

Meridian Planning and Zoning Meeting

September 1, 2022.

Meeting of the Meridian Planning and Zoning Commission of September 1, 2022, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Steven Yearsley, Commissioner Maria Lorcher, and Commissioner Mandi Stoddard.

Members Absent: Commissioner Nate Wheeler and Commissioner Patrick Grace.

Others Present: Chris Johnson, Joy Hall, Kurt Starman, Bill Parsons, and Dean Willis.

ROLL-CALL ATTENDANCE

_____ Nate Wheeler	___X___ Maria Lorcher
___X___ Mandi Stoddard	_____ (Vacant)
___X___ Steven Yearsley	_____ Patrick Grace
_____X_____ Andrew Seal - Chairman	

Seal: Good evening, everyone. It's a big crowd tonight, so I will start off by saying welcome friends and neighbors of Meridian. I would like everybody to be on their best behavior tonight, so it's not a pep rally, so, please, no thunderous applause, boos, cheers or anything else along those lines. So, we are all adults here, let's get along like adults, present like adults and this should go fine this evening. With that welcome to the Planning and Zoning Commission meeting for September 1st, 2022. 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 Clerk's Office, as well as the City 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 portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. 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 want to watch the meeting, we encourage you to watch this streaming on the city's YouTube channel and you can access that at meridiancity.org/live. With that let's begin with the roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: Okay. The first item on the agenda is the adoption of the agenda. Files number H-2022-0020 and H-2022-0045 will be opened for the sole purpose of continuing to a irregularly scheduled meeting. File number H-2022-0055 will be withdrawn. Just for reference that's for Tessera Ranch, Kingstown Subdivision and the Chipotle Drive-Through and those items will appear only for those purposes. So, if there is anybody

here tonight to testify for those applications we will not be taking testimony on them this evening. Can I get a motion to adopt the agenda?

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. No opposed, so motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of the August 18, 2022 Planning and Zoning Commission Meeting

Seal: Next item on the agenda is the Consent -- adoption of the -- the Consent Agenda and we have one item on the Consent Agenda, which is to approve the minutes of the August 18th, 2022, Planning and Zoning Commission meeting. Can I get a motion to accept the Consent Agenda as presented?

Stoddard: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to adopt the Consent Agenda. All in favor say aye. No opposed, motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: All right. 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 Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The clerk will call the names individually of those who have signed up on our website or in the back in advance to testify. You will, then, be unmuted in Zoom or you come to the microphones in Chambers. You will need to 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 a presentation for the meeting it will be displayed on the -- on the screen and you or the clerk will run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA -- and let me be clear about this -- where others in the hearing are willing to give their time to you, meaning they give up their ability to speak, because you will speak for them, you

will be given ten minutes. Otherwise as an individual you will have three minutes to speak. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in Chambers or in the Zoom app, press raise hand button, or if you are only listening on a phone press star nine and your name will be called. If you are listening on multiple devices, such as the computer and a phone, please, be sure to mute those extra devices, so we do not experience feedback and we can hear you clearly. When you are finished, if the Commission does not have questions for you, you will return to your seat in Chambers or be muted on Zoom and you will no longer have the ability to speak and, please, remember we will not call on you a second time. After all testimony has been heard by the applicant -- after all testimony has been heard, the applicant will be given another ten minutes to come back and respond. When the applicant is finished responding to questions and concerns we will close the public hearing, the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions or recommendations to City Council as needed.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

- 2. Public Hearing for Tessera Ranch (H-2022-0020) by Providence Properties, LLC., Located at Northwest corner of W. Amity Rd. and S. Linder Rd.**
 - A. Request: Annexation of 123.39 acres of land with R-2 (27.37) acres, R-4 (5.78 acres), R-8 (73.43 acres) and R-15 (16.82 acres) zoning districts.
 - B. Request: Preliminary Plat consisting of 518 building lots (393 single family lots, 75 townhome lots) and 50 common lots on 123.39 acres of land in the R-2, R-4, R-8 and R-15 zoning districts.

Seal: So, at this time I would like to open the public hearing for Item No. H-2022-0020 for a continuance to October 20th, 2022. So, if somebody would like to give a motion on that.

Lorcher: Mr. Chair, I would like to motion that Item No. H-2022-0020, request a continuance for October 20th. Anything else?

Seal: Is there a second?

Stoddard: Second.

Seal: Okay. It's been moved and seconded that we continue File No. H-2022-0020 to the date of October 20th, 2022. All in favor say aye. No opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

3. Public Hearing for Kingstown Subdivision (H-2022-0045) by Kimley Horn, Located at 2620 E. Jasmine St.

- A. Request: Annexation of 8.20 acres of land with an R-8 zoning district.
- B. Request: Preliminary Plat consisting of 28 building lots and 6 common lots on 8.20 acres of land in the R-8 zoning district.

Seal: Okay. So, we will now open Kingstown Subdivision, No. H-2022-0045 for continuance to September 15th, 2022.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I motion that Kingstown Subdivision, H-2022-0045, has a continuance for September 15th.

Stoddard: Second.

Seal: It's been moved and seconded --

Yearsley: Second. Sorry.

Seal: That's okay, Steve. Been moved and seconded that Kingstown Subdivision, H-2022-0045, be continued to the date of September 15th, 2022. All in favor say aye. No opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

4. Public Hearing for Chipotle Drive-Through (H-2022-0055) by Matthew Bush, WP5 Meridian II, LLC., Located at 3004 N. Eagle Rd., near the southeast corner of Eagle and Ustick Rd.

- A. Request: Conditional Use Permit for a new approximately 2,325 square foot Chipotle restaurant with a drive-through to replace an existing and vacant restaurant located within 300 feet of an existing drive-through.

Seal: Can I get a motion for Chipotle Drive-Through, H-2022-0055, recognizing their intent to withdraw?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I motion that H-2022-0055 for Chipotle to withdraw.

Stoddard: Second.

Seal: It's been moved and seconded to recognize the applicant's withdraw for File No. H-2022-0055, Chipotle Drive-Through. All in favor say aye. No opposed, motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

5. Public Hearing for Bridgetower Multi-family (H-2022-0047) by Alpha Development Group, Located at S0427438410 on the north side of W. McMillan Rd. between N. San Vito Way and N. Vicenza Way, near the northwest corner of N. Ten Mile Rd. and W. McMillan Rd.

- A. Request: Conditional Use Permit for a multi-family development consisting of 235 units on 16.61 acres of land in the R-15 zoning district

Seal: Okay. Now, at this time I would like to open the public hearing for Item No. H-2022-0047 for Bridgetower Multi-family and we will begin with the staff report.

Parsons: Sorry, Chair. We are trying to get the presentation pulled up here. One moment, please.

Seal: That's okay. Thank you much. Bill, if you would like me to play the role of IT, I can simply ask you if you rebooted. There we go. There we go.

Parsons: It's going to be one of those nights I believe.

Seal: Absolutely. That's all right.

Parsons: I want to thank everyone in the audience for their patience this evening. We will try to get down to business sometime tonight, so appreciate everyone being here as well. We don't usually have a crowd that's this large, so it's always -- the devils are in the details; right? So, Mr. Chair, Members of the Commission, happy to be here this evening. I am presenting on behalf of Joe Dodson, who was the associate planner who worked on this project. He is lucky enough to be on vacation tonight and so I have -- I have graciously accepted the task of presenting this project to you this evening. So, the one and only item on the agenda tonight is the Bridgetower Multi-family conditional use permit. The subject property is currently zoned R-15 in the city. It consists of 16.6 acres of land and it's located near the northwest corner of McMillan and Ten Mile Road. This property has quite a bit of history on it. I have been with the city for over 15 years. I initially started with this project back in 2008 and that's where I met with the previous developer. He had a different vision for the property. At the time that he came through he processed a

Comprehensive Plan map amendment for this property in which he changed this whole entire area to what is -- what we call mixed-use community. Under that mixed-use designations we envision three distinct land uses, including a mix of residential, commercial and office uses on the subject property, potentially even industrial. If you recall in 2020 the previous developer tried to come forward with a plan, tried to rezone some of this property and convert some of that commercial back to residential, because they thought there wasn't a market for it and you guys heard that application. You, essentially, recommended denial of that application and he heard you loud and clear and decided to withdraw the application before it moved on to City Council. He felt that he could make that zoning work. He since has now sold this property to the new developer, in which they purchased the property -- they bought the property with a current development agreement that currently is on this property and recently they took a DA modification before City Council. Their concept plan was different than the one we are talking about this evening. Ultimately Council made a determination that it wasn't consistent and they recommended denial of that development agreement modification. So, the applicant contacted staff after that hearing and asked -- we went through the DA with our city attorney's office. They asked -- we have R-15 zoned property, we -- we went back to the drawing board, redesigned the site to be more consistent with the concept plan of the development agreement, could we proceed with our conditional use permit. Once they finalized their plan they shared that with us. We worked with them and we determined that it was in substantial compliance with that development agreement and, therefore, we are here tonight presenting this site plan to you based on the premise that this plan before you is consistent with that development agreement. So, here is the proposed site plan that's before you. I mentioned to you that the site consists -- or the applicant is asking for conditional use permit approval to develop 235 multi-family units on the subject property. In total there is 14 buildings on the site. Majority of them are two-story along the perimeter and, then, the one three story building is this large building near the intersection of McMillan and Vicenza Way. That was, again, as I mentioned to you, this layout is similar to what is currently in the recorded development agreement. Product -- or the number of unit mix for the development will consist of 26 studios, 131 bedroom -- single bedrooms, 52 two-bedroom units and 26 three-bedroom units. Access to this proposed development -- you can see here one access is proposed on the west boundary and, then, two access points are along East Vicenza Way. I would also mention to the Commission that all of the roadways adjacent to this property are currently constructed and there is currently no local street access to this property. So, the two roads on the west and east boundary are currently designated collector streets and as you know McMillan Road is an arterial roadway. Typically our codes do require access to be taken from the lesser classified roadway. In this particular case those other two collector roadways on either side of the development. The other interesting note for the Commission on this particular project is both -- all of the street frontage improvements are done for this project as well. So, there is street buffers on the west side, the east side and also the McMillan Road side. That will be incorporated into part of this development. One of the -- one of the criteria for approving open space for multi-family developments is requiring the Commission to allow open space to be adjacent to arterial and collector roadways. So, that's part of your purview tonight whether or not you feel that's appropriate based on the open space that they are showing this evening. I mentioned to you that in

the staff report staff was recommending that you do that. But, again, that's something under your purview tonight as we go through -- as I continue through my presentation. All of the access is being proposed by internal drive aisles. That's typical with multi-family. This is one -- one parcel. So, all of these interconnected driveways are providing access to all those residential units. The fire department has commented on that and the applicant is meeting those requirements as well. I would also mention to you in the staff report you can see the two graphics on the right here. Staff did recommend some revisions to the site plan that you are -- that you are seeing this evening. One is adding an additional -- although we try to limit access, there is also an opportunity to get better access or have consolidated accesses with properties. So, the adjacent property north of this particular property is zoned commercial and this piece is R-15 and we have an elementary school just to the northwest of this development and in our discussions with the applicant during the pre-application meetings, not only for the CUP, but also for the DA modification that we went -- they went through, we wanted to make sure that this intersection aligned to help facilitate parents taking kids to school or kids getting to school. In addition to that, we feel -- typically we want -- the mixed-use developments we want uses to be integrated and because this is an opportunity to do that, this is one way to provide cross-access for the commercial development and provide the pedestrian connectivity that the mixed-use policies call for in the plan. So, that's one of the specific changes we have requested, that they work with the property owner to the north to make that happen. The second has to do with the parking central to the development here. As you -- you -- you may hear tonight, typically when you have a road that goes through a development there is a potential for cut-through traffic and when you have back out parking and the -- the -- you create conflicts that may not necessarily work and so staff has made some recommendations in the staff report to eliminate that parking or at least try to add some kind of traffic calming or design it differently in order for that -- that to function a little bit better for the site. I haven't confirmed with the applicant which option they have got -- want to go with, but I can tell you we have asked for some -- some bulb outs here at the two intersections of these driveways or actually rotate these buildings 90, so that the driveways -- actually these two center buildings front across from the adjacent buildings to minimize those back-out parking onto that drive aisle. As I'm -- I'm sure the applicant is going to address that with you in their presentation this evening. The other part of the change that we requested was -- as you can see here the -- the parking area for the larger three story structure -- there is two curb cuts of that driveway. Although code doesn't address that, we feel as -- as best planning practices it's better to align driveways, so we are hoping they will eliminate one of those exit points and shift that over and have it align like you would on a public street -- having those accesses align to minimize conflicts on the site. The applicant -- here is the open space exhibit that the applicant proposed. Again, a lot of our discussion with the applicant on this particular property had to do with density and open space. We were very adamant with them that the Comprehensive Plan anticipates densities between six and 15 dwell -- dwelling units to the acre. The applicant was sensitive to that, knowing that the neighbors may not be supportive of higher density on this particular project, so they -- they made a conscious effort not only to minimize the height of the units, the two-story along the perimeter, but also keep that density under that 15 units to the acre. So, the project before you tonight is roughly 14 dwelling units to the acre, which I think it bodes well, it's consistent with that

mixed-use community designation. As part of that they wanted to make sure to address some of the neighborhood concerns regarding open space and amenities. A lot of times when these developments go in adjacent to single family homes neighbors are always concerned about residents using their open space or their amenities as part of their subdivision. This applicant -- the plan that's shown before you shows approximately six acres of open space, which is a tremendous amount of open space for a multi-family development. Exceeds code requirements. You can see here on the amenity table that I have attached before you they have amenities in excess of code requirements as well. There is 13 amenities proposed for this development. Again, I will -- I won't take all of the applicant's thunder this evening. I will let them try to sell you a little bit more on their project, but at least I want to highlight some of the distinction of this project for you and what -- we are getting more than what code requires. The other issue that comes up quite a bit with multi-family developments is the parking and if you had a chance to look at the staff report the applicant's actually providing more parking than is required by code. Fifty-nine extra spaces to be exact. And, lastly, I wanted to just get to the elevations. Again, the applicant has submitted a concurrent design review application. Typically you guys are not the body to act on design review. Staff -- as -- if you see here in the lower corner here staff has technically approved -- the director's approved the design review application with a couple tweaks or modifications if you will. I know the applicant can continue to work with staff through that as part of their CZC submittal if they are successful in getting through the hearing with an approval, but it's really nothing part of your purview this evening. I think we can work those things out. Again, if -- if you guys concur and they get an approval from the city to move forward. Primarily staff wants to make sure that it blends in with the surrounding neighborhood and there is a mix of colors and materials on buildings. That's really the intent behind the design manual. And that's why we brought these three changes to the applicant's attention. Again, the -- the design manual also allows a designer to go through what we call a design standards exception if they want to do something equal to or better than code and they have that ability to do that with staff. If the Commission had a chance -- I will go -- go ahead and close out my comments and just let you know if you have had a chance to look at the public record and judging by the audience in the -- in the room this evening you can see that we have received quite a bit of testimony -- written testimony on this -- this project. And looking at that testimony there seems to be some common themes. One has to do with increased traffic on McMillan, which I know this body is very aware of with all the development occurring in the area. Two is neighbors' perception of increased crime and lowering property values with the proposed development. As we have discussed numerous occasions school capacities are a concern. And, then, also the neighbors had concerns with the aesthetics of the apartments not blending in with the adjacent neighborhood. And as I just mentioned to you, we are trying to get that to fit a little bit better with our design review process. With that I will just close and say that staff is recommending approval with the conditions in the staff report. I have had a chance to talk with the applicant before the -- the -- before tonight's hearing and they are in agreement with staff's recommended conditions as well. So, with that I will conclude my presentation and stand for any questions you may have.

