few trips that may be captured, but are utilizing Wayfinder as well. And, then, with that reduction that also improves just the operations that you would see level service at Accesses A and B. A couple elements just to highlight just so you can see kind of what the preliminary concept design of what that -- what would be for that right-in, right-out. There is two elements. One would be a right turn -- dedicated right turn lane for Access B northbound on Ten Mile to be able to separate trips going to the site from traffic on Ten Mile. So, that's a safety treatment, as well as operations. And, then, the second piece is provide some level of raised median on Ten Mile to restrict left turns and -- out of the site, as well as left turns into the site at that location. Tentatively we have shown just that northbound left turn, because there is an existing access to the west to be able to provide some provision for that, but, obviously, that component would be worked out through -- if approved through design with -- design approvals with Ada County Highway District on that, as well as working with the adjacent -- the property owner there. And, then, lastly, just to provide some context just about access in this area related to nearby properties. So, starting on the northwest there are -- the church property has three accesses. One is a right-in, right-out. Two our full accesses to be able to get access to that location. Going to the southwest, this is a more recent development that was approved by the city. There are five accesses, two associated on Franklin and, then, three on Ten Mile. One right -- one right-out access -- one right-in, right-out access and, then, a right-in, right-out, left-in access. And, then, in the southeast quadrant of the intersection that property has six accesses, three on Ten Mile and three on Franklin and so -- and, then, with the proposed project the -- the access proposal is to have three proposed accesses, plus a future connection to Wayfinder at some point in the future when that connection can be made. With that there is two right-in, right-outs and, then, there would be two full accesses serving the development. It's a significantly less request that's being presented and asked by the -- by the applicant. With that I will turn it over to Jeff just to wrap up.

Bower: First are there any questions for Mr. Daleiden?

Lorcher: Not yet.

Bower: Okay. Great. Well, yeah, we are -- we are there. That's the end. We are going to conclude. But we just wanted to say we appreciate staff's time. We have read

the staff report, all the conditions of approval and with the modification that -- that Mr. Parsons gave tonight on the screen, we are just asking for your recommendation per the staff report as amended. So, thank you.

Lorcher: Okay. One, before you walk away, Commissioners, do we have any questions for the applicant? Commissioner Grace.

Grace: Can I just get clarity on what you are asking to be amended or to -- to -- to be -- I guess different from what the staff recommended, so I am clear on that?

Bower: Absolutely. Madam Chair, Commissioner Grace, perhaps Mr. Parsons can toggle back to his screen, but the first dealt with the condition that says thou shalt remove Access B and he has modified that to say remove Access B unless approved by Council and we support that. We have recognized that this is a waiver situation for an access onto Ten Mile. And, then, the -- the second is a -- just a technical changing -- I think a five to a seven or a seven to a five that we caught just before the hearing.

Lorcher: What? Sidewalks?

Bower: Sidewalk width. Correct.

Grace: So, you don't actually disagree with the first recommendation then?

Bower: I guess, Madam Chair, Commissioner Grace, we are advocating for both accesses and we wanted your recommendation to add that going to the Council and I think with the condition as amended it leaves the door open for us to do that.

Grace: Okay. Thank you.

Lorcher: All right. One more clarification. Do you have the blessing of ACHD to be able to have that access point?

Bower: Madam Chair, we do.

Lorcher: Okay.

Bower: So, the -- the access that Mr. Daleiden went through with the full access to the north, right-in, right-out, between the intersections, ACHD has said that those meet our standards, but we are going to defer to Meridian City Council as the final say.

Lorcher: Got you.

Bower: Yeah.

Lorcher: Okay. All right. Before you walk away let me just check with the other Commissioners. Commissioner Sandoval, Commissioner Smith, do you have any questions for the applicant at this time?

Smith: Not at this time, Madam Chair.

Lorcher: I'm sorry, did you -- nope? Yes?

Smith: Not at this time, no.

Lorcher: Okay. Thank you.

Bower: All right. Thank you all.

Lorcher: Madam Clerk, do we have anybody to testify?

Lomeli: Thank you, Madam Chair. We have Justin Hamilton.

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

Hamilton: Justin Hamilton. I live at 1225 North Saw Creek Place, Meridian, Idaho. I think I -- I understand better now what this plan is, but my concerns still are not resolved with -- with the proposal. I moved to Meridian about ten years ago with the understanding that it's -- it's a great place to -- that aligns with my values and a great place to raise a family and -- and I feel a lot of those values are -- of the city are changing based on the increase in urbanization in the area, primarily brought on by -- by the high density housing. I feel when that happens we are -- we are losing a lot of that -- the small community feel, right, and the -- the -- the closeness that comes with the family values that -- that are brought within the city and I believe that a lot of those are degrading currently. One of my largest concerns is the safety of the traffic -- a lot of the same reasons that were brought up about the previous proposal I will echo. I mean this is the -- the funnel to Black Cat and McMillan, right, and -- and so all those same concerns I feel can be transferred directly over to here. Just last week I was almost rear-ended coming off of the Interstate waiting to -- to get onto Ten Mile. The traffic was backed up, right, and there was a construction vehicle. It didn't see that traffic was -- was at a standstill and -- I mean that's -- that's every other week for me coming home from St. Luke's and the worst accident I saw was at Cherry and Ten Mile when three of my children and my mother were -- were taken to the trauma center because they were T-boned -- T-boned going through that -- an uninsured motorist going through that and it took years of medical bills and -- and legal fees that -- that we dealt with and I'm -- I'm hopeful that Highway 16 will help alleviate things. I -- I -- I'm -- I'm doubtful, though, until we see some of that happen, so I just believe our infrastructure doesn't support this level of density at this time along -- along Ten Mile. You know, and schools I think is -- is one of the other concerns. I have -- I have five children, three of which are school age currently and they go to Chaparral and now Meridian Middle School. Last week we heard from City Council that there is -- there is a general sentiment from the school

board -- from West Ada school board to don't stop the growth, we will figure it out. I brought that same concern to Principal Davis at Chaparral earlier today and she says we felt a huge impact on our school community. Since the beginning of the school year we have had over 40 students enroll and they keep coming. None of our classes are technically over capacity yet, but they are getting close. My biggest concern is the new apartments directly behind this school -- I think they are called Yellowstone -- are set to be completed by May at the latest. It would be a stretch to add more students. I also think about safety issues that may arise with apartments that are that close overlooking the playground. I'm concerned about the quote of don't stop growth, we always figure it out. The reason for my concern is that it takes time to set new boundaries for schools and that is a painful process for -- for families. I have lived through many of these boundary changes and it doesn't get any easier for school communities. West Ada stated they are against previous -- I'm sorry. That's a separate thing. So, in conclusion, I believe that the cost of expansion is real, as it's felt individually by my family and -- and -- and I don't see a way for us to continue to hold onto those values at the current rate that the city continues to see growth. Thank you very much.

Lorcher: Thank you. Madam Clerk.

Lomeli: Madam Chair, we have Karla Ehlers.

Lorcher: Hi.

Ehlers: Hi. Karla Ehlers. 4731 West Blue Creek Court in Meridian. This area of Ten Mile already has one of, if not the largest, concentrations of high density housing in Meridian. There are currently 3,000 apartments built and/or approved within a mile radius of this proposed complex with even more in the pipeline. The Comprehensive Plan for Meridian states that Meridian should avoid concentration of any one housing type in any geographical area and maintain a range of residential land use designations that allow diverse lot sizes, housing types, densities. Adding more high density housing in this area does not honor this direction. The Comprehensive Plan also states the city is committed to meet and protect the needs of existing residents. Existing residents need good roads. Traffic levels on Ten Mile are already unacceptable to many residents including me. The Comprehensive Plan states that while the city does not directly control the roadways, its land use decisions directly affect them and future land uses have been developed to support existing area transportation plans, as well as to guide the future build out. Allowing high density housing adjacent to an already busy road is not harmonious with the goals laid out in the plan. Good schools are another need of existing residents and the plan champions Meridian as a premier community in education. Chaparral Elementary, the public school zoned to serve every single one of the 1,900 existing apartments, as well as the 1,100 apartments that are already approved or under construction, is at 99 percent capacity this year. Chaparral does not possess the capacity to serve all these future students, let alone the children from an additional 390 apartments. I recognize the city is not the final authority on schools, but the Comprehensive Plan states the city encourages an exceptional educational system and that thoughtful communication and coordination will help to ensure residents have

accessible and safe educational opportunities. Further, the city will encourage communication between essential service providers to plan for growth associated with schools. Saying no to more high density housing in this area, this already densely populated area, will honor these commitments. Current residents also need water and I think it's prudent to take a big picture and long-term approach in respect of water. The Comprehensive Plan states the city has a vision for sustainability and will provide ample and clean water to the citizens in perpetuity. We are facing a statewide water crisis. This is an issue that affects all Idahoans and demands local attention and action. Water preservation must be our priority. Adding more residents and high densities will further deplete our waning water resources. We must protect our water by slowing the rate of residential development, especially high density, to help ensure we meet our current and future needs. The City of Meridian's goal with the Comprehensive Plan is to ensure Meridian is a premier place to live, work and raise a family. I support this goal, but I don't believe the current proposal does. I urge you no vote. Thank you.

Lorcher: Thank you. Madam Clerk.

Lomeli: Madam Chair, we have Natalie Purcell online that signed up. Oh. She is in Chambers.

Lorcher: Okay. Hi.

Purcell: Thank you. Good evening. Natalie Wixom Purcell. 3848 West Park Creek Drive. The City of Meridian we just have heard has approved over 3,000 high density units on Ten Mile and by allowing this has deviated from Meridian's Comprehensive Plan. We have built up an entire street of one building type. My concerns began about a year and a half ago as I witnessed an influx of apartments being constructed and towering over our schools and neighborhoods, all while our commute times continue to increase substantially, our parks are overflowing and our students class sizes kept growing. Education has taken a back burner on this city's planning and our children are now the collateral damage. My son had 37 students in his class last year at Chaparral Elementary. I spoke with Doni Davis as well, the principal. They are currently at 545 as of today and I would like to note that the numbers are incorrect in the agenda. Miranda Carson sent an updated number to you on July 17th where the program capacity is at 550. Five fifty. So, we are five students away from that and we have 3,000 apartments. Continuing to grow in this area. Homeowners who have been here for years have -- have built a quality of life are having that stripped away. The citizens of Meridian are now getting pushed out and overrun on their streets and their parks and their schools by out-of-state developers. With this pace of growth we must focus on the needs of our current residents. This developer has a pickle ball court. That's great. Is that going to help the Meridian needs for flag football, soccer, baseball, anything in youth sports? I had children in youth sports and I coached my son's soccer team. I used to have to show up an hour before to try to get a spot at a park. An hour. That's what's happening. The closest park is Fuller Park for all of these Ten Mile communities coming. My neighborhood is now an overflow parking lot every single weekend, because we don't have the capacity for this in this area. We don't have the

infrastructure built up. This current project favors developers. It allows them to profit while residents face congested streets, overrun parks and rising property taxes. All while the developer pays zero for our schools. He will pay zero impact fees when my child has a class of 37 students. That is unacceptable. Our surrounding roads are rated at an F and they are asking for more housing. It took me 25 minutes to take my children to the dentist. It used to take me eight. Twenty-five minutes to get to the dentist. To attend church on Sunday it takes five to ten minutes for me to turn out of my neighborhood and this is at 1:00 p.m. on a Sunday afternoon. If Highway 16 is, indeed, going to solve all these road problems, as they like to say, I request that all new projects be delayed until that completion is done, because the residents on Ten Mile cannot continue to live this way. We need answers and we need actions on our roads, our parks and our schools. I think it is a glaring admission from our developers that they did not even talk about schools in their project just a few minutes ago. Schools were not mentioned. This would put our schools over capacity and we just showed that on the project previously with Pleasant View. I have friends that go to Pleasant View. Their children go there. We are having the same problems at Chaparral and it is time for the City of Meridian to prioritize its citizens and I really request that we vote no and that we put our children and our city and our residents first. We need this right now. We need to take a pause and catch up, because we don't get to live like this anymore. Thank you for your attention and time.

Lorcher: Madam Clerk.

Lomeli: Madam Chair, no one else has signed up and no one online has their hand raised.

Lorcher: Would the applicant like to come back and address some of the concerns?

Parsons: Madam Chair, as the applicant comes up maybe he can address some of the phasing of the project for some of the residents, just to understand how it may take several years for this to get -- really get built out.

Bower: Absolutely. Madam Chair, Jeff Bower. 601 West Bannock. I will take that one first. So, our phasing plan is a bit in flux and it's largely dependent on this access issue. But overall we are looking to develop the commercial component first and residential second and we are thinking, you know, a best case scenario would be this project would be fully developed in eight to ten years. So, it -- it -- it's going to take a long time to absorb the commercial and the -- the residential is just going to be a slower project. We want there to be some commercial there first. So, I will try to just address all the concerns and if I miss any, please, let me know. But, you know, as it relates to -- to density and the comp plan and all those issues, we think we are in accordance with the comp plan and specifically the -- the Ten Mile Area -- Ten Mile Interchange Specific Area Plan, which, you know, calls specifically for high density residential next to commercial and when the Council rezoned this project just a couple years ago that was the basis for the rezoning was that we met the comp plan. You know, density has been decided on this site with the development agreement and we are, as I mentioned, at the

low end of that density. With respect to water, there is nothing from Public Works or any of our engineers that indicate there is any shortage of water or available -- availability of water to this site. Stubs are -- for water are both in Ten Mile and Franklin. I will touch on schools quickly. We are predominantly -- we are a multi-family development project with a higher percentage of single -- single bedroom units. So, I think the school district calculated that overall we would have 51 students added based on the 390 units. So, about a little over four kids per grade. As it relates to middle school and high school, there is significant capacity at the -- at the two schools that serve us and as it relates to the elementary school there are two letters. The first letter articulated the -- Chaparral's architectural capacity and the second letter was its programmed capacity. So, typically, the school only programs capacity for the number of students that are enrolled and so that's what they have done here. That -- that's that 585 number, which we are kind of bumping up against, which is just good planning; right? They have -- they have programmed it for amount of students. But the school actually has capacity based on the March 17th letter for 700 students, which is well below. So, I think I addressed all the concerns, but happy to stand for anymore questions.

Lorcher: Commissioners, do we have any other questions for the applicant? I think we are good. Thank you.

Bower: Thank you all for your time. Appreciate it.

Lorcher: Can I get a motion to close the public hearing?

Rust: I move that we close the public hearing.

Grace: Second.

Lorcher: It's been moved and seconded to close the public hearing on the Gateway at Ten Mile. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: So, just to clarify, Kurt, tonight we are making a recommendation to City Council in regard to the conditional use permit and the preliminary plat.

Starman: Madam Chair, that's accurate. The third topic you are not required to make a recommendation on, but I think both staff and the applicant would prefer a recommendation as well relative to the additional access point. That's within your -- you are not required to make a recommendation, but I think there is -- from the staff perspective that would be helpful. But, yeah, the two concrete issues before the Commission tonight pertain to the conditional use permit and the preliminary plat and under the UDC it's your -- your role is to provide a recommendation to the City Council.

Lorcher: So, for those of you in Chambers it -- in 2020 it was already annexed into the city to be multi-family housing. One way or another there is going to be apartment buildings at this corner. That has already been decided by the annexation. The question before us is how can that look in a way that supports our community. Now, for the overcrowding the answer would be zero; right? But that's not what's going to happen. Our decision tonight is are they following the rules of the conditional use permit. That is our role tonight to make the recommendation to City Council. It is not to say that multi-family housing doesn't belong here, because that's already been approved. So, the developer already said that they went to the low end at ten units per -- their density versus 14 to 20 or 15, whatever the number was and it sounds like you are looking at an eight to ten year build out with commercial coming first. So, in regard to what they have done to work with the city and the rules put in front of them to be able to be zoned at this area, they have followed every recommendation that the city has put before them and in my opinion we are not in a position to say no, because there was a bunch of boxes to check and they checked them all. So, again, one way or another it's already been zoned for multi-family housing. Whether it happens today, next week, ten years from now it's -- that's what it's going to be, because that's what it's been zoned for. So, I think they have been thoughtful. I support the extra access, because the more access you have the more ways people can kind of move around and I like the fact that you are going to do the commercial first and, then, work your way in for the multi-family housing later.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I -- I fully agree with you. I -- I think one thing I want to also emphasize is -- I want to take this step further is that I don't think -- at least my position is not that while our hands are tied it's going to be R-40 and -- and -- and this is kind of -- you know, it checks the boxes, I think this is a good development. I think this is -- this is a really, you know, beautifully designed area if -- if there is going to be R-40 in this area that this is some of the best I -- I think you could do here. As for some of the concerns I feel -- I -- I -- I feel like when R-40 or -- or anything similar is -- is being discussed, if it's in a centralized location the concern is that there is too much of it in one place and if it's distributed there is the concern that it's not enough transition space and it's, you know, apartment complexes in people's backyards. I think this type of development really strikes the balance very well. Like they said it's on the lower end of the -- of -- of the required density. Regarding water usage I think this kind of development actually makes more efficient use of -- of -- of water than -- than R-4 might. Not that that's the be all end all, but if that's a concern R-40 makes more efficient use of water than R-4. There is less -- less land to irrigate. I -- I think this is just a really well designed property and I want to just -- I guess I'm -- I'm maybe being a little bit too long winded here, but I -- I wanted to say more on that than our kind of implying our hands are tied or that this is kind of box checking. I think this is a really great property and I'm -- I'm excited to support it.

Lorcher: Thank you, Commissioner Smith.

Grace: Madam Chair?

Lorcher: Commissioner Grace.

Grace: Yeah. I understand no one's really excited about multi-family, particularly R-40. We -- we do -- we do see a lot of challenges with -- with -- within the community and we see a lot of opposition to it. I -- I was sitting where you all were several -- I don't know, ten, 15 years ago when multi-family came into my area of Meridian. So, it is challenging. I do agree with the -- with -- with the chair that we -- we -- we are limited in what we are supposed to be looking at tonight. The multi-use commercial it does provide for a variety of -- of uses. This -- these are consistent with that. These provide -- everything to the south there is -- that I'm looking at is commercial and it provides employment opportunities. I -- I did like the -- the statement from the applicant about the predominantly one bedroom nature of the -- of the -- of the multi-family. I hope that helps. But with that said I will say that, you know, what Natalie said is not incorrect and I think in a larger context we do need to start looking at these things and I don't know -- you know, this -- this particular project is -- is -- is not probably the appropriate time and place, but there is a lot of truth in what you said and -- and as a city I think we need to -- we do need to look at some of this stuff going forward. I know that's not much consolation tonight, but, hopefully, we will. Thanks.

Lorcher: Commissioners, any other comments? I will take a motion.

Grace: Before I make a motion I did have one other thought and I -- so -- and this maybe go to staff if that's okay. When you say code prevents things, in my mind, you know, that's as -- in the hierarchy of authority the UDC is as high as you get, you know, other than maybe state law or something. So, do we have much wiggle room there? I -- I feel like why would we deny a right-in, right-out, which can be very beneficial on Ten Mile, but if we have to, then, that's a different story.

Parsons: Yeah. Madam Chair, Members of the Commission, it's -- what I mean by that when I say we can't support it is the code tells us to take access from either a cross-access -- when you have access to a collector and arterial roadway the code defers to sharing access with your neighbor or taking access from the lesser classified street. So, in this particular case that road -- that public street section is the local street, it's a lesser classified of Ten Mile. So, therefore, we default to that unless otherwise waived by Council. So, yes, as staff we can't say we support it, we can't approve it because of the code, but the applicant has the ability to have that discussion with ACHD with you and, then, ultimately I always like having a recommendation for you to go to City Council so they know you took that -- that access under consideration when you deliberated on the project. So, to me it's -- it's important. It's not your purview as counsel said, but I think it's an important part of the record.

Grace: Okay. Thanks, Bill. And we didn't really talk about it, so before I make a motion I can just tell you personally I -- I'm in favor of a waiver there and if -- if I would make a motion I would probably incorporate that into my motion, so --

Lorcher: Yeah. I think the more access you have the -- the more you do kind of spread everybody out.

Grace: So, I will make the motion and if others disagree they can -- they can say so. After considering all staff, applicant and public testimony I move to recommend approval to the City Council of File No. H-2024-0010 as presented in the staff report for the hearing date of October 3rd, 2024, with the following additional recommendation: That the additional right-in, right-out access point on Ten Mile be approved or waived, whatever is appropriate language.

Starman: Madam Chair and Commissioners, may ask for clarification. Is it your intent as the maker of the motion to incorporate the staff changes that are on the screen right now, that addition to those two conditions?

Grace: Oh. Right. To Condition 2-H and -- yeah, Bill, you did say that. Yes, those would -- yes, those would be included in my -- wait. This is the applicant's --

Starman: Madam Chair and Commissioners, my -- my understanding is that these changes that are on the screen before you now to Conditions 2-H and 3-C are jointly supported by staff, as well as the applicants. I think there is agreement among staff and the applicant that they ought to be changed before going to Council.

Grace: Okay. Then, hopefully, you recorded the motion as I said it, but with the additional recommendation now that these two conditions, as supported by the applicant and the staff, are amended.

Smith: I will second that.

Lorcher: It's been moved and seconded to approve File No. 2024-0010 with the amended condition of public street be -- be waived -- to make the recommendation to waive that for City Council and strike the condition of landscape. All those in favor say aye. Any opposed? Motion carries. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: We have one more application, but we are going to take a five minute break. So, it is 9:03. We will come back at 9:08.

(Recess: 9:03 p.m. to 9:08 p.m.)

9. Public Hearing for Rolling Hill (H-2023-0070) by JD Planning and Consulting, located at 1560 Rolling Hill Dr.

- A. Request: Annexation of 6.90 acres of land from the R-1 zone in Ada County to the C-C (Community Business District) zone to develop two (2) vertically integrated residential structures featuring 90 dwelling units and 20,134 sq. ft. of commercial space
- B. Request: Conditional Use Permit to develop one (1) multi-family building consisting of 64 dwelling units on 5.89 acres in the proposed C-C zone

Lorcher: Okay. Let's resume. The last application before us is Rolling Hill Subdivision requests annexation and a conditional use permit for a multi-family building. We will begin with the staff report.

Parsons: Thank you, Madam Chair, Members of the Commission. So, as you can see on the screen before you this was an application that started with us in 2023. So, I have been working with the applicant on many months trying to get this aligned and get in front of you tonight for the annexation and conditional use permit. You can see here on the future land use map in front of you that this property is part of a larger mixed-use regional Comprehensive Plan designation. I think in the staff report I think we have done a pretty good job laying out some of the concerns and some of the lack of integration that this project has and I will get into that more into my presentation. But the applicant is here to discuss with you annexing 6.9 acres of land from -- excuse me -- RUT in Ada county. I think it's from R-1 and Ada county to business community or C-C zoning district in the city. It encompasses five parcels. The center parcel here that you see with my cursor is not included. It's basically creating an enclave around this piece, which was -- had a staff concern in the staff report that we raised for you. The other unique part about this is conditionally this particular project has a vertically integrated component and a multi-family component. So, in the C-C zone a vertically integrated project is principally permitted and a multi-family use requires a conditional use permit. So, although you are seeing the annexation of almost seven acres, the conditional use permits only for 64 units of multi-family and the other two buildings are vertically integrated, which would be principally permitted if the applicant is successful with the annexation and conditional use permit request. So, here, as I mentioned, the two westernmost buildings here with the -- on my cursor those are the vertically integrated buildings and that will contain 90 dwelling units and approximately 20,000 square feet of commercial space on the ground floor and, then, this is the one multi-family building with 64 units. The other unique component -- as I mentioned to you this is mixed-use regional and so the -- and, then, as -- also as I have mentioned to you here is that county enclave that will be carved out around this particular development. It's important to note the applicant -- we -- you know, the -- we have met on this with many different developers over the years and staff has always requested that they try to bring this -- this particular property in and I think the Commission recognizes that we can't force annex people in and this gentleman is happy to stay in the county and so that is one unique challenge that this developer has to face. The other unique part of it is the adjacent property to the east, which is owned by Corey Barton and, then, to make it even -- complicate it even more is you can see the red line on the map here, well, that's

a future designated collector street that's required by ACHD's master street map in this -- in conjunction -- in coordination with ACHD and this road alignment was predicated on this location due to the fact of Movado Subdivision on the south side of Overland Road. So, you can see -- we are starting to kind of starting to put the -- the recipe together why this may not be the best time to annex. But although staff has recommended approval of the project, because there are good things about it, too. But, again, with mixed-use developments we try to encourage or we do require integrated mix of uses. If I can step back to that site plan you can see currently, a lot of the property around this is still in the county and this -- these are the first -- a lot of the first properties on this side of the road to come in minus the one C-G portion across the street and, then, two -- so, in order to show that -- how the enclave could redevelop in the future, the applicant has provided a concept plan for you on the right. So, that's -- you can see here maybe another future commercial building, maybe another multi-family structure, some consolidated open space and some parking. Also in the staff report we noted both ACHD and staff is asking the applicant to work with the adjacent property owner to close his access to Overland Road and see if he is willing to take access internal from the site. I don't know if we can get him to do that or not, but that would be nice, because if we don't, then, the other issue with the enclave is we don't get the street frontage improvements or the sidewalks. So, now we have a gap along a major arterial in the city. Good things about this project is that it does take access from Rolling Hills Drive, which -- East Rolling Hill Drive I should say, which is a local street. The applicant will be required to improve that street frontage. Currently it is a substandard street section. So, it will become a complete street as part of this project and, then, also as I mentioned to you there is a cul-de-sac that runs here, but ACHD has the right of way for that to be improved. So, rather than having the applicant build this entire road, which isn't -- which is cost prohibitive, we have -- and they do touch the right of way, we are requiring them to build a crossing across the Five Mile Creek and, then, ACHD is requiring street frontage improvements along that roadway as well to bring that into the -- into master street standards -- or ACHD standards I should say. Then also there is a little bit of -- there is a little triangular piece here in the northeast corner of the site where the applicant will have to dedicate that right of way for future expansion of the collector road when it comes in. The other piece with the road being offset somewhat from this eastern boundary as you see that it creates this strip of land between this development and the property. It's approximately 40 feet. And so if someone's going to have to be very creative how that develops or it's going to end up just being undevelopable and maybe open space in the future, just don't know at this point and that's -- that's kind of those puzzle pieces that we are trying to put together here. You have got this project wrapping around a county enclave and, then, you have a street potential on adjacent property with no idea what they are going to do on that site and it's all mixed-use regional, which is why we want all of these pieces to come in and integrate with one another on the front end and not try to piecemeal development. The other unique piece about this particular project is vertically integrated projects don't have open space requirements like a multi-family development and their patio space requirements are smaller than a multi-family development and so for a vertically integrated project you have to provide 50 square feet of private patio space or outdoor space. Multi-families is 80 square feet. Now, certainly if this -- if the applicant is

successful with getting his project approved we want it to be a cohesive design theme. So, if the -- we will put on the developer -- or at least we have it pretty flexible in the conditions of approval. The applicant can either go through alternative compliance to reduce the patio space for the multi-family or just increase the patio space on the vertically integrated project. So, we will -- we will leave that up to them on how they want to do it, but we have some flexibility in that condition. Also mention to you that additional right of way along Overland Road will also be necessary in the future, which the applicant's plan does show -- take that into account as well. So, Overland Road is planned to be a seven lane roadway in the future. So, it's a pretty major roadway through this area, which makes some sense for high density residential for -- along that corridor. So, the plan before you tonight does meet the parking requirements of the code. I think we called out there were some substandard parking as far as dimensional standards, but I think the applicant has enough room to -- to mitigate for that. The other unique piece about this in the open space as I mentioned to you, they are just shy of the required open space. If we were to review this as an entire multi-family development. So, we are not actually holding them to that standard, they are just slightly under, so they actually are providing 1.45 acres of common open space and if this was an all multi-family project it would be 1.47. So, we are not too far off on what would be required by code. And, then, we also mentioned that if the project -- if the enclave were to develop in the future that would add additional open space to this -- this development as well. Again, we can't hold the applicant to that, because they don't control that property, but at least there is a way that -- they are trying to demonstrate how it could integrate. So, the planned amenities for this consist of swimming pool, fitness center and, then, ten foot multi-use pathway along the creek, which the applicant will have to work with Nampa-Meridian to allow that to happen. So, that is per the -- the city's Master Pathways Plan that is an amenity for this development to go in and the creek is to remain open as required by the code. So, parking spaces, as I mentioned, there is 281 and 125 of those are covered and only 222 are required. So, they -- again, they do meet the -- exceed the requirements. Here is the open space exhibit as well, just displaying compliance with the code. Pedestrian circulation plan for you to show you how they can move about the development and, then, here -- here is the architectural theme for the development. So, you can see it looks more like a Brownstone style apartment complex, a more urban style I should say. I like it. So, it looks like it's going to have a mix of metal siding, bricks, stucco and fiber cement accents. So, that's how I was touching on my point about what they do with their patios, whether they keep the 50 or the 80, I think whatever they do it would be nice to -- to have that consistent design theme here. So, looking at the public record there was no public testimony on -- provided on this application and staff, again, is recommending approval with the conditions in the staff report. I will go ahead and conclude my presentation and stand for any questions.

Lorcher: Commissioners, do you have any questions for staff at this point? Would the applicant like to come forward? Hi. Please state your name and address for the record.

Thomas: Wade Thomas with JD Planning and Associates. Sorry. Kids brought home a cold so I apologize. That's Wade Thomas with JD Planning and Associates.

Lorcher: Okay.

Thomas: My address is 12300 West Fireweed Street in Star, Idaho.

Lorcher: Okay.

Thomas: 83669. Bill does a great job reviewing the project, so I won't rehash any of -- any of what he stated. Actually, that was the slide I wanted to -- to talk about. I think the biggest issue with this particular project are the site constraints. We did try to work on that -- kind of that in-fill piece. Tried to work with that owner. In the midst of all this he moved to Tennessee and still was unwilling to participate in some form or another. So, I do think that there might be a high probability that that might join into the project at some time in the near future. But, unfortunately, I couldn't get the deal done. So, I did want to clarify that. I think the other really big issue that drove this -- and Bill mentioned this earlier, just trying to -- this prolonged discussion with staff really resolved -- revolved around the collector road and how to kind of access that and how to have kind of continuity through -- throughout the project. Obviously, we had the design constraints missing that middle piece, so Bill talked about the over parking, that's really what's driving that. We just couldn't -- couldn't really design the buildings around it. Ultimately we did do the mix of the vertically integrated with the multi-family use. That was really driven by staff. I think it's a nice balance. We did try to kind of front load the project closer to Overland to pull some buffer into the homes to the north, which I think you will hear a lot about tonight. I think the other thing to consider is the impact of that collector road in the future. We will continue to kind of -- as those other parcels are developed how that will also create a natural buffer to that as well. The other last comment was really when you look at the mixed-use regional this really is a complement to the surrounding properties and the surrounding zonings in that area and you look to the north there is the Eagle View Landing Apartments. That's R-40. You have all the C-G with all the Topgolf area. I think this creates that nice transition for that property. As far as access you have tons of -- of access. There is a new bus stop going in two parcels down. It's just in the Boise city limits, but that was approved for a very similar project. So, I think, you know, public services are going to be available for people to come to and from this site and I think that's -- oh, I also wanted to comment on the Brownstone design. That was very intentional on our part. We are finding in the multi-family space that there is this transition to full time living in apartments. So, we really wanted to design this as it's kind of own community, but also that it integrates appropriately with the surrounding community, but to create a sense of home for people, so when they come home they don't feel like they are coming to a box. That's just a place to, you know, sleep. It's a place to live, it's a place to enjoy the surroundings, it's a place to interact with the different amenities between the pool, the plaza, with the commercial space we expect that that will be things such as, you know, coffee shops and its proximity to a lot of the healthcare services we expect and there has been some interest in -- that there -- there is a good chance that a lot of that commercial space will be doctors' offices, things of that nature. Chiropractors. Dentists. It seems like there is never enough dentists even though they seem to be everywhere, but that's -- that's one of those things. So, that was intentionally done and -- and to Bill, to answer your

question, even with that commercial piece we will -- we will stick with that community feel and that -- kind of that Brownstone feel and incorporating all those elements to really make this someone's home, as opposed to just a box that they live in. I hate to come make the comparison, but when I drive down Ten Mile and see a lot of boxes and so we are really trying to drive that, we are really thoughtful in our landscape plan to really drive a lot of those elements again with a lot of the amenities and make them interactive. So, I will stand for any questions. Again I apologize I'm starting to lose my voice, so --

Lorcher: Okay. Commissioners, any questions for the applicant? Commissioner Grace.

Grace: Wade, what -- so that county land -- their enclave in the middle, if it's not purchased by you or what -- what -- what becomes of it? What would it --

Thomas: Well -- so, it -- it -- there is a single family residence on it. It's been used primarily as a commercial space. Lots of small engine repairs. I actually went by it the other day and I -- I don't know what they have transitioned it to, but they were also using the back piece of it as a lot of storage. So, it looks like it's still some type of mechanical shop in the back with some storage, but I -- I can't confirm exactly what it is. I think maybe where you are going with it is there are going to be some constraints with this project as built out, what they can do with it in the future. I do know that they were really keen on maybe putting in a Starbucks. Without access to Overland I'm not sure that that would be very realistic, irrespective of this project. So, there -- there would be some probably limitations, especially with access would really have to come off of Rolling Hill or through the future collector road.

Grace: But on some level whatever it becomes -- and maybe this is a city question, I apologize. Whatever it becomes it's -- it's got a transition into what -- what you are doing around it. It's -- on some level; right?

Thomas: Yes.

Grace: Okay. It just -- it just really sticks out there. Thanks.

Thomas: It's -- it's made the project very difficult to design around it.

Lorcher: I do have a question. So, Bill, you alluded to the collector road and I can't read this even with my glasses on, but where -- I guess this is north. It goes north and, then, west I assume. The little -- the little white spaces between your property and the collector road, is that no man's land? Is that what you mentioned or is -- does that belong to you?

Thomas: So, no, it -- that is -- the property line on our property on the east stops at basically about five feet past the -- the parking stall.

Lorcher: Okay.

Thomas: So, that's just a space. It's not driven necessarily by what we would prefer or would want, it's really we were just trying to align the road with the Movado Way that is directly on the other side of Overland.

Lorcher: Okay.

Thomas: And so it was more of an alignment issue than anything and getting those to line up. The other issue on that road is ACHD did require that we work in the entire 70 feet of right of way, since it hasn't been determined how big that future collector road will be, so that's the maximum right of way that would be needed for the largest collector road you can put in.

Lorcher: Okay.

Thomas: Whether that's what they do or not is -- remains a question.

Lorcher: So, you are going to landscape the one that goes this way?

Thomas: Yes. That's --

Lorcher: What about the one that goes this way.

Thomas: The white space?

Lorcher: The white spaces. You don't -- that's not yours? Who belongs -- who owns that?

Thomas: Corey Barton owns that particular property.

Lorcher: The little strip of land between the road and your development?

Thomas: Yes. And that's -- that's about -- it's a little over three acres parcel and right now it's just an empty field. It's vacant.

Lorcher: It looks really tiny on the screen.

Thomas: So -- so think of it --

Lorcher: Oh. Okay.

Thomas: Yeah. There is a whole -- so this would represent maybe a third of that entire parcel.

Lorcher: I got you.

Thomas: Maybe a little more.

Lorcher: Okay. Okay. Thank you. Thank you very much.

Thomas: Thank you, Madam Chairman, Commissioners.

Lorcher: Madam Clerk, do we have anybody signed up for -- to testify?

Lomeli: Thank you, Madam Chair. We have Alicia Eastman.

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

Eastman: Alicia Eastman. I live at 1485 Rolling Hill. My -- the first notification I got of this was nine days ago when Meridian Planning and Zoning sent me this card and I had trouble accessing this on the website and I -- the only information I have gotten really was from my neighbors sending e-mails back and forth and now that I'm looking at this I see that there is going to be a four story building directly across the street from my house and if the road is modified I'm going to -- my wells -- they are going to have to replace my well and, then, my neighbor also who that -- somebody is renting that house. So, there is a bunch of people there living. So, I don't know that that owner is involved in that or really realizes what's going on. But 36 years ago I purchased my home in a rural subdivision with a -- it was a dead end because of the traffic. Okay? And so now we are being boxed in. We are -- we are on wells, septic. Well, most -- a lot of my neighbors have farm animals. They have horses. They have chickens. They have sheep. Okay? And this isn't really a good integration of this property right now in -- in one of these Planning and Zoning meetings a couple years ago -- or maybe a year and a half ago I -- I think the committee here said that there were going to be no modifications on Rolling Hill until all the homes were gone. We realized -- they -- you folks said, yes, all those homes are going to be gone and I thought, well, really? Who -- nobody asked me. Okay? But my husband died two years ago. Yeah. Eventually I'm going to have to move, but I think it's too soon and it's not being done well. It's not integrating with the neighborhood. We are still very rural where we are. So, my -- my -- it's just poor timing. This traffic issue -- the December 3rd meeting, 2021, we brought up the traffic issue of the trucks coming up and down Overland because of the BVA project that aligns next to the freeway. The next day after the meeting -- and I was working at the time I had a spreadsheet open and I -- I marked between 9:00 a.m. and 3:00 p.m. 184 trucks went past my house and my house shook every time and so we got the truck traffic to stop, they put signs, you know, that the truck traffic had to go around to Silverstone. But this is directly at my front doorstep, which I don't think at this point in time it's not a good -- good time to do it. If you are going to do it, okay, when the -- when the neighborhood goes -- like buy my house, buy the neighbor's house if that's what you are going to do. But right at my doorstep a four foot -- a four story building, I -- I -- I don't think that that's livable for me and it's the water issue also about my well that I'm concerned about my well water. I don't -- I don't want to annex to Meridian. If that whole area is going to go, why -- why would I? And -- and why would somebody redig my well -- and if you will give me one of two more seconds, please. Or

20. Our neighbor, Robert on Overland, annexed because his well went dry and he -- he said he -- he couldn't get a new well dug because no one could drill. They said they were three years out.

Lorcher: Right.

Eastman: Okay. So, where does that leave me? Thank you very much.

Lorcher: Thank you. Madam Clerk.

Lomeli: Thank you, Madam Chair, the next person is Mike Flowers. It looks like he is online, so just one moment.

Lorcher: Okay.

Flowers: Yes. Can you hear me?

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

Flowers: Mike Flowers. 1325 Rolling Hill Drive, Meridian, Idaho. I will let others talk about other issues. I want to point out a couple of things that aren't addressed in this document or proposal. One that collector route that they are speaking of north of the property -- I don't know if anyone's able to zoom in on that. Since our last meeting in 2022 with the BVA apartments that went in north of us, there have been four properties that have been available for developers or anyone to purchase well over 30 days. One of those happens to be where this collector route lies. That has been purchased by a homeowner that intends to build a home there. I don't know why this is still part of the proposal whatsoever. It seems to -- I don't even know why it's even part of the discussion whatsoever. I don't -- I don't know what purpose it serves. Beyond that -- and I'm not even speaking for us, because it's been apparent that the residents on Rolling Hill Drive do not matter. So, I'm speaking on as an advocate for the apartments in BVA north of us and for the future apartments south of us. Rolling Hill is completely pitch black. There is no sidewalks, there is no lights and people now are walking up and down the street. We have motorcycles, we have cars going around the barriers north of us and, anecdotally, I know you probably won't believe me, but they go in excess of 60 miles an hour on a 25 mile per hour road, because it's a straight dead away. This is in a pitch black street and so you are going to have people walking to Topgolf, to the brewery, to the workout place from these new apartments and they are going to be doing it in the middle of the street and no one knows -- everyone assumes, oh, it's just on a street, like this is a residential street. It's safe. No, it's not, because there is a bunch of idiots that like to drive up and down this thing as if it's a race zone. We have talked about it before in the past. In 2022 we were dismissed. This is all in conjunction with the fact that no one's even talking about a stoplight with Movado. We don't even have -- the apartments north of us aren't even open yet. The ones that are listed in the report in July, those weren't even open at the time. So, you have all the apartments north of us that aren't included in the information included in this report I

mean they are not even listed on this map. They are not even built. And so there has to be a light at some point, but if that property is going to build a home there I don't even know why it's being considered, let alone the -- the enclave that's being built. So, part of the reason why I'm not even here in person is because I thought this project was so absurd that I didn't even think it was going to come to fruition, let alone the fact that we only have half of the Council here representing us in -- in person, so I decided not to show up. So, I do not understand how it could possibly like go forward without a continuation at the very least.

Lorcher: Okay. Thank you very much. Madam Clerk.

Lomeli: Madam Chair, we have Chris Maiocca. I'm sorry, I'm -- I know I'm not pronouncing that correctly.

Lorcher: Hi.

Maiocca: Hello. Chris Maiocca. 4160 East View Circle, Meridian, Idaho. 83642. Bill, could you zoom into that where you just were on the map. So, we are using the term collector road. That's -- it's my street right here. This is my -- this is my garden. This is where I have raised my kids and that's all going to -- the collector road destroys my way of life. The collector road is where my kids play. They hunt, because we are in Ada county. It's where my neighbors walk their horses. When I heard about this project I immediately called P&Z and I spoke to staff and this was their response: Given all the apartments across the street and behind you I cannot possibly imagine us approving this proposal and yet here we are. Commissioner Grace, you -- you -- you made a comment on the last session or the one before that -- you said we really need to think through some of these things as a city. I want to quote something that Commissioner Seal made at a meeting on December 2nd, 2021. He said there have been a couple of mistakes Meridian has made. One of them was eliminating the rural designation altogether. This, speaking of our community, is a small rural community that is right in the middle of a large area of development. I think if we don't have some input on this how it will impact these folks, it would be yet another mistake we would be making as a city. I think there are a whole lot of things that could be done here for us to be better neighbors and to bring this project in with a little more tack, speaking of the Rackham Apartments. This is a hundred times worse. This literally just puts 500 new neighbors in my front yard and in all of our front yards. When -- when ACHD said you cannot make Rolling Hill a thorough way for Topgolf, Commissioner Steve Yearsley said I applaud Brighton and what they have done to try and minimize the impact to the homeowners on Rolling Hill. I have read the staff report and I -- I just can't believe what -- the quotes in the staff report that the recommendation is to move forward. Here is one. The lack of integration may hinder interaction, disrupt cohesive infrastructure and prevent coordinated land uses causing a sense of isolation, particularly for the county enclave -- that's us -- from the overall broader regional growth dynamics. I just want to read one last quote from the report. Furthermore, with approximately 760 multi-family units already within the vicinity, Commission and Council should evaluate whether the city necessitates additional multi-family housing in this area. I ask you respectfully,

Commissioners, what are we doing? This plan is ill-conceived. It may be wonderful in ten years when Overland is extended, just not now. Thank you.

Lorcher: Thank you.

Lomeli: Madam Chair, Robin Maiocca.

R.Maiocca: Thank you, Madam Chair and Commission. Robin Maiocca. 4160 East View Circle, Meridian. 83642. My -- my main concern is traffic studies. I appreciate your story tonight, Madam Chair, as you personally related to commit -- or a situation coming before you tonight. Your neighborhood, your area, that's me right now. I have four -- I have four children three of them teenage years, all driving -- soon to be driving. When we exit our neighborhood from Rolling Hill to Overland it is constant sirens all the time and I would challenge you to look at the accidents that take place right there on Overland right in front of the new Zamzows where that intersection with the light. It's not just bumper to bumper accidents, it's crashes that are taking place and -- and I look at what we have invested in this home over the last six years and it's heartbreaking to think even now with apartments just south of us -- or north of us where Topgolf and, then, even west of us -- east or west of Eagle, those new apartments are not even occupied yet and to think that we are going to bring in another apartment complex in this very confined space is unfathomable to me as a homeowner and I -- I expect better from my city to protect people who own land, who have really brought the heart of Meridian. Like was stated earlier we own livestock. We walk horses. Like this is the heart of Meridian and I'm asking you to, please, consider that. There -- you can go to my house site outside of this diameter -- parameter and do whatever you want, but preserve what is still here. But I challenge you to, please, look at the traffic studies for the sake of our children as a mom. Thank you.

Lorcher: Madam Clerk.

Lomeli: Thank you, Madam Chair. We have Amy Wattles.

Wattles: My name is Amy Wattles. My address is 1360 Rolling Hill Drive. My property would be slightly north of View Circle. So, it's on that corner there. Tonight's meeting is not about the growth. Tonight is just one stop along 15 year history of residence on Rolling Hill trying to work with the city to figure out a logical way to integrate this community and to annex it into the city. Our last process we went through BVA, Topgolf, and the comments were made from the city -- for some reason the city approved development from the interstates and, then, they are like, okay, it makes sense to move forward from there. But now what's happening is that development has happened, now there is a proposal on the other end, which is completely boxing us in with two developments. Within that area, like my neighbors have talked about, we all have livestock. We have our -- it's a small rural road. I'm not sure if you guys are familiar with the road. It's a small road. Our road is crumbling, because of the traffic, because of the heavy machinery that was coming down the road to build Topgolf. And, fortunately, at some point they shut it down. We are not built to be handling this influx of

traffic through our -- our subdivision. I encourage you all to go back and read hearing meeting notes, comments from City Council, highlights that stand out where Planning and Zoning and City Council determined there would be no more road improvements on Rolling Hill until the homes were gone. That includes sidewalks. That includes replace -- replacing the road, any of that. This was an opportunity for the city to do right by the residents and we are acting behind us a four story apartment was approved. The residents were not aware, we were not part of that process. Had we known that that was an agenda item we would have been there, just like we are here tonight. And the comment made at City Council was, well, I wouldn't want it in my backyard, but nobody's here to object to it. We are here. We are objecting. We are saying this is completely inappropriate for where we live and what the current status is at this time. At the neighborhood meeting we tried to share concerns. We were actually shocked based on every indication we had previously had that development would move forward, not backwards again, that this was even on the table and talk about any concern falling on deaf ears. We weren't happy when BVA came in, Topgolf came in, but at least they listened. We said, you know, these are kind of the no go. These are the issues we were having. At this meeting it was like, sorry, that's what we can do. We have got to do better than that. You have got four story apartments overlooking a pasture with two goats and a pig. Is -- is that integration? The neighbors don't want connectivity to this development. The neighbors don't want sidewalks. The neighbors just want to be until a developer comes in and has a clear logical plan to develop the area in a way that makes sense.

Lorcher: Thank you very much.

Wattles: Thank you.

Lomeli: Madam Chair, the next person that signed up is David Ellis.

Ellis: Hi.

Lorcher: Hi.

Ellis: David Ellis. 1395 Rolling Hill Drive. And, then, I also own other property, 1300 Rolling Hill Drive as well.

Lorcher: Okay.

Ellis: My biggest concern is, obviously, the infrastructure. As it goes right now -- Mike brought up a good point. They had the opportunity to buy a parcel of land over there. They did not. So, the collector road that they are talking about, who -- is Corey Barton going to sell it? Like what is the chances of that actually end up happening in the future? I don't see it ever happening and especially if someone builds a house right in the middle of it, how is it going to happen? Are you going to tear down the house? I mean it's going to be a brand new construction house in a rural subdivision. That's the first thing. Second thing. He talked about new sidewalks and everything else up to the

point of entrance getting into the apartments. So, from that point to the end of Rolling Hill where it is a turnaround what's going to happen between A and B? Because there is nothing happening there. It's already been pointed out there's no streetlights. It's dark. People haul butt down that road and what we can do about that? Second thing. How are we going to get out on Overland? There is no way to get out on Overland as it is. I don't know if you guys drove down there, but if you go between 3:30 to 6:00 at night you are lucky -- you are probably going to be sitting there a good five or ten minutes just to get out onto Overland. So, what -- what's going to happen with that whole thing? I don't know exactly when Overland's supposed to get widened. What I was told was 2026. I don't know if that's correct. Well, that's two years from now. So, what's going to happen from now until then? That's all the questions I have. I think these guys have already got everything else. We have animals. We have kids. I don't want any of it to happen.

Lorcher: Thank you.

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

Lorcher: Would the applicant like to come back and address some of the concerns?

Thomas: I just wanted to cover a couple of items. Excuse me. First, Amy -- is it Amy? I apologize I was not at the neighborhood meeting. I did receive copious -- a lot of notes that we did try to incorporate into the project itself, but I apologize that I was not there. The second one is the collector road. This is obviously an issue. I would agree there are a lot of practical implications on whether or not the road will ever be built. Recently had an application in Garden City and I called it the road to nowhere and ultimately maybe that's what we are really talking about. Notwithstanding that, it does have to be considered. It is in the master street map. It's not on the five year plan. But it is in anticipation that it will be developed and built at some time in the future. There was the comments on the staff report, as well as brought up tonight, was the integration of this -- this project. I do think that the comments with regards to the enclave project were specific to the parcel in the middle. Notwithstanding that, I did take some issues with this concept of integration. You know, it -- we do have paths that go throughout the project. But I think more importantly when you look at the mixed-use regional, sometimes we want to get really myopic on a project; right? Well, when you look at -- in the comp plan in the mixed-use regional it really talks about that whole brown area that's highlighted in the -- in the -- in the FLUM, the future land use map and when you really drill down onto it you have to take that into account with all -- everything that's in this area and I make the argument that this is actually in line with integration and it's in line with the comp plan and it's in line with the code. It does fully integrate with all those others. You look at, again, you had a lot of C-G, you have R-40 just to the north. Now you have R-1. Now you have this C-C which is complemented by the commercial that's on the south side of Overland. I think you also look at that major intersection is also within that mixed-use regional area and that needs to be kind of -- needs to be considered -- not kind of considered -- needs to be considered as part of that

integration. I think this is a natural evolution into the fully development of that -- of that mixed-use regional designated area. That's all the comments I had.

Lorcher: Do we have any -- hold on. Did you have a question for the applicant?

Grace: Yeah. Madam Chair, I had one question. If that enclave wasn't there and you had access to that whole site, would you have designed it differently? I mean you talk about potentially chiropractors and dentists and things being in that -- that commercial space. Would you -- I mean would you have designed that differently?

Thomas: Madam Chair, Commissioner Grace --

Grace: So that they are not --

Thomas: -- looking at it, so -- so, the issue is with the limited access off Overland. You know, my -- my initial response is I would design it differently, because I would -- I would -- my inclination is to front load the commercial onto Overland Drive, but, then, you have access. So, you kind of have to make these natural buffers from that commercial aspects of the -- of the project and kind of insulate it from what I deemed kind of the multi-family aspects of it. I would probably -- on the -- the Building C there is 7,000 some change commercial space, I would probably make that a full multi-family building and shift as much of that commercial down onto Overland. I think aesthetically it looks good now. I think you can pull that traffic -- keep that traffic kind of -- that commercial -- that commercial traffic on the south side of the project.

Grace: I asked the question just because -- so some of the comments -- the public comments and I wondered if that would alleviate any. All right. But -- okay. Thank you.

Lorcher: Thank you.

Thomas: Thank you.

Lorcher: Can I get a motion to close the public hearing?

Rust: I move to close the public hearing.

Grace: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: Well, I can start here. I will try to keep this brief. You know, I believe the project does integrate some of the components of mixed-use. I also believe that additional multi-family with the current 760 units in the vicinity right now is excessive, not necessary. To me the public testimony -- you know, I do agree with many of the concerns and issues and it feels -- and I really don't like how subjective that word is, but it's definitely applicable here. Like we are forcing the current homeowners to deal with the four story complex directly adjacent to their property itself. So, the overall transitional space, you know, that's a -- that's a real issue. My biggest issue is the enclave this makes. You know, it's nonsensical to approve something that isolates and surrounds a small property like this. What precedent would that be setting? I understand the project does have these constraints. However, the constraint, the roads, the enclave, the collector road, the neighbors are prime reasons for denial. Now, as such I am in favor of denial and I can't be in support of the project as is.

Lorcher: Thank you.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. I think there is -- there is some -- there is some big problems with this here and, you know, there is -- I -- I would honestly say a lot of them I don't -- I don't fault the developer for. I think there is -- there is certain realities with this property and with this timing that just kind of make this really difficult. I -- I agree with some of what Commissioner Sandoval says -- said about, yeah, traditional space and things like that. I think, obviously, I think some of this location is -- is too small to really have a ton of great transitional space. I think the thing for me mostly is the -- the -- kind of the general need for some -- some larger thinking about how we address this entire property or we address this entire -- this entire neighborhood in reality, but I think we are just looking at kind of ten, twenty years from now, but you can anticipate a lot of this in-fill starting to happen and I would like to see some -- some more interconnectivity and integration planned out from the start and I think generally speaking just getting this enclave taken care of and getting this -- we can't force annex anyone, obviously, but just getting -- annexing this property as a whole and helping develop it as a whole can probably help us create a better site plan that is more conducive to future integration with the rest of that mixed-use residential as it becomes the mixed-use residential that it is in the FLUM. So, I -- I -- whereas some -- some previous ones I can -- I can easily say this is not the time. This one I -- I have some heartburn over. I -- I feel like the developer is -- did a great job with kind of what the cards they were dealt. I just -- I just don't know if that's enough for a winning hand at the moment to -- to be quite frank.

Lorcher: Thank you. Commissioner Grace?

Grace: Madam Chair, yeah, I -- I -- I could go into a lot of the details, but the -- the bottom line for me is it just doesn't fit. It doesn't -- the transition doesn't work here. I -- I'm trying to justify in my own mind, you know, why I approve -- why I go for other

projects in this project – and for me the reason is it -- it doesn't fit here. There is a history here of homes and – and a -- you know, we are bringing this in from the county. It's not like it's already -- it's, you know, a portion of this. It's not like it's already here. There is a history of city meetings and -- and statements on this that it indicates some acknowledgement of -- of this being a little bit of a challenging area. So, I -- I give some deference to that. This county piece in the middle and I think makes it problematic and I agree with Commissioner Smith, I think the applicant has done a great job based on what he has got and -- but I do feel like the -- the -- the citizens here -- the neighbors here deserve probably a little better than what -- what this is based on the history and where this -- you know, what this property is. So, those are my thoughts.

Lorcher: I -- I do appreciate the fact that we take each application individually and just because we say yes on one and it might be an identical project to another, but the land is different, the roads are different, the space is different, the neighbors are different and so we try not to set a precedent saying if we said yes here we have to say yes there. So, in that regard I'm the same way. The enclave has kind of thrown me and the transition -- to have a one acre or three acre parcel with a pasture, even if your house is a little bit off site, you know, away from this, to be able to have to pass an apartment building every day would -- would be a struggle for me as well. Commissioner Rust, do you have any comments?

Rust: For a first Commission meeting you guys sure gave some doozies out tonight.

Lorcher: Yes, we have.

Rust: I resonate with a lot of that. I -- I think this area -- the trajectory is very clear. The developer made some good points. I -- I do think that this integrates into the long-term plan, even the mid-term plan. The reality is this ground -- the highest and best use, just looking at the surrounding square mile, it's not going to be farm ground, which, as somebody who grew up here in rural Meridian, that's -- that's a sad transition in a lot of ways. I do question the timing and I honestly think that I would support this if it wasn't for the enclave, but the enclave just adds a whole other dimension of complexity and that's not the developer's fault, but I just -- all things considered I don't think this is the right time.

Lorcher: I will take a motion.

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: After considering all staff, applicant and public testimony, I move to recommend denial to the City Council of File No. H-2023-0070 as presented during the hearing on October 3rd, 2024, for the following reasons: By the enclave it creates, as well as the transition to neighboring homes.

Lorcher: It's been moved to decline the conditional use permit and annexation for Rolling Hill Subdivision due to the enclave and lack of transition. Do I have a second?

Grace: Second.

Lorcher: It's been moved and seconded for application number 2023-0070. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Commissioners, I will take one more motion.

Grace: Move to adjourn.

Rust: Second.

Smith: Second.

Lorcher: It's been moved and seconded to adjourn. All those in favor say. Any opposed? Motion carries. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 10:02 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

MARIA LORCHER - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK