

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, October 22, 2024, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Liz Strader, Doug Taylor and Anne Little Roberts.

Members Absent: John Overton and Brian Whitlock.

Others Present: Chris Johnson, Bill Nary, Bill Parsons, Sonya Allen, Linda Ritter, Berle Stokes and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☐ Brian Whitlock
☒ Anne Little Roberts	☐ John Overton
☒ Doug Taylor	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is October 22nd, 2024, at 6:00 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item up is the Pledge of Allegiance. Please rise and join us in the pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Tonight's community invocation will be delivered by Chris Howell. Chris, if you would like to come forward and if those in the audience would like to join us in the community invocation or take this as a moment of silence and reflection. And if you can speak into the microphone.

Howell: Heavenly Father, this evening we thank thee for the changing of the seasons and the color in the trees. We are grateful for peace in our community. We are mindful of our brothers and sisters that have been devastated by hurricanes. Our hearts go out to them. We are grateful for this nation and the privileges of the liberties that the Constitution guarantees. Help us to sustain them. Bless us as concerned citizens that will vote for people that uphold correct principles and bless this Council that they will be able to conduct the business necessary and do so according to thy will and -- and what is right. This we pray and thank thee for in Jesus' name, amen.

Simison: Thank you. Mr. Clerk, do we have anyone signed up under future meeting topics?

Johnson: Mr. Mayor, we did not.

ADOPTION OF AGENDA

Simison: Okay. Then with that we will go on to Item 1, which is -- oh, I'm sorry. We are going to adopt the agenda. I completely missed that again.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: There are no changes. I move that we adopt the agenda as published.

Little Roberts: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: As was previously mentioned there is no one signed up under public forum.

RESOLUTIONS [Action Item]

- 1. Resolution No. 24-2487: A Resolution Establishing the Appointment of Sanjay Dasam to Seat 7 and Amie Cuhaciyen to Seat 9 of the Meridian Solid Waste Advisory Commission; and Providing an Effective Date**

Simison: So, we will go on Item 1, which is Resolution No. 24-2487, the resolution appointing people to the Meridian Solid Waste Advisory Commission and I will say Sanjay and Amie -- I'm going to avoid last names so I don't do them a disservice. But I sat down with the applicants once again along with Steve Cory, who is the chair of the commission and met with individuals who are interested and Sanjay and Amie both provided I think some really good additional perspective and I think one of the things that really drew us to both of them was that they both are current composters in their backyards and as the city looks towards its future with what we may or may not move towards, having people who are actively engaged in -- on a personal level I think it provides some perspective if it wants to be replicated on a larger city level. So, that was just one of the components that really kind of highlighted. But Sanjay is an electrical

engineer, you know, kind of helps bring a little bit of that process -- improvement process -- processes into the elements that the commission can look at and, then, Amie -- she actually does a lot of process improvement, you know, she's, you know, that critical thinker, so they -- they really kind of complimented each other in a lot of ways in -- in the group that they should be excellent additions to the community and both just are really interested in serving at the heart of the reason for showing up. So, I'm happy to answer any questions, but, otherwise, that is my recommendation for the Solid Waste Advisory Commission.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Unless there is discussion, that seems very well thought out and I would move that we approve Resolution No. 24-2487.

Little Roberts: Second.

Simison: Have a motion and a second to approve Resolution No. 24-2047. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ACTION ITEMS

2. Public Hearing for Calvary Chapel (H-2024-0020) by Calvary Chapel Meridian, located at 2600 W. Nelis Dr.

- A. Request: Rezone of 8.41 acres of land from the I-L to the C-C zoning district.

Simison: Moving on to Item 2, which is a public hearing for Calvary Chapel, H-2024-0020. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The first application before you tonight is a request for a rezone. This site consists of 8.41 acres of land. It's zoned I-L, light industrial, and is located at 3600 West Nelis Drive. A little history on this property. This property is part of the larger McNelis Subdivision that was annexed back in 2004 with a development agreement and a preliminary plat. A final plat was later approved and recorded that included this property as Lot 4, Block 2, McNelis Subdivision. The development agreement was amended in 2011. A conditional use was approved in 2018 for a church use in the I-L zoning district on the subject property. A certificate of zoning compliance and design review application was approved in 2020 for a two story church on this site as approved with the conditional use permit. A subsequent certificate of zoning compliance and design review application was approved earlier this year for

additional structures on the east side of the church to be used for youth and adult ministry and an office and a storage building at the northwest corner of the site. The Comprehensive Plan future land use map designation for this property is mixed-use nonresidential. The applicant is requesting a rezone of 8.41 acres of land from the I-L, light industrial, to the C-C, community business zoning district, as shown on the exhibit on the left. No new development is proposed with this application. The applicant has been operating a private education institution, i.e., a Christian school for pre-kindergarten through 11th grade out of the existing church and plans to move it to the new buildings east of the church in the future once they are constructed. Eventually once funds are raised a new school is planned for construction in the area to the west of the existing church. The existing I-L zoning district prohibits private education institutions. The proposed C-C district will accommodate the church use, as well as the private education institution, and is consistent with the underlying future land use map designation of mixed-use nonresidential for the property. As a provision of the proposed rezoned staff recommends a new development agreement for the subject property that accommodates the proposed C-C zoning and the church and private education institution uses. The new development agreement will only be for this property and the property will no longer be subject to the existing development agreement and addendum for McNelis Subdivision. Written testimony was received from Scott Herrell, Calvary Chapel, and that's the applicant. They are in agreement with the staff report. At the Commission hearing the Commission recommended approval of the rezone. Troy Drake, Calvary Chapel, the applicant testified in favor. There was no one testifying in opposition or commenting on the application. There was a letter of testimony as I mentioned submitted from Scott Herrell, the applicant, in agreement with the staff report. The Commission did not have any changes to the staff recommendation on that. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions for staff? Okay. Is the applicant here? I didn't see them online. Didn't notice them in the audience.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I do have one question. Sonya, can you give me a little history about maybe why we didn't do this earlier? It sounds like we are trying to align the zoning to allow for this kind of a use. It was operating under conditional use permit for this. But can you just maybe walk me through that a little bit, if there is anything of significance to why today versus maybe not just a few years ago?

Allen: Yeah. Mr. Mayor, Council, yeah, as I mentioned the -- so, the history on the project -- a conditional use permit was approved back in 2018 and that was for the churches in the I-L district. The I-L district does not accommodate a private education institution, which they are now wanting to do, so that -- that's the reason they are requesting a rezone.

Taylor: Okay. Mr. Mayor, quick follow up?

Simison: Councilman Taylor.

Taylor: So, they have not done any educational component as of yet. That's what they intend to do. Therefore, that's why they are seeking the rezone?

Allen: Yeah. As I -- as I mentioned, they are currently operating a private education institutions. So, we are trying to get it in conformance with our code. So, that's the reason for the rezone, yes.

Taylor: So, then, just kind of on that, I was wondering about that, you know, in terms of - is that something that, you know, code enforcement is concerned about? Is that something that we just -- we knew about it and we were okay with that? I mean I'm just kind of curious how we --

Allen: No. We -- I'm sorry.

Taylor: I'm just kind of curious how we got -- you know, just sort of how we are where we are today with that and I -- I don't know if you can speak to that a little bit, but --

Allen: Yeah. A certain amount of that is an accessory use to the existing church use. We did recently become aware of it.

Taylor: Okay.

Allen: So, that's the reason they are on this path.

Simison: So, Council, the applicant is not here. Obviously, they provided testimony previously on this topic. Do you have a preference on how you would like to proceed knowing that they are not present and, obviously, Pastor Drake is no stranger to this Council, because he comes here often, so I'm sure there is a pretty good reason why he is not here, because he likes to come and help us kick off our meetings quite often.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Usually not a huge fan of moving forward on decisions if the applicant isn't here. In this instance I -- I'm kind of tempted to maybe make an exception, but there was kind of a discussion in Planning and Zoning that this was a little bit somewhat administrative in nature. I think there is an argument for that. But I mean it is -- it is an important change. I -- I don't have a huge number of concerns, but kind of want to hear from my fellow Council Members or their opinion about it. It is pretty unusual for us at least in the time that I have been here to take action when the applicant is not present.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Yeah. It -- as I was reviewing this it felt like just some clean-up administrative -- you know, I asked my questions about how we kind of ended up where we are and it just seems like we are just trying to get everything aligned properly, so, you know, unless the applicant had something he wanted to -- to share that we needed to hear, I'm probably fine with moving forward, because, like I said, it doesn't seem like any substantial decisions other than aligning everything the way it's supposed to. So, I'm probably okay with that if the rest of Council is too.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Yeah. I -- I tend to agree with Council Member Strader. I don't -- I don't like approving applications without the applicant there. Although where there is -- there is no disagreement between where staff is, where P&Z or the applicant is, this is probably much more administratively heavy. If there was a -- a disagreement or a misunderstanding between the applicant and the city perhaps a continuance would be in order, but there is nothing that I need this evening from the applicant to help me with my decision making process.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, I tend to concur, since it does seem more administrative and cleanup to make sure that they are operating as they should and the fact that we have no opposition I am comfortable moving forward with this.

Simison: Okay.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Mr. Mayor, I move that we close the public hearing.

Simison: Let me at least do a -- is there anybody who signed up or that would like to testify on this item? Seeing none, Councilman Taylor.

Taylor: Thank you. A little head of myself. I would move that we close the public hearing on File No. H-2024-0020.

Strader: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I think we have all had an opportunity to kind of weigh in a little bit, seeing that it's viewed mostly as an administrative clean-up item here, I would move that we approve File No. H-2024-0020 as presented in the staff report as of this date.

Little Roberts: Second.

Simison: Have a motion and a second to approve H-2024-0020. Is there discussion? If not, Clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, absent; Little Roberts, yea; Taylor, yea; Whitlock, absent.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

3. Public Hearing for Life Church (H-2024-0024) by Ella Passey, Land Group, located at 3323 E. Commercial Ct.

- A. Request: CPAM to amend the Comprehensive Plan Future Land Use Map (CPAM) to change the future land use designation on 6.72 acres of land from Industrial to Commercial.
- B. Request: Rezone of 6.72 acres of land from Light Industrial (I-L) to General Retail and Service Commercial District (C-G) zoning district for the expansion of Life Church and the operation of Life Bible College.

Simison: Next item up is Item 3, a public hearing for Life Church, H-2024-0024. We will open this public hearing with staff comments.

Ritter: Good evening, Mayor and Council. So, this is like round two. It's almost similar to the previous one that you had. So, this property -- we are here for a Comprehensive Plan map amendment and a rezone. So, this site consists of 6.72 acres of land, it's

zoned I-L and is located at 3323 East Commerce Court. So, the applicant is requesting an amendment to the future land use map to change the designation from light industrial to general retail and service commercial district, C-G, to allow for the uses of Life Church and the Bible college, which would be principally permitted uses. So, this site is located at the southeast corner of Eagle Road and East Commerce. There are two parcels that consist of -- again consist of 6.72 acres of land. The parcels are lots that are in the Commerce Park Subdivision that was recorded in 1979. So, in 2011 Life Church requested approval of a conditional use permit for the operation of a church in the existing warehouse building in the I-L zone, CUP 11-003. Although a church is not listed in the Comprehensive Plan as a preferred use in the light industrial area, it is designated as a conditional use in the UDC. Because the proposed use will be offset when most of the industrial activities are occurring in the area, there are staging hours of -- and there are staging hours of operation. Staff believe the church activities would not interfere with the adjacent uses. So, further the building is currently vacant and being underutilized and the Comprehensive Plan encourages the adaptive reuse of existing developed sites. Again, for those reasons staff found that the request generally confirmed -- conformed to the Comprehensive Plan. So, as a -- a Comprehensive Plan map amendment is needed to rezone the property from I-L to the C-G. Staff is recommending that the applicant enter into a development agreement with the city. So, again, the existing zoning is I-L and they are proposing to take it to C-G, which is consistent with surrounding areas. So, the current future land use map designated for the properties, again, is general industrial and zoning district is light industrial. The applicant is requesting this comp plan map amendment to change the future land use map to accommodate the rezoning to C-G to allow for the uses, so they will be principally permitted. Mixed-use regional is adjacent to the property to the west and commercial is adjacent to the south and southwest. At the review of the Comprehensive Plan and nearby properties staff believe the request to be appropriate given the proximity to the railroad and surrounding industrial uses. So, additionally, the commercial FLUM designation, which already exists to the south of the property further supports this recommendation. The Comprehensive Plans that identifies industrial uses as a designation that allows for a range of uses that support industrial and commercial activities, industrial uses may include warehouses, storage units, like manufacturing flex and incidental retail and office uses. So, commercial land uses are identified as a designation that will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional service offices, as well as public and quasi-public uses. Multi-family residential may be allowed in some cases, but should be careful to promote high quality life through thoughtful site design, connectivity and amenities. So, the C-G zone, again, is identified as the largest scale of broad mix of retail, office, service and light industrial uses within close proximity to the interstate and arterial intersection. So, when we analyzed the comp plan we felt that the requests fit in that with alignment with the existing use's compatibility and planning goals, site design and community impact. Again, given the proximity to the railroad, the surrounding industrial area and the existing commercial zone to the south and northwest, staff finds that the requested commercial designation of C-G is more appropriate for this location. This design aligns with the existing and desired land uses and supports the continuation and expansion of the church and Bible school. So, this is

their conceptual plan. This is the existing church and this is the expansion they are proposing. Staff did receive one written testimony from the adjacent property owner and that was prior to the Planning and Zoning Commission hearing. It was from Tim Wells, who wanted assurance that the -- the CPAM approval would not affect his business and he will be able to maintain the same rights that he has with the current zoning. And, again, based on what the applicant is proposing it will have no impact on the adjacent property. Commission recommended approval for this and with no changes to staff's recommendation. One thing that we are asking of the applicant -- there were supposed to be trees along Eagle Road here that did not get planted. So, we are asking that the applicant put these trees back in and the applicant has agreed to staff's recommendation. These are the proposed elevations of the building that will be built. Looks like a beautiful building. These are just photos of the site. So, at this time if Council has any questions.

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

Thompson: Good evening, Mr. Mayor, Members of Council. My name is Tamara Thompson. I'm with The Land Group. Our offices are at 462 East Shore Drive in Eagle. I'm here tonight representing Life Church and with me here is also Pastor Wade Moore with the church should you have additional questions that I can't answer of church operations. Before you tonight is a comp plan map amendment from general industrial to commercial rezone, from I-L to C-G. The request is for two parcels, 4.22 acres is where the existing church is located and, then, they have an adjacent parcel that's 2.5 acres. So, it's a total of 6.72 acres. This is located at the southeast corner of East Eagle Road and East Commerce Court. The comp plan -- I'm sorry. The conditional use permit for this use was approved in 2011 and the church and Bible college have been operating on the property since 2012. So, they built immediately after their conditional use approval and, then, just to clarify, the Bible college, just to give you a little bit of details on that, it operates roughly ten and a half hours per week. They are -- they have classes Tuesday, Wednesdays and Thursdays. There is 85 students and their hours are 9:00 a.m. to 11:50 a.m. and, then, on one day a week they come back from 6:30 to 9:20 p.m. So, very much off hours. The Bible college is not proposing to expand. Oh. And just back to that. They -- they go to classes on -- from mid-September to mid-April is all. So, it's not a year around operation either. So, again, the Bible college is not proposing to expand. The church, however, is flourishing and wishes to expand its building and parking lot and services to better support the community to that eastern parcel. Changing the future land use map and the rezone to C-G supports the existing uses on the property and it aligns with the surrounding commercial and mixed-use areas. We have read the staff report and we agree with staff's analysis and the recommended conditions of approval and we respectfully request your approval tonight and we are here for questions should you have any.

Simison: Thank you, Tamara. Council, any questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe just a quick explanation on the trees. I was trying to track that -- not an issue from the applicant's perspective to plant the trees. Is there a reason they weren't planted initially?

Thompson: Mr. Mayor, Council Person Strader, I don't have a good answer for that. I did look on Google Earth, you know how you can use the little timeline thing and it looks like the trees were there initially and, then, around 2014 they mysteriously disappeared. So, I don't know. But we will put them back. We will -- we will get them back in there.

Strader: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Maybe a quick question for Tamara or -- or the pastor and it's -- this is probably less about the application and more me trying to understand. I -- so, I love that we have a growing community of faith in Meridian. One of our challenges is that we are seeing lots of churches choosing to grow in industrial areas and I'm just trying to understand is there a reason why churches are seeking out industrial area for -- for growth. Is there -- is there a compelling reason why they are seeking that and, you know, I'm -- I'm certainly very -- very supportive of this application, but I -- I'm not going to lie that I always get concerned when we see our very limited amount of industrial space start to shrink. So, maybe Tamara from you -- from a land use perspective about why this is the best use and, two, if -- if the pastor's willing to share some perspective as an industry leader about why we are seeing churches look to industrial zoned areas for growth.

Thompson: Mr. Mayor, Councilman Cavener, as far as this site, the property was selected in 2011 and it was an existing industrial building that had been sitting empty and so they saw that opportunity to be able to backfill something that -- that was sitting empty. Do you have anything else? I will see if -- if the pastor wants to elaborate on that.

Moore: My name is Wade Moore. Address 3225 East Commercial Court, Meridian, Idaho. 83642. Mr. Mayor, Councilman, I'm not the senior pastor, so I can do my best to kind of help answer how I can. I came to Life Church from Texas in 2013 as a regular congregant. I came on pastoral staff in 2019. So, I have been on pastoral staff since 2019. To kind of speak to the best way I can to answer the question that was proposed is we weren't -- I can speak for Life Church. It wasn't an intentional we want industrial ground for this reason, like Ms. Tamara shared, it was -- speaking with Pastor Mark Boer, who is the senior pastor, speaking with him as kind of how this played out in 2011, 2012, it was a building that was available for some time or vacant. At the time Life Church was about four to five hundred people -- 400 probably is a better number. So, it

wasn't -- the building was way too big for the size of the church at a time and it was -- here is where we are today is like, okay, we have outgrown this facility and now let's look -- we are looking to -- to expand, because we have outgrown the facility. So, it wasn't an intentional, hey, we want industrial to do this. It was -- it just so happened to -- to work out this way and I can't speak for other churches as to what they are doing or not doing. So, I hope that it brings a little clarity the best -- best I can.

Cavener: Thank you.

Simison: Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Does the applicant have any final comments? Applicant waives. Council, what's your direction?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Real quick before we close the public hearing, a question for -- for staff. We received -- the Council received one piece of -- of written testimony, which inquired about -- I think an adjacent property owner wanting to maintain their use and zoning. I know we all know the answer to that question, I'm just making sure that either the clerk's office or the planning department circled back with that neighbor and answered their question.

Ritter: Mayor and Council, yes, we did. He showed up at the hearing. We did respond to him. I talked to him on the phone and he came to the hearing, so --

Cavener: Thank you. Thanks, Linda. I appreciate it. Figured that was the case.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Move that we close the public testimony.

Little Roberts: Second.

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

MOTION CARRIED: FOUR AYES TWO ABSENT.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I will just make some -- a couple comments. It seems, you know, interesting observation by Councilman Cavener. I have noticed that, too. It seems as though it's kind of a -- we -- as we have seen the interest in churches they are finding ways to be as thrifty as they can with facilities and buildings and so I -- it seems like we have seen more of where they are taking a vacant building and making it work for them, as opposed to -- to going into some of these areas. This -- I think this makes some sense. I love to see that it's growing as Councilman Cavener noted. I think it's great to have a strong faith community in Meridian. So, the -- the designs look great. I mean I have always thought that the church was fairly attractive where it is. Considering, you know, rezoning it to, you know, essentially matching the type of zoning that's literally across the tracks, I think that makes a pretty compelling case. I think that's for me a no brainer. So, I stand in support of this tonight.

Cavener: I will second the motion if there hasn't been one.

Simison: Looking for motion.

Taylor: Okay. Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Given fellow -- folks a chance to opine, but with that I will make a motion that after considering all staff, applicant and public testimony I move to approve File No. H-2024-0024 as presented in the staff report for the hearing date October 22, 2024.

Little Roberts: Second.

Cavener: Second.

Simison: I have a motion and we will give it to Councilman Cavener, because he -- he did it beforehand. Preempted the second, but we have an assist to Council Woman Little Roberts. I have a motion and a second to approve Item 3, H-2024-0024. Is there further discussion? If not, clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, absent; Little Roberts, yea; Taylor, yea; Whitlock, absent.

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

MOTION CARRIED: FOR AYES. TWO ABSENT.

4. Public Hearing for U-Haul Franklin Building B Access (CR-2024-0001) by Hillside Architecture, PLLC., located at 1030 W. Franklin Rd.

- A. Request: Council Review of the director's decision on the administrative application (A-2024-0105) to allow a truck only access to W. Franklin Rd. in lieu of the previously approved emergency access.

Simison: Okay. With that we will move on to Item 4, which is public hearing for U-Haul Franklin Building B Access, CR-2024-0001. We will open this public hearing with staff comments.

Parsons: Good evening, Mayor, Members of the Council. I don't have anything real exciting for you like a rezone or a comp plan amendment tonight, but what I do have for you is talking about a project that was before you and with the same topic and same issue back in 2022. So, next item on your agenda is, essentially, the applicant's here tonight to discuss overturning the planning director's -- or the Community Development director's decision for allowing a full access on to Franklin Road. Same topic that was discussed with you back in 2023. So, Mayor, if you were to ask me what has changed since then until now, I would tell you the Council make up has changed, ACHD's position hasn't changed and Building B is not constructed on this site until we get this issue resolved. I think that's really the common theme tonight is how do we work around that. I think the Council -- so, this property is located at 1030 West Franklin Road and the main access -- or at the time when Council acted on this application this access on Franklin here was restricted to emergency access only with a gate and, then, the shared access was the primary access to the -- the retail component of the site, if you will. Building B was always planned to be what they call a U-Haul Trucks Box. You know, if you have ever had your neighbors move out of your neighborhood they come to your neighborhood and drop off a box, it's a storage container in your driveway. You load it up, they come pick it up and, then, they store it for you on their site. So, that was the -- the vision for the site for this property. So, after the applicant was denied that full access they decided not to pursue that building. Since, then, they did, again, submit a new certificate of zoning compliance to go back and -- and try to permit that building again. Staff did approve that permit for them to get under construction with the limitation of that emergency access based on your -- your decision back in 2022. Well, actually, March 7th, 2023, actually, is -- by the -- when you made the decision. So, really, the difference is here is the time that this came forward this was a full access for anybody, customers, and now the applicant has been working with ACHD staff to restrict this to the trucks -- Truck Box access only. So, it will be an access only for those specific deliveries and not necessarily for the -- the customer. With that comes some additional right-of-way improvements that they have proposed that weren't proposed back in 2023 when it was denied. So, you can see here there is a right-hand turn lane into the site. The applicant's also proposing to sign that area as well and, then, they are going to put in some additional delineations and striping on this particular property, so that customers will enter to the farther west entrance to do their business and storage on the back building and, again, the box U-Haul trucks will come here and turn around

and back up and unload the box storages into this existing building. So, again, really not a lot of customer interface for Building B. A lot of that activity is going to be for the larger building that is currently constructed. Also mention to the Council that if you do overturn the director's decision this evening that they still need to get alternative compliance to reduce the portion of that landscape buffer where the applicant's proposing to put in the additional right-of-way improvements. I did have a chance to look through the ACHD staff report. Again their recommendation has not changed from what they recommended two years ago. They do -- did approve a full access point for both accesses and, again, they reserve the right to restrict access in the future if Franklin or if there is some -- if traffic warrants further restrictions in the future. Also share with Council that originally the applicant was looking to see if they could get an access off of 10th Street along their east boundary, but the -- the issue is that location did not meet the offsets of ACHD's policy for an access in that location and, therefore, it really makes that -- that portion of the site inoperable. Also let the Council know that if alternative compliance -- if this is approved with the truck traffic only and you support them applying for alternative compliance, the applicant is proposing to add additional landscaping in this area to make up for that deficiency on the site. Again, director did recommend denial and upheld your decision from 2022 with the emergency access only and with that I will conclude my presentation and stand for any questions you may have.

Simison: Thank you, Bill. Council, questions for staff? Okay. Would the applicant like to come forward.

Clark: Hi, everybody. Hethe Clark. 251 East Front Street in Boise, representing the applicant, and I think Bill's got some slides up here for me. So, what we are going to talk about tonight is why the heck are we back and what's different about this time and why it merits the -- the Council taking another look. So, let me see if I can get that. Oh, thanks, Bill. So, you guys have probably seen that this project is underway. The -- what Bill referenced is the retail portion of the project is -- is open. The use is permitted. Both buildings are permitted uses. The -- the -- you know, the permit for the second building has been reviewed. This thing is ready to go. The only question is this access point. So, the building that you can see that's under construction is the one that Bill mentioned is the retail area and, then, the U-Box area where there would be trucks to -- large trucks delivering these boxes would be on the east side kind of over there where you see the Eight Mile Lateral. The Eight Mile Lateral, as Bill mentioned, pinches the site down and we do not have access on 10th Street, we only have access on 12th Street. So, when the project was originally considered we were proposing a full access. There was just no -- there was no change proposed to that. That was what the Council looked at. So, what the Council is going to be looking at tonight is something a little bit different, but back then ACHD did approve the full access. This is what their -- their comments were was that there was a need for both circulation and secondary emergency access. And, then, of course, this Council denied, restricted it to emergency only. So, that with regard to the site constraints, given the location of the Eight Mile -- as Bill mentioned there is no possibility of an access on 10th Street. So, that means that all of the access has to come from 12th, accessing the U-Box building left to right across the site. So, here is why that gets complicated and -- and why we are here

tonight. So, the general public accesses the storage facility on the north in the area that's already constructed. The U-Box trucks come across the entirety of it and we are concerned about the safety of the big trucks coming across where the passenger vehicles are going to be parked and people are going to be walking out with their box of stuff that they are going to pull out of the -- out of their storage areas and -- and all that sort of thing and, in fact, the concern is strong enough that U-Haul corporate is not going to build the U-Box if they have to have a site circulation that works like this. They have that significant of a concern about the safety of it. So, I'm not going to just come back in front of you guys and throw a Hail Mary and ask you to review the exact same thing. So, we have spent the last six months plus trying to come up with an alternative solution that would change things and be in the spirit of what the city code says with regard to access. So, I have had multiple meetings with Mindy at ACHD, multiple meetings with Bill talking about, you know, what could we do? We went over enough of -- a number of different alternatives. But I do want to emphasize that we are not proposing an unrestricted access. This would only be for the professional truck drivers that are bringing in U-Boxes. We also have added the decel lane. We looked at other alternatives beyond the decel lane, including a gate, you know, so a key carded gate, for example, that the truck drivers could hit and, then, that would pop open and they would be the only ones to be able to go in. The problem with that is that ACHD policy says that a non-emergency gate has to be 50 feet away from the edge of pavement. So, that would put it in the middle of the site and, obviously, that's not going to be functional. So, we work through the possibility of a decel lane. We have -- we have electrical poles, telephone poles right here, so we had to design it around that. We worked with ACHD to figure out the taper length and the overall length. ACHD's reviewed all of those dimensions and has approved all of them. We also did an internal redesign. We are proposing to put up the scored yellow stripe concrete, internal barrier and signs to prevent that mixing from happening. So, in other words, the trucks will come in, they will back into the U-Box site, they come back out of the right -- right-in, right-out. Meanwhile, the -- the -- call it typical, you know, general public would come in on 12th Street, do their stuff over on that side, come back out. We have two separated uses and we -- and we try to avoid the -- it's a safety issue. As Bill mentioned, we have -- you know, we have made changes to the site plan that includes with that decel lane, the narrow landscape buffer and we agree that that's going to require alternative compliance. We have done some initial drawings. This is just an example of what that might look like, but that narrowed landscape buffer is where the blue arrow is and, then, we would be proposing to put in additional landscaping over at the 10th -- near the 10th Street side of the property and, of course, this is just a concept, but we would put this in front of staff for the alternative compliance review. But we -- we think we could put in a nice kind of park looking area there that would help to address some of the Council's concerns. I would also note that, as Bill mentioned, ACHD's reviewed this with us. They have approved the full access for the second time. When I say temporary that's -- like you guys always see -- we always see that ACHD always reserves the ability to restrict the access in the future. So, they always approve it as a temporary full access, but it would be a full access. A couple other considerations that I wanted to -- to mention and -- and, really, why Council should consider this, you know. So, first, you know, if we are -- if we are talking about safety we are talking about very minimal traffic

that would be going on to Franklin if this is restricted just to U-Boxes. So, the storage use -- the general public use on the side is -- is 31 trips per weekday, 57 on the weekends. That's the general public side of things. So, compare that to a restaurant use. A restaurant use would be a thousand plus; right? So, that one itself has very minimal traffic. We go to the U-Box. The U-Box has -- after there is an initial flurry when the thing gets filled up, it will be five to seven trips per week for the U-Box. So, one or two trips per day coming on to Franklin through this -- or off of Franklin through this restricted access. So, in other words, really, what that means is that it -- that it's functionally still restricted. It's not allowed for general public use. The general public still has to use the 12th Street access. So, I also wanted to just revisit the standard. Of course, the City Council has the authority to waive this restriction under 11-3-A3 and we would ask that you do so based on the compromises that have been offered, including the restriction to only U-Box use and the minimal trips that would be generated and the fact that we are doing this with a configuration that's already been approved by ACHD. So, we think that we are respecting city policy, while providing a safety benefit to the users that would be on site and, again, that U-Box use will not go forward with the emergency only. So, we are trying to make this thing work and -- and kind of land the plane between the -- the city's desires and what you U-Haul needs in order to have a functional site. And, then, I would just mention, you know, this is one of those things that we have tried to go through a bit of an iterative process working with staff and ACHD to try to come up with a solution that works for everyone. So, if Council has other concerns, you know, we -- this is not a take it or leave it, you know, proposal. If staff -- or if Council has other concerns we would be happy to continue the conversation with staff, try to work this out, because, again, we are -- we are trying to -- to salvage that U-Box use for this site. So, with that happy to answer any questions.

Simison: Thank you, Hethe.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Hethe, it's always good to see you. Can you give me an idea of when the U-Box trucks are accessing the site? Is it from 9:00 to 5:00? Is it off hours? Or -- I -- I don't understand that product very well. If you could just kind of give me a feel for that.

Clark: Yeah. Council Member Strader, you know, I actually have a couple of friends here with me that I forgot to introduce. So, Brett Gulash is our -- is our architect and, then, Lance Humphries is with operations and I think maybe, Lance if you don't mind, is that something you can speak to? It sounds like normal business hours is when they would typically come.

Strader: Got it. Thank you. Well, I will compliment you. I appreciate that you didn't just come back and ask for the same thing again in light of the concerns that we had. You know, I -- it does feel like a -- it does feel like a compromise in terms of how -- how you

all have tried to approach it and I appreciate the decel lane. I think that could -- that could make a big difference. So, that's a little feedback so far. I'm still kind of mulling it over and -- thank you.

Taylor: Mayor?

Simison: Councilman Taylor.

Taylor: One question. You -- you mentioned ACHD still has the ability to remove that restricted access. Were you talking about the access point you are requesting with the U-Haul trucks as the -- knowing that ACHD could revoke that access, is that the access point you were talking about or were you talking about another access point?

Clark: Mr. Mayor, Council Member Taylor, so whenever ACHD gives a full access on like an arterial road they will typically reserve the right to take that down to a right-in, right-out or something that's more limited and so that's usually what they mean by temporary full access. They would never land lock us; right? So, the -- I wouldn't ever expect that the 12th access for -- 12th Avenue access would go away in its entirety, but they could take the -- the Franklin one down to right-in, right-out, for example.

Taylor: Okay. Mr. Mayor, follow up.

Simison: Councilman Taylor.

Taylor: So, along that point, you know, you build the facility for the trucks, three years later ACHD says this isn't working, they cut off that restriction, is there, then, the incentive to remove that internal barrier and, then, have that cross-access traffic flow that you want to avoid or does that building just get mothballed and can't use it?

Clark: No. Council Member Taylor, I don't think that there is a -- it would be Infinitesimally small likelihood that ACHD would say no access on Franklin. What they would say would be right-in, right-out and a right-in, right-out that's allowed for the Box -- the Box trucks could still work as long as it's dimensioned appropriately.

Taylor: Mr. Mayor, one more follow-up question.

Simison: Councilman Taylor.

Taylor: Sort of the business side of things. Do you -- do you have to have this facility with the U-Haul Boxes to -- because you need it to make the site work financially or it's just, hey, we have got some space we could use it. We need this service offered here in Meridian. I mean just kind of -- understand why you are wanting to make it work, but I'm just wondering is there more of a stronger business case, like that you need that?

Clark: Mr. Mayor, Council Member Taylor, they are complimentary uses. We would like to have them both on -- on the same site. So, the -- that's why they have got Hethe

here asking for a modification to be able to allow it to happen. The -- the safety concern is strong enough, though, that they won't go forward with the Box regardless of the business concerns, if the requirement is that the trucks have to go across the -- the general public areas. So, I don't know if that answers your question. I guess I would say that it's -- the -- the business piece isn't paramount. They are concerned about safety and won't go forward if -- if that safety issue can't be addressed.

Taylor: Okay. And, Mr. Mayor, I lied, I have another question, kind of maybe for Bill. The alternative compliance is being requested because you are -- the deceleration lane is kind of cutting into the setback; is that correct?

Parsons: Mayor, Members of the Council, that would be correct.

Simison: So, Hethe, I thought -- I maybe have some different questions, thoughts and maybe my memory is lapsing from when this came through the last time, but your facilities have been built so far. Beautiful. They look great. But nothing says trashy like a Jersey barrier in the middle of a parking lot.

Clark: Okay.

Simison: You know, just being honest. I mean I don't -- I don't think it's an attractive look. It makes it a little less inviting overall. I guess, you know, especially when I look at the trip generations per day and wondering about, again, this is a little bit of the business side of it, but why not just go to right-in, right-out and allow anybody to enter in that location overall? Does that -- if there is really one trip a day that's coming in, maybe two, I don't see a conflict with allowing cars to drive in and park, as long as the trucks still come in, but, yeah, cars could come in. Cars still may come in no matter what it says, especially if it's someone coming to the rent for the first time, but tell me why a right-in, right-out now with no Jersey barrier would be a problem long term.

Clark: Mr. Mayor, just to be clear, it's not a Jersey barrier --

Simison: Okay.

Clark: -- that they are proposing. This -- this would be a concrete striped bumped raised area. So, not a speed bump, maybe a little bit more significant than that, but not a Jersey barrier. We are not talking about lining that thing with concrete and, you know, having the -- the ghetto on one side or something like that. This would be less -- less significant.

Simison: Could a car drive over what you plan to put in?

Clark: They could, but it would be signed such that they would be restricted not to. It would be a rule of being able to access the facility is that the general public has to stay on this side.

Simison: Is that necessary? Are you trying to accommodate Council's desire from a previous conversation?

Clark: We are trying to accommodate the Council's desire from a previous conversation.

Simison: Yeah. Again, I -- I just don't recall the conversation why with such low trip generation a right-in, right-out in this location would not be a -- full access no, but a right-in, right-out. That's just my two cents.

Clark: And, Mr. Mayor, I don't recall, but --

Simison: Maybe there was some very valid reasons before.

Clark: Excuse me, I didn't mean to -- I don't know that that was specifically discussed at the last hearing, because I wasn't at the last -- last hearing. I just kind of looked at notes and -- and listened in on the -- the minutes. You know, a right-in, right-out, you know, assuming that the dimensions could work, you know, would -- would also be a possibility. We were -- we were really trying with this proposal to come to the city with something that says, hey, our concern is the -- the mixing of these two and so we are going to do everything in our -- in our power to make sure that that full access is limited to the U-Boxes. So, you know, if we -- if we went overboard by trying to propose some of these things, we are fully willing to scale some of that back, which is why I suggested that maybe this could be a conversation. If there is specific direction from Council we are happy to continue and -- and have a conversation with staff and come back to you with something that's maybe a little more refined to what Council's actual concerns are, rather than us trying to guess at them.

Simison: Yeah. And I'm not suggesting that the decel lane is not appropriate. I think there are some things that make sense in here, but, yeah, just was trying to understand how much of this was operational versus otherwise, so -- okay.

Clark: Yeah. The operational point is we want to keep them separate and kind of have the two -- two areas and so if there is elements of that that Council has concerns about we are -- we are happy to keep talking about it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I -- I think it makes sense for your business plan and it does kind of alleviate a safety concern from what I recall from our conversations -- and, granted, they were a couple years ago. I think it was just -- it's in such close proximity to that intersection and traffic on Franklin I think was driving a lot of the decision making. The question I had -- I'm kind of intrigued by this enhanced landscaping and the green space. I think it might even be like a tiny little pocket park, but is that going to be open for the public to use?

Is that kind of what you are expecting? Like could we put a picnic table out there or something? I'm just kind of wondering what it's going to be used for. I mean it feels like it has a decent amount of use from a public perspective if you are willing. So, kind of --

Clark: Council Member Strader, that's kind of what we were anticipating, because it -- it's -- given the dimensions of the Eight Mile Lateral in the way it pinches down, it makes that area pretty difficult to use for anything. We can't get an access onto 10th, so, yeah, that is -- that's something we are -- we are more than happy to -- to consider when we -- when we do that alternative compliance proposal.

Strader: Thank you.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I'm going to follow up on your line of questioning. So, you are trying to accommodate City Council's previous concerns with putting a barrier there, but that's really -- and, again, I -- I didn't -- I didn't review the minutes from two years ago. I didn't get a chance to kind of dive into that, but you are the ones that are most concerned about that cross-traffic, so you have an incentive to prevent that. That's not a requirement City Council is putting on you for that, you just -- you don't want to see that from a business perspective. Are you capable or you -- you meaning U-Haul -- of enforcing with just some signage or, you know, something that's less of an obstacle that's not an eyesore, because it is a very attractive building. I drove by it the other day. It's a very attractive building I think. Is that something you guys are able to accommodate without putting physical barriers there to kind of separate the two uses?

Clark: Yeah. Mr. Mayor, Council Member Taylor, so couple -- couple of responses before I get to that direct one. The -- the meeting minutes at the last hearing didn't really get into a lot of detail as to why Council said we don't want it. It was more like, hey, our policy is no full access, you know, see you later kind of. That's -- that's overstating it, but it was not an extended discussion. So, you know, in reading that -- those tea leaves, you know -- you know -- and looking at the code, the -- the code's primary concern is with safety; right? So, the -- the decel lane is probably first and foremost of the things that we have proposed, the thing that addresses the Council's concerns from before; right? Because that gets the traffic out of the way, it gets -- you know, allows those folks to move in. The -- the -- the internal barrier -- the rollover barrier we will call it -- was essentially to try to build on that and show Council like, hey, we are serious. Like this is going to be U-Box only, where -- you know, this is not going to be, you know, something that folks are going to just easily ignore and just come in here and shoot over to the other side. They are going to have to ignore our signs. They are going to have to ignore the barrier. They are going to have to hop over it and, then, go all the way over there. So, that's a partial answer. The -- the remainder of the answer is that we do have staff, we do have cameras, you know, we have folks, you

know, that if they are visiting that site they are going to have leases. You know, we are going to be able to figure out who is the scofflaw and be able to enforce that and so, you know, if -- if Council's direction is, hey, we don't like this -- this rollover barrier, I think we can still enforce that given what -- you know, what the facility looks like.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just curious with this barrier. I mean it's kind of an interesting feature. Not really seeing that much. Are there alternatives that accomplish the same thing, like an island with trees or like -- did you look at kind of other configurations? It is a little bit aesthetically -- probably a bit jarring to see, just like an enormous yellow striped, you know, I like how -- actually, how high is it off the ground? What is it going to --

Clark: It would be, what, like a speed bump.

Strader: Like a speed bump?

Clark: Yeah. A speed bump.

Simison: Make sure you put all that on the record what he said.

Clark: Yes. So, that was our -- our architect mentioned that part of the idea is to have something that doesn't, you know, completely separate the site. You would still be able to get emergency services across and, you know, fire trucks would be able to go across, that sort of thing. We -- we started with -- in the conversations like what should we put like a row of paint down, you know, to just like say, hey, do not -- you know, this is -- this is one side, this is the other. Ultimately in part of the conversations was kind of like, well, maybe we should do something a little more stark to -- to really emphasize that division and so we ended up suggesting that -- call it the -- the speed bump. Maybe that's a better way to describe it as a way to -- you know, I -- I, again, to show the Council that we are -- we are serious about trying to make sure that these are separate.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Yeah. That's helpful. I -- like I think to me the -- the decel lane is the most meaningful aspect of -- of what you are offering to do. I appreciate the additional green space if you are not using it and it can kind of be used for something beneficial for our community, I think that's fantastic. I don't have a ton of concerns. I mean I feel like, again, you know, you have rare proposed something I think mitigates the concerns that came up the last time, but I think it's the decel lane that, frankly, like moves the needle for me more than anything else.

Clark: I personally agree for what that's worth.

Simison: I will go one step further. I mean if it doesn't harbor -- I think it's better for the public to use the decel lane overall to kind of enter the -- the site, unless you say they -- they shouldn't, you know, because the car doesn't appear to be a car-to-car conflict, it appears to be a car to a walking person across the area conflict and they are going to go where -- as close to the building as they can. They are not going to park far away, unless it is so busy that they don't have a choice. So, that's why my -- car-to-car or person-to-car, you don't want to drive through people, but cars -- it doesn't seem to be that much of an impact personally.

Clark: Thanks, Mayor. Sorry -- sorry to step away there. So, yeah, the -- the idea with the -- the concrete barrier, again -- not a concrete barrier. Let me call it a speed bump -- was to, again, provide that kind of a win-win kind of a situation. Another thought that Lance just had was maybe like it's a -- a sidewalk that's in -- you know, between the asphalt and that, you know, has some -- some -- some paint or something like that. But we are not -- we are not wedded to that. You know, if -- if the Council says, hey, we don't -- we don't like that, we don't like the way that works on the site, you know, that's the kind of thing that we can -- this was something we were trying to offer up as -- again as part of that spirit of compromise.

Simison: Are you open to allowing all cars the right-in, right-out if that's what it was or do you still only want the U-Box only to enter and exit through that location?

Clark: One second. Sorry, Mr. Mayor. I just wanted to confirm. That -- that actually is something that's pretty -- it sounds like in speaking with Lance it's actually something that's pretty typical is that you may have an entry with a sign that says U-Boxes this direction, general public this direction, and so I think with the Mayor's idea you could guide the U-Boxes off to the right, send the general public off to the left and -- and I tend to agree with you, Mr. Mayor, that if -- if we have the decel lane there the safety issue goes away in general. It's not -- it's not just the -- the minimizing of the -- of the trips and so if it makes it more convenient for the public without -- and for our customers without imposing a new safety concern, we are -- we are more than willing to do that.

Simison: Just practically I think most people when they come -- after they come the first time they are going to enter in off of that and they are going to go out on 10th Street, you know, because you want separation from the other intersection to get out. Otherwise, you are going to be -- that's why the separation exists. So, I don't think you are going to get a lot of people going back to exit out that way, but the decel lane is always going to be better on 40 miles an hour roads for people wanting to make right-hand turns.

Clark: I totally agree and the other -- the other thing that that actually improves on the process is that with -- with the decel lane one of the things we had to talk to ACHD about is how do you sign that to make sure people don't go into the decel lane and,

then, come back. If it's not restricted to U-Box only we don't have that concern anymore. So, I think, Mr. Mayor, that's actually a really good suggestion.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Just make a comment. I -- I have been thinking about this. I actually think if you just restricted it to U-Box trucks only, you are still going to find people using it and I would not like for them to get in there and kind of feel like they are stuck in there and, then, have to go out. I actually think you are going to create more conflicts. So, I'm much more open to, you know, access for everyone with that because I think you are accommodating the concerns of safety with that decel lane. I think that is appropriate. But I actually think you might have more of a problem if you restrict it and create any kind of barriers or signs that makes it difficult, because some people will say, oh, I shouldn't be here, I need to go back out. So, I -- I think I would agree with that.

Clark: I think that makes sense. And so, you know, from that perspective what we could do is we could -- we could have the decel -- the decel, you come in, you get to the island directional signage, U-Boxes this way, general public this way. You throw some paint onto the parking lot and I think -- I think that's a much more easily maintainable in an overseen situation. So, yeah, I think -- I think this is productive.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, Hethe, thank you so much for being here. Having not been here when this came before Council on the first time, just sitting here kind of listening and making a lot of notes, I'm much more comfortable. I have been kind of leaning ever since right-in, right-out has been brought up that that -- just to me seems the answer, because I don't think you are going to be able to keep the other people out of using that and so I think you are going to have cars through there anyway and might as well make it as safe and convenient as possible. Much more supportive of that.

Clark: And I think -- and maybe Bill could weigh in on this in terms of what -- or either of the Bills, you know, what detail is needed in terms of direction from the Council and -- and what level of detail, you know, we need to come to either you with or staff. It seems to me that Council could direct staff that as long as it checks this box, that box and the other box, that it could move forward so we wouldn't have to take up more of your time, but I would defer to either Mr. Nary or Mr. Parsons on that.

Parsons: Mayor, Members of the Council, yeah, I -- I do appreciate the discussion tonight, too, because this is kind of what Hethe and I have been talking about for six months or so and even my conversations with ACHD. Really the decision before you tonight is whether or not you want to overturn the emergency access. So, whether it's

right-in, right-out, full access, that's certainly within your purview and allowed under code through that waiver process. But I think from my vantage point from what I'm hearing as part of the discussion is I think it's very clear if you want to, again, overturn the director's decision or your previous decision for the emergency access, however -- whichever way you want to look at it, I think all we need you to capture is that -- direct staff to work with the applicant and ACHD on making it right-in, right-out, putting the striping on the -- the wayfinding striping on -- internal to the site, because ACHD probably won't support that on that public goes this way, U-Box goes that way. They do the decel lane and, then, they work with ACHD on a median on Franklin to restrict that to right-in, right-out and, then, we can process that certificate of zoning compliance and design review and, of course, if Council Woman Strader wants the public space, the park put in with this picnic area sitting area, we can certainly look at that as part of their alternative compliance request when that comes in. So, that's how I would -- would like to see Council make a motion if that's -- if you are so inclined to do that.

Simison: Bill, does it make sense on that -- if -- again, if -- if they are willing to have the Parks Commission weigh in on what might make sense in that area, if there is any recommendations that -- whether it be picnic table, a bike repair stop, you know, any little amenity that -- you know, not knowing what's in the master plan in this area that they might have an opportunity to weigh in if the applicant would be willing to at least hear them out to look at it.

Parsons: Mayor and Council, I think that's a great suggestion. We can -- I -- I don't know if we need the Parks Commission, but we can certainly meet with Parks and have them weigh in on that and at least coordinate with Barton and -- and director and see if they can think of an amenity that could serve the public in that area would be fantastic. That's a great idea.

Simison: All right. I will ask if there is any other questions for the applicant before we see if there is anybody from the public or would the applicant that would like to testify. Council, any additional questions right now? Anybody who would like to testify? Seeing none, does the applicant have any final comments? Okay. So, Council, we will move it into discussion and action.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I did have a question for staff really quick. Just -- I was curious. So, assuming that we were -- just from a process perspective we were to overturn the director's decision and approve this evening, then, they have to go through the alternative compliance process. Can you refresh my memory as to what that process looks like?

Parsons: Absolutely. Mayor, Members of the Council, so alternative compliance is an administrative application that they submit through the online portal as part of that review that they would tell us how they are meeting the findings in the code, being equal

to or superior to what code allows. So, in this case by having a larger open space along the street and enhancing that area and working with the city and creating a public amenity there to be used, I think we could probably make that finding. So, that would all happen at the same time concurrently with their revision to their site plan based on your action tonight. So, it all, again, happened at staff level and, then, we would include that in a staff report with conditions of approval that the -- that would run with the land and the applicant would have to enforce that and comply with that in order to get a building permit.

Strader: Thank you. Happy to kick off discussion.

Simison: Go ahead.

Strader: Sure. Yeah. No, I understand the request. Again I was part of those discussions last time and from what I recall it was really a concern about the proximity to the intersection and I think that adding the decel lane that does a lot of mitigation to those concerns that came up the last time. So, I really want to compliment the applicant for trying to come through with a compromise and trying to address Council's concerns and I think it's, you know, the U-Box traffic is not too significant compared to the public traffic that's already happening. I agree with the Mayor, I think having that access next to the decel lane for everybody is safer. I'm happy to make a motion if people want? Okay. After considering all -- oh. Mr. Mayor, I move that we close the public hearing on Item 4.

Little Roberts: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I would move for approval on this. After considering all staff, applicant and public testimony to approve File No. CR-2024-0001 as presented in today's hearing with a couple of modifications. That we would move forward on the application with a little bit of direction for the applicant to work with staff and the Parks Department to discuss if a further public amenity makes sense in the enhanced landscaping area that the applicant is providing. Also noting that City Council is comfortable with the change to the landscaping buffer along Franklin Road, because they are providing the new decel lane and memorializing that. Further, to -- to also further explain that City Council will not require the applicant to provide the raised striped barrier. This access off the decel lane will be open for both the general public and the U-Box storage, but with the

direction for the applicant to work on wayfinding and striping and appropriate both signage and appropriate striping in the parking lot to direct traffic in -- in two different ways, so that we try to isolate the traffic that's going one direction and the traffic that should be going to the U-Box store. Hopefully I got it all, but -- and also it will be right-in, right-out. Thank you, Mr. Mayor.

Little Roberts: Second.

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

Roll Call: Cavener, yea; Strader, yea; Overton, absent; Little Roberts, yea; Taylor, yea; Whitlock, absent.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ORDINANCES [Action Item]

- 5. Ordinance No. 24-2063: An ordinance (Luna Hospice – H-2024-0012) annexing a parcel of land being a portion of the northeast quarter of the northwest quarter of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; rezoning 1.03 acres of such real property from R1 (Estate Residential) to the R-8 (Medium-Density Residential) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.**

Simison: With that we will move on to Item 5, which is Ordinance No. 24-2063. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to Luna Hospice, H-2024-0012, annexing a parcel of land being a portion of the northeast quarter of the northwest quarter of Section 19, Township 3 North, Range 1 East, Boise meridian, City of Meridian, Ada county, Idaho, more particularly described in Exhibit “A”; rezoning 1.03 acres of such real property from R-1 to the R-8 zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with

the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? If not, do I have a motion?

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I move that we approve Ordinance No. 24-2063.

Little Roberts: Second.

Simison: Have a motion and a second to approve Ordinance No. 24-2063. Is there any discussion? If not, clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, absent; Little Roberts, yea; Taylor, yea; Whitlock, absent.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics or a motion to adjourn?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Move that we adjourn the meeting.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 7:16 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT SIMISON ATTEST:	_____ DATE APPROVED
--	------------------------

CHRIS JOHNSON - CITY CLERK