Seal: Okay. Thank you very much, Bill. Appreciate that. Would the applicant like come forward at this time? Good evening, sir. Please state your name and address for the record and the floor is yours.

Holt: Absolutely. Good evening, Mr. Chair. Dustin Holt. Alpha Development Group. 166 East 14000 South, Draper, Utah. Mr. Chair, Commissioners, thank you very much for your -- your time this evening. Alpha Development is a joint venture with Wadsworth Development Group and Ball Ventures. With me tonight is another principal and partner at Alpha Development Bryce Baker, as well as Tahri Molifua of Ball Ventures. Our outside counsel Jeff Wardle. Kelly Morgan of Method Studios, the architect for the project, and Brad Watson from our office. I want to publicly thank Mr. Dodson, who isn't here, but Mr. Parsons as well, as well as Mr. -- Mr. Nary. We have spent a great deal of time with your staff the last year and a half and -- and appreciate the approach that they take and I believe that they are looking out on the city -- looking out for the city's best interest. Alpha -- let's see. I'm kind of technologically inept, so -- am I driving the mouse? Oh, that -- that's why. It wasn't moving. So, slide two. Alpha Development and its partners have been involved in multiple product types, everything from industrial, hospitality, retail, multi-family, office and we have been involved -- Bill, you can click -- click through and we have been involved and/or our partners have been involved in projects here in Meridian city itself and/or in the greater Treasure Valley and we appreciate the opportunity to -- to yet, again, be involved in a project here. Click through a couple slides there. So, before we get to the really pretty pictures and -- and all of the fun stuff -- and I think Bill did a -- a wonderful job at it recounting some of the history, but -- but going back to show where we have been, to show how we ended up where we are today, I think does merit a little bit of time. So, this is -- this is a land use history starting in 2006 specific to this property to where we are today. Bill, if you want to go to the -- the next one for us. So, in 2006 this property was originally annexed in conjunction with a 312 acre annexation. At that time a development agreement was signed and various portions of the 312 acres were given various zoning designations. Then in 2008 the Comprehensive Plan for the city was actually updated to reflect more of those zoning designations and some of those uses. The 16 acre parcel that we are here to discuss tonight at that point in time, as -- as Bill mentioned, was given a mixed-use community comp plan designation between single family to the west and commercial to the right. So, at that time planners and -- and staff noted that a more intense density would be necessary or intensity would be to the -- to the east and a less intense use would be located to -- to the west. Then in 2010 the development agreement was actually modified. Ninety-three of those previous 312 acres were included in an overall concept plan that Bill referenced. Again, those zoning designations, as well as those comp plan designations, were reaffirmed in that development agreement amendment and this overall concept plan for 93 acres was -- was created. At that point in time the previous developer had actually pursued or had hopes of pursuing a large hospital facility. That ultimately picked a different location and so the 93 acres has commercial, the hospital facility, MOB, multi-family, senior, assisted and in a variety of uses. But, again, this 16 acre piece was zoned R-15 and received the mixed community designation. I want to make one note to Bill's comment about the -- the other developer who we bought from. His application -- I hope you will recall was actually north of this. It was not part of the 16 acres where he was previously presenting changing

the commercial to single family homes and we still have contact with the property owner to the north and are confident as we get to some of the latter part that we can work out the -- that joint access onto Gondola. I forgot my water. So, then, in -- in 2019 after the hospital and that medical facility ultimately moved somewhere else, you can see some of the language at the top of this page. Various items -- there was, again, an amendment to the development agreement. It actually consolidated four development agreements into one development agreement and several items were removed and a couple of key provisions were actually incorporated into that development. So, a couple of the things that were removed were the -- were the points related to healthcare, the -- the hotel, the MOB -- those items were struck and what was put in its place was a reaffirmation of those zones and, then, language that -- at the time that a development would come forth. That development would have to adhere to the then zoning and the comp plan for that property and that's really what brings us to -- to where we are today, but -- but more than ten years ago this process started of more intensity on the corner, less intensity to the -- to the west of us and that's what we have been working through. We acquired this property a little more than a year ago. Got involved in this property about 18 months ago. Initially we did not love the concept plan, so we came and met with staff. We explained what our intent or vision was. We met with some of the neighbors. We put a concept plan together. That concept plan, while I haven't put it in here, I'm -- I'm happy to -- to share it with you or -- or show it to you, but it consisted of 32 structures. Many of those were four and five-plex townhomes structures. They were three story urban townhome structures. And, then, we did have three larger buildings. When we came -- or went before the -- the City Council and showed them this 32 structure plan, they ultimately said they did not believe that it was -- complied or was close enough to the original concept plan. So, as Bill mentioned, they -- they denied that application in February of this year and since then we have met with Bill and Mr. Nary and Joe and we have talked through the concept plan, which is on your left, from the 2000 -- really the 2009 development agreement that was, then, included in 2019 and a couple of the key points that staff told us to focus on. Thirteen multiplex buildings, a town -- a clubhouse that's more centric to the building and, then, a larger building out on -- out on McMillan. What we did is go through a -- I'm going to call it a constructability or a real world assessment of that. We met with fire. As you can see, many of the drive aisles onto those adjacent streets, San Vito and Vicenza, they don't line up with the subdivisions or the commercial that exists. So, we looked at real-world constructability of those. We aligned those intersections. As Bill mentioned, we met with fire. We looked at hammerheads, turnarounds, radius circulation and what we could do to that previous concept plan to make it buildable. After we worked through that -- and when I say that, I'm talking just on the horizontal plane -- and got confirmation that this concept plan would comply with the concept plan from the previous development agreement. We, then, set out onto the vertical nature and -- and the fun stuff, the -- the buildings and trying to answer neighbors' concerns. So, we have had at least four meetings with -- with the neighbors. I know that we have not answered all of their concerns. I do think that we have answered some of their concerns and I think that some of those concerns that we have been able to address I think are pretty significant concerns and some of them Bill's, as he mentioned, already stole our -- our thunder and -- and shared those with you. But I -- I -- I think it's worth just going through them. So, if you will go down to the -- the next -- you can actually skip the next slide. It just shows three

or four of those meetings that we had and the timelines. So, this stack flat building is the southernmost building. It's the T-shaped building. Originally when we presented this to the neighborhood this was a four story structure and in conversations with them they expressed concerns about that. So, we have removed an entire floor from this building and we have -- we have removed it to a three story structure. Additionally, Bill, as you go down our -- our mansion home, our -- our multiplex building, again, we had three story urban townhomes that we looked at. We heard that the urban feel of those townhomes wasn't Meridian, wasn't neighborhood, and so this modern farm home design and architectural aesthetic is what we, then, fixated on. We lowered this to a two-story home with steeper roof pitches to more closely replicate or -- or mimic a -- a single family home. Some of those 4/12 and -- and 6/12 plus roof -- roof pitches. But -- but dropping it to a two-story building from a three story product, again, is -- I think it's something worth -- worth noting. Mr. -- Mr. Dodson in his staff report I think did a wonderful job. He enumerated how this plan complies with and/or exceeds the -- both the zoning ordinance, as well as the comp plan and the ordinances outlined in both of those. Even at 14 units to the acre we are still providing more than double the required open space. We -- we had neighbors that expressed grave concern because of Bridgetower as a master planned community. Some of the pools, some of the parks, some of the trails, some of the ball courts and facilities that are in -- in nearby adjacency, there was concern that our residents would end up on their facilities and so we have tried to go to great extent, as -- as Bill mentioned, in providing the qualified open space that is nearly double what's required and additionally providing 13 of those site -- site development amenities. So, we have a dog park, a basketball court, a pool, a hot tub, a fitness facility, pickleball courts, basketball -- or BBQ stations, hammock garden, cabanas, clubhouse, business lounge. The fitness course around the outside is actually very intentionally planned so that a certain number of loops is a certain number of miles. The hardcourt -- or hardscape picnic areas, the bike storage, the bike repair and, then, the EV charging station. So, we think we have gone to -- to a great extent to provide our residents with the amenities, so once they are -- once they are home they can stay there, they can recreate and they can enjoy their time with their -- with their friends and families. As mentioned, we are providing 59 extra parking stalls. That's in direct response to the neighbors. There is -- there was concern that parking would overflow into the neighborhood and so a couple of things to note are that we are providing that -- more than ten percent in excess of what's required by code and we are also proposing that we would continue the no parking signs or leave the no parking signs on San Vito and Vicenza both, so that no residents would park there and, then, we are trying to provide, you know, 59 extra parking stalls for the residents of our community in and of itself. As found in the staff report, the -- the project conforms with the underlying zoning, the concept plan and the development agreement and the land use designation. A traffic report was provided to ACHD. ACHD reviewed that traffic report and accepted that traffic report. They are going to require some mitigations and we understand those mitigations and we are ready to comply with those mitigations as part of this process and -- and prior to receiving certificate of occupancy. We have mentioned -- or Bill's mentioned some of those other items from the staff report. I will -- I will -- I will note a couple of those. The access road to the north -- we continue to have a great relationship with that property owner to the north along Gondola and previously he would work with us in carving a piece of -- of his property off to be able to get that access.

We are still confident we can get that access. We are looking at bulb -- bulb outs and raised walkways along that main -- main driveway, which was one of staff's alternate recommendations. And, then, we are comfortable with realigning the entrance and minimizing the entrance into that surface parking lot and -- and any of the other items that Bill mentioned we are confident in -- in our relationship with staff that we will be able to finalize those through the -- the CZC process. Time? Did I hear some -- forty seconds. Okay. Perfect. I did well. We are -- we are really excited about this. We are excited about the investment into the community. I know that you will hear from residents who have concerns. We share many of the same concerns. We have spent a great deal of time understanding ITD and ACHD's road improvements along Chinden. The highway extension of 16. The intersections along McMillan. We -- we have understood those improvements that will be taking place over the next three and four years and as you -- as you think about this project I just want you to think about -- everyone believes or anticipates that this is happening tomorrow and that it's all going to get built at once. Assuming the approval occurs, we have got the better part of six months to 12 months to work through final construction drawings and building permits and, then, our general contractor is telling us this is a 26 to 30 month construction buildout. During that 26 to 30 months units would come on in various phases. But we are talking about something in excess of three years when -- when many of the school district improvements, as well as the traffic improvements will be made. So, we very much appreciate your time. Appreciate you -- your attention on this matter and respectfully request your approval of our CUP this evening. I'm here for any questions. Let me know. Thank you.

Seal: Okay. Thank you, Dustin. Commissioners, do you have any questions for staff or the applicant? Okay. Seeing none --

Holt: And will we have a chance to respond to --

Seal: Absolutely.

Holt: Thank you very much.

Seal: Yep. You are very welcome. Madam Clerk, we probably don't have anybody signed in to testify do we?

Hall: Let me check. Online we had a Mr. Bill Clark signed up to testify and I believe he is in Chambers.

Seal: Good evening, sir. If you can give us your name and address for the record.

Clark: My name is Bill Clark. I live at 3670 West Balducci. We live directly across the street from the proposed development, immediately to the south side of -- of McMillan. You know, I have -- I have been to most of the video discussions with the developer. I have also read a great number of the documents submitted by the agencies and I -- I wrote my written comments -- my wife and I are not opposed to growth. However, we feel that the growth that must occur must benefit the entire community and the positive

aspects have to outweigh the negative aspects and it's our belief that that is not the case with this current project. I'm a retired chief operating officer and part of my job was to make sure when people came to sell me stuff that the statistics matched the benefits for the potential outlay and so as a result of that we talked a lot about traffic on Monday and on Tuesday I went out and took a lawn chair and a pad and a pencil and I just did a traffic count at the intersection of McMillan and San Vito. I did it from 3:00 or -- yeah. 3:00 to 4:10 on Monday and from 2:50 to 4:10 on Tuesday. So, I would have two data points. So, you -- you would think I wasn't biasing my data. According to the engineers hired by the consultants -- or by the developers, the peak travel hours are actually 4:00 to 6:00 p.m. So, my -- my sample is prior to that. Yes. Here is my data. Now, you will see on this outside column over here the averages of those two days and there were an average of 1,049 vehicles traveled that intersection during that period. Out of that 467 of them traveled east, 550 of them were traveling west, and there is a higher percentage going west because you guys have already approved a number of developments further down towards Black Cat and so that development is going to continue to expand and there would be more and more traffic going in that direction. According to an ACHD document dated August 5th they had peak traffic count on McMillan at 335 vehicles. That's opposed to the 1,049 that I counted. Vicenza Way there was no data and I wasn't sitting down there, so I can't -- I can't provide anything there. And on San Vito Way they had 59 vehicles as a peak traffic count and my count was 301 with 224 of those going north and 77 of them going south. A thousand forty-nine vehicles is 14 vehicles per minute and that averages out to a vehicle every 4.28 seconds. That makes it very difficult for pedestrians to cross that street and there were a lot of parents with school children trying to cross that street to get back -- I will be quick, please. Cars turning left onto San Vito got piled up in the turn lane and one vehicle ran through the stop lights, but the bus -- but the bus driver was very astute and I understand that can happen anyplace. But there are several numbers that don't match up in the traffic studies and I went out and got the engineering study that the developers used to quote you guys the traffic numbers that would occur as a result of this development. They said there would be 1,788 daily trips generated by this development. I will accept that. I don't know where that comes from, but they said there would be 123 cars at the peak morning time, which was 7:00 to 9:00 and that there would be 148 at the peak evening hours. I went out and acquired the engineering document they used as a reference and what they seem to have quoted was the light industrial entrance and exit numbers. If you look at mid rise multi-family housing, which I believe this is more in line with, those -- those numbers are understated by about 238 percent. They are actually 293 versus 123 and 300 versus 148. So, my point is not to bury you in statistics. You can show the next slide if you would. The -- the fact of the matter is where ever these cars exit -- I show you this diagram not to try to explain it to you, but just to show you what a mess this intersection is, because it's chaos at -- at that time of day.

Seal: So you will need to wrap it up real quick.

Clark: I will be real quick.

Seal: No. Thank you.

Clark: Nevertheless, my summary -- I don't believe you can evaluate this project in isolation from the surroundings in the existing community. That's one. Two. It will adversely impact the existing neighborhoods traffic flows, quality of life, public services, public schools and these are all for people who have already invested in this community and I think that's important. It's been presented on a couple different fronts as affordable housing and to the residents as high end developments. So, there would be a higher class of people moving in there. I would ask if the Planning Commission feels that more housing needs to be developed in that area that it get rezoned to a low density residential classification. There is also commercial applications and some other things, but -- I guess my only other comment was -- this is a 16.6 acre parcel with 6.7 acres of open space, which means you are putting 235 units in 9.8 acres, which appears to me to be like R-23 and I don't think vertical density is any less important than horizontal density. So, thank you for your time.

Seal: Thank you, sir. Madam Clerk?

Hall: John Wycoff.

Seal: Please do not do that. Thank you. Please keep it orderly.

Hall: Is there a John Wycoff?

Seal: Good evening, sir. Please give us your name and address for the record and the floor is yours.

Wycoff: 5099 North Bolsena in Meridian. I think based on what they were presenting here I want to move into that facility, because, man, it's got everything that anybody would ever want. But it's really doing a lot for me as a resident of my area. I got to speak on a number of things. Going down McMillan there have been a number of occasions that even I, growing up in Orange County, LA, have almost been hit and T-boned in the back trying to pull into San Vito from McMillan. Crossing over, going from one side of San Vito to the other side of San Vito, I'm waiting for that day during a snowfall that somebody is just going to get -- that -- that you are going to have a major accident. Over at Gondola and Black Cat, all the crowds of kids trying to come across to go to the school over there and blank on it. There is going to be some problems just with the density of the -- what's being presented here, too. You have some problems in that. Bigger concern that I have is just the HOA. Since we have -- I have moved in there things that have happened with the HOA, from the watering never getting done, to pool use, it's already become overcrowded within that area and now the HOA owner -- or the owner-developer who is now controlling the HOA -- one person having control of just one lot that he is not selling off is affecting us as the residents of the HOA. Bridgetower West is controlling everything about our property. He has already said -- Mr. Developer here -- that he has a good working relationship with him, because he also owns the property on the north side of Walmart. To be able to -- at anytime, really, be able to control the sale of any portion of our property to the property developer above on the north side of Walmart. So, I guess to make it short it's really becoming irritating. When I purchased the property I was under

the impression that it was going to be a good development. Now we are getting squeezed on everything. Property from the HOA could potentially be sold to any one of the areas, because he still gets to dictate what the HOA can and can't do, so -- and since I am owning a property that is paying my property taxes to Meridian, that in 2016 was nominated as one -- is the best place -- city in the United States, it's becoming a big concern for me, because I bought in that -- in this area because of that, so that's really where I'm going to leave it to. I mean give it -- give time to somebody else to speak, but -- that's all.

Seal: Okay. Thank you very much, sir. Appreciate it. Madam Clerk?

Hall: Debbie Wycoff. No? Okay. Patricia Fritschle.

Seal: Good evening, ma'am. Your name and address for the record.

Fritschle: Patricia Fritschle. Patricia Fritschle. 5524 North Botticelli Avenue, Meridian. Bridgetower West. I oppose the development. Not just because of the density, but as a whole with McMillan not being expanded on streetwise, you are developing James Ranch, Rapid Creek, Oak Creek, Prescott, all of which is just a few of the current developments that's going on around our neighborhood that are going to add hundreds of homes, which is going to increase even more the traffic that's already backlogged on Black Cat, McMillan, Ten Mile and I just don't see adding something like this to our neighborhood beneficial. Thank you.

Seal: Okay. Thank you very much.

Hall: Janice Borchard.

Seal: Good evening, ma'am. Name and address for the record.

Borchard: Janice Borchard. 5466 North Botticelli, Meridian, number one, I wanted to say I have been pretty much with all the meetings and Dustin and Brad have been really good about -- my big concern was -- I know we are going to have apartments there, so I want them to be the most aesthetically pleasing to our community and I think they have done a really good job with the modern farmhouse, because I went around all over town and took pictures of what I thought would be acceptable in our community, because we do have a nice -- Bridgetower West is a nice -- really nice, you know, subdivision and I didn't want that urban look. So, kudos to them for working, you know, with us on doing that. Really happy. Dustin mentioned one concern that my husband and I have is he said that the -- the no parking signs are going to stay on San Vito and I just would really like reassurance that that's going to happen, because I can see overflow parking, you know, like an RV or whatever for this community, because they don't have that capability of perhaps, you know, parking a boat or whatever in their community, having it be on San Vito and right now that is our, you know, grand entrance and so that's number one. And number two is what other folks have brought up is there seems to be a real lack of infrastructure going in in this town before these developments get started. I drive

McMillan, you know, a lot and there are no turnouts for people, so traffic is stopped all up and down -- like down to Cloverdale, you know, we just -- we need to really improve some of the traffic flow that we have in this community. I know there is a roundabout going in, but, again, you know, it's kind of like, you know, it's -- it's too late, you know, by the time that goes in in a few years. So, with that being said, you know, that's a concern. So, thank you for listening to me.

Seal: Thank you very much. Appreciate that. Thank you for taking the time to have constructive input back to the builder. Appreciate that.

Hall: Ross Anderson.

Seal: Good evening, sir. Name and address for the record.

Anderson: Ross Anderson. 4510 West Twisted Creek Drive. So, I think that the optics that the developer are painting are perhaps not the best; right? It's -- it's for their benefit. There is a monetary value to that. All of those things that people are in business for to make money and I appreciate and respect that. However, as a -- as a citizen resident and, you know, living in Bridgetower West, you know, we paid a premium for the home in the general area to, you know, have an upper middle class neighborhood. In addition to that, you know, we looked at this area specifically for the schools; right? We could have moved anywhere that we wanted to and so we drew circles around areas and said, look, you know, Owyhee is right here and there is other schools around there as well, but they are already over capacity; right? So, I would just like to cite a couple of things from some of the previous rulings, a letter from West Ada and, then, just some first-hand knowledge of what I have witnessed and -- and hopefully that will give you guys a little bit different perspective here. So, in January 22nd of 2020 there was a townhouse -- townhouse that was planned to be constructed and was denied by the Meridian City Council. That was at McMillan and Ten Mile and that was on a five acre parcel of land. At the time the Council President Treg Bernt said: I like what I see in the development sometimes, it's just not the right time. Sometimes it's just not the right place. In addition to that, Council Woman Liz Strader said that there are macro level issues, including a traffic nightmare on McMillan, and school overcrowding that would be intensified by a higher density housing development like Goddard Creek. I don't think this neighborhood, especially this area on McMillan, can support any density beyond the R-4 she said. Ultimately at that time the Council Members unanimously voted five to zero to deny that application. So, the question I have is two years ago if a five acre parcel and some townhomes was denied based on traffic, what's the delta in the difference between now when you are adding 234 units two years later with an already over congested area with more area that's been built up? We don't think that that's going to go down. It certainly has -- has increased as well. The West Ada School District with Marci Horner, the planning and development administrator, on August 26 sent a note over to everybody here and the CliffNotes of this basically says that the capacity is already full. The projection for students with the approved development in Pleasant View Elementary, which is around the corner from our home, will have an enrollment capacity of 650, but the projected stats are going to be 787. That's over capacity. Star Middle School, the CAP is a thousand, but it's going to

be projected at 1,033. That's just with this development, not even counting the others on Black Cat, you know, and -- and around and, you know, I think the -- the summary of all of this, if I may just have another moment, you know, as a parent safety is really paramount to everybody; right? Our children are our most precious resource and as we look at safety, traffic congestions, you know, Gondola is already a madhouse and you have a big problem with the way that the road is where it's going east to west. So, people that are dropping off children in the morning are going to be blinded by the sunrise. People that are dropping off -- or picking up kids in the evening are going to be blinded by the sunset and it would be a shame if the -- you know, influx of cars causes an injury to a child because, you know, of -- of the factors that I'm stating. In addition to that, you know, we are talking about the education of our children and schools that are already over capacity -- and you are talking about building other portables and bringing all these other, you know, units onto the school campus. Well, those are all subsidized through us, right, as taxpayers. In addition to that, you know, teacher salaries, the buildings, everything else, but the real people that suffer as a result of overcrowding in schools, they are not the taxpayers, there are most precious resource. They are children and we are robbing them from a potential future by inundating more and more people to the particular area and I just think that with all the land in Meridian and surrounding areas that there is other ample sites for this with infrastructure that supports it, both schools, roads, and other and I think that we should highly consider altering course on this and I appreciate your time. Thank you.

Seal: Thank you, sir.

Hall: Michelle Anderson. Okay. Thank you. Beverly Hartle.

Seal: Good evening, ma'am. Name and address for the record, please.

Hartle: Which one?

Seal: Either one works.

Hartle: Hi. Beverly Hartle. 4881 North Bolsena. I am here for we the people of Bridgetower West Subdivision. I, too, have a history here in Meridian. I was born and raised in Southern California and I have lived in Meridian, Idaho, for the last 28 years and virtually I have lived in the four square miles for that 28 years from Ustick to Cherry Lane, Linder, up Ten Mile. So, I have seen the significant changes in Meridian. It was about -- under 10,000 people when I moved here and now I just looked up the statistics of Meridian population and we are at 126,000. Yes, we have expanded. Eagle -- it was a two lane road when I moved here. Ten Mile was I believe just a two mile -- two lane up to just a few years ago and I still own property just a mile to the west in Kelly Creek and I built our home three -- let's see -- four years ago in 2018. Little did I know that I would be moving to an area that we would be having apartments being built right near my property and I am completely against that and we take such pride in ownership and value in our property and it shows and I don't agree with the connecting aspect to having apartments access San Vito or Gondola. Like what is the purpose to access that? If you have an

access into that road right behind Walmart there is no reason there should be an access to that. So, additionally, the traffic is a major concern, because I wait lengthy periods of time trying to get out of my neighborhood. In addition to that, we have -- we had that mentioned before, the neighborhoods that have already been approved over on Black Cat and in addition I wonder if we have taken into consideration the Interstate 16 that's going to have the connected roadway for everybody traveling down McMillan to access that Interstate 16 that is just two miles away from our housing development. Once that occurs -- I mean that's in the planning stage right now. That's happening right now. It's in construction and two miles from us everybody's going to be coming onto McMillan that was never before, because they are going to be accessing that Interstate that goes all the way to I-15. So, that is a major concern and the irrigation canals -- just one more thing -- is there is no plan to expand McMillan for another ten years because of the irrigation pipes that go all the way east and west along McMillan. So, what type of infrastructure are we going to do already before adding these apartment complexes to right behind our neighborhood? So, that is a major concern of safety, infrastructure and the amount of traffic and I -- I -- I'm a former Mrs. Idaho. I'm a former Mrs. Meridian. I'm a former Mrs. Ada County and I take pride and/or ownership in my property, in my city, in my state and Utah -- I know Utah -- I know the roads, the infrastructure is a big difference compared to Idaho and compared to where we live right now and it's not okay. It's -- it's not where we want to be in our area of Idaho. Thank you.

Seal: Thank you, ma'am.

Hall: Sean Freeman.

Seal: Good evening, sir. Name and address for the record, please.

Freeman: Sean Freeman. 177 West Peach Springs. I would ask the Commission to, please, not approve this application. Do not approve it. As stated before, they can't support the infrastructure and the staff report -- you do note in your staff report that McMillan is already well documented to be impacted. However, you also know in your staff report that you believe that this project is harmonious with what should happen. I disagree. I do not think this application should go forward. Also I would also note that you have the chance now in 2008 they made this R-15. You guys should look at whatever else is R-15 and R-15 and approved should never come out of your mouths. It should never be approved anything that's R-15. Simply as that. Thank you.

Seal: Thank you, sir.

Hall: Anne Frankel. Anne Frankel? Okay. We will go on to Jim Mangum. Or Mangrum. Okay. Jeff Wertz. Gabriel Astorga. Yes, please.

Seal: Good evening, sir. Need your name and address for the record, please.

Astorga: My name is Gabriel Astorga. I'm at 4543 West Twisted Creek and I'm standing before the Council this morning to request that the motion be denied. We have already

addressed the traffic concerns and the lack of infrastructure to support this development, so I won't get into that, but also just want to note on record that there is already two high density housing units within less than one and a half miles in proximity to the proposed location. Having grown up in Southern California in the San Fernando Valley in particular, I saw the rise and increase in apartment dwellings and the issue with that is that it draws a transient population where we have residents that are part of the community, but don't have stake in the community. They are able to break leases or just to go ahead and relocate to different areas where the rest of us have chose to homestead here in Idaho. So, I'm going to just ask the Commission to consider rezoning the project -- or to rezone it for low density housing or -- or commercial use. Thank you.

Seal: Thank you, sir.

Parsons: Mr. Chair, just -- just to elaborate on some of the comments I have been hearing tonight. Not trying to interrupt the public testimony, but just want to make it clear with the residents that the city doesn't rezone property or the Commission doesn't rezone property without having a rezone application in front of you. So, essentially, the way it works is the rezone application happens if someone comes and proposes to rezone a property. So, the Commission just can't arbitrarily rezone something to a low density designation. The property's zoning, that's -- that's an entitlement that runs with the land. The only way the zoning could change is if the applicant proposes to change the zoning. So, I just want to make that clear on the record that that's -- that's not even part of the discussion tonight.

Seal: Okay. Thank you, sir.

Hall: Bob Thomas.

Seal: Good evening, sir. Name and address for the record and the floor is yours.

Thomas: Bob Thomas. 4455 West Twisted Creek. Thank you for taking the public testimony. That's important. And just my qualification. I am a police and fire chaplain. I have been for the last seven years. I'm from north Idaho. I have actually spent about 10,000 hours in a patrol car responding to fire or police emergencies. One of the statistics that most people don't know is that when you get into high density housing, such as apartments, again, in north Idaho when we moved there 24 years ago I think we had about 8,800 people in our town, which is now somewhere in the neighborhood of like 50,000 and Kootenai county is coming up on 400,000. But the population explosion destroyed it and what happened was developers came in and they said how can we stack more people into the same small area and when they started to do that what it did was it -- they -- you know, they started building apartments and high density housing. Well, calls for service in high density housing are anywhere from six to ten times what they are in a single family residence area. When I say that I mean police coming to crime scenes, coming to drug overdoses, coming to lots of domestic abuse and fire coming for medical emergencies, et cetera. When you put too many people in too small of a cage let's call it, then, you have more problems. School resource officers -- some of my best friends are school resource officers and when you talk to them about, you know, problems that

they have, many of them -- most of them are coming from -- and I hate to say it, but lower income or higher density. It just -- it just kind of works that way. When you start shoving so many people into a one bedroom or a two-bedroom apartment, it's just -- those are the -- the statistics. As it stands right now school -- this Pleasant View Elementary, it's at capacity. What do you think is going to happen when -- because we now bring in an apartment complex with another 200 and some odd people in it, some of the people who moved to Bridgetower are now being told -- and it was in the comments I think from Marci -- that one of the solutions is to bus people, kids, to other schools. So, people move into a neighborhood that has been built up by the developer to become a nicer -- a nicer community. It has -- values have gone up and up and up. People have paid over a million dollars for homes in that area and now they are told, hey, I know you shopped, I know that you worked, I know that you earned, I know that you sacrificed to get where you are at and your kids, well, I'm sorry, I know they were supposed to go to this school. We are going to bus them down the road. That is just going to create legal problems. It's going to create more animosity. I have seen first-hand from north Idaho -- one of the reasons we moved was the population explosion destroyed the community and we don't want to be a part of that. The last thing I wanted to just say is, obviously, the subdivision that we are in right now -- it was very well planned. This is truly Hometown USA. Kids playing in the street. Kid -- neighbors talking with each other. Our Fourth of July was the largest I have ever seen. We are going to take away from that for one reason -- the only true benefactors in this are not the community, but an out-of-state developer who has no stake in Meridian, Idaho. Thank you for your time.

Seal: Thanks, sir.

Hall: Matt Garrison.

Seal: Good evening, sir. Name and address for the record.

Garrison: Yeah. Matt Garrison. 3898 West Lesina Drive, Meridian. I live on the south side of McMillan. I have come from an experience of -- I have lived in my adult life in lots of areas that have been extremely overdeveloped. LA. Orange County. Tampa. Houston. Dallas. Portland. In the last 30 years and I have seen developers come in and just flood the areas with massive amounts of overdevelopment, where ten and 15 minute commute turned into 45 minute commutes or an hour and it really really erodes the quality of life in so many ways. Just -- nobody wants to spend that much time in a car waiting for traffic lights. If you sit out there on San Vito right now and McMillan it -- really at any given time of day it's already -- as the first guy showed us in his numbers, it's very crowded anytime of day. Now you are going to add 400 cars, school buses, delivery trucks, guests and visitors coming in and out of the apartment complex, you know, coming in and out on a two lane road I foresee -- what, are you going to add another traffic light at San Vito and McMillan? We have already got congestion east and west going from Black Cat all the way to Eagle. More stoplights along McMillan aren't going to make it any better. So, I would encourage the city of McMillan -- Meridian altogether not to give in to overdevelopment. It just ruins the quality of life. Everybody came here for quality of life. You know, I would say put -- put the -- put the high density housing on roads that are

already developed, like Ten Mile and Ustick, closer to I-84. Don't stick them in the two lane roads inter -- interdispersed between the house -- single family housing. This is going to be a mess. Thanks.

Seal: Thanks, sir.

Hall: William Clark. All right. Okay. And Jodie Clark. Paul Elam. Chris Williams.

Seal: Oh, he's coming.

Hall: Oh. Excuse me. Yeah. We will get to you here in just a second.

Elam: Hi. I'm Paul Elam. My address is 51 North -- I'm sorry. 5127 North Asissi Avenue in Meridian. I live also in Bridgetower West, like many of the people here. Dear Planning and Zoning Commission. Like so many families, we moved here recently seeking a better environment for our families. A safer environment. One where we could let our children play outside without having to worry about them. When we first moved here we lived near Linder and Ustick -- sorry. Ustick, which is beautiful, with two lanes in each direction, plus a turning lane in the middle. The road from -- between Ustick near Sawtooth Middle School north of Chinden -- Chinden was well thought out and looks beautiful and very safe for children. Then three months ago we finally decided to move to our permanent home. We chose Bridgetower West as the location of our new home. We did this because we wanted a peaceful and quiet neighborhood and a lovely community. Our family was super excited, because we immediately connected with great neighbors and loved the surrounding area. Then a month ago shock hit us when we learned that Alpha Development Group is seeking approval to build a giant apartment complex here between Bridgetower West and Walmart. We feel betrayed by the city and the original developer Mike McCollum. Many people here did not know that Mike was going to sell the land, which was originally supposed to be a senior living area, to another company only just a little over a year ago. These are emotions and though they feel real I'm sure the Commission, Mayor, and City Council only care about facts. So, let's discuss facts. This is a complete wrong location for so many reasons for apartments based on many facts. One gentleman just spoke a minute ago and talked about the perfect location would be where there is much more exit points. I-84 down there has -- or near I-84 and Ten Mile has two gigantic complexes going in on each side of I-84 on Ten Mile. Perfect design, perfect planning and the way it should be to begin with. The road and the infrastructure near where they where they want to build this apartment complex is horrible and I'm sick and tired of looking at these pictures from a bird's eye view, when the real story is get in a car and go down there, sit at the lights, sit behind 20 or 30 cars on the way to drop your kid at Owyhee High School on McMillan and you can see in both directions on Black Cat, McDermott, all the way down -- every single cross-street has a subdivision slated to go in, either marked out with, you know, markers or it's already under development or partially built. I would ask Bill here to tell us exactly how many homes are either under construction or permitted to go in from the Ten Mile area all the way down to Owyhee School? Can you tell us how many that is, Bill? That's right. And that should be part of planning; right? Part of planning should be to anticipate what the area is and what it will

be and how that will impact -- impact all the people around there. It's sad to me that the Commission doesn't know. They really don't have the facts. How can you make a decision when you don't have the actual facts on how bad this area is? I would encourage you all in the next few days to go drive the area in the morning, in the peak times, go down by these areas and see how bad it is. Furthermore, I talked to somebody at ACHD for over an hour today and there is some things you should know. One, the requirements that they put on Alpha are the only requirements they can put on Alpha. They are strictly a body that only tells you what that condition may be. I'm sorry I'm going to keep going. Tough luck. But this Commission should look at that information. It's slated by ACHD to not widen that road, McMillan, until 2031 to 2035. So, we are talking eight to 12 years, maybe even more before we have any easing up of the traffic. This is serious. Serious for people that live that area. Another thing Alpha isn't really talking about is that number of cars -- I was on the last call that they did in the community. It was 400 to 500 cars -- they said 400 plus. It will easily be 500. Now, when they try to -- all those apartment dwellers try to shortcut off of Black Cat and cut through Gondola in front of Pleasant View Elementary, it's going to create a nightmare for all those parents that are walking their kids to school. In fact, I went there and passed out flyers and the school hadn't told any of the parents about what's possibly coming. They should. It's negligent to not tell those parents. That school is already at capacity. They have ordered portables for next year and it's going to be -- based on Marci's information they will probably be 120 or 30 percent above their number -- I'm sorry -- 120 percent of capacity by the end of this school year. That doesn't even include all the other complexes that are going in down McMillan under construction right now. This is going to be a safety issue and the charter for the city is safety. I'm sorry. I'm going to keep going. You might have to carry me off.

Seal: You do need to wrap it up.

Elam: The schools are overcrowded. The safety zone is jeopardized. We should be focused on safety primarily. The police response times has already been noted in the agency comments to be outside of their goal.

Seal: Sir --

Elam: The Fire Department made no --

Seal: Your time is up.

Elam: I understand that.

Seal: Please excuse yourself, sir. Thank you.

Elam: Well, I'm sorry. I think you should drive the area. You should know what we experience.

Seal: Thank you. We appreciate your testimony this evening, but your time is up. Thank you.

Hall: Chris Williams.

Seal: Good evening, sir. We will need your name and address for the record.

Williams: Chris Williams. 4476 North Girasolo, Meridian. 83646. I think we are all hearing a very common theme here and that says we need less dense -- it needs to be less density. The last time they came here City Council -- you can look at the comments on the record. It needs to be less dense. I'm not understanding, listening to their -- you know, their proposed changes -- last time I think -- don't quote me, but I think it was around 243 units. They came back with less dense of 235 units. I would hardly classify that as less dense. You know, I -- I had a speech prepared here, but I don't want to bore you with kind of everything you are hearing, because I agree with everything, but even with the last gentleman -- I, myself, I'm guilty -- I live in the community. I was going to Owyhee Tuesday evening for a middle school football game. Got down Black Cat, completely backed up down there. What did I do? Pulled off on a side street, I cut through Bridgetower West down Gondola, cut through The Oaks, avoided all that and I live in the community. So, unless, you know, the developer can come through with less density, which past meetings that I have done -- neighborhood meetings with them, they are not interested in, because it's going to cut into profit and I understand that. I can't see a solution to this. I -- I can't. The only solution I can see is for them to come back with an application for less density. It -- it's the only thing that I can see that can work. You know, unfortunately, you know, they are trying to push this project, you know, through and I -- I believe they are doing everything that they are supposed to, but it doesn't mean that it's right. It's not the right fit for the community. We have heard from multiple people it needs to be in a different area. So, I understand you just can't deny it, because we don't like it as a community. I understand that. But you guys can recommend either a redesign for less density or you can recommend denial for being too dense. So, I would just ask that you guys please consider that in your decision this evening about the density and hearing the concerns. I have children. I have children that go to the Pleasant View Elementary School, it is, it's a nightmare crossing, you know, right there at McMillan and it's only going to get worse and to wait for a solution for eight to 12 years I think is a little unacceptable. If they want to hold onto the property for eight to 12 years, let the roads expand, and see where it goes from there. But I would ask that you guys keep that in mind with your decision tonight. So, thank you.

Seal: Thank you, sir. Appreciate it.

Hall: That is the end of the people signed up to speak.

Seal: Okay. It looks like we have a couple of people that are raising their hand online. Oh. Three now. Yes, you will have an opportunity for open floor. So, we will get to that. We just want to make sure anybody that's signed up and, then, they are online and they are raising their hands, so we will get there.

Hall: We have Amanda M.

Seal: Hello, Amanda. If you could give us your name and address for the record, please? Oh. Amanda, I still show that you are muted.

Matlock: Hey, there. Sorry. My name is Amanda Matlock. I live on 3865 Riva Capri Street. We are connected directly to San Vito, that first loop in Bridgetower West. I'm currently standing in my backyard. The reason that we could not sell our house for over a year was because of the noise, which I have not heard anybody mention the noise -- traffic on McMillan. It's extremely increased. I would love it if they did more statistics on that, because of the growth in Meridian and how many houses have sold, you know, recently. Everybody's moving here, so an ever changing statistic. It's 45 miles per hour behind my house. There are three bus stops right here on the corner of San Vito and McMillan, which my children take the bus to school. It's always very chaotic. Our main concern is they haven't built any berms. A roundabout, like The Oaks right down the street would be super great. That way people would slow down, decrease the traffic flow. Like they said, there is no plans to expand the road, which is why we bought our house. We were trying to sell, because of the ever changing noise in our backyard. There is no way for us to decrease it and it is decreasing the value of our current home, as you can probably hear behind me. This is the lower part of the day, but there is still quite a bit of traffic. So, maybe some new statistics. A roundabout would be a great plan. Not connecting to San Vito would be most appreciative of us as homeowners. That would be super great. So, my current concerns would be to decline, unless those changes or updates would happen to take place. Thank you for listening to me today. I hope you could hear me.

Seal: Yep. Thank you very much. Appreciate it. Okay. Chad, if you want to go ahead and unmute yourself. Give us your name and address.

Tyler: Yeah. My name is Chad Tyler and I live at 5570 North Botticelli Avenue in north -- in Bridgetower West. We recently moved into the neighborhood about five weeks ago, actually, from a house in south Meridian. One of the reasons why we chose this neighborhood was because of the community and because of how nice the community is and how the -- the neighborhood was really built around that. I have big concerns about increasing the density of this neighborhood and specifically in bringing in a more transient population. Some of the HOAs here actually even prohibit renting, because they wanted to create a more close community. I think there is big concerns around density and traffic in -- in both the roads and the schools. Even now we have two kids going to Pleasant View and there is -- they are already talking about hiring multiple new teachers and moving our kids between different classes just to accommodate how many kids there already are and I think adding this many units and this many new people just exacerbates that to an even higher amount and so just -- just to sum up, we paid almost four times what we did for our house in south Meridian for this house and the reason is is because this community is so nice and I think that this development goes directly against that. Thank you.

Seal: Thank you, sir. Appreciate it.

Hall: Matt M.

Mishler: Yeah. Hi, guys. How's it going? I just want to --

Seal: Go ahead and give us your name and address for the record, sir.

Mishler: Oh. I'm sorry. Matt Mishler. 4066 West Philomena Drive. And first off I just want to say thank you to everybody for showing up. I'm sick right now or else I definitely would be there with my red shirt, no doubt about it. But I wanted to just say something really quick and, Chad, who just spoke, kind of touched on it, but I also want to read a paragraph from the principal at Pleasant View and it will be it for me. So, it says -- this is dated August 30th. Although it is not the ideal time, since school has just begun, I finally received additional teachers. We need to lessen the class size in grade one and two when no bonds have been formed, comfort has been found and routines have been established, but we feel the grade level teams are ready to help with the transition. So, just as everybody is saying the schools are already overcrowded, they are our best resource and we all want our kids to be safe. That's all I really have. Everybody else has really spoken on all the serious points, but the school is overcrowded already. So, thank you for hearing me.

Seal: Thank you, sir. Appreciate it.

Hall: Mr. Chairman, that is all we have signed up online or in person.

Seal: Okay. Now, if anybody else would like to testify, please, raise your hand and we will get to you all. Sir, go ahead and come up. Since you asked the question earlier we will start with you. How is that? Put you in the front of the line. Just need your name and address for the record and the floor is yours.

Bock: My name is Craig Bock. I live at 3894 West Viso Street in Bridgetower West, so -- I would be wearing a red shirt, but I don't own one. So sorry. So, Phil over here, he mentioned a common theme of those comments. One of the things he didn't mention -- and that this isn't a dig on you, but just safety. Safety is -- should be at least a common theme or a root of everything that's in there. For me that gentleman -- previous gentleman that was online read that paragraph from the principal. That's one of -- my daughter's in that class that has to move to another teacher because there are 30 students in her class. Okay. So, that is reality that we have to deal with. I take my children to school every day and I try -- and I try to ride bikes and walk with them every day to and from school. That's peak hours. Okay? That's the same time everybody's wanting to go down McMillan and it is tough. I have to cross McMillan on San Vito to get there. Okay? And we do it. We have gotten good at it. But you shouldn't have to get good at dodging cars; right? In your own neighborhood. And that's where we are at right now. Okay? And that's -- that's just to get to school and back. Okay? I have a concern with -- you know, they -- they talked about -- I mean in your staff report they recommended a cross -- or a connection right there at the -- at San Vito and Gondola and, then, I heard somebody say -- I think it was the developer talk about cut across traffic. Okay. The traffic down Gondola is -- is

increasing every day. Okay? We have to go down Gondola as well to get my kids to school. There are no crosswalks on Gondola. None. There are lots of crossings and I see lots of kids going across it, but there are no official crosswalks. Okay? And if you create a connection between Ten Mile and Gondola onto Black Cat, there is going to be cut-across traffic there and I -- I just think that was a -- I don't -- I don't know why you would make that -- that recommendation that you would add that connection there, because -- and that's right at the north side of this development. Anyway. So, that's -- safety is my main concern with my children right now. Okay. Everything I hear that's what I have. Also I -- I tell you I -- I, you know try, to ride my bike. We ride to Walmart. We -- we -- we do that as a means to not only reduce our budget, you know, on fuel costs, but also just to do our part, okay, to keep cars off the street. But if this continues to get difficult and you guys make it difficult with this kind of density, we have no choice but to get in a car just to -- just to get places. Okay? So, COMPASS had their -- made their comments and I thought they were really good and they -- they identified that this will increase the stress level of pedestrians and bicyclists in that area. In their comments that's what they said. So, again, if you make it difficult people will choose not to use alternate transportation and, then, of course, sustainably is -- that's not the right way to go. It discourages it. One last comment. Timing. The gentleman with the developer, he said, well, hey, it's going to take three years; right? Well, okay, I don't see any schools going up. Schools are going to take that long, too, if the bonds are approved. Okay? We don't have that right now and you -- you have -- everybody said it. The -- the school district comments said it. The schools are overcrowded now. Okay? And projected to be overcrowded in the future. Thank you for your time.

Seal: Thank you, sir. Sir, go ahead and come on up. You know what I'm going to ask, so go ahead and spit it out.

Tomei: Could you repeat it again? I haven't heard it. Just kidding. Name is Nick Tomei. I live at 4643 North Tirso. We are on the south side of McMillan currently. It hasn't been raised yet. It's the only reason I'm standing up. I don't want to keep defining this -- redefining the same points ad nauseam. On the existing site plan one of the things that we had asked Dustin in the last meeting was the possibility of moving the parking lot that's in the -- the southwest corner of the development to the NE corner. The reason for that -- that's where McMillan and San Vito meet. Driving cars in the area it is -- is going to force a heavier traffic flow right in that specific section. Right now the only pool that's accessible to the community -- and, again, you know, Bridgetower West is split by McMillan; right? Part of our community is north and part of it is south. The one community pool is to the north. My three little ones, my twin six year olds and my newly minted ten year old, they want to use the pool during the summer. We don't allow them to cross McMillan at all without our permission. They can't go use any of the parks, basketball court over there without us driving them over, because of the intensity of the traffic and people flying up and down that road. Focusing a heavy emphasis on parking in that area, will -- will exacerbate this -- this challenge for us. So, we -- we were asking that there would be consideration of potentially flipping the plan to move -- if we are going to be approving anything for development of this site of moving parking to the north -- forgive me. It's northeast side, which would put it closer to Walmart where there is already

heavier traffic flow around the Walmart area. So that would seem to be a make sense transition if we are going to look to find a compromise here. So, that's all. I just wanted to add that point. Thank you for your time.

Seal: Thank you, sir. Appreciate that.

Tomei: I didn't have a red shirt either, so I bought a red pen.

Seal: Very good. Ma'am, go ahead and come on up. Good evening. Just need your name and address for the record, please.

L.Elam: Good evening. My name is Lisha -- Lisha Elam. My address is 5127 North Asissi Avenue, Meridian. I'm new to Meridian and just come to one year. I grew up in China. My high school -- I remember the front gate has wide street. Five street -- five lanes. Two on the side and one in the middle and also they have different -- different gate for different direction. I was shocked the high school going forward on each block. I was literally shocked and only one way -- not even a turning lane. So, I saw the cars just turning around and where -- at North Oak going to community, whatever, because and, then, they are just too -- it's unbearable. I, myself, is not a best driver. I didn't drive in China, so I learned my drive in -- almost three years. So, I did thought, okay, what if -- what if I blink my eyes just bump to somebody. It is really stressful and to drive on that road and I -- I can't believe this is a -- you know, a lot of here, this is the planning for a major school and that school and the boundaries already to Settler's Park. So, all the families rely on McMillan, rely on Ustick. Ustick is a little bit better. Has a traffic light. So, when the traffic light is green there is a bunch of cars can go through, but McMillan is one at a time. It is really really frustrating. Really -- I mean scary for me, because I'm new, I'm not a good driver. I can't believe -- my high school was built in the middle of nowhere with wide open streets and with all the other buildings going around us still very wide open street. That's what I remember. That was many years ago. I'm still young at heart. So, I think reduce the density is really necessary and I'm in real estate -- in real estate last nine years in Washington. My broker about 30 million transactions a year. There is many ways to do that. One acre, eight to ten townhome with parking lot I think it would be much more fit for the road for the community and you can make lots of money, too. Yeah. Thank you, sir.

Seal: Thank you very much. Sir, go ahead. And I apologize if I'm not getting you in order. We will get to you. I promise. That's okay. You were quick on the draw, so --

Chris: Good evening, sir. My name is Brian Chris. I live at 4902 North Botticelli in Bridgetower West and I do appreciate Alpha Development taking our voices into concern, but I am against this. A few things I do understand. It is zoned for R-15 and it's not -- if it's when, but that doesn't mean it's right right now. One of the biggest concerns of mine is traffic safety and that shared entryway. My daughter works at Walmart and she's almost been ran over just walking to work. Also San Vito Way, as you have already heard, is a raceway. People turn right off of McMillan and they try to see if they can get zero to 60 before they make it to the pool. There is only one shared entryway for single residential

homes and apartments in the area that I can find and that's Prelude down by Linder and McMillan and I actually measured San Vito Way from McMillan to the cutout where it would merge across from right in my backyard and it only allows 15 to 20 vehicles before it there would be the backup on McMillan, because one car can't turn left or right, especially with the parking lot right there where everything's going to be stacked and bottlenecking and Mr. Holt also told us in a -- in one of the first meetings I was able to attend that he agreed with us, he understands our concerns, he hears us, but City Council at Meridian is forcing us to have this entryway here. You have two on the other side of Walmart. So, why have this shared way when you are trying to keep us in our community that is very much near and dear to our hearts? Also irrigation. We are on Settlers Park and I asked them where is the water coming from, because we are in drought. We have had delayed turn-ons. We have had early shutoffs. We have had multiple shutdowns for days to weeks and, then, you are adding this 16 acres or how many other -- nine acres of livable, you know, fund land to irrigate with irrigation that already doesn't exist for when we are supposed to have it based on it coming with our home purchase. And, lastly, I would like to address the elephant in the room. In December the word of the night was density with 249 units proposed. In February one of our councilmen sitting right here said you didn't listen to us. You are still saying 249 units. You are just shuffling buildings around and, oh, we -- but we gave you a road that wasn't even a road legally and, then, tonight 235 units. That's only a reduction of 14 units from the original in December and that's not really a reduction in my eye, but, you know, I'm just a retired Air Force guy. But one thing I do find interesting and I hope I'm not alone is -- may I continue?

Seal: Yes, you may.

Chris: Thank you, sir. Unless there is another Alpha Development Group that lives at www.live-alpha.com that says 225 units on their website right now, I find it very interesting that they come before you again tonight with 235 when they originally said 249 and I would like to close with -- just because the internet says that Meridian, Idaho, is the fastest growing city in America doesn't mean we need to add to it, because like Abraham Lincoln said, you can't believe everything you read on the Internet. Thank you for your time.

Seal: Thank you, sir. Ma'am, go right ahead and come on up.

Stinnett: Hi. I'm Susan Stinnett. I live at 3933 West Milano Street. I'm going to be a little bit different. I don't have kids. I moved to the neighborhood because I love the neighborhood. It is a true community. It has community values. I turn the corner coming home from work, I see the kids out playing all the time. I know I have to drive slow because those kids are out there and that's what we are trying to -- that is what community is all about. I -- I -- I'm one of those people that come right off McMillan. Coming home from work yesterday I had two kids -- two teenage boys out riding a bicycle weaving in between cars, looking out for traffic. Having apartments come right out onto San Vito is asking for a major accident to happen and a tragedy. So, I don't know if there are plans -- and you already see it with the kids trying to come over to go to the pool. So, you are just making this worse and we need to consider something else. Thank you.

Seal: Thanks, ma'am. Sir, go ahead.

Boettcher: Good evening. My name is Eric Boettcher. I live at 4037 W. Anatole Street, Meridian. Bridgetower West. I have over 30 years of emergency management, security consultant and Department of Defense anti-terrorism training, experience, and certification. I currently am an emergency manager for a utility company with over 24,000 employees and I'm their sole instructor on disaster preparedness. So, one of the things that we didn't talk about today is that, you know, I tend to gravitate to like minded people and neighbors and we are always talking about disaster preparedness and things that we are going to do to help our own community. When you have transients that live in apartments, they are really short minded. They have a tendency that they rely on the city and they could possibly gravitate into developments to try and gain sustenance and help for their own well-being and their family. The people that I talk to in my town -- or my neighborhood, a lot of them are former law enforcement, a lot of them are former first responders and, quite honestly, with the growth that's happened in Meridian we really don't have the confidence that the city has in the event that we come into a long term type of an emergency or disaster that your citizens are going to have to face. So, in development, single home, family units, we pretty much consider our town -- our -- our -- our homes as our castle. We have the means to maintain sustenance, disaster supplies. We have garages. We have sheds and rental units just don't have that space. So, now you are bringing in all of these folks that is already in an overpopulated city that perhaps doesn't have the ability to take care of their citizens during long-term disasters and these folks are going to be passengers and trying to attain some sort of level of benefit and well-being from the city that probably will not be able to provide it to them. So, for the safety of these residents, that will possibly be in this community or in this multi -- multi-unit dwelling, they are going to come over into our neighborhood and it could get dangerous and I'm just going to be straight up, because they are humans. They are going to look for sustenance, they are going to look for means to take care of their family and we are going to be protecting our town or our development in our community. So, I agree with everything that was said today. I do not concur with this plan and I -- and I oppose it. Thank you.

Seal: Thank you, sir. Ma'am, go ahead and come up. Good evening.

Fedewa: Hello.

Seal: Name and address, please.

Fedewa: My name is Jennifer Fedewa. My address is 5350 North Ferrara Avenue. From the beginning -- well, I think I missed the very first one, but I have been on many of the meetings with Alpha Development trying to understand what's going to be happening in my neighborhood and to understand where they are coming from, but one thing that's clear to me is that they don't understand where I'm coming from. They don't live here. They are not in my community. What my community looks like to me is being -- me being able to go outside and walk my dog and it's pretty peaceful. It's quiet. I know all my neighbors. I can send my kids to the pool by themselves. They can ride their bikes

around all the time and I'm not worried about the traffic so much right now. I mean it's there, but, you know, it's -- it's not to where I'm telling them that they can't go do things out in the community. The -- the traffic is bad on Gondola during the school hours, but, you know, there is a school there. But, then, I see the impact of having 400 plus additional cars in a parking lot that's on San Vito. They are going to be racing down Gondola to get to Black Cat and using that as a cut off and I feel like my child's safety and my quality of life and what I have become accustomed to and all of our neighbors have become accustomed to is -- is going to go away and I just think that is a fact. I mean we have -- we have heard so many statistics tonight and I appreciate all of those but I also want everybody to understand that everybody's hearts are in this community and at the -- at the root of everything this is going to impact our quality of life and our community and how we interact with each other, the safety of our children, which to me is the utmost reason. But it has already been spoken about so many times. But I -- I just want to know that my family is safe, that -- that we are not having to watch out for cars racing around all the time and -- and -- and people aren't watching out for them, because maybe they are only going to be living there for six months or a year and they don't have as much invested in this neighborhood as we do. Thank you for your time.

Seal: Thank you. Ma'am, go ahead. Joy, we will try to get the -- Dan next online. Yep. Thank you.

S.Chris: Hi. Stacy Chris. 4902 North Botticelli Avenue, Bridgetower West.

Seal: Can you pull the mic a little closer to you?

S.Chris: Sure.

Seal: Thank you.

S.Chris: I'm short.

Seal: I -- I only say it -- if I have trouble hearing you I know we are going to hear --

S.Chris: Okay. So, 4902 North Botticelli. My home is directly -- the very intersection as -- when they come on San Vito Way to Apgar, my backyard is the corner lot and we -- that intersection is mostly affected. I would -- one, I would like to invite everyone of you to come sit in my backyard with me someday. We -- we have put a lot of money and effort into our home and I think that the majority of people here in Bridgetower West have done so as well. The other thing I would like to discuss that no one here has discussed tonight is our natural resources. We live in a high country desert. We have water issues and if we continue to build in this area and have high density, we will not have water to survive. I'm going to tell you that, because I'm a nurse and, guess what, the only thing you have to have in life to survive is water. So, with the over abuse of these natural resources and this particular issue with the high density -- and my husband spoke. It's -- their website says 225 units. But they are presenting to us tonight 239, I believe. So, I would ask that we very well consider as a -- as our whole community -- not just our area,

but the City of Meridian that we love and adore and we are raising our families there -- consider the lack of building because of greed, because this is what it is. We don't want to become a city that a lot of people here left from. Not me. I'm from here. But this is different. They left those places because of those problems that are presented tonight. So, the other thing, too, if this proceeds, the -- the building -- they don't need to come into our subdivision. There is not a reason. There is areas from Ten Mile and there is areas from McMillan that they can access these -- this subdivision. The area from Gondola could be a walkway. They can still get their children to school, because the rest of the area people walk their kids and drive bikes. So, that's why we do not need continued more and more traffic in that area. The Costco apartments, right down the road, those are going up. Down McMillan is all the subdivisions going up. We have at the end of I-84 Ten Mile, all of those apartment buildings going up. Down Prelude. Down Ustick. Linder. All of those are going up. Chinden. We -- we are growing without realization of our natural resources and so I would suggest that we look at that for future planning prior to continuing to approve building. Thank you.

Seal: Thank you. Appreciate it. Joy, if you want to go ahead and -- yes. Is there -- online we have a Dan Buffham.

Buffham: Yeah. Can you hear me?

Seal: Yes, sir. Go ahead and state your name and address for the record and --

Buffham: Yeah. Dan Buffham. 3554 West Balducci Street, Meridian. I live in Bridgetower West, obviously. I have spoken all -- every meeting that you guys have had. Only reason I'm not there today -- I don't know if you -- well, not that you know my voice, but I have had to have -- I had an incident and I had all my top of my teeth ripped out about four and a half hours ago, but I feel it's necessary that I still speak during this -- this last meeting here. I found it interesting today that -- that I read that 183 homes are in Bridgetower West and on 54 acres and the Alpha Development wants to put in this many units, 235, I believe it is, on 16 acres and what is the aerial view going to look like? It's literally like slamming this small dense community in the middle of a bigger, nicer community. Also I believe it was a year and a half ago the Bridgetower West developer -- I forgot his name. Mike something or other. Wanted to build more denser homes and you guys flat out denied that and -- and I think they wanted to rezone it there to -- to something else, but it was -- it was flat out denied because of its density, yet we are doing something a quarter of a mile away, we are still considering this. The other thing is is I, like my neighbor that just spoke, I would invite the City Council and Alpha Development to come over, hang out in our backyard, we have put tens of thousands of dollars into it and I look right at the corner -- or our house is a keystone lot that looks on the corner of Vicenza and McMillan and just sit there and watch the traffic. Come over for dinner, come over for breakfast, either way and you will see all the close calls. I -- I just had to go get my -- my narcotics I guess from Walmart and it took me almost ten minutes at 5:00 o'clock to get across that street without trying to get killed. So, I just -- I think it's -- I have said -- I have sent in a letter and I have sent in -- you know, I have spoken many times and I invite you to come and just watch -- you know, look at the neighborhood, look at the

difference of, you know, the cobblestone streets, the bigger lots, everything, that's going to get literally destroyed. The other comment is is, you know, I know one of my neighbors said that they are putting a parking lot on the -- on the -- on the west side over there on San Vito and they want to flip it and even if you flip it you are going to have the same, but worse, because now you have the Walmart coming out into that same -- into that -- that Vicenza-McMillan area. Why can't we wait until this -- this output is -- or the exit and entrance area is gone through -- Vicenza goes out to Ten Mile, because that would give -- solve a lot of these problems. I mean the density is still a problem. That needs to be reduced and I implore you to deny this, because of the density alone, and the safety of it, but if there was another redirecting that out someplace else, you wouldn't have this issue and that's really all I wanted to say.

Seal: Thank you, sir. We appreciate it.

Buffham: Thank you.

Seal: Sir, if you want to go ahead and come up.

Molifua: Mr. Chair, Commissioners, Tahri Molifua. I'm with Ball Ventures. Address is 2194 Snake River Landing -- Snake River Parkway, Idaho Falls, Idaho. I just wanted to address -- I appreciate you hearing the application. You know, there is a lot of -- you can tell there is a lot of concern from the community. I think it's important to maybe just try and address some of those concerns from Ball Ventures' standpoint. Ball Ventures is -- is a capital partner. You might have seen some of our signs and made recognition with Ball Ventures Alhquist. Mr. Parsons, if you wouldn't mind -- there is a slide that maybe precedes this just a little bit. I want to just address two things really quickly. First --

Seal: I was going to say, he has the ability to speak. He is an individual. Thank you.

Molifua: Two -- two quick things. I have heard a lot of people talk about their investment as an -- as an individual. I -- I -- I would dare say that probably nobody's invested more in the City of Meridian over the last five years than Ball Ventures has. Included in some of those things -- Mr. Parsons, if you would go up maybe to the top, like third slide. Just wanted to make this connection. Ball Ventures has been the capital provider for things like Eagle View Landing, for parts of Ten Mile Crossing, for active adult communities like Bri and we have brought coworking facilities to Eagle View Landing. Shields is -- is -- was brought by Ball Ventures and I just wanted to make the connection to -- this isn't -- this is an Alpha Development project, but we are capital partner to them and -- and so the idea that we are not invested or we are not from Idaho is -- is -- is false. Also when you think about it, the 235 units -- I think 70 percent of those are studio units. I was just kind of cruising through Zillow, Bridgewater West, you know, those are about, you know, five -- four to five units per acre. If -- if you did kind of a bedroom count -- not a unit count, but you looked at how many bedrooms are being developed on this site, it's about 21 to 22 bedrooms per acre. If you were to kind of impute that to the single family residence and the density that they have, doing quick math, you know, average of four units on -- for -- for every five -- five -- five lots per acre, that's 20 units. The density is actually very

similar when it comes to actual bodies who will be occupying this -- this facility and I think that was also part of the mindset of the development group. So, appreciate being able to make those two points and I'm in favor of this -- of this application. Thank you.

Seal: Thank you, sir. Ma'am, go ahead and come on up.

Jensen: Hi.

Seal: Hi. Just name and address. Thank you.

Seal: I'm Pam Jensen. I'm at 3833 West Daphne Street in Meridian there in Bridgetower West and I have a question for the Alpha Development, but I also would like to express just a little bit of an understanding that Bridgetower West is divided by McMillan and so the community on the other side of McMillan shares the things on the other side. So, we are -- we are split and we are having something go in on the edge of it and it just causes a lot more activity than what we can pretty much handle for a two lane road. So, when Alpha Development has the opportunity to discuss would they, please, clarify if the development is all farmhouse style or combined with any stacked flats that they showed earlier. I know you have a picture. A couple. But -- thank you.

Seal: Thank you, ma'am. Appreciate it. Ma'am, go ahead and come on up.

A.Bock: Hello. I'm Amber Bock. I live at 3894 West Viso on the south side of the neighborhood. We have been in Idaho for a little over a decade, but I'm from Texas --

Seal: It looks like we need to mute Mr. -- or online. There we go. Thank you.

A.Bock: I grew up in Texas, though, and I grew up in some areas that saw a lot of rapid growth very quickly, particularly Sugarland, Texas. I don't know if you have heard of Sugarland, Texas. I also lived in San Antonio and before getting in -- becoming a PA I worked for the Alamo Area Council of Governments and I worked with the City of San Antonio, Bexar County, the state of Texas, at trying to work with walkable communities and I did a lot of work with community workshops. We found very quickly with the rapid development coming in that when it was happening very fast it became a problem with, of course, traffic. The Edwards Aquifer. Routes to school. It was encouraging people to drive, not walk or bike. There was just really poor planning at the very beginning and we quickly learned that we had to start thinking and putting in some infrastructure ahead of time in -- in -- in -- in conjunction with the pace of the growth and one thing that we started to do -- or that I -- if I can recall -- they started requiring developers donate land for schools, because the growing of schools and the money for bonds to build schools became a problem. So, they actually had developers donate land to approve developments in West San Antonio and, you know, I know people have said this before, but I'm a little bit doubtful of projects that have already been committed to getting complete -- one of them being the crosswalk there at McMillan that crosses from our neighborhood to the pool to the school. Every morning my -- my kids and I -- you know, not me, but my husband or I, one of the two of us, wait for traffic. There is no safe place to cross and I

went back and forth with the highway district and the -- and the school district and I think everybody is short staffed, there is no money, I basically got that it's the responsibility of West Ada to be putting in that crosswalk. This was agreed to in 2019. We are in 2022 and we don't have the one at Black Cat or the one at -- that crosses McMillan. So, just as a parent I'm thinking, wow, you know, is this ever going to get done? There is not any plans in place. So, I feel like we are already struggling and, then, my -- my concern -- my biggest concern is just bringing in development really fast. You don't have the infrastructure. It could take two, three, four or five years and it is a safety issue. Also my daughter is likely going to be moved out of her classroom already because of the growth of the school and schools are tricky here. It's hard to fund schools. They are crowded and there is no safety net. There is no limit of 25. They will put 36 kids in a class and like other states there is limits and there is no one that wants to own that. The -- there is no safety net. There is no saying this isn't okay. It's just, well, this is how it is, so we are going to put 36 kids in your kid's class until we can find another teacher. So, here she is starting school and she's probably already going to be assigned a new teacher and it's just these kinds of things -- I don't know. I feel like I'm having to supplement at home with schoolwork and -- it's just hard as a working parent and a taxpayer. I would like to see a little bit more thought and infrastructure put in before we jump into building so quickly. Thank you.

Seal: Thank you. Appreciate it. Anybody else want to raise a hand out there? Going once. Going twice. If anybody else online would like to testify, please, press the raise hand button. No. Nope. Sorry. Your three minutes is up. All right. Seeing none, if Commissioners don't have any other comments or questions or anything along those lines, we can close the public testimony or we can keep it open for a while if you would like to go in that direction.

Lorcher: Motion to close the public testimony.

Stoddard: Second.

Starman: Mr. Chairman, can we -- Mr. Chairman, over here.

Seal: Go ahead.

Starman: We need to offer the opportunity for the applicant to rebut first before we --

Seal: You are absolutely correct. Sorry. So -- the applicant like to -- sorry about that.

Wardle: We appreciate your counsel. Mr. Chairman, Commissioners, I'm Geoffrey Wardle. My address is 251 East Front, Boise. I am counsel for the applicant, but I'm also a proud resident of Meridian and a longtime resident of Paramount and I have been attending meetings in your jurisdiction for nearly 25 years as we work on development applications and so I appreciate Bill having this site plan up, because this is the fundamental issue here. Understand the concerns. This is a high growth community and we appreciate the diversity that all of our new friends from California bring us, but the

reality is we need all kinds of housing, not just detached single family residences like you find in Bridgetower and Bridgetower West. But let's not lose sight of the fact that Bridgetower is a master planned project that was subject to a master development agreement nearly 15 years ago when it started down the pike and we ended up in 2010 with a development agreement for 300 acres. So, the benefits that the testimony you have heard tonight includes this element. The planning has been done for years. When we talk about installing infrastructure, part of the reason that ACHD is not exacting more here is because the developer has built the collectors that serve this project. Now, we have heard a lot of communication and a lot of comments tonight that evidence a lack of understanding of what Meridian code and Meridian planning does. So, as we look at this concept plan and we look at the concept plan that was approved in 2010, connectivity in these one square mile blocks in north Meridian have always been part of the plan. Part of the plan in Bridgetower. Part of the plan in Lochsa Falls. Part of the plan in Paramount. Part of the plan is to have a diversity of housing types and commercial nodes and that's what we have. We have had Walmart here and you probably know my colleague Hethe Clark, we have worked this site for years as we represented the Walmart developer in that project and we have represented various individuals that have analyzed this site prior to Alpha Development and Ball Ventures and what was clear from the City Council was we approved a development agreement with an intention as to density that matches a comprehensive plan that includes a mixed-use element that demands higher density residential. Why? Because this residential use here is, A, needed and, B, it's a buffer to the more intensive commercial use to the east. Additionally, a lot of the complaints that you have heard tonight about access and traffic on McMillan are ultimately minimized when you get the final development pursuant to the development agreement that was started in 2010 and has been modified various times, because those trips that you have heard about having to go out to Walmart no longer have to make the turn onto McMillan, but can utilize the internal collectors. Now, what is missed by many who -- who move to our community is we do charge impact fees for roadways, but we exact collectors and we exact right of way for frontage for arterials. We, unfortunately, do not charge impact fees for schools, which is something that we have talked long with the West Ada School District that needs to be done. But you were here, as I represented a property owner farther to the west, as we dealt with the consequences of Owyhee High School being built as far out as it is. But what's really important to note is when Highway 16 is extended and that is completed here in the next three to four years, in time as we deal with this, McMillan is disconnected from McDermott. When we look at the plan, the -- the traffic on McMillan is the local traffic. It's no longer that traffic filtering off of Chinden to get to I-84 to, Ten Mile. So, we are here and I am proud to say that Alpha Development and Ball Ventures, yes, they came to the City Council, they asked to modify the development agreement. The City Council told us to go build what had been approved and consistent with our investment backed expectations we came forward with a site plan that is consistent with the zoning, consistent with the Comprehensive Plan, and consistent with the development agreement and this is a time where frequently, as we represent clients in these matters, we know our clients are going to try to get creative and they do and that's what they did. City Council didn't like the creativity, said build what was there, because what was originally proposed addresses that connectivity and -- and I understand the concerns, but all the concerns you have heard about traffic tonight on Vincenzo and going back up to the

school, that's existing neighbors. That's existing neighbors, much like in my neighborhood, speeding down the roads where the kids walking to Paramount Elementary go. We all collectively have to change our behavior, but if we do not have the continuum of housing that includes townhouses, that includes flats, that includes these elements, you end up with a mismatched balance and you end up with a tax base that is skewed too heavily in the direction of single family residential and let's not lose sight of the fact that as -- as you heard today, a significant number of these units are one bedroom and studios. I personally wish we never came forward with applications that were one bedrooms and studios, that were 30 -- 70 percent that way. You know why? That guarantees that families aren't going to live in them. Those are young professionals. Those are single people. Those are retirees. Much like my parents who lived in an apartment in Paramount as they worked on building a house. Those are the kinds of individuals that buy in our community. They rent in our community. They live in our community. My Air Force son, my nurse daughter, will not be moving back to Meridian right now, because, A, our multi-family density is less than five percent for apartments and our single family residential prices, because of the type of product that has been built, do not afford our critical employees, the nurses, the CNAs, the paraprofessionals at schools, those to be able to live -- they end up commuting. So, I'm proud of this application. We comply with the Comprehensive Plan. We comply with the development agreement. The points of connectivity through this project solve many of the problems and are part of that master plan for Bridgetower and with that, if you have any further questions about the design or what we have done -- we have done our absolute best to come forward with an application that is absolutely consistent with the development agreement that's been approved and the requirements of your zoning ordinance and that's one of the disconnects and I talked to your counsel about it, I talked to your staff. One of the problems we have in Meridian is we end up with development agreements that have too much specificity on site plans, because the 2010 site plan cannot be built pursuant to your code. It doesn't have the requisite amount of open space. It doesn't have the requisite clearance for fire. It doesn't have those elements. Yet we have come forward with an application that has made appropriate modifications under the code to address that. So, this is pretty straightforward. You guys know it. We know it. I understand the frustration the community has. I really wish that multi-family applications were administratively level approved in this city. There is really no reason why we have to make every single multi-family application be a war, because these are our friends. These are our grandparents. These are our kids. And, you know, I end up carrying applications like this all over this valley and I am tired of it, to be honest, because I'm tired of how we denigrate people who rent. It is just --

Seal: Sir --

Wardle: -- it is.

Seal: You comments from --

Wardle: You have heard it tonight. You are hearing it now. Who rents? We all rented. We all rented at one point in our lives. Not everybody can own -- and especially Idahoans

are being priced out of the market largely because of individuals who have cashed out of bigger markets and so we need the continuum of housing. We need a variety of housing types. This is a site that since 2010 the City of Meridian has designated it appropriate for multi-family of this density. We ask for your approval. Thank you.

Seal: Thank you, sir. So, I will ask my Commissioners if you have any questions of the applicant, please, say so now.

Lorcher: Mr. Chair?

Yearsley: Mr. Chair?

Seal: Oh. Go ahead, Commissioner Yearsley.

Yearsley: Sorry. The -- the first resident that spoke on the traffic study. I wouldn't mind having the applicant explain that and -- and maybe also for Commissioner -- or for staff, has -- has ACHD approved that traffic study?

Wardle: Commissioner Yearsley, Members of the Commission, we can address that. Yes. ACHD has approved the TIS for this application. The original initial testimony ignored the fact that, in fact, this utilized multi-family counts and also evidenced a lack of understanding of how traffic engineering works. I appreciate the fact that he sat out and counted cars, but when we talk about counting cars we look at a specific window, the p.m. peak hour, which is 4:00 until 6:00 p.m. and we evaluate based upon entry and departure. So, ACHD approved the staff report. ACHD -- I mean the TIS. ACHD indicated that McMillan currently operates at better than level of service E and that this will not cause it to go beyond that level of service. So, we are comfortable that the traffic engineers who prepared the TIS and the traffic engineers at ACHD who reviewed it did their jobs correctly, appropriate, and consistent with ACHD policy and best practices underneath the ITE manual, which is the basis for which we get the traffic data.

Seal: Okay.

Lorcher: Mr. --

Seal: Commissioner Lorcher, go ahead.

Lorcher: In regard to the products that you had, it's been mentioned a couple of times that it was 26 studios, 136 singles, 56 two bedrooms and 26 three bedrooms. I don't know if that adds up to the number or not, but that's what I wrote down.

Wardle: Uh-huh.

Lorcher: And, then, one of the buildings would be a three story and the others would be two stories.

Wardle: Correct.

Lorcher: Are all these products all rentals or are there home ownerships, like through like a townhouse type product?

Wardle: Mr. Chair, Commissioner, this is a for rent product and to your question, yes, the -- the larger building on the south is the taller building and, then, the northern building is the townhouse style, but it is all intended to be for rent and there are certain benefits that come from that. One, we can ensure landscape maintenance and we can ensure maintenance of all of the amenities. We can also better manage the behaviors and conduct and most importantly as we look at this, because it is multi-family it will not qualify for homeowners exemptions and it will pay taxes at a higher per unit rate than the single family residences that you find currently that are owner occupied.

Lorcher: Mr. Chair, one more question.

Seal: Go ahead.

Lorcher: I know you can't give an exact amount, but what was -- what's the price range are you looking at for the studio and three bedrooms?

Wardle: Mr. Chair, I'm going to have to invite my client back up to talk about the economics.

Seal: If you want to go ahead and give us your name and -- name and address one more time. Thank you.

Holt: Sorry. Dustin Holt. Alpha Development Group. 166 South 14000 -- 166 East 14000 South, Draper, Utah. We are looking at -- so, one of the reasons we wanted to look at this, as has been shared, is creating a -- as broad of brush stroke for residents and for that various housing stock. So, studios to three bedroom units, 1,400 to over 3,000 dollars a month in rent.

Lorcher: Thank you.

Holt: While -- while I'm here, there was a -- there was a note -- oh, sorry.

Seal: Thank you. You have answered.

Holt: Okay. Thank you.

Seal: Commissioner Yearsley or any of our other Commissioners, do you have any further questions?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: There was some testimony today about -- things about Ada County School District, about Highway 16, about portables. I -- I heard the note from the teachers -- or the principal, but those particular agencies aren't here to be able to verify that information, so -- I live at the corner of Ustick and McDermott where Highway 16 is impacted and I know for a fact that McMillan is not a collector for Highway 16, it's going to be a bridge going across it and you go under it, so traffic for Highway 16 will not be -- Ustick is going to take the brunt of that. But I think when it comes to things about the school district and ITD, we should really have those people here speaking of those things, because there was some misinformation given tonight.

Seal: And I completely understand what you are saying, but like all applications what we have to go on is what is in the public file. So, if ACHD puts on record that the roads can handle it, they own the roads, we do not. If West Ada School District puts out that there is capacity, they own the schools, we do not. So, if anybody wants to debate that there are other hearings to debate that at. Unfortunately, our hands are tied. So, that's the only comment that I will put out about that.

Lorcher: And did Ada County -- West Ada School District say that the capacity would be manageable in the application?

Seal: West Ada puts -- well, I was going to say we can all go back and we can read the report, so --

Lorcher: I don't have it in front of me.

Seal: Okay. That's okay. Everybody calm down. Okay.

Lorcher: Okay.

Seal: Well, I have a couple of questions myself. I just want to make sure that we clear all questions, because I do not want to reopen the public hearing on this when we are done. So, for the EV charging, is that going to be a charge for the spaces?

Wardle: That's a business point question.

Seal: Okay. The applicant's indicating no.

Wardle: The client indicated no.

Seal: Okay. So, San Vito Way for -- and I say this because I'm -- I'm one of those interlopers that rides through the neighborhood and enjoys the parks that they have in there, because it is part of our pathway system for the -- is there a possibility of putting in a stoplight at San Vito Way for McMillan? At all? I mean to me because it's part of the

parks and pathways, I don't -- I don't understand why there is not something going in there.

Wardle: Mr. Chairman. I mean, obviously, we have -- we are amenable with the staff's conditions and requests on enhancing the park -- the parkway and pathways there. Certainly if we have put -- if we have put the stop signal -- the stop signal crosswalks that we have at various places on -- on Linder and McMillan farther to the east, there should be no reason that that can't be here, but to your point it, A, has to be warranted by ACHD and they didn't feel that it was warranted with this application. It certainly may be warranted in the future and as the CIP for McMillan, yes, it doesn't get widened until 2031 or later. But there are a variety of improvements along Millan intended to address the issue of walkability and to make those streets more livable that are programmed.

Seal: Okay. Can you speak to the traffic mitigations that are going to be put in on that cross-section street that connects the two roads?

Wardle; Mr. Chairman, I mean, obviously, ACHD had primary -- ACHD and your staff had two primary considerations with respect to -- with respect to traffic mitigation. One was to provide that -- that -- that westbound turning lane, which we can and will and, then, the second is ensuring that there is a connection that connects the commercial property to the east with the existing alignment of Milano back to the west. We have designed it and we will stub it if it can't be done with the adjoining property owner, but the adjoining property owner, obviously, had future development plans and obligations and it's just an issue of -- of the fact that you want that to align. So, we believe that that is a significant portion of the traffic mitigation, because it eliminates those trips out to McMillan solely to go to Panda Express.

Seal: Okay. Last -- last question for you here. So -- and -- and I speak because we are -- we are trying to prevent wars; right? Okay. So, the biggest war I see in subdivisions are pools. I hate pools, so -- because they are always a point of contention. There is never enough. They are always overcrowded, so on and so forth. Would you consider something along the lines of a water park instead that can be larger and more accommodating for the folks that are there to use it?

Yearsley: Sorry.

Seal: That's okay, Mr. Yearsley.

Wardle: Mr. Chairman, Commissioners, we know that the issue of amenities in these types of developments in Meridian are always point of significant conversation and significant discussion. What is appropriate, how do we get there. Recognizing the nature of this site plan, recognizing what was previously addressed, recognizing the fact that this is a for rent product, not, like so many of our neighborhoods with an HOA managing multiple pools with -- with that degree of volume, I think the amenity package that our client has proposed is appropriate for this use and is appropriate for -- for this group and I think it's also important to note that we have provided a significantly greater number of

amenities that are required and to the extent that there is concern that residents of this development will be utilizing, you know, the pools in -- in Bainbridge West, that's not going to happen and they are not going to utilize the -- the pools here. They are going to be able to utilize, you know, the open space. That's part of the reason the mixed-use designation contemplates multi-family is to provide that connectivity for pedestrian activity, provide greater open space and -- and those are the amenities that I think are going to be generally available, but if our client has determined that pools are appropriate for this type of multi-family product, we think the market will tell us if it's not and it may become a skate park in ten years.

Seal: Exactly. So -- okay. Any other questions from the Commissioners? Mr. Yearsley, you can cough if you want to signify no.

Yearsley: Sorry.

Seal: That's okay.

Yearsley: No, I -- I'm good.

Seal: Okay. With that, thank you, sir. Appreciate it. And I will take a motion to close the public hearing for File No. H-2022-0047.

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0047. All in favor say signify by saying aye. Did I get an aye? Okay. All ayes. Motion passes.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Who would like to go first? Oh. Actually, that's a great idea. So, we are going to pause here for five minutes for a quick bio break and we will be back to wrap up our conversation. Thank you.

(Recess: 8:31 p.m. to 8:40 p.m.)

Seal: All right. Thank you all very much. And I -- we have -- we have had a lot of questions and our attorney has helped a few folks out and answered some questions and stuff, but I would like to give you the opportunity to kind of explain our purview, basically, as -- as a Commission.

Starman: Thank you, Mr. Chairman. Kurt Starman with the city attorney's office. So, I will start -- this has already been discussed to a large extent, but just to reiterate and recap, I suppose, I was having this discussion with a couple of folks during the break in

terms of, you know, what is the purview of the Planning and Zoning Commission with respect to this application. So, we have talked about much of that, both the applicant and staff and to some extent the Commissioners themselves. So, we talked about the development agreement, zoning, the Comprehensive Plan and things of that nature. So, I think we have covered those bases well and that's certainly within the purview of the Commission. The part we haven't talked about as much and as I was looking at the staff report as well, it doesn't -- it's -- it's all there, but it's just not nicely packaged and so I thought it might just be helpful for everybody just to kind of discuss the parameters with which the Commission is operating. So, in addition to things like -- I have already mentioned the Comprehensive Plan and zoning in the -- in Meridian's code we talk about for conditional use permits here are the findings that you as a body have to make in order to approve a conditional use permit and there are a couple that are not going to be applicable to this particular application, but I think it might be helpful -- it's difficult to do verbally, it would be nice to have a -- perhaps a visual, but I don't have that in front of me. So, I'm going to sort of read this, but I think it might be helpful to understand, you know, what -- what are the -- these are essentially questions that you are tasked with to answer yea or nay and depending on your answers that -- that will lead to your ultimate decision as to approve the application or not or to ask for additional information. So, I'm going to do that real quickly, with the understanding that it's difficult to do in a verbal way, but I will do the best I can. And I might highlight the ones I think might be, you know, most applicable to your discussion this evening based upon testimony, both from the applicant and from the public and also based upon questions from the Commissioners as well. So, the language is -- is found, for those that are -- like to maybe look at this later or want to track along at home and so forth, this is found in the city's Unified Development Code and it's codified at -- so, I'm just getting it out of the way. No one cares about this, except for those that are kind of interested in that -- it's codified at 11-5B-6 and it's titled conditional uses and it says this. It says -- this is -- these are the questions that you are tasked with. The Commission shall -- now you are -- this is mandatory. This is your -- these are your parameters -- your decision making parameters. The Commission shall based its determination on the conditional use permit request upon the following -- and so here are those -- those questions, essentially, are issues that you are going to look at. Thank you, Bill. What a good guy. Bill's always -- always got my backside. So, Bill is putting the code up on the screen as I speak, but I will go ahead and read them as well, but I appreciate the visual aid. So, the first is that the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located. I haven't heard any testimony this evening from the applicant or from the public and there is nothing in the staff report that leads me to think that that -- that might be an issue, but that's a finding you have to make. Number one. Number two, that the proposed use will be harmonious with the Meridian Comprehensive Plan and accord with the requirements of this title. So, you have analysis in your staff report that talks about the Comprehensive Plan and from staff's perspective staff has indicated that based on their analysis -- on its analysis that that -- that they believe that this application does comply with the Comprehensive Plan, but ultimately at the end of the day that's for you as the Commission to make that determination. You have analysis in the staff -- that's for you to determine, however, as the decision making body this evening. So, that's item number two. Item number three. That the design, construction, operation

and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area. So, there is probably -- I would think it's fair to say there is probably a lot of testimony and information that may be centered around that issue, so, again, you will need to consider that testimony and the information before you, the record that's before you and you make your own decision on that. But that item might be -- require some deliberation. The next sub four talks about that the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity. So, again, that's one you may want to deliberate. You have heard testimony about that, either directly or indirectly, and so -- you know, for the Commission to decide whether that finding can be made. Number five. That the proposed use will be served adequately by essential public facilities and services, such as highways -- I'm going to emphasize streets and emphasize schools, parks, police, and fire protection, drainage structures, refuse disposal, water and sewer. So, you have both testimony this evening -- also lots of information in your -- in the record, including reports from the West Ada School District and from the Ada County Highway District that address some of the issues -- all the issues, really, that were presented this evening. So, you -- you have lots of material to look at, both in the record, testimony tonight, but that's an item that we have heard a lot about this evening and you will need to -- the Commission will need to make its own assessment as to that finding that's required. The proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community. You probably heard some indirect testimony about that this evening. Again, for the Commission to decide. That the -- and number seven. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odors. So, you have heard some testimony about that this evening. There may be information in the record that you may want to rely upon as well, but -- so, that's -- item number seven might require some deliberation. Item eight I do not believe is relevant for this particular discussion, although there was some discussion about natural resources. So, let me just read it to make sure. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. Again, for the Commission to decide -- I don't think we have much, if any, testimony in that -- in that regard, but, again, that's for the Commission to decide. And, then, lastly -- the last item there is not relevant as pertaining to nonconforming uses, which is not applicable to this application. So, I thought it might be helpful for -- for all of us to take a step back and think about what are the parameters that the Commission has to -- to work within and those are the findings, really, at the end of the day when you make your finding either, yes, this application ought to be approved or, no, it ought not be approved -- to be approved, these are the findings that you need to make, either yea or nay, that would support that type of decision. So, with that I would be happy to answer questions. Of course Mr. Parsons has a ton of expertise here, so I -- he and I are both happy to answer questions that you might have.

Seal: Okay. Very much appreciate that. Thank you. Bill, is there anything you wanted to add on that? Okay.

Parsons: Well, just -- just a small commentary on it, but to Kurt's point, you know, in staff's recommendation we did look at those findings and we do add analysis in there for you as well to tell you that we did find that it does meet some of that criteria and, therefore, we did support the application. So, that's what we do. We analyzed it, we gave you the staff report analysis, we looked at the public -- the agency comments as well, analyzed that and, then, based those -- that recommendation for approval based on all the information that was gathered as part of the process.

Seal: Okay. Thank you. All right. And with that, any of the Commissioners would like to go first with the discussion?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, please, go ahead.

Yearsley: There was a lot of testimony today.

Seal: Yes, sir.

Yearsley: This is awesome. I like that we have people contributing and -- and sharing their concerns and -- and issues. I appreciate all the lectures we have received tonight and how to, you know, proceed forward with this. It's -- it's great to always get back to what we are -- what -- what our job is to do. I'm just going to be blunt. Do I like this project? No, not really. Is it -- is it better than most? Yeah. It is. I like that they have a lot -- a lot of open space. I like that they have the amenities and -- and stuff like that. I think it's a -- a reasonable area to put this -- this project. You know, does it meet the -- the code? In my opinion, yes, it -- it meets what the city has asked for and -- and everything. Will it cause traffic? Yes. You know, we as -- as a city we are growing, you know. We have -- it's a great place to live. People want to move here and, unfortunately, it's, causing prices to go up and we -- my -- my kids can't afford to live here anymore. So, they are moving away and, unfortunately, that's what's happening is we are having to build something that's more affordable for others to live and so with that I -- I would approve this application.

Seal: Thank you, Commissioner Yearsley.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: I am on the fence on this one. I understand the concerns of the community with the increase in traffic and -- and our infrastructure, especially in that corner of Meridian has not kept up to the growth that we have done. You will tell the people here that that corner is ideal for multi-family housing. So, if it doesn't happen today it's going to happen sometime, because it's a great buffer between commercial and your single family housing, so that you don't have the loading docks of Walmart in your backyard. Having high growth

diversity I think in all corners of our neighborhoods is important. I think a young professional, a retired person who wants a studio, my daughter who started out at -- at first to be able to rent in an area near that area would be someplace ideal that she would like to be in and to be able to tell her she can't, because it doesn't fit into the -- the way the neighborhood works is -- is not creating community, it's creating divisiveness. So, I agree with Mr. Wardle that we do need alternative and diversified housing elements throughout our entire community, not just along I-84. The rents that they are suggesting from 1,400 to 3,000 dollars a month is probably not a transient family, it's a family that, you know, maybe working across the country, a traveling -- you know, somebody in sales and -- and they move to different communities. It's definitely more than my mortgage right now here in Meridian. So, I don't think I would be able to afford to live in there. But with that in mind, the fact that we have denied a few other subdivisions along that corridor because of the high volume and the fact that the infrastructure is not there, tends to lead me to either deny it or possibly continue to be able to work out some design things as far as the way the layout is. It fits. They have followed the rules. They have done their homework. It's all -- all within our parameters of code. But just because it fits doesn't mean it should. So, I don't -- I haven't decided yet. Your comments outside the parameters are not helpful and it's something, as we talk about it tonight I will have to think about.

Seal: Thank you. Commissioner Stoddard, go right ahead.

Stoddard: Mr. Chair, yeah, I just want to say I, too, am on the fence about it. You know, I have -- you know, I never like to see really high density stuff coming in. I have issues living in Meridian with shopping and different things like that. But I also have adult children who have been struggling to find places to live and, you know, have been going back and forth with possibly having adult children living with me, which is not what I want, but -- so, the idea of having affordable housing for them, too, is also appealing to me and, again, you know, within what we are supposed to decide I think, you know, a lot of the things fall within, you know, the guidelines of what they are supposed to be following and, again, I agree with Commissioner Yearsley that I don't necessarily like the high density stuff, but, you know, the design is a little better than most. I do like the open space and, you know, that's kind of -- I'm, again, on the fence about it a little bit myself as well, so --

Seal: I will just chime in with -- I mean there is -- as far as the multi-family development part of this goes, I -- I really like the product that you are proposing here. I think it -- the amount of open space, the connectivity within it and all that are -- I think they are great, so I do think that -- and I say this because of the parks and pathways system that's in place. I mean part of -- one of the conditions that's put in the report is that you have to provide the ten foot pathway in order to continue the parks and pathway. That goes across McMillan. Period. End the story. That is where it goes. I ride it all the time. So, that's -- my opinion is that that should be put in. I don't know if that's something that we can put in and we will probably have a further discussion about that, but to me it just absolutely makes sense to put that in there. There is a lot of people that are asking for it, not just for bikeability and walkability, but for the safety of kids going, you know, in and out and the fact that the subdivision was divided with McMillan to me is a head scratcher.

How that was allowed to happen without some kind of stoplight intersection is beyond me. But, luckily, I wasn't here to approve that. So, I -- I do agree -- my son is one of those vagrants that -- you know, transients out there that live in apartments and stuff, simply because he can't afford to buy his own house, even though he continues to save what he thinks is 20 percent down and the goal keeps moving, so -- he's an engineer out at Micron. Makes good money. Can't afford to live in Meridian. So, do we need affordable stuff? Yes. Do I think this is affordable? No. He lives in Boise, because he can't find anything that's affordable in Meridian. That includes rentals. So, that's a problem overall. So, I -- I don't think this has anything to do with affordable housing personally. So, unfortunately, because we have had so many people that love this area move into it -- and pick your place. I don't care where you are from. I was lucky -- lucky enough to buy a decade ago, so I don't have this problem. My mortgage is less than the rent you are proposing for a one bedroom apartment. So, that's an issue. I don't know how we solve that issue, but it's an issue. So, you know, as far as the schools go, if you have moved here in the last decade, our schools are overcrowded. Period. End of story. You might have known that moving in, you might not, but the information was there. It's been there. When you moved into the subdivision that you are in -- most of you are in the same subdivision -- your kids go to Star Middle School. Last time I checked Star Middle School is seven miles away from your subdivision. There are two other middle schools that are closer than that. So, our schools are overcrowded and I say that both for -- for both sides. Our schools are overcrowded. It is a fact. So, it doesn't matter if we have multi-family or if we have single family or if we have people living in huts, they are overcrowded. More people is not the solution. All of us contributed to that, whether we like to admit it or not. Our schools are overcrowded because we overcrowded them. One of the things I will say about the -- like I iterated before, we have to go on the reports that are given out by the schools. Yes, the schools are saying they are overcrowded. They are not telling us to stop. Unfortunately, they don't. They can't. So, that's the way that the state works. So, we all enjoy having a balanced budget. I do. Love living in a place that doesn't owe money. Unfortunately, that comes with some drawbacks. The drawbacks are we don't spend money until we have money to spend. The way we have money to spend is you put more people in. You put more people in you draw more taxes, you pay your bills. That's the side effect of this. So, we are getting more houses. We are getting more taxes. We are going to get more schools. We are just outpacing the growth that they are capable of keeping up with, so -- and as far as McMillan, it's the elephant in the road. McMillan is the most horrible road in Meridian for a lot of different reasons that everybody has already elaborated on. There is huge power poles that are there. There is ditches that are there. Nobody wants to spend the money to widen that thing. So, it's a horrible road. Might seem like a nice quiet country road, but it's like Black Cat. So, I'm one of the people that, you know, I offend and I cut through neighborhoods, because I don't want to have to drive down parts of Black Cat, parts of Ustick, so I go out to Star Road to get to Chinden. I don't touch Black Cat with -- I don't go down Black Cat unless I have to. That's my only option, though, sometimes. So, I understand. I live in these neighborhoods right next to you guys. So, I see it, too. Went two miles to my dentist this morning. It took me 15 minutes. That's -- that's not great. I used to work at HP about 15, 16 years ago. Had a motorcycle. Took me nine minutes to get to work. That was HP. So, you know, there is a lot of crowding that's going on. I do -- would like to say, hopefully, instead of putting in

a pool you put in a water park or something else, because every time we have meetings about any kind of large development or multi-family, pools are always in contention. There is just never enough room at a pool to put everybody in it. So, anything but a pool in my mind. Sorry. I have got a lot of notes here. There was a lot of testimony, so I'm probably going to droll on for a while, but I'm the chair, so I will. Yeah. Like I said, the ACHD report is five years old data. So, I mean that's kind of a tough pill to swallow, but that's the information they gave us. So, unfortunately, I think ACHD has kind of failed us again in that. So, it's not the first time it's happened, it's not the last time it's going to happen. I recommend that all of you pay attention to what ACHD is putting out. Ask for public hearings. Please start to go to them. Please let them know your concerns. I have the same concerns. I don't think our roads can handle what we are building. But that's not for me to determine. I don't get to sit down on a street side and count cars. It doesn't work that way, unfortunately. They own the roads. We do not. So, you know, I understand all of this stuff and I -- you know, I kind of wish that we weren't doing as much multi-family as we are doing in Meridian, but we are kind of stuck doing it, simply because most people can't afford to buy the houses that we are putting in anymore. I mean my house that I bought, you know, a decade ago is worth over a million dollars. That is a ridiculous amount of money for my property. I wouldn't be able to live there if I had to buy it today. There is no way. So, the option for that is to move to multi-family where people can at least kind of afford it. Hopefully. Maybe. That's about all I got to say. And, luckily, I don't have to make a motion.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, please, go ahead.

Lorcher: Can I ask the city attorney a few questions?

Seal: Absolutely.

Lorcher: So, we are -- to be clear, we are voting on a CUP. Conditional use permit.

Starman: That's correct.

Lorcher: And so the development agreement or the zoning of R-15 is there. City Council said work with what you have; correct?

Starman: Correct. We have an existing development agreement and -- from both the planning staff and from the City Attorney's office we have concluded that this application complies with that development agreement. So, that's not before the Commission this evening. That's not a decision point for you in your deliberations this evening and as you -- Commissioner Lorcher, as you alluded to, the zoning is in place. This property was annexed and zoned some time ago when the development agreement was entered into and so it has the appropriate requisite zoning for this particular project in terms of density at R-15. So, that's not an issue before the Commission either. So, really, what's before the Commission this evening is the conditional use permit is subject -- which is still on the

screen and in the screen right before you as well, so that -- that really -- that really outlines your decision points in terms of the findings this Commission needs to make to say -- you know, to approve the application or to deny the application are really confined within that conditional use permit framework and this is a situation where the Commission is the decision making body. So, your decision tonight is -- is not a recommendation to the Council, this is a decision to approve or to deny the application. Of course your decision potentially could be subject to appeal by either the applicant or others -- other interested parties. But we will cross that bridge later if necessary.

Lorcher: So, if we did -- if we approve it, then, they work with the city with the development agreement and all of the little nuances that the city planners have asked them to do, like moving a street or changing -- not changing parking, but, you know, aligning things, that's something that they continue to work with with staff; correct?

Starman: To a very limited extent. So, I would say if the Commission has strong feelings about topics of that nature I would encourage you to -- to discuss that and deliberate that this evening and potentially include that in your motion, because, really, you know, what's before you tonight is -- is the conceptual site plan and an extensive list of conditions and that site plan and those conditions really reflect the presentation you received this evening. So, if you, as a Commission feel something -- there is something of substance that needs to change, you ought to discuss that tonight and incorporate that into your motion. That would be my recommendation. Now, staff can make -- as we, you know, transition -- let's say hypothetically if the Commission approved the CUP and the project proceeded, staff can make minor modifications at a staff level with director approval and, of course, there is the certificate of zoning compliance that occurs and design review and so there is definitely other steps and other changes will occur, but they won't be substantive changes. So, really, if that's an issue for the Commission you will have to deal with that this evening.

Lorcher: Okay. And one final thing. If we deny the CUP, the applicant has the ability to appeal; correct?

Starman: That is correct.

Lorcher: And do they have a time frame in which they would come back to the city with a new design plan or is there like a time frame where the developer can work with the city on something else or once it's denied they no longer can do this project?

Starman: So, Mr. Chairman and Commissioner Lorcher, I'm going to rephrase it just a little bit. I think I will answer your question, but let me just -- I won't rephrase, but I will just answer it this way, that -- let's say hypothetically if the Commission voted to deny the application, then, that could be appealed -- that decision could be appealed to the City Council, which would consider a new -- sometimes called de novo and the City Council -- there wouldn't be a new -- at that -- at that hearing before the City Council I wouldn't envision a new site plan or new ideas and so forth. Really it's the -- what's going before -- come before the Council would be to say this is our application, it was considered by

the Planning and Zoning Commission and denied, we appeal that decision. This is our application. We are asking you City Council to say yes. So, I don't envision any significant changes between what the Commission does and what the Council might do. Now, depending on what the Council might do at that point in time other changes could happen going forward, but not -- I don't envision significant changes between the time of the Commission decision and Council review of an appeal.

Lorcher: Okay. Thank you.

Seal: Any other discussion? There are a couple of things in here actually that I would like to address. So, there was a few people that were concerned in their testimony about the, you know, fire safety, different things like that. So, I mean one of the things that the fire department is going to require is that -- and that code requires is that this does, you know, dump out onto San Vito Way. So, that's going to be required by the fire department, that's going to be required by code, that is just going to be required. So, it can lead to cut-through traffic. I don't know that anybody would want to turn in, drive through that subdivision, and jump on to San Vito Way. I certainly wouldn't. But, you know, that's -- that's a potential. So, again, I'm one of those people that cuts through subdivisions occasionally, knowing that I don't like it to happen in my own, but that's the way that it goes sometimes. So, there is also -- you know, again, there is the -- the ten foot pathway that's part of the parks and pathway plan, you know, the major overall parks and pathway plan for Meridian. So, that's cutting through here as well and that's going to connect some -- that's going to make for some biking connectivity that has been waited for for quite a while. So, it's pretty -- pretty expansive. So, hopefully -- and, Bill, I will ask you, is -- can we provision -- you know, can we put a condition in here to have a lighted -- or signaled crossing at McMillan as part of the parks and pathway plan? And I know -- I'm putting you on the spot, I know, but --

Parsons: Mr. Chair, Members of the Commission, I wouldn't recommend that. You are going to pit us against two agencies, meaning -- really, it's like you -- as to your point, ACHD has the authority as to what those improvements would be. I think if I'm understanding you want one of those HAWK signals and we --

Seal: Yeah.

Parsons: -- where you cross and certainly there is other avenues for that to happen. Either go to ACHD, take the issue up with them. The city does have a transportation commission that you could petition something and have them analyze that or study it. You have the parks commission you can go and talk with them about this issue. But right now that puts us in a very tough spot to -- to require something like that.

Seal: Okay. Understood. Commissioners, more discussion or a motion is kind of where we are at. Yeah. This -- this is a tough one for me, so -- I mean it checks all the boxes. But, again, you know, we -- we all live in this area, so -- or I live in this area I should say. You know, it's tough -- tough to see more traffic coming in. Tough to see the schools handle more kids. But it's not -- not preventing anybody from moving here, so --

Starman: Mr. Chairman, I thought -- I just want to make one comment. Let's see how to phrase this. But I don't want to presuppose how the Commission -- you know, what the motion may be or what the -- what the decision might be, but to the extent -- actually, this is true in either case, but particularly if the Commission has an inclination to deny the application I would really like to encourage the Commission to make reference to the findings required by the code, which are still up on your screen, and to articulate the facts in the record that, you know, give you pause or why you cannot make a particular finding. So, it would be helpful to build -- to create a record -- if that's -- you know, that's where the Commission decides to go, it would be important to -- both now and, then, we will adopt findings at a subsequent meeting, but it would be important to articulate your reasons why you can't make one or more of these findings. Does that makes sense?

Seal: Yeah. Thank you. I'm all ears, Commissioners.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go right ahead.

Yearsley: After considering all staff, applicant, and public testimony, I move to approve file number H-2022-0047 as presented in the staff report for the hearing date of September 1st, 2022, with no modifications.

Seal: Is there a second?

Starman: Mr. Chairman, I would offer two thoughts for you. One is the -- the -- the chair can second a motion if you want to for the purpose of discussion. You don't need to. Number one. Number two, if you don't have a second, then, the motion dies and you will need to move on and seek an alternative motion.

Seal: Understood. I am not willing to second it, but I -- kind of back to leaning towards a continuance at this point and I will be clear about this. The only reason I would seek a continuance is just to see what we can do about putting in a signalized intersection there. That's about it. I mean I have got to be honest, this fits everything else. As far as multi-family goes it's great. Generally speaking we are fighting trying to get open space, trying to get paths, trying to get connectivity, trying to get things like that to go in. I mean they exceed the parking. They exceed the open space. They have reduced how many stories, you know, that are in there and everything, so that's about the only reason I would lean towards a continuance in this. If that's not in anybody else's appetite, then, I would suggest that we move forward with Commissioner Yearsley's motion and somebody second it and we go for it. So, is there a second? Okay. Seeing no second, motion dies. But that means somebody else gets to make a motion.

Starman: Mr. Chairman, I would interject while there is a short pause as people are pondering this issue. To the extent your fellow Commissioners are interested in the idea of a continuance for the reason you articulated, I think that's perfectly acceptable. I just want to give two thoughts. So, one is that you will need to reopen the public hearing.

Perhaps for that limited purpose of receiving additional information relative to the traffic signal. So, we would need to reopen the public hearing if you choose to go down that path. And, then, I think it -- you know, to the extent the Commission wanted to go down that path I think the nature of the motion essentially would be to direct staff to research that issue more, contact ACHD, contact the school district, work with the applicant and bring information back to you, you know, either at the date certain or however you want to characterize that.

Seal: Okay. Thank you for that clarification. I appreciate it. Commissioner Lorcher?

Lorcher: Mr. Chair?

Seal: Yep. Go right ahead.

Lorcher: After considering all staff, applicant, and public testimony I moved to deny file H-2022-0047 as presented in the hearing on September 1st, 2022, for the following reasons: According to the CUP guidelines, the ACHD study has had too much time to linger based on current conditions and the increase in traffic -- safety and infrastructure are not adequate at this time.

Seal: Is there a second?

Stoddard: Second.

Seal: It's been moved and seconded to deny file number H-2022-0047. All in favor say aye. Commissioner Yearsley?

Starman: Mr. Chair, you may want to ask for nay votes.

Seal: Are there any votes? Actually, Madam Clerk, can you take roll?

Yearsley: Sorry. Sorry. I'm on -- I was on mute. I have a nay vote.

Seal: Okay. So, that is two ayes. One nay. Motion to deny passes.

Starman: I didn't catch your vote, Mr. Chairman. I'm sorry.

Seal: I didn't vote.

Starman: Are you abstaining?

Seal: I am abstaining.

Starman: Let me just think for one moment.

Seal: Okay.

Lorcher: Do we have a quorum?

Starman: You have a quorum, so member a can abstain and we still maintain quorum. It is -- I think when a member abstains it is the majority of those voting. So, two-one likely carries the day. So, I'm -- I would agree with your conclusion, Mr. Chairman. Two-one vote would pass the motion.

Seal: Okay. So, two-one vote to --

Starman: Let me be clear for the record of what I understand the vote to be is to be two votes in favor of the motion, which -- and to reiterate, the motion was to deny the application.

Seal: Correct.

Starman: There is two votes to deny the application. One vote -- one vote against that motion. And there is one abstention.

Seal: Correct. So, motion to deny --

Yearsley: Mr. Chair, could we do a roll call vote, so we know who said -- who did what?

Seal: Absolutely. Madam Clerk, do you want to do roll?

Roll call: Stoddard, yea; Lorcher, yea; Yearsley, nay; Seal, abstain; Wheeler, absent; Grace, absent.

Seal: So, we have two for, one against to deny. File No. H-2022-0047. So, the motion to deny passes.

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

Seal: Okay. Thank you all.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: I motion we adjourn.

Stoddard: Second.

Yearsley: Second.

Seal: It's been moved and seconded that we adjourn. All in favor say aye. Any opposed? Motion carries. We are adjourned. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 9:19 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK