

Meridian Planning and Zoning Meeting

August 6, 2026.

Meeting of the Meridian Planning and Zoning Commission of August 6, 2026, was called to order at 6:00 p.m. by Chairman Maria Lorcher.

Members Present: Commissioner Maria Lorcher, Commissioner Jared Smith, Commissioner Jessica Perreault and Commission Dom Gelsomino.

Members Absent: Commissioner Matthew Sandoval and Commissioner Matthew Stoll.

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

ROLL-CALL ATTENDANCE

_____ (vacant)	___X___ Jessica Perrault
_____ Matthew Sandoval	_____ Matthew Stoll
___X___ Dom Gelsomino	___X___ Jared Smith
_____X___ Maria Lorcher - Chairman	

Lorcher: Good evening. Welcome to the Planning and Zoning Commission for August 6, 2026. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are here at City Hall. We also have staff from the city attorney and city 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 we cannot take questions until the public testimony portion of the meeting. If you have a process question during the meeting please e-mail cityclerk@meridiacity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch it -- the streaming on the city's YouTube channel. You can access it at meridiacity.org/live. With that let us begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

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

Smith: So moved.

Gelsomino: Seconded.

Lorcher: It's been moved and second to adopt tonight's agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. **Approve Minutes of the July 16, 2026 Planning and Zoning Commission Meeting**
2. **Findings of Fact, Conclusions of Law for Elizabeth Childcare (H-2026-0032) by Elizabeth Nganga, located at 1247 Caucas Way**
3. **Findings of Fact, Conclusions of Law for Taco Bell (H-2026-0040) by BRS Architects, located at 3272 Grand Mogul Dr.**
4. **Findings of Fact, Conclusion of Law for District Building Drive-Through No. 1 (H-2026-0033) by Ahlquist Development, located at 3318 W. Grand Mogul Dr.**
5. **Findings of Fact, Conclusions of Law for District Building Drive-Through No. 2 (H-2026-0039) by Ahlquist Development, located at 3249 W. Cobalt Dr.**

Lorcher: The next item on the agenda is the Consent Agenda and that includes to approve the minutes from the Planning and Zoning Commission meeting from July 16th, facts -- Findings of Facts and Conclusions of Law for Elizabeth -- Elizabeth Childcare; Taco Bell; drive through One and Two in the District at Ten Mile. Could I get a motion to accept the Consent Agenda as presented?

Smith: So moved.

Gelsomino: Seconded.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Lorcher: At this time I would briefly like to explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report on their findings of how the item adheres to our Comprehensive Plan and our Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff's comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called only once during public testimony. The clerk will call the names individually of those who have signed up on our website in advance to

testify. You may come to the -- to the microphones in Chambers or you will be unmuted on Zoom. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on the screen and our city clerk will help you run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others who wish to testify. If you wish to speak on a topic you may come forward in Chambers or if on Zoom press the raise hand button or if you are listening on a telephone please press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please be sure to mute those extra devices so we don't experience feedback and we can hear you. 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 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 the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the -- and the Commissioners will have the opportunity to discuss and hopefully make final recommendations to City Council as needed.

DEPARTMENT REPORTS [Action Item]

6. Downtown Overlay District Discussion

Lorcher: The first thing we are going to do tonight is have a discussion about downtown's overlay district discussion and we are going to invite Brian from Planning to be able to discuss what that means for our city. Thanks.

McClure: Members of the Commission, I'm here this evening to update you all on a new downtown project. The effort includes a zoning overlay and, then, updates the Architectural Standards Manual used in the architectural and administrative design review. I'm intending to run through this pretty quickly. This project is new, but I'm happy to answer any questions you may have. So, this project is a direct outcome of the Meridian Development Corporation, the city's urban renewal agency, to update their downtown vision plan. As part of this work MDC identified some areas of improvement. Broadly, topics included zoning, architectural review, parking, placemaking opportunities and more. MDC and the City Council have met several times to discuss next steps and this project rose to the -- as a more immediate opportunity. Direction and support -- direction to staff includes some of the following -- and this is from City Council. Clarify and improve expectations and consistency. Implement work that aligns with the Comprehensive Plan. Maintain existing zoning and the point there being the overlay tool was an option to mass rezones as a means to get to where we are hoping to go. Focus on public realm improvements with developments such as sidewalks. Implement architectural standards that respond to the downtown area. Context for that is some of our development processes actually miss that if you don't have a subdivision, if you don't have new streets, opportunities exist for -- for projects to happen without even

putting a sidewalk in. And, then, importantly to focus on new architectural standards that focus on the city core. The work is currently grouped into three phases or components. The first one is the tool. The city doesn't currently actually have a allowance for zoning overlay. That has to be something we have to add to code to allow. The second thing is to define the downtown overlay to support the downtown project and, then, finally, we need to update the architectural standards manual with standards that focus on downtown. The -- the context there is we are not starting from scratch and the architectural standards manual includes express standards. So, those are things that are yes/no. They are measurable. It's not discretionary review. Along those lines one of the requests from the Meridian Development Corporation was to remove some of the current alternatives and allowances we have with things like alternative compliance or design standard exceptions. So, provide some more flexibility baked in -- into the standards, but, then, if you need more it's more of a public meeting sort of circumstance and maybe I will just add there, too. One of the issues we had done -- well, I will save that for you. So, this is -- this was a conversation with City Council and the Meridian Development Corporation. Existing zoning for the city -- it's a patchwork. The Old Town has a boundary. The Urban Renewal District has a boundary. The Urban Renewal vision plan has boundaries. There is lots of boundaries and they are all -- none of them really jive all that well or great and so this -- the starting point for city staff is to use the Comprehensive Plan, the future land use map, the thing we already have adopted as the over -- over-arching boundary here, so that's the proposed overlay. So, the zoning overlay would match the future land use map and, then, there is a standards focus area there. That would -- that's where most of the work is going to focus. So, the downtown standards for architectural design review that -- that's in the black area. We are not proposing a bunch of new standards for what's largely single-family homes and multi-family on the outside. It's really focused on the core, sort of central to where we are right now at City Hall. It's also sometimes called the city core. And, then, I will just note, again, there -- and this is a simple map. I have another one later on if you're interested, but zoning really is patchwork. Our Architectural Standards Manual is based on zoning, so you can have a project on one parcel be one standard, a parcel next door be another standard. It's not consistent. It doesn't represent downtown as -- as an area. It doesn't represent the context of downtown and that's really the purpose of a lot of this work is to unify the review process for downtown to be about downtown, not citywide zoning standards. Next steps here are working with working group meetings. We had our first one yesterday to look at zoning code. We have another one on Monday to look at some of the architectural standards and, then, those will continue to meet. We, then, will keep stakeholder groups informed. Skipped ahead a little bit. Project review here. I'm sorry. City Council is lead. They are the ones who kicked this off. They are the ones who set the context. We have a steering committee made up of Council Member, Meridian Development Corporation, city leadership. They are sort of driving the project and the work. Staff is working with two working groups that I just previously mentioned and, then, we are going to be doing outreach to stakeholder groups. So, Historic Preservation, Commissioner Johnston is representing that. Planning and Zoning Commission we are here tonight as a kickoff. Commissioner Stoll is representing you all on that and, then, other groups, such as the BCA, Unified Development Code

Steering Committee, review work groups and, then, the general public of course. Said some of this already. The last one on there is public outreach. I want to be a little transparent here. The comp plan already defines the overarching area we are working with. We have policies that support this work already. The Meridian Development Corporation already did a lot of outreach on this. They spent several years doing this project that sort of defined where we want to go. This project is really defined on -- or focused on how we get to where we have already defined where we want to go. So, while we are going to have a lot of public involvement, we are not going to be doing public engagement in the sense of visioning or rehashing things that we have already done. So, this is focus on the details from point A to point B with point B having already been defined and, then, of course, once we get to the adoption process that will include several public hearings with more formal public opportunity, including Planning and Zoning Commission and the City Council. So, with that I will stand for any questions and I will just maybe make one more note that I will be back, too, with more information.

Lorcher: Commissioners, do we have any questions for Brian? I do. So, downtown in general has probably some of the oldest homes in our community that are all clustered together and I remember a couple years ago we had a vacant lot next to a house that was built like in the 1920s and our code at that point in time said we had to put sidewalk in even though the rest of the street didn't have any, because that's what the code said. So, I -- I think it exists. So, you have this very short piece of sidewalk on a street that doesn't have any. But it also allows a two story next to really a craftsman bungalow or an old fashioned farmhouse. How are you going to identify some of these more historical houses to be able to keep some of the integrity of Old Town when you're doing your architectural standards and putting together a framework of what you want this to look like?

McClure: Commissioner Lorcher, that's a -- it's a really good question. So, the project is focused mostly on the commercial core would be the first sort of point. We are not focused on the outside stuff. So, that's business as usual currently.

Lorcher: Right.

McClure: And, then, the Architectural Standards Manual, while it does have some residential standards in it, they are not currently enabled unless it's directed as part of City Council actions, such as development agreement that says you need to do that for this project. So, that's not being -- that's not a concept to be changed currently. It's something others could recommend, but we are not -- we are not planning to touch single family design review standards in terms of that being a new process, we are adding to this currently. It's really focused on the commercial core.

Lorcher: Okay. So, on some of these little streets that are kind of downtown that don't have sidewalks, they are just kind of stay the same?

McClure: So, within the larger overlay that is -- that is the sidewalk comment I mentioned earlier. So, we are -- we are looking to preserve or require sidewalks now

and get that incrementally as development occurs, because we don't have any other way of doing that outside of some CBG programs. We -- we have one project I can think of where they didn't even preserve the opportunity to do sidewalk. So, that's currently being missed in a lot of cases. So, that is something we are going to -- we are planning to do and we had direction to do, but it could pivot depending on comments we receive.

Lorcher: Yeah. I mean I -- I haven't driven by to -- to see if this two story was there. I think I remember it. It's one house on the entire block that has a piece of sidewalk and -- and nothing else does, which changes the esthetics of the whole Old Town neighborhood to begin with. I mean it was in our code he could develop -- he could create -- create a two story building and I think it ended up being kind of almost a duplex if I'm not mistaken, which was also allowed in code. But now where you have like a 1920s and 1930s little farmhouses and, then, you have this huge thing next to it, it just doesn't seem like it belongs there and some of the families that said they have been there for, you know, passed down from generations and have no plans of changing, you know, who want to continue to stay there in their old little farmhouses, you know, are getting intimidated by some new development coming in, because it's going to change the esthetic of the neighborhood.

McClure: I will maybe note that we don't currently have any historic preservation districts. That is currently outside the scope of what we have been directed to do. But I have already received comment and interest in it, so --

Lorcher: Okay. Commissioners, any other questions for Brian? All right. Well, thanks for the update and we look forward to hearing the next steps.

McClure: Thank you.

ACTION ITEMS

7. Public Hearing continued from May 21, 2026 for Butte Fence (H-2025-0060) by Engineering Solutions, LLP, located at 5233 W. Franklin Rd.

- A. Request: Annexation of 9.14 acres of land with the I-L zoning district for the purpose of complying with the terms outlined in the consent to annex agreement for the existing fencing business in operation at the subject property.

Lorcher: All right. Thank you. Okay. The first application on the agenda is Item No. 2025-0060 for Butte Fence to annex 9.14 acres adjacent to their business on Franklin Road and we will begin with the staff report.

Napoli: Good evening, Madam Chair, Members of the Commission. Next item on the agenda is the annexation for Butte Fence. So, the applicant is requesting annexation of 9.14 acres of land with the I-L zoning district for the purpose of complying with the terms

outlined in the consent to annex agreement for the existing fencing business in operation at the subject property. The site is located at 5233 West Franklin Road and the future land use designation is mixed employment and the future zoning is M-1 or -- and the current zoning is M-1 in Ada county. The subject property was approved for a 14,000 square foot manufacturing facility with accessory office space, product fabrication, assembly, outdoor storage and retail sales in Ada county in 2019. However, since -- since it is annexing into the city it will be considered a contractor's yard with ancillary retail sales as the uses within the city. So, during the entitlement process with Ada county in 2019 the applicant entered into an agreement with the city that they are required to annex into the city once contiguous to city limits and they did a property boundary adjustment in 2023 I want to say to -- for the southern portion of the site to make them contiguous to the south. There also was a recently approved development just to the east that also would make them contiguous. So -- so, currently approximately 5.966 acres of the 9.14 acres of land is developed or uses outdoor storage. The remaining 3.17 acres are undeveloped. As a part of future expansion the applicant will be required to subdivide the property and construct an east-west collector roadway in alignment with the future stub road that is to the east -- or that will be to the east. Staff would like to note that there are several nonconformities with the site that do not meet the UDC requirements, because it was developed in Ada county. This includes vegetation coverage requirements, architectural standards for the existing building and a multi-use pathway along Franklin Road. Staff is not requiring for these to be brought into compliance at this time. However, with future expansion staff will require the nonconformities to be remedied or the applicant has the option of seeking a conditional use permit to keep the nonconforming status. So, since the publication of the staff report -- here is the annexation exhibit for it and this was the site plan that was approved in 2019 by Ada county for the existing 14,000 square foot building and outdoor storage. This is their newest updated site plan. Since the -- this building right here is actually under construction. They did pull a building permit in Ada county -- that it is currently being -- in the process of being finished. The property -- or the building that is in the red X has not been -- was also another permit that was pulled in the county. However, it has not been constructed and now that it will be annexed they will be required to come through the city. There is one provision that staff is asking for you guys to amend in the staff report after some conversations with the applicant. That would be Provision C of the staff report. This provides the applicant a little bit more flexibility than the two-year requirement that we were requiring at first. So, we have not received any public comments at this time and I will stand for any questions that you have.

Lorcher: Would the applicant like to come forward?

McKay: Thank you, Madam Chair, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm here representing Butte Fence. As Nick indicated, the subject property -- kind of how this came about -- give you a little back history. With the improvements -- ACHD improvements on Franklin Road back in -- I think it was 2019 or '18, the City of Meridian extended their sewer and water west in Franklin and stubbed to this property. However,

this property was not at the time contiguous with the city limits. So, on Butte Fences' behalf I submitted a waiver to the City Council to request central water and central service -- sewer service from Meridian for the site, even though it was outside city limits. So, the City Council did approve that and we entered into a formal agreement with the city that they would provide service and they set forth conditions and this was in 2018. That at such time as the property became contiguous to the city limits, Meridian would notify us that we had 90 days to submit an application for annexation. Because you -- as you well know, the UDC requires that -- that any properties utilizing Meridian central services be within the city limits, unless a waiver is granted. So, we did receive notification from the city that we needed to submit annexation requests prior to -- I think it was December 31st. So, we did meet with the staff, do our neighborhood meeting, get our application submitted. We did meet those deadlines and submit it for annexation. My client has been traveling a lot, because he sources a lot of his fencing materials outside the United States and so every time we had a hearing scheduled he was going to be out of town. So, that is the purpose for the continuous deferrals, which I apologize for. We did receive the staff report. Staff had a condition in their Provision C that had some statement that within two years we had to subdivide and construct a collector roadway. The property that my client has is a legal buildable parcel. The Butte Fence headquarters is on it. They have multiple shops where they do fabrication and assembly and they had -- they -- we took it through Ada county. We got all of their approvals for the facility. The building permit was issued through Ada county. We got ACHD approval for the approaches. So, what kind of threw the monkey wrench into the picture was when my client acquired some additional property south of his site, it just happened that there is a collector roadway on the east side of Black Cat that had been approved in a CBH development. So, based on the master street map my client anticipated that the collector roadway would be on his south boundary of -- of his property and due to the fact that they had already approved a CBH collector on the east side of Black Cat, that moved the collector north, which, then, means that the property he acquired that he assumed would be a -- you know, a future expansion area for Butte Fence now is being bisected by a future collector. So, we have had multiple meetings with your staff to try to figure out -- okay, at what point would this collector roadway be required to be built and dedicated? At what point would my client need -- because, technically, the road would -- would require him to subdivide his property. So, initially the staff had like a two year time frame and -- and my comment to the staff was, you know, I -- I -- I have never in 36 years had an application before any municipality that if I had a legal parcel of record they required that I subdivide and build a collector roadway within ten years. So, the -- the staff did work with us and I appreciate their time, their effort and Nick and Bill worked on an alternative condition of approval that set -- set forth some parameters of what constitutes development on the property that would be a trigger point for, obviously, constructing the collector roadway and subdividing the property. My client and his attorney have gone back and forth with the staff and myself and we are kind of at a point where we are like this close, but not all the way there. So, I guess, you know, the best -- my recommendation to my client this evening was, you know, the -- the -- the staff has -- the definition of development is in the UDC. That, obviously, can't be changed and the staff is willing to provide some language in there that if he were to expand his existing headquarters building by ten percent that would

not constitute a development and trigger the plat and trigger the collector roadway, because all of his traffic, his approaches are on Franklin Road. So, really, technically, that collector or backage road does not do him -- is no benefit to the Butte Fence facility. In fact, now it's a hindrance, because it has segregated the southern parcel for -- that he planned for future development. So, we have a little bit of work to do on this condition and so I guess what I would like to do is I really don't want to burden you with trying to, you know, figure out what -- what is -- because this is kind of a gray area. I have never encountered this. My -- the attorney for my client hasn't encountered this. I guess -- you know, I think our best option is to get past this point this evening and -- and you guys approve -- my -- my client did -- his attorney did provide alternative language to staff. Staff has had a few issues with some of the verbiage, so I guess we -- we need to probably move forward with what staff is recommending and, then, try to work with staff between now and the City Council to work the bug -- the little bugs we have and, then, have, obviously, the City Council, who is, you know, that -- they are the final determination on what they feel is an appropriate condition. So, that's kind of where -- where I am. I -- I don't want to put a burden on you where we -- we are rehashing this and discussing it and, you know, for an hour and a half and -- and you still, you know, come back to what the staff is recommending, because I know you rely on your staff a lot. So, I ask that you send the project forward with the recommendation for approval for annexation in compliance with this 2018 agreement with, obviously, what -- what the staff currently has as this revised DA provision, noting that we -- we, obviously, have concerns with it. We will work with staff. Hopefully we can have it resolved before we go to the Council and if not, then, obviously, the Council in their best judgment and wisdom will determine what is the appropriate condition. But I don't want to waste your time and effort this evening.

Lorcher: So -- so, the -- so, the applicant is open to eventually subdividing the property at the recommendation of -- of the planners and be responsible for his portion of the collector road; correct?

McKay: Yes, ma'am.

Lorcher: It's -- it's a matter of timing?

McKay: It's a matter of timing and so the -- the -- the quandary was what constituted development. So, my client's question to me, which I did send to Nick -- so, my client says if I do a tenant improvement in my existing building does that constitute development and, then, trigger that I need to subdivide and build this collector or what if I do an addition to my existing headquarters, does that trigger? So, staff came back and said a TI improvement, obviously, would not -- would not fall under the definition of development based on the UDC. We would consider allowing up to a ten percent addition to your existing building and that not constituting a develop -- or new development. So, we are just trying to figure out what is a trigger point, because, obviously, on the Ten Mile Specific Area Plan it has a designated collector that goes east and west from Black Cat and there is a project that has been approved by the City Council on our eastern boundary, which would stub the collector to the subject property.

So, my client is extremely concerned because of, obviously, the excessive -- excessive cost of putting sewer, water, building a collector that he doesn't need for his particular use. So, that's kind of where the rub's been trying to figure out -- you know, he doesn't want to, obviously, commit to, you know, a million dollar improvement or, you know, that's just -- I'm throwing that number out --

Lorcher: Right.

McKay: -- and hitting him at, you know, this point and, oh, you know, he has a business to run. Obviously, he has significant employees. He bought that site. Butte Fence has been in Meridian for many many years. It used to be south of Fairview on a little parcel. They basically outgrew it. He spent two years finding this property that would accommodate his -- his facility and fabrication and showroom and offices and so the -- the City Council, when I came before them asking for that waiver to use sewer -- city sewer and water, was, obviously, wanting Butte Fence to stay within the city limits of Meridian.

Lorcher: Right.

McKay: You know, we want -- we don't want them -- because, you know, his comment was, you know, this is kind of my last gasp of finding a parcel that will work for me that I can afford and if I can't do it here I'm going to have to go to Caldwell or Nampa, which I do not want to do. So, the Council was very generous. The Mayor. They all said we will work with you. The Public Works, the city engineer recommended approval of the waiver. So, everything -- everything has fallen into place and so we just kind of have this -- this little hurdle on at what point in time does it trigger that we need to subdivide and build the collector. So, that's -- that's the whole issue.

Lorcher: Okay.

McKay: And I -- I really don't want to put that burden on you, because I mean this is a discussion we could have for quite a long time and he is not here this evening and -- and so I -- my recommendation is let's just move forward, we will work with staff and, then, hopefully, when we get to the Council everything's tied up in a nice beautiful bow.

Lorcher: Commissioners, do we have any questions for Becky?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I do have one question. So, you stated that your client is more concerned about timing than necessarily constructing, you know, the improvements themselves. I'm a little bit concerned about the incentives; right? And I guess maybe if you could assuage some of those concerns of being overly -- you know, I tried looking it up really quickly, but I think in -- you know, there -- there is some city that said, hey, beyond I think a

single parcel of nine units or more you need an architect to come in and review. You saw a rise of eight unit developments -- eight parcel properties and so I'm a little bit concerned about maybe if we set too clear a definition or too -- you know, not that clarity is the enemy, but too rigid a definition that we are incentivizing consistently just staying just a little bit under that definition of what constitutes ten percent of development or what constitutes this and one of my concerns is making sure that that collector gets constructed. So, could you just speak to -- I guess that balance of, you know, timing versus incentivizing certain behaviors or certain development approaches to stay under that? Because at the end of the day we want to make sure that gets developed. So, I guess that's just my -- that's the -- kind of thing that perks my ears up a little bit.

McKay: Madam Chair, Commissioner Smith, so in the City of Meridian in -- and in other cities it's pretty consistent that -- that a developer controls the timing of his improvements. We have multi-phased projects and there are times where the phases may stop and kind of be put on hold before it brings utilities and a collector roadway to the adjoining property. Obviously that is a tactical, you know, business determination, you know, because it's competitive and I have asked the City of Meridian -- in fact, I had a meeting with Warren Stewart and Clint Dolsby just a week ago -- and it's out by -- just north of Lake Hazel and east of Locust Grove and it's a Brighton project and I said, well, so the collector is within Brighton, so -- so is the sewer and the central water and my client's project is split between two sewer sheds and so part of the property has to sewer to the northwest. So, my question to them is is the city putting any timeline or requirements for Brighton to bring the collector and the utilities to my client's property and the answer to me was, no, we do not have that authority. We do not have that authority to dictate when that street or when that sewer and water is stubbed to your client's property and I have -- I have fallen into this trap multiple times over the past 36 years and I have had clients look at properties and, then, I meet with public works and they're like, well, the sewer is up in this development and I'm like, well, you know, can you -- can you get them to extend sewer? Could we go pick up the sewer, bring it to our -- nope. It's solely on the property owner at their determination. So, in my opinion legally we have never ever -- and there is nothing in the codes, nothing in the comp plan that says that there is any timeline in which a particular developer or development has to have a street or a sewer or water stubbed to an adjoining property within a specific timeline. Never. They don't have that authority. And Warren Stewart told me that just two weeks ago.

Mr. Smith: Thank you. Madam Chair?

Lorcher: Commissioner Smith.

Smith: I have a question for staff and I know the applicant's language came in this afternoon, so no pressure. I mean no is an acceptable answer, but I'm curious if you have any insight into -- I mean it seems like there is maybe a larger question at play here and so I'm trying to understand -- if this truly is hammering out some nuts and bolts and getting our ducks in a row, I'm okay with getting it onto City Council, but -- and while I appreciate the applicant not wanting to, you know, use up a bunch of our time, that's

kind of why we are here to do that on behalf of City Council. So, if there is an issue, I'm curious if you have any insight to whether there is an issue, that it might be prudent for Planning and Zoning to take a look at in the future or if this is something that, hey, it really is small minutia that we can give to City Council and hash out in the -- in between.

Napoli: Yeah. Madam Chair, Commissioner Smith, so as you -- as you heard timing is really the big concern here from staff from -- we went through internally about it quite a bit before we even published the staff report. Timing of that collector roadway really is a concern now that we are really starting to see development spur in that area. One thing that I guess is important to note and -- is at the western boundary of Butte Fence is a different sewer shed. So, with the property to the west of them there might be some ability for the northern portion of that property to be sewerred, but likely it's all going to have to come from a sewer that's going to have to come down McDermott. So, essentially, development will stop until that sewer comes down McDermott from other development -- from pretty -- it's going to be at Ustick, so that needs to go to Cherry and, then, it, obviously, needs to get to Franklin at some point and that could be a lot sooner than we think. It could be ten years, it could be 20 years. I doubt it will be 20. I doubt it will be ten. It will probably be sooner than that. But there is time to where that western property won't redevelop, but there is still a concern about that timing, because limiting access points onto Franklin is going to be crucial in this area. It really is. Obviously Butte Fence -- they are already existing. They have their curb cut. I don't expect that to go anywhere, because their business probably wouldn't be able to operate without that curb cut, without, you know, a new road going through their outdoor storage. So, my -- the answer to your question is if the Commission has significant concerns about the timing and what staff and the applicant have worked through, then, I think, yes, you know, you guys should make a decision on that. If you guys think that staff and the applicant work through it, which I think we can find, you know, some common ground. We already have found some. I think that there just needs to be some additional conversations, then, I would -- I'm comfortable with it going forward to City Council and for them to make that determination. Correct.

Perreault: Madam Chair?

Gelsomino: Madam Chair? Go ahead.

Lorcher: Commissioner Perreault.

Perreault: Thank you. So, there weren't any maps in the -- in the file of this collector road and so is this the same collector that's -- that's running down into the large industrial development that connects, then, to Black Cat?

Napoli: Madam Chair, Commissioner Perreault, so it's actually a northern collector. It's north of the Grand Mogul collector, which you are probably thinking of, through the district, which would be the existing road that's about right here on the map as you can -- this one would be actually up here and it runs right through here to a north-south collector that will have an intersection right here on Franklin. So, it is a second collector

road that runs through other industrial projects. Correct. Not -- not the larger industrial project that was done in 2022 I want to say. So --

Perreault: Thank you. It's all coming back to me now.

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: I have a question for staff and, then, I do have a question for the applicant. Nick, has the city ever invoked DA default procedures against a timeline-specific infrastructure condition -- not a use restriction, but a deadline to construct a road in any comparable annexation? If not, what is the realistic enforcement path if the two year deadline passes without subdivision and construction beginning?

Napoli: Yeah. Madam -- Madam Chair, Commissioner Gelsomino, it -- good question. So, typically timing of things is addressed in the phasing plan. Typically staff and the fire department have quite a bit of say in that when it does come to the phasing plan. So, when you guys see phasing plans for subdivisions typically it's pretty important, because that's when extension of road and sewers is going to happen. Secondary access, you know, which is some fire and health safety things. As far as it being NADA, we normally set thresholds or trigger points for that and typically not in the realm of years, it typically is in square footage or number of homes. Those type of trigger points. You know, like Becky said, this is a unique area in the fact that we have, you know, a lot of development being spurred and we have a collector roadway that's going to be crucial in this area. So, for us the two years was really -- and I went back and forth with Bill on the timing of two years versus five years versus what really is in the best interest of the city and what is going to work and, you know, ultimately, we landed on the two years. I understand the applicant's perspective on that and that's why we were willing to work with them, but it is really that collector roadway to that north-south collector in the future is crucial for this area to function effectively, so -- but if they didn't fulfill the two years we would probably send a letter -- a notice letter that they didn't, you know, fulfill the agreement and legal might have a better understanding of what we would do at that point. I have not seen that in my time at the city, but there would probably be some additional steps that would be on the legal side.

Parsons: Yeah. Madam Chair, I'm happy to elaborate a little bit on that. No, we -- we have never done that to my knowledge and Becky's been doing it for a long time, too. So, I know she would say the same thing. More than likely the remedy would be come back and amend your development agreement and ask for more time. That is probably how we would guide the applicant to proceed. The reason why we proposed two years was -- at least from staff's perspective was the fact that we did just approve the annexation of the property just to the east boundary of this site and they are required as part of their DA to subdivide the property and construct that road with the first phase. They are not even going to phase their development. We have already pre-apped with them, they are already putting their preliminary plat application. So, we thought two

years made sense, because the road would more likely be there and stub to them in two years and that's where we landed on it. So, wasn't trying to -- to do something that was inappropriate for this property, just trying to make it clear that the road is important, because the last thing that we want to have happen -- and I have seen this in my time as well -- is where we have two roads across from each other, but they never connect and we don't want that either, so -- and I know the applicant understands that, because she's done a thousand subdivisions in the Treasure Valley so she gets -- you hear some of her challenges she's facing in today's world as well and so although Public Works may not have the ability to require certain things, we do, meaning planning, through a development agreement we can't control phasing and timing of those things and we have done that pretty consistently, although unintended consequences do happen on occasion where you think you are getting the right things with the first phase and, then, the next property comes in and you realize, oh, that phasing didn't quite work out the way we anticipate and, like you said, the city doesn't control -- every two years you come in with a phase, we just say your next phase has this many lots or this -- and these amenities and this open space. We don't put a timing on it. So, that's -- I think that's where we are at odds with the -- the applicant a little bit is -- is really the timing. No. And I don't have any doubt that this road is -- won't get built. It's going to get built, because it's going to be a requirement of this property to get built. But the applicant is correct, the -- the alignment of that road has shifted from when she came through in 2019 until now. It was -- I have seen it going through the middle of the current property -- her client's property. I have seen it going along the south boundary of their property and we have gone as far as -- we had an approval -- Nick was working on the -- the property off Black Cat and we thought it was going to go on the south boundary and ACHD is, no, we got to flip the whole site plan and they moved the road to the north side of their property and so, then, we are -- all of a sudden we are scrambling at the last minute to have the road realigned then. So, a lot of moving parts here. So, again, I'm -- I'm somewhat sympathetic to the applicant. I would like to move this forward and, then, just continue to work on this and hopefully get a resolution before City Council takes action on it.

Gelsomino: Thank you. And, Becky -- Madam Chair, Becky, my question to you, then, is has your client initiated any pre-application contact with ACHD regarding this collect -- collector road alignment -- alignment. Excuse me.

McKay: Madam Chair, Commissioner --

Gelsomino: Gelsomino.

McKay: Gelsomino. A long one. Yes, I did -- I did consult with Mindy Wallace over at Ada County Highway District and I said, you know, your master -- your ACHD master street map still shows the collector in its original location, which is on my client's southern boundary, which parallels an existing drain. She said, yes, I know, we haven't change it, but, then, we had this CBH project on the east side of Black Cat and they had the collector further north, so that's where we required the project that's to the east of you to match that alignment and which has, therefore, changed the collector. I guess,

you know, the difference between this project and other projects is -- is typically I'm coming before the Planning and Zoning Commission with a completely new development, you know, that -- that we have bare ground and we are doing a subdivision and we are doing an annexation and, you know, in -- in this situation this business already pre-exists and so, you know, my -- my client -- obviously, his fear is that -- that if there was some two years I got to spend a million dollars, I mean that's very frightening, you know, if you are a small business owner. I'm a small business owner and if Meridian came to me and said, you know, hey, in two years you got to spend a million dollars, we want a collector on the back of your office, you know, that would be a significant burden and -- and there is no history, there is no precedent of that. You know, we are -- we are, obviously, not debating that there is a collector that is proposed to go through this property at some point in time. What we are debating is that there needs to be some type of reasonable trigger that if the property redevelops or he sells off the southern property for whatever purposes, then, that would be a trigger. But to have a hard timeline would be completely unfair to his business and -- and -- and would be totally unprecedented in the City of Meridian and in talking with his attorney Justin Cranney at Hawley Troxell, he said, you know, that -- that is basically overreach. That -- you know, he said I -- I would have a good case -- legal case for judicial review that this condition is not appropriate, because whatever exactions are stipulated on this annexation must be consistent with the impact of the project and the impact of my project isn't changing. It's the same. We are a low traffic generator. Butte Fence. You see what I'm saying? So, you know, there has to be -- you know, based on U.S. Supreme Court cases that, you know, there has to be a proportionality they call it on what you impose on a development versus what -- what it is imposing on the community or the transportation system. In this situation there is absolute -- my -- my client's existing development does not warrant, nor need this backage road at all. So, it doesn't meet that test of proportionality.

Lorcher: I want to play devil's advocate here for a second, because everybody is friends until there is money involved; right? And we are talking about a lot of money to build a collector road.

McKay: Yes.

Lorcher: And the City of Meridian needs the connectivity to be able to continue to make our city work well. Regardless of the time frame -- we -- we don't have a crystal ball. He may subdivide and say, well, I don't need the southern portion, I'm going to sell it to a sprinkler guy who -- you know. And, then, he has got his own business and right now you might not need the southern road to move your trucks, but, you know, it might be nice to have a secondary access, so you can get bigger trucks in where Franklin Road might not be able to accommodate that. So, question for staff -- and I -- I understand where planners are coming from is that once the annexation is granted and Butte Fence, you know, is in the city and it has the property, there is not a lot of mechanisms for the city to come back and say, okay, it's now time, here is the trigger, for you to build the road and the client -- and Butte Fence says, well, I still can't afford it, you know, and so, then, we have got this disconnect between the east and the west property. So for

staff, as far as a mechanism -- I'm just asking this because it just came to me. Can we revoke the occupancy license if they choose not to build the fence or is there no mechanism once the annexation is granted and he has the property and chooses not to build it for whatever reason, we are going to use good faith that, you know, it will happen. But, like I said, everybody's friends until there is money involved and it might come to a point where people aren't getting vinyl fences and -- and he can't afford it. Is there any mechanism that the city can require him at the time where the triggers here and now that they have to go forward?

Napoli: Madam Chair, Members of the Commission, so if I'm understanding the question correctly, now is the time to get those triggers in place and those mechanisms in place with the development agreement. If at the time -- let's say they do an expansion and it exceeds the ten percent and he is in -- not -- he violates the development agreement, at that point, yes, there is probably some mechanisms that we can do and would I -- are we going to go, you know, red tag his building and --

Lorcher: Right.

Napoli: -- get the occupancy out of there? I don't know if we would say we would go that far. But, yes, that's when we would start the conversations with them and say, hey, this -- you have exceeded your ten percent or you have developed on the southern portion south of the collector, now is your time you have to build a collector. That's correct. So, there would be letters sent and there would be notices, meetings had and we would -- it would have to happen at that point; that is correct. That is the -- now is the time to get those mechanisms with that development agreement.

McKay: So, Madam Chair, I -- I believe what staff has prepared is protecting the city, because it is defining what constitutes development.

Lorcher: Okay.

McKay: So, if he -- if he decides he wants to build a 20,000 square foot fabric -- new fabrication building that would trigger --

Lorcher: Right.

McKay: -- the subdivision and the road improvement, so -- so, staff is protecting the city. They are protecting the Ten Mile specific area plan and providing provisions that -- that will trigger those improvements.

Lorcher: And you're arguing that the two year timeline is restrictive?

McKay: Right. And staff has agreed and they have taken that out of that condition.

Lorcher: Okay.

McKay: They have revised -- I believe -- I believe Nick has revised that condition and, then, he has defined what is development, what would trigger that he -- we need to subdivide the property, build the -- the collector --

Lorcher: Got You.

McKay: -- and so that's where we are now.

Lorcher: Okay.

McKay: So, you know, as far as -- is my -- is my client completely comfortable with this condition? The answer is no. However, I would like -- like I said to get past this point. Staff is comfortable with this. It does have the same goal -- -

Lorcher: Right.

McKay: -- and, then, if my client and his attorney can work with staff and the city attorney and, you know, refine this to protect the city, to protect my client. I think that's all they are looking for, is that everybody is protected --

Lorcher: Got you.

McKay: -- and -- and that, you know, that -- that this doesn't reach a point where we are at odds.

Lorcher: Commissioners, do we have any other questions for Becky before we open it to public testimony?

McKay: Thank you.

Lorcher: All right. Thank you very much. I appreciate your patience with us. Madam Clerk, do we have anybody signed up to testify?

Lomeli: Thank you, Madam Chair. I have Mark Jang that signed up online. They are in the room or online. Can you raise your hand? Okay. So, that might have been an error. Other than that name no one else has signed up.

Lorcher: Is there anybody in Chambers that would like to speak on this -- on this application? Becky, do you have any other final words? Are you good? Can I get a motion to close the public hearing?

Smith: So moved.

Gelsomino: Seconded.

Lorcher: It's been moved and second to close the public hearing on application 2025-0060, Butte Fence. All those in favor say aye. Any nays? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: I -- you know, things change and it will change again and it will continue to change, because this is a growth area. This was originally approved by Ada county and their rules of engagement are a little bit different than the City of Meridian's and it's unfortunate that, you know, one development to the east has kind of changed the trajectory of the street, but, you know, makes this road bisecting his property, as opposed to skimming the outside of it, but I also understand from the city's perspective that if we don't put mechanisms in place to be able to get the road, then, you are on -- you are on pavement and, then, dirt and nothing connects. So, I think we need to trust the process and the good faith of the -- the applicant and the -- the company Butte Fence has been in Meridian for a long time and I don't see them going away anytime soon and -- and we will need to -- at least from my perspective trust the fact that they will honor their agreement with this. We can add this DA provision to go forward to City Council.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. As much as the -- I guess I'm a Georgist at heart. As -- as much as that part of me kind of bristles at maybe disincentivizing making -- incentivizing dormant land a little bit, I trust staff and their discretion and it seems like they are comfortable with sorting this out.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: So, I'm not super familiar with the details of the -- the project to the east, but I am somewhat disappointed that there wasn't, you know, really involved conversation with this property owner on that change to the collector roadway and this is where we always are encouraging applicants to go to their neighbors and talk to the neighboring property owners, so that we don't run into this kind of issue in the future. So, I'm sorry that this property owners kind of had to go through that and not really potentially had, you know, as much of a voice in -- in that -- in where that collector roadway is going to go. It -- it -- it takes everybody. But regarding the revised DA provision, I think that I have no concerns about changes to the language in it. So, I think -- yeah, I think we should move forward.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2025-0060 as presented in the staff report with a modification to amend Provision C to align with the language provided by staff on the slide presented to us and in our briefing materials for this evening.

Gelsomino: Seconded.

Lorcher: It's been moved and second to send Butte Fence on to City Council. All those in favor say aye. Any opposed? Motion carries. Thanks, Becky, for your patience.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

8. Public Hearing for Rackham Microhospital (H-2026-0011) by Kimley Horn, located at Northeast Corner of S. Eagle Rd. and E. Overland Rd.

- A. Request: Modified Development Agreement to modify the existing Development Agreement (Inst. #109134179) to updated certain provisions and the conceptual site plan and building elevations.
- B. Request: Conditional Use Permit to construct a 24,000 sq.ft. hospital
- C. Request: Preliminary Plat consisting of 2 buildable lots and 1 common lot on approximately 4.655 acres in the C-G zone.

Lorcher: The next item on the agenda is Item No. H-2026-0011, Rackham Microhospital requests a modified development agreement, a conditional use permit and a preliminary plat at Eagle and Overland Road and we will begin with the staff report.

Ritter: Thank you, Madam Chair, Commission Members. So, we are here -- so, this site consists of 5.21 acres of land. It's zoned -- currently zoned C-G. It's located in the southeast corner of North Eagle Road and Overland Road. So, a little background on this. So, approximately 9.06 acres of land was annexed and zoned C-G and service -- C-G from RUT and R-1 in Ada county in 2008 to be developed with a retail and restaurant uses in the future. Concurrently the applicant requested to vacate the existing right-of-way of South Rackham Way. Approval of the proposed vacation application would allow the applicant to do a land swap with ACHD and reconstruct Rackham Way to Overland future -- I'm sorry -- further to the east. The site was vacant except for an ACHD parking lot on the northern portion of the annexation area. The parking lot was proposed to remain. So, this is the ACHD parking lot that we were talking about. So, they are requesting the modification of the existing development agreement to update certain provisions, the conceptual site plan, building elevations and do a conditional use permit to construct a 24,000 square foot hospital, a preliminary plat consisting of two buildable lots and one common lot. So, the microhospital with

services will include a full emergency department with ten exam rooms, including one trauma room and one isolation room. A full imaging department with X-ray, CT scan and MRI. There will be eight overnight patient beds for anyone requiring an overnight or longer stay. The applicant stated there will be about eight employees and anticipate a daily high of 30 to 50 patrons, with an average of 20 to 30 patrons per day. Oops. The hospital will be one story in height with landscaping surrounding the perimeter. The main entrance for patients and pick-up, drop-off is on the west side of the building. A separate ambulance pick-up, drop-off area is provided on the south side of the building. So, the applicant stated that the facility has less than one percent of the patients arrive or leave via ambulance. The majority of the ambulance trips to the facility will be when a patient is leaving or being transferred to another larger emergency care facility, like St. Alphonsus or St. Luke's. The applicant states that the hospital is a concierge patient choice type facility, often preferred over general hospitals, for less urgent specific patron needs. So, access to this facility will be from the realigned Rackham Way, which will be restricted to ambulances and patrons traveling to the site. Eastbound traffic exiting the development will be directed to use Silverstone Way. According to ACHD the intersection of Eagle Road and Overland cannot be reconfigured to accommodate U-turn movements and staff is requiring that the existing attached sidewalks that are along Overland Road be removed and a detached multi-use pathway be installed, which will be along Eagle Road in Overland and, then, the pathway along Eagle Road will be required to curve here to meet Rackham, which will have a five-foot sidewalk along Rackham Way. The hours of business for this -- hours of operations for this business will be 24 hours within the C-C and C-G districts. Hours of operations are limited to 6:00 to 11:00 p.m. when they abut a residential district, but this property does not abut a residential district, so they are allowed to operate 24 hours. They will have to meet the specific requirements for -- for hospitals per our UDC. They are required to provide one parking spot for every 500 gross square feet of area, so they have provided 57 parking spots, which exceeds the requirement and so they did provide some -- some building elevations for the hospital and this will have to go through design review and this application will also have to go through CZC for the project prior to getting a building permit and some of the -- so, this is like the -- they have to vacate the right of way, so this is the current right of way for Rackham. So, they want to vacate this and realign the roadway this way, pushing it further to the east, which meets ACHD requirements. They have to get a floodplain permit, because of the location of the project. It is within the floodplain. And this is the -- I just wanted to compare. This is like what is being proposed for the concept plan and this is the existing concept plan and within the existing concept plan the buildings could only be 20,000 square feet and the new proposal is requesting that they are 25,000 square feet. The -- the provisions that they are proposing to amend within the DA is changing the square footage for the buildings. They are not changing -- modifying anything else within that provision and they are proposing to remove Provision 5.1.9, which takes away the proportionate share for a bridge over across the Five Mile Creek, but that has already been constructed, so -- and already paid for, so we -- that doesn't need to be there. So, we also are removing the provision for 5.1.11, which talks about the stub road. So, that wasn't required, so that provision is no longer needed in that DA and something that staff wanted to bring to your attention was the issue that we have and the Council will have to make a

determination whether or not it meets the intent of the requirement because the specific use standards for hospitals states that hospitals have to take direct access to an arterial. This one doesn't exactly take direct access to an arterial. So, that is something that Council will have to determine whether or not this meets the intent of our standards. So, we did have -- received written testimony today from Brett Rumbleck. He is a member of the Idaho Association of Health Plans. He has concerns regarding traffic and infrastructure adequacy, internal consistency of the application record and compatibility with the surrounding area. He feels that a traffic study should have been required and the applicant is not forthcoming regarding the use of Lot 2. So, based on what's in the area, it's mostly commercial and -- and, Commissioner Perreault, I did get your e-mail. It was forwarded to me, so I just wanted to address the concerns in the applicants -- so, a traffic study wasn't done in this area because basically these roads are built out to capacity as far as mitigation that would be required, so ACHD did require the applicant to provide -- dedicate right of way along here to make that from the center line 74 feet and they are adding that turn lane there. So, that was the mitigation that they required for that, because it is built out to capacity at this point and ITD does not have jurisdiction over this section, so it is under ACHD's jurisdiction. So, ITD had no comments on that. And as far as the inconsistency, they were saying that there was a drive -- retail drive-through that was shown in the geotech report, the sunset plan and the site plans that we approved don't show a drive-through, so we don't have anything that shows a drive-through. If they were trying to propose a drive-through there the drive-through would -- depending on the type of drive-through that they were showing it would either be coming to you or coming to you and City Council if it was a tier two or tier three drive-through. So, if it was a bank, no. But if it was anything other than that it would be coming back before Commission or going to Commission and City Council. And, then, for the -- I can't answer the operation portion for the hospital. I will let the applicant address that when they come up. And, then, as far as the change in use from the previous -- yes, it did change from what was being proposed before, which was more retail-restaurant type things. They are asking the Commission to recommend to Council whether or not the request to modify the existing DA and create this new DA for the proposed preliminary pad and microhospital is appropriate. So, you guys get to make that recommendation to City Council whether or not, based on the current DA, what was proposed is more appropriate than what they are proposing tonight. So, just wanted to address those. So -- and based on that staff did recommend approval with conditions outlined in the staff report and, then, with that I will be happy to stand for any questions that you have on this.

Lorcher: Would the applicant like to come forward? Hi.

Spath: It's Kelli Spath. 1100 West Idaho Street, Suite 210. I had forwarded my presentation earlier today. Okay. Perfect. Thanks. Beautiful. Thank you for having us tonight. I'm here tonight to talk about Orion Subdivision and microhospital. Like I just mentioned, my name is Kelli Spath and I'm with Kimley Horn and we will be handling the entitlements and planning portions of this project. Also with Kimley Horn is Ian Connair and he will be the engineer for this project. He is not here tonight, so I'm happy to answer any of those questions that you might have as well. We have Mark Jang on the

phone. He is a member of Alliancephere Ventures, who is the developer for this project. And also here tonight we have Lyndon Brown, who is the architect for the microhospital. So, like Linda mentioned, we are talking about three parcels on the northeast corner of Eagle and Overland. They comprise of about 4.56 acres and as you got a summary of Rackham Way currently bisects the site and intersects with Overland Road and there is that ACHD commuter ride parking lot to the north of the site. So, we have taken a decent process to get to where we are tonight. Like Linda mentioned, there -- the parcels were originally annexed and zoned into the city in 2009 where they established that development agreement that our project is now being roped into. In January we had our pre-app meeting with the city. We had a neighborhood meeting in February, submitted our applications in March and, then, that brings us here tonight. So, the applications we are chatting about tonight are that development agreement modification, which will modify the existing DA to accommodate our proposed site plan and a few of those other provisions we have chatted about. A preliminary plat, which will adjust the right of way and parcels for the Rackham Road realignment, as well as a conditional use permit to permit that hospital use in the C-G zone. In the future this project will have to come back for a few more -- not to -- to the city for a few other applications and those include design review, certificate of zoning compliance, as well as a final plat and, then, we will also have to go through a right-of-way vacation hearing with ACHD, which is its own public hearing process. So, here is our conceptual site plan for this project. We have two lots and one common lot. The zoning is C-G. The comp plan designates the site as mixed use regional, which calls for a mix of employment, retail and public uses like a medical facility near major arterial intersections like Eagle and Overland. So, Linda covered all of the DA modifications already, so I won't bore you with that again. But we are in agreement with all of the -- how that's explained in the staff report. So, access to the site is provided mainly through the right-in, right-out access of the realigned intersection of Rackham Way and Overland Road. A few other options to enter the site, especially if you're traveling eastbound on Overland Road, is through this Silverstone Way intersection. U-turns are permitted at this stoplight and if you don't want to take a U-turn you can make your way north up Silverstone Way and loop back around down towards Rackham Way. So, this is a site plan specific to the microhospital lot, which is just one of the lots in the subdivision. The microhospital will be a one story building with about 24,000 square feet. It will include 57 parking stalls and three ADA stalls. It does meet all dimensional requirements of the C-G zone and it will further be reviewed by DR and CZC reviews. We will have a main customer entrance on the west side of the building and an ambulance entrance on the south side. So, a few operational details we would like to chat through is that this microhospital will include a full emergency department with ten ER treatment rooms, an imaging department and eight overnight patient beds. We are anticipating eight to ten employees per shift and have an average of 20 to 30 anticipated patrons per day. Anticipated ambulance trips for this type of facility are pretty low, on the range of four to five arriving to the facility per month and about 12 leaving the facility per month. And the proposed operating hours are 24/7. Here is a rendering showing the proposed architecture of the microhospital as a combination of brick and stone veneer and, once again, this will further be reviewed in design review for compliance with the city's architectural standards. So, we received agency

comments from all the different departments. ACHD's are noted first. Like Linda mentioned, we are required to dedicate 74 feet of right of way along Overland Road across our property's frontage. We are required to do the vacation and dedication of that realigned Rackham Way and we have agreed to provide sight distance exhibits for Rackham Way to make sure that the driveway locations we are providing are safe, just since that road is kind of curvy in through that section. I would also like to point out that Meridian Public Works noted that there is adequate water and sewer services available to serve this site. We had a chance to read through the staff report and there is a few things we wanted to address with you all tonight. The first is that issue variance that's noted on the first page of the staff report that hospitals shall have direct access on an arterial. We aren't providing this. Like Linda mentioned, Eagle and Overland are both arterials, but the site technically takes access from Rackham Way, which is a local road. Both in the existing DA and ACHD requirements direct lot access from Overland Road is prohibited, so that is why this project is taking access from Rackham Way instead. The first driveway into the site -- this one right here -- is only about 500 feet from Overland Road, so we are very close access-wise to an arterial and we believe the consolidated access points are actually safer from a traffic standpoint for patrons to access the microhospital site. There were also a few conditions in the staff report that we wanted to chat through with you all and ultimately get a recommendation from City Council regarding the timing of our submittals. The first one is that we are conditioned to complete the right of way vacation in exchange prior to the submittal of the first final plat. We would like to request to move this condition, because the -- the next step in our process will be to complete construction documents for the Rackham Way Road and that will be intimately tied into the final plat. ACHD requires fully approved subdivision roadway documents before we are able to apply for that right-of-way vacation and so we would like -- it makes the most design sense to have the city and ACHD review those subdivision and final plat drawings at the same time. The second condition also in regards to timing is that no building permits shall be issued until final plat has been recorded. We would like to request that this be changed to after the right-of-way vacation is approved, but before the final plat has been recorded and this just lets the project come online into the city a little bit faster. We have had initial conversations with city staff about the potential of that and it sounds like it might be feasible, but we would have to get prior approval from City Council, which is why we are asking for it now. With that we would like to request recommendation of approval for development agreement modification, preliminary plat and CUP and I stand for any questions. Thank you.

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: Quick question. If City Council determines that Rackham Way access doesn't satisfy the UDC and requires a redesign before approval, has your traffic engineer generated emergency response time data for any alternative direct arterial access configuration? I mean given that ACHD -- if I'm -- you know, correct me if I'm

wrong -- has indicated it wouldn't support a new direct driveway at Eagle and Overland, what alternative configuration actually exist?

Spath: I think the way we have -- Commissioner, I think the way we have it laid out is pretty much our only option for the realignment of Rackham Way. The intent of the new design is to get that intersection between Rackham Way and Overland as far east and away from the Eagle and Overland intersection as we can, so I don't -- we haven't gone through many alternatives, because I don't think that there are many.

Gelsomino: Thank you.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: So, can you give us some more understanding of -- I'm not familiar with sort of a concierge microhospital concept. Can you give us some understanding of the ambulance services and why it would be necessary to have another, you know, available ambulance service or emergency service I should say when you have St. Luke's Meridian so close and -- and what kind of also didn't go through the exact route that -- like an ambulance would take? You know, exactly where are they going to go? Are they going to have to go through that additional right at Silverstone and go around and -- I know that's not necessarily a decision for us to make, but I just want to understand, you know, the whole idea of why emergency service is even necessary here.

Spath: Yeah. Yep. I can talk through the site circulation a little bit. So, I think the first point I would like to remember is that a very limited amount of ambulances would be entering the site in an emergency situation. I think the biggest route that they would take -- or most likely route that they would take -- yeah -- would either be at that -- with that U-turn at Silverstone Way or coming up around Silverstone. As far as the hospital operational data, we have Dr. Robert Seeley on the call. I might defer to him for any more microhospital-related operational questions if he is able to join. If not, we can have him call in during the public comment portion.

Lorcher: Mr. Seeley, can you raise your hand, please? Oh, thank you. Hi. If you can state your name and address for the record.

Seeley: Hi. My name is Robert Seeley. I'm an emergency medicine physician and CEO of Post Falls ER and Hospital and my address is 497 South Beck Road in Post Falls, Idaho.

Lorcher: Thank you. Commissioner Perreault, can you ask your question again to Mr. Seeley?

Perreault: Yes. Absolutely. So, I just want to understand the necessity of having the emergency service. Is that just a requirement due to the type of medical service that you are providing to the community and it's just on a very as-needed limited basis or is this an active part of sort of -- for your business model and, you know, some more understanding of how the traffic concerns could create limitations for you. Obviously, I see you guys have all talked through all of these possible scenarios, but I just want to understand, you know, why -- why you actually have an emergency service. Honestly.

Seeley: Absolutely. So, we have been open in Post Falls now for two years and I can tell you from experience that if you talk to anybody that's been to an emergency department recently the wait times are pretty significant in most cities. I don't think Meridian or Boise are any different and probably the best way to describe it would be a surgical -- outpatient surgical hospital is not a new concept. A lot of us have used those in the past. This is very similar. This is an emergency hospital that is built on serving emergency medical needs in the community and it has been very well received by patients. It's a -- it's an access to care is what it is and Kelli is absolutely right, our experience has been over the past two years we average 11 ambulances per month and those are for transfers out. Those patients have been stabilized and so when the ambulances do come through they are not coming through typically with lights and sirens, it's not disruptive, and our average patient census through the emergency department -- we have a 12 bed emergency department and five-bed inpatient unit, but our average census is 25 patients per day and so, once again, that is not a heavily trafficked proposal. So, did I answer your question?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: Yes, I believe so. If I -- it sounds like this is sort of a private -- private hospital operating sort of business. In other words, like you may or may not be open to the public?

Seeley: No. We are open to the public and we treat anybody that comes through the doors, like any other emergency department would, and we follow the same regulations as any of the other emergency departments in the state.

Perreault: So, it would be feasibly possible that your emergency service would pick up if folks now realize that they have another alternative to St. Luke's up the road?

Seeley: Yes. That is -- that is accurate. I know that for -- when we started out we were seeing eight to ten patients per day and over the past few years we have steadily grown to the point where we are seeing, as I said on average around 25 patients a day now and so as word gets out and -- and people find out about the service, yes, there is some growth -- organic growth and that. That is normal.

Perreault: Okay. Thank you.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. So, it seems like one of the things that was -- was mentioned in public comment -- and it seems like there is a little bit of a discrepancy is regarding this Lot 2 kind of retail parcel. So, as -- as they are actually able to find it it does show -- so, in the plans that were provided to staff I don't think we see drive-through mentioned anywhere, But I was able to track it down. It's -- it's on -- you know, part of the actual geotechnical report. It's mentioned briefly as retail with drive-through. Could you expand? Is that -- is that the maybe long-term plan? Was this maybe just an example you provided for the technical purposes. Trying to kind of understand where that discrepancy is coming from.

Spath: Yes, Commissioner Smith. The geotechnical reports are provided at the very beginning of the process. So, I think that was just a sample use that was provided to them very early on in the process. We have since -- this is the most accurate conceptual plan for that lot that we are showing in here. The developer is in talks with a Les Schwab development to go in here. That is very preliminary. Nothing official. So, as -- as far as the purview of these applications, we just have the conceptual site plans to show you for now and, then, like Linda mentioned, in the future whatever does develop there you guys would have a chance to -- to look at it again, whether it's a CUP or CZC, all that sort of good stuff.

Smith: Thank you.

Lorcher: All right. Thank you very much.

Spath: Thank you.

Ritter: Commissioner? I just -- I just wanted to make a comment on the conditions that they are proposing. So, staff is not in agreement with the removal of condition number two. We need that vacation -- the -- the right of way to be vacated or exchanged prior to that final plat being submitted, because we can't approve a final plat with a roadway that has not been vacated, because, then, they will come in and want their building permit, but if the vacation doesn't go through, then, we have allowed them to get a building permit to build on something that's not theirs and ACHD actually required that same thing, that that right of way be vacated prior to the submittal of their first final plat. So, we would like to keep that condition.

Lorcher: Can you bring that up on her presentation from where you're at? Okay. So, what you are saying is that both the City of Meridian and ACHD require the vacation and exchange prior to final plat.

Ritter: Correct.

Lorcher: All right. Kelli, you will have to get reconfirmation from ACHD, because it sounds like she's got opposite information.

Ritter: No. It's in their staff report.

Lorcher: Oh, it's in the staff report. Okay. All right. And -- and, then, condition three?

Ritter: They are saying that they -- let me read the letter. Sorry. They want to modify it so once the vacation has been approved that they can get a building permit prior to the final plat being recorded. So, it is commercial property. One building permit can be allowed, but -- and they can't get occupancy until the plat has been recorded. That is something that is -- potentially can be done. I know we have had issues before when we have done that, but it is -- that is not uncommon. So, that is something that we may be able to work with the applicant on.

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

Lomeli: Thank you, Madam Chair. Robert Seeley did sign up online. We can check -- did you want to check with him to see if he had separate testimony?

Lorcher: Mr. Seeley, did you have any other comments that you would like to make for public testimony?

Seeley: No, I do not. Thank you.

Lorcher: All right. Thank you.

Lomeli: Madam Chair, we have Mark Jane.

Lorcher: Is Mark in Chambers? Okay.

Lomeli: We have Lyndon Brown in Chambers signed up.

Lorcher: Like to speak? Okay. Thank you.

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

Lorcher: Is there anybody in Chambers that would like to speak on this? Please come up. Hello.

Mansfield: Hello, Chair Lorcher, Commissioners. My name is Ethan Mansfield. 449 West Albion Street. I work for Hawkins Companies. You will hear me in a few minutes. But I just wanted to stand up and talk a little bit about condition number two here. I just completed a right-of-way vacation and exchange exactly like what's happening here in the city of Boise and I actually don't know how condition number two will actually be

able to be met because of ACHD's process. So, what happens is ACHD will -- as the applicant said only even look at your proposal after the City Council has approved a final plat. That's not engineering and public works looking at a final plat, that's just City Council approving a final plat, because only then do you start engineering for the final plat; right? We don't start the construction drawings until after City Council has approved it. So, this condition number two is actually pretty impossible to meet and I'm thinking back for my project in the city of Boise, it would have been functionally impossible to have met this process. So, I just wanted to share that and it's not nefarious in any way for -- to remove this condition and do it in this order. It's just the way ACHD will expect it and it's quite -- I'm not going to lie, it's quite muddy, because City Council -- you know, city staff may not understand how ACHD processes these things. ACHD certainly doesn't understand how the city processes them. So, you get this going on and I have been trying to process a -- I have -- I have been in this scenario for about a year now with ACHD and the city of Boise and so I'm just hoping that by waiving condition number two, removing that, we can prevent this applicant from being in the same position I found myself in. So, just wanted to provide some clarity.

Lorcher: All right. Thank you very much.

Mansfield: Thanks.

Lorcher: Is there anybody else in Chambers that would like to speak? Kelli, do you have any final comments?

Spath: Do you need my name again?

Lorcher: No. You are good.

Spath: Perfect. I just wanted to address really quickly the public testimony that was submitted earlier today. Linda chatted through some of the main bullet points of that, but I don't know if you guys were able to see that in your packet or read through it. Perfect. So, number one talks about the determination that a traffic impact study is unnecessary. When ACHD submitted their staff report that was on the front page. Confirmed by them during that process. I think we touched a little bit already about the conceptual use for Lot 2, Block 2, so I don't think I need to go through that anymore. And, then, as far as some of the hospital operations being unverified, like Dr. Seeley mentioned, we do have a similar facility in Idaho Falls and so we could get more substantiated information about those operations prior to City Council for them to make a determination. That's it. Any questions I can answer?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault:

Perreault: Did he say Post Falls or Idaho Falls?

Spath: I -- I have Idaho Falls. I could be wrong.

Perreault: Okay. I'm just curious, because I know that neither of those cities have as intense of traffic situations as -- as Eagle and the interstate and Eagle and Overland. So, I'm wondering if that was taken into account kind of as you are making your determinations.

Spath: Commissioner, it -- it was not specifically. I think the determinations would be based on the number of like patient beds and that sort of thing at the facility more so than the traffic in the area.

Perreault: Sorry. I should clarify. When you are -- I wasn't talking about patient treatment or care, I was talking about when you make determinations regarding your access from Rockham Way, the timing for your ambulances to get into that area and -- because it's all -- it's all interrelated; right? I mean we are talking about a variety of things, but ultimately when -- when we are making these decisions we have to take all of that into account and so I don't know if -- if there were -- you know, if there is going to be adjustments to how many patients are being treated, how many, you know, patrons that you have coming in and out and this is a really critical corner and that right-in, right-out on Rackham Way could not just be obviously used for your facility, but it's going to be connected to the big broader facility that's in Silverstone and so there is just a lot of moving pieces that aren't just about your application --

Spath: Yes.

Perreault: -- and so I'm just -- I just am kind of wanting to still really get a big picture understanding I guess.

Spath: Yes, Commissioner. Like you mentioned, I think there are a lot of moving pieces, so we have tried to do our best to marry the requirements and -- and needs of that busy corner with ACHD policies, which we are very largely abiding by the needs of the microhospital and the needs of the -- the entire area and we will continue to work with all of those parties as we move forward as best as we can.

Lorcher: All right. Thank you very much.

Spath: Thank you.

Lorcher: Oh, wait. What?

Smith: Sorry. I guess before we close the public hearing, Madam Chair?

Lorcher: Okay.

Smith: I just -- I would like to get some more clarity and/or alignment around kind of condition two. I saw when we were having public comment I was -- I saw staff maybe

discussing something. I'm curious. I want to make sure that we are able to go about this the right way, while also allowing the applicant to not be in this kind of Catch 22. So, could you speak to that a little bit more?

Ritter: Correct. I heard what Ethan said, but, again, as reading through ACHD staff report that was a condition that they did place on the applicant. So, if they are telling the applicant that they can't submit a final plat until the vacation has been completed -- so, I'm not sure city is following suit with ACHD. We are in agreement that they should not submit a final plat until that vacation has been completed.

Smith: Okay.

Ritter: So, apparently, it is something that they do and it's a requirement that they have and city is in agreement with that requirement.

Lorcher: And, Kelli, if that's not your understanding based on -- even on Ethan's comments, if you could -- I would suggest for this particular application, so we are not holding it up, to have some kind of documentation from ACHD when you get to Council that defines this better, because it's basically two agencies who work independent of each other saying two different things and so in your best interest in making sure that you are following the process that you want to go through so that you can get your application approved, I would see if ACHD is willing to put anything additionally in writing in time for Council. Would you be okay with that?

Smith: Yeah. Madam Chair, I agree. I think -- I think that's the route I was going to go anyway.

Lorcher: Okay. We are thinking alike. All right. Thank you very much.

Spath: Yes. Thank you.

Lorcher: May I get a motion to close the public hearing, please?

Gelsomino: So moved.

Smith: Second.

Lorcher: It's been moved and second to close the public hearing for Item No. 2026-0011, Rackham Microhospital. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: You know, having opportunities for people to make choices about their healthcare I think in a growing community is essential and we have had successful healthcare places and we have had unsuccessful. I think I saw in the newspaper today

that an urgent care place in downtown Boise is turning into a Wing Stop, because they weren't able to, you know, get the patients or the -- the business model that they wanted in the area that they were. So, not everything is successful. But understanding that this is so close to a very major hospital, which probably does have long wait times and actually focusing more on imaging X-ray, CT scans, MRIs where they -- if they do need larger care we have a hospital nearby to take care of them. I think just gives our community more choices. As far as the location is concerned, you know, our EMTs and ambulance service know how to run these roads and -- and move them. I think creating Rackham Way in a way that, you know, makes it almost a designated street specifically for almost this hospital by itself is fine. Understanding that ACHD does not permit right -- or any kind of entry right off of Overland or Eagle Road. So, I'm in favor of this. I think it's probably well thought out and it will fill that -- that corner up and gives our community -- and, then, my only -- I -- I wouldn't take away condition number two, but just recommend that the client has better information from ACHD and the city before they go to Council.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. I tend to agree. I think there is -- you know, I'm -- I'm -- I don't love the access, to be candid, but it seems like, you know, guidance from -- from staff is that that -- I think that will be a conversation at the City Council level regarding the -- the waiver. I think in terms of its location and its -- the appropriate land use, I think this is an area that there is a good amount of traffic, obviously, on these -- these arterials, but I think there is -- there is also plenty -- there is -- there is a lot of retail commercial activity surrounding this. I don't think that there is any use that the city would be starving for if this were to go into place. I think this is valuable enough to -- to justify kind of the change. I guess I do have one ask if we could get -- I just want to make sure if we could get the version of the conditions that were in the staff report as well on screen. I just also want to make sure that -- or in the presentation from staff on screen. I also just -- as we are drafting motions I just would like to make sure that we are not missing anything. But in terms of the actual application itself, I agree with you. I think condition two that can be something that I think can be hashed out and if there is a discrepancy I trust that City Council will be able to kind of manage that, but if in a perfect world maybe there is a misunderstanding and things are easier than they look.

Lorcher: Yeah. And keep in mind in St. Luke's -- and I'm by no means an expert and I might even get the street wrong -- in order to get to the emergency room at St. Luke's you have to take -- you have to go down Louise Drive probably, what, a quarter mile and a couple speed bumps before you even get to the emergency room. So, it's -- it's almost kind of the same thing. It's not like it's right off at Eagle Road. You have to go east on Louise Drive to get to the emergency room on the backside of the -- of the hospital. So, in -- in my view this is not that much different, because -- matter of fact Rackham Drive might even be shorter to get to their -- to their docking bay for -- for patients. But I -- I have only been to the hospital a few times. I'm clearly not an expert,

but if I remember correctly you have to turn on Louise and, then, take a right into the emergency room.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Really quickly, just to confirm with staff, is this already fully in the staff report or do you -- any of this need to be a modification? That's all. Is in staff report -- okay. Thank you.

Lorcher: Commissioner Gelsomino.

Gelsomino: Madam Chair, I -- I echo my fellow Commissioners' thoughts, as well as yours. Particularly -- I mean with Commissioner Smith's observations, I also do have some, you know, concerns with the access. I am curious though -- and if it's appropriate to ask legal and staff this. If City Council determines that -- you know, I was looking at Condition 14 in particular. If the project doesn't comply with UDC, what legally happens if we approve the CUP tonight? What happens to the CUP if Council doesn't find that it satisfies?

Ritter: Commission. So, City Council makes the final determination. All you are doing is making a recommendation. So, you are not approving the CUP, City Council will approve the CUP. You are just making a recommendation tonight.

Gelsomino: Understood. Thank you.

Lorcher: Commissioner Perreault, do you have any other comments?

Perreault: No. I think my fellow Commissioners covered it all. I'm -- I'm in agreement with all the concerns and statements that have been made. Thank you.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: After hearing all -- sorry. All staff, applicant and public testimony, I move to recommend approval of File No. H-2026-0011 as presented in the staff report with a modification to amend condition three to allow for issuance of permits after right of way vacation, but before recording of final plat.

Gelsomino: Seconded.

Lorcher: It's been moved and second to approve Rackham Microhospital. All those in favor say aye. Any opposed? Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: Yes. We will take a five-minute break and we will come back at five until and we will start with Kiddie Academy. Thank you.

(Recess: 7:50 p.m. to 7:57 p.m.)

**9. Public Hearing for Kiddie Academy of Meridian (H-2026-0030) by
Architecture Northwest, PA, located at 6513 N. Levi Ave.**

- A. Request: Conditional Use Permit for a daycare center for up to 188 children at one time in an 8,640 sq. ft. building on 1.33 acres of land in the C-G zoning district.

Lorcher: All right. If we can resume the meeting. We are going to open item number 2026-0030. Kiddie Academy of Meridian requests a conditional use permit for a daycare and we will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The next application before you is a request for a conditional use permit. This site consists of 1.33 acres of land. It's zoned C-G and is generally located north of West Chinden Boulevard and west of North Levi Avenue at 6513 North Levi Avenue. A little history on this property. It was annexed in 2019 with the requirement of a development agreement and is included as Lot 4, Block 2, in Pollard Subdivision No. 1. A modification to the development agreement was approved in July of this year for a new development agreement for Lots 1, through 7, Block 2, Pollard Subdivision No. 1. The amended development agreement has not yet been signed and recorded. The amended development agreement includes an updated conceptual development plan, which includes the subject property and that is that plan here on the left. The Comprehensive Plan future land use map designation for this property is mixed use interchange. A conditional use permit is requested for a daycare center for up to 188 children at one time in an 8,640 square foot building on 1.33 acres of land in the C-G zoning district. The proposed use is subject to the specific use standards listed in UDC 11-4-39 daycare facility. The proposed site development plan is consistent with the conceptual development plan recently approved with the Pollard West Development Agreement as shown and depicts the proposed building pad, playground area, drive aisles and parking. Access is provided to this site via drives and access easements recorded with the Pollard Subdivision No. 1 plat from North Levi Avenue through adjacent lots. On-site vehicle parking and turnaround areas are provided to ensure safe discharge and pickup of clients. Based on the square footage of their proposed structure, a minimum of 17 off-street parking spaces are required. A total of 40 spaces are proposed, which exceeds the minimum standard by 23 spaces. The applicant states the proposed parking should be sufficient to serve the approximate 35 staff members on site at one time when the facility is operating at capacity and clients that come and go at different times. A ten foot wide street buffer along abutting drive aisles and parking lot landscaping is proposed that's required to comply with UDC landscape standards.

Detached sidewalks are proposed along the north and east boundaries of the site adjacent to drive aisles for safe pedestrian access and connectivity to and from adjacent neighborhoods. Sidewalks are also proposed around the building and adjacent to the parking area along the front of the building and play area. The proposed days and hours of operation are Monday through Friday from 7:00 a.m. to 6:00 p.m. There are no residential districts or uses adjoining the site. The adjacent -- excuse me. The outdoor play area is proposed to be fenced with a six foot tall open vision non-scalable steel fence to secure against exit and entry by small children as required. Building elevations were submitted for the proposed structure as shown. Building materials consist of stucco, wood tone siding, metal flashing and seam roof with stone veneer accents. The final design of the structure is required to comply with the commercial design standards in the Architectural Standards Manual. Written testimony has been received from Randy Haverfield, Architecture Northwest, the applicant's representative. They are in agreement with the staff report. Staff is recommending approval with the conditions in the staff report. Staff will stand for any questions.

Lorcher: Would the applicant like to come forward? Hi. If you can state your name and address for the record, please.

Haverfield: Madam Chair, my name is Randy Haverfield with Architecture Northwest. 224 16th Avenue South in Nampa.

Lorcher: Thank you.

Haverfield: We have reviewed the -- the comments. Worked closely with Sonya and Bill as far as -- in understanding what the requirements would be. Have no issues with the findings of fact. I am here tonight with the owners of the facility and they can answer any specific questions if you want to ask them. That's Jeremy and Claire Wilson. They currently operate another Kiddie Care Academy in southeast -- or south portion of Meridian already. So, that's a very good practice. What's unique about this property is there is significant growth happening in that area with the new St. Al's just to the north of the site. Other commercial uses along Highway 20-26 and, obviously, in that area and, then, along the rim with residential. So, it's a great addition for that area. So, I stand here for any questions you might have.

Lorcher: I think we are good. Thank you very much.

Haverfield: Well, thank you. Have a good evening.

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

Lomeli: Thank you, Madam Chair. I have Claire and Bryan Wilson. Did you want just say anything? Okay.

Lorcher: Okay. Anybody else in Chambers? And there is no one on Zoom?

Lomeli: I do have Jeffrey Fletcher and he looks like he is online.

Lorcher: Mr. -- Mr. Fletcher, if you want to testify in this application if you can state your name and address for the record.

Fletcher: I'm sorry, no testimony from me. Thank you.

Lorcher: Okay. All right. Thank you.

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

Lorcher: Randy, did you have any other final comments or are you good? All right. May I get a motion to close the public hearing?

Smith: So moved.

Gelsomino: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: We need daycare, especially on the north side. So, you know, it's a big facility. I had my kids back a thousand years ago. Went to New Horizons, which is also a -- a larger daycare and was very pleased and I'm sure your facility will do amazing things with the kids. So, lots of new families coming in and it looks like you got plenty of room to create your -- your dream business right there. So, looks good. Any other comments from Commissioners?

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: After considering all staff, applicant and public testimony, I move to approve File No. H-2026-0030 as presented in the staff report for the hearing date of August 6, 2026, with the approval -- with conditions in the staff report.

Smith: Second.

Lorcher: It's been moved and second to approve Kiddie Academy. All those in favor say aye. Any opposed? Motion carries. Thanks for being patient. Sorry we couldn't do you first.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

10. Public Hearing for Syringa Crossing Mixed Used Development (H-2025-0007) by Hawkins Companies, generally located at the northwest and southwest corners of S. Meridian Rd./US69 and Amity Rd.

- A. Request: Annexation of 62.43 acres of land with R-15 (9.73 acres), R-40 (16.58 acres), L-O (1.43 + 3.90 acres), C-N (2.07 acres) and C-C (19.60 + 9.13 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 10 building lots on 24.46 acres of land in the proposed R-40, L-O and C-C zoning districts.
- C. Request: Conditional Use Permit for a multi-family development consisting of 302 residential apartment units on 15.23 acres of land in the R-40 zoning district.

Lorcher: All right. Ethan, you ready? Okay. Item No. 2025-0007, Syringa Crossing requests an annexation, preliminary plat and conditional use permit to -- for multi-family housing on Meridian Road near Amity. To give you a little history on this, we saw this application on April 2nd and it was sent to Council. There were some changes between Commission and Council and Council said we would like the Commission to hear those changes. So, Sonya, we will start with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. As you noted the applications before you are request for annexation and zoning, a preliminary plat and a conditional use permit. The annexation portion of the site consists of approximately 62 acres of land, including right of way to the section line of adjacent roadways, currently zoned RUT and L-O in Ada county, generally located at the northwest and southwest corners of West Amity Road and South Meridian Road and State Highway 69. A little history on this property. In 2010 the future land use map designation on the northwest corner of the property was changed from medium density residential to mixed use regional at the applicant's request. In 2019 the designation was changed to mixed use community with the city's Comprehensive Plan update. In 2021 the property owner of Jessica Condominiums on the northwest corner of the development area along South Meridian Road and State Highway 69, entered into a consent to annexation agreement with the city and an agreement for provision of water service outside Meridian City limits, which states the owner consents to annexation when such units are eligible for annexation and execution of such agreement is a condition of city's commitment to provide water service to the property. The property is currently provided with city sewer and water service. At the request of staff this property is included in the annexation request and that is this area, if you can see here on the center map where my arrow is. That's that small property right there. The Comprehensive Plan future land -- future land use map designation, as I noted, is mixed use community. As noted by the chair, this application was previously heard by the Commission on April 2nd. When the Commission recommended denial to City Council, based on inadequate integration between residential and non-residential uses, lack of prioritization of pedestrian mobility

within the project and proposed open space failing to adequately serve residential and non-residential users as desired in the Comprehensive Plan. After the Commission hearing the applicant submitted a modification to the zoning request and updated development plans to address deficiencies discussed during the Commission hearing that contributed to the Commission's recommendation of denial. City Council felt the Commission should review the changes and provide an updated recommendation. Therefore, the project was remanded back to the Commission for a new hearing. The staff report was updated to include the revised information and plans and removed information that is no longer applicable. The applicant is requesting annexation of 62.43 acres of land with R-15 zoning, which is 9.73 acres, R-40 zoning which is 16.58 acres, L-O zoning, which is 5.33 acres, C-N, zoning which is 2.07 acres and C-C zoning, which is 28.73 acres. A conceptual development plan was submitted with the annexation application that depicts how the site is proposed to develop as shown. On the northwest corner of Amity and South Meridian Road, a multi-family development is proposed consisting of 94 apartment units, at a gross density of 9.16 units per acre, 37,000 square feet of office uses, a 63,000 square foot grocery store and retail shops, restaurants and a bank, totaling 117,600 square feet of commercial space overall. All commercial development is proposed to be a single story in height, while the residential apartment buildings are proposed to be three and four stories in height. The residential apartment buildings are the areas shown in brown here on the northern portion of the property. The brown is the office and the red is the commercial. A mix of at least three different land use types is proposed as desired. The proposed residential density conforms to that desired in the Comprehensive Plan. Community serving facilities, such as hospitals, clinics, churches, schools, civic buildings or public safety facilities are not provided, which increases service and transportation network impacts. Supportive and proportional outdoor quasi-public spaces and places connected by pathways are proposed, consisting of plazas, outdoor gathering areas and linear open space areas that exceed the five percent desired in the Comprehensive Plan. At the southwest corner of the annexation area 30,000 square feet of commercial space is proposed, which is anticipated to include restaurants, retail shops, a coffee shop and gas station convenience store and 7,800 square feet of office uses were added since the last plan you saw. Across the street on the southern portion of the development a 302 unit multi-family residential development is proposed with a gross density of 18.24 units per acre. Commercial structures are anticipated to be a single-story in height. Residential structures are anticipated to be three to four stories in height. The development proposed on the southwest corner is inconsistent with the policies in the Comprehensive Plan for the following reasons: The residential area is 68 percent of the site, which is 18 percent more than the maximum allowed of 50 percent and 3.24 units per acre over the maximum density allowed of 15 units per acre. Commensurate levels of employment and other non-residential elements supporting residents and reducing local vehicle trips are not provided due to the excess of residential area and density provided. Outdoor quasi-public spaces and places, such as plazas, outdoor gathering areas and linear open space are proposed in the commercial portion of the development, which appear to generally meet the minimum standards for mixed-use areas in the Comprehensive Plan. However, they are not functionally integrated with the residential development as desired. Community-serving facilities, such as hospitals,

clinics, schools, churches, civic buildings or public safety facilities are not provided, which increases service and transportation network impacts. The applicant has requested the overall project be considered as one project for consistency with the Comprehensive Plan, rather than two individual projects. The Comprehensive Plan specifically states contiguous mixed-use identified areas that are bisected by an arterial or highway are considered separate and independent areas for use and design integration and will be evaluated independently of each other. Some of the reasons for such includes safety and efficiency of the transportation network, pedestrians and motorists alike. If the project is considered as one the overall residential density for the project is 14.77 units per acre and the percentage of residential uses is 49 percent, which is consistent with the related mixed-use policies in the Comprehensive Plan. Again, only if it's considered one project, rather than two as specified in the comp plan. An overall pedestrian plan was submitted for the annexation areas shown -- that shows ten foot wide pedestrian walkways in blue and five to seven foot wide sidewalks in pink providing connectivity along streets, through parking areas, quasi-public areas, commercial and residential areas. Conceptual building elevations and perspectives were submitted showing what future commercial retail buildings and plaza areas will look like. The primary transportation considerations for this development involve the timing and coordination of required off-site improvements, access management along Amity Road and State Highway 69 and completion of internal street and pathway connections needed to support a functional mixed-use neighborhood pattern. The project would add measurable traffic to a network that already experiences operational strain during peak hours, underscoring the need to align development phasing with programmed intersection and signal improvements. Because of its proximity to two major transportation corridors, the design must emphasize efficient site access, safe circulation and continuous pedestrian and bicycle connections consistent with the city's adopted street and pathway standards. ACHD's recommended conditions and findings addressing intersection mitigation, access spacing and collector completion reflect these shared objectives and are consistent with the Comprehensive Plan and the Unified Development Code standards for coordinated land use and transportation planning. A preliminary plat is proposed to subdivide the southwest corner of the annexation area, but not the northwest corner. The plat consists of ten building lots, six commercial, two office and two residential lots on 24.46 acres of land in the proposed R-40, L-O and C-C zoning districts. One access drive is proposed via West Amity Road and one is proposed via South Meridian Road and State Highway 69. A portion of a future collector street Hermitite via West Amity Road is depicted along the southern boundary of the site and stubs to the property to the south. The portion that connects to Amity Road is off site on the adjacent property to the west and is not proposed to be constructed with this development. However, the applicant has been working with that property owner and I believe has an agreement to construct the road on their property as part of the fire access requirements if this development is approved. A waiver from Council is requested to UDC 11-3H-4B-2A, which prohibits new approaches directly accessing a state highway. ITD has approved the access by Meridian Road. A backage road generally paralleling Amity Road and South Meridian Road and State Highway 69 is proposed for access to the properties fronting those roads in accord with the UDC. Landscape street buffers are required with the subdivision improvements in

accord with UDC standards. There is a 40 foot wide gravity irrigation easement on the southwest corner in the commercial area as shown. That area in brown. Trees and large shrubs are not allowed in the easement area. The easement is proposed to be landscaped with a dry stream bed, which also serves as a drivable access road with accent boulders and planter beds alongside. A conditional use permit is requested for a multi-family residential development on the southwest corner of the annexation area consisting of 302 apartment units on 16 acres of land in the R-40 zoning district at a gross density of 18.24 units per acre. Three and four-story multi-family buildings are proposed with parking on the ground floor of some buildings. The four-story buildings are proposed here on the north end and the southern end has the three-story buildings. Building materials consist of fiber cement siding, variegated board and batten in variety of colors and styles, stucco and brick. The final design, if approved, is required to comply with the design standards in the Architectural Standards Manual. The collector street access Hermatite is needed for emergency access and should be extended from West Amity Road to the site prior to issuance of the first certificate of occupancy within the multi-family development if approved. Based on 302 units a minimum of 1.82 acres of outdoor common open space is required. Excuse me. I didn't run through these. Let me just take a minute to run through the concept elevations for the multi-family buildings. Again, these are the four-story buildings that are proposed on the north end and, then, the three-story buildings. Based on the 302 units, a minimum of 1.82 acres of outdoor common open space is required. A total of 4.84 acres is proposed exceeding the minimum standard. Proposed amenities consist of a clubhouse and dog park from the quality of life category. A community garden and shade structure with seating area from the open space category. And a swimming pool, walking trails, children's play structure and three sports courts from the recreation category. Additional amenities from the multi-modal category are recommended by staff if approved, consisting of a bicycle repair station and charging stations for electric vehicles. The applicant is requesting the following waivers from City Council. The UDC 11-4-3-27-C8 states common open space areas in multi-family developments shall not be adjacent to collector or arterial street buffers unless separated from the street by a berm or a constructed barrier at least four feet in height with breaks on the berm or barrier to allow for pedestrian access. The applicant requests approval through the conditional use permit for common open space areas in the multi-family development to be located adjacent to a collector street buffer without a berm or barrier separating it from the street. The reason for such is an enhanced interaction is desired between the street and ten foot wide multi-use pathway along the collector street with a narrower street section and wider pathway adjacent to common areas. The second waiver from Council is to UDC 11-3H-4B-2A, which prohibits new approaches directly accessing a state highway. Council may consider and approve a modification of the standard upon specific recommendation of the Idaho Transportation Department or if strict adherence is not feasible as determined by City Council. The applicant is requesting Council approval of the proposed access south of Amity Road. A recommendation has been received from ITD on the access. They will allow a right-in, right-out access. No written testimony has been received on this application. Staff is recommending denial, because the proposed conceptual development plan is not consistent with the general mixed-use and mixed-use community principles in the Comprehensive Plan for the

following reasons: The proposed development is not functionally integrated in design or uses per the design standards in the plan, i.e., the uses function as individual components not together as desired. The southwest corner of the development is 72 percent residential, with a gross density of 18.24 units per acre, which is 22 percent more residential than the maximum allowed of 50 percent and 3.24 units per acre over the maximum allowed density of 15 units per acre. Commensurate levels of employment and other non-residential elements supporting residents and reducing local vehicle trips are not provided due to the excess of residential area and density provided. Community serving facilities, such as hospitals, clinics, churches, schools, civic buildings or public safety facilities are not provided in either development, which increases service and transportation network impacts and supportive and proportional outdoor public and/or quasi-public spaces and places, such as parks, plazas, outdoor gathering areas, linear open space and schools are proposed as desired. However, these areas are not located in spaces between residential and non-residential uses to provide integration and transition between uses in either development area as -- as desired in the comp plan. If the Commission decides to approve the subject applications the project should be continued to a later hearing date in order for staff to prepare conditions of approval for the Commission's consideration. Staff will stand for any questions.

Perreault: Madam Chair? Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: If we were to consider all of this as one project, would they have to apply for a comp plan amendment of some sort?

Allen: Madam Chair, Commissioners, Commissioner Perreault, no. A Comprehensive Plan text amendment would not necessarily be required. It would be the determination of the Commission and Council.

Lorcher: If they chose a different zoning instead of mixed-use community, has -- has that conversation come up at all as far as like whether it was more -- I'm just throwing out words here -- traditional neighborhood or some other kind of concept plan to be able to -- be able to meet some of these minimums of residential and commercial together?

Allen: Madam Chair, I'm not sure I'm following. Are you asking if we discussed them doing a different future land use map designation, rather than mixed use community rather than zoning? Is that what you're asking?

Lorcher: Yes.

Allen: Yes, we did. We encourage them to do commercial and a higher density residential. That would be more consistent with what they are proposing.

Lorcher: Okay. All right. Would the applicant like to come forward?

Mansfield: Madam Chair, Commissioners, thanks for hanging around with -- with us this evening. I'm Ethan Mansfield, representing Hawkins Companies. 855 West Broad Street, Boise, Idaho. 83702. Yeah. I would like to -- I have got a lot to pack in here. I would first like to say, look, if the Comprehensive Plan gets us past the finish line and we can notice as such and keep this plan, we are more than willing to do that. That has not really been an option that we have really discussed, so -- or that I recall. So, something for your consideration. We do think this fits within the mixed-use community Comprehensive Plan area and I'm going to talk about why. You are familiar with the request, so I won't talk about that too much. A little bit of history. We were actually instructed in 2020 to consider this as a single project and the current Comprehensive Plan says mixed-use projects are to be developed with an overall master or conceptual plan for the larger mixed-use area. A development agreement will typically be required for a project with a mixed-use future land use designation. So, that's kind of what we are expecting, looking for and hoping for. One -- once we had our City Council hearing -- I just kind of want to be clear. So, City Council generally didn't oppose what we were proposing, but wanted the Commission, who had some comments about integration, uses, as you remember back in April, they wanted an opportunity for you to weigh in on this new proposal. So, after the City Council hearing in June we met with city staff on July 1st and we specifically asked -- give us some specific things we can latch onto to gain staff support, because functional integration is a little bit soft, a little bit subjective and we wanted to understand what can we -- what can we do with this plan that provides that and so we hammered out the list of conditions that you see in front of you. No back out parking on main access drives through the sites from adjacent public streets. Providing bulb outs for parallel parking as a means of traffic calming in -- in front of the drive aisles, pads A through D. Right. We are going to bring that four-story building on the north side down to three. These two are very important. An executed STARS agreement is required prior to any development of the site. We are going to talk about the STARS agreement momentarily, but I will say the STARS agreement requires both corners to come in together, because the STARS agreement is conditional upon having valuable sales tax generating commercial uses and those uses have to be configured in a certain way that will -- will actually generate the sales tax that are anticipated and, otherwise, we have to have a successful commercial development for STARS to work. We will talk about it in a second. The other thing that we are agreeable to is that we -- we will construct Hermatite on the south side of Amity with the first phase of development. If you go back and watch the City Council hearing the Mayor had a fantastic idea to kind of allow both the northwest and southwest corners to kind of be considered as one cohesive development, which was what was envisioned in 2020. He said, well, if you have a collector roadway, especially one as we are proposing with ten foot pedestrian pathways on either side, that might allow that development to be more cohesively tied together than separate -- totally separate developments and so we -- you know, we completely agree and so that's why we are willing to construct that Hermatite and bring that roadway to Amity right off the rip with this first phase of development. So, we thought we had gotten pretty close with staff and we apparently are still missing the mark a little bit. I'm not sure how and that's why I'm here before you saying that I think we have kind of nailed it. These are staff concerns. I'm going to go through and talk about why I think we have actually

addressed these -- these pretty thoroughly. So, you know, what we have done is we have reduced -- I'm just going to go through these changes here really quickly. We have 33 fewer residential units than we had in the last plan. We added 24,000 square feet of office space. So, we added like a hundred more office. So, that's 45,000 square feet total. Basically doubling our office size. More than doubling. We added 10,000 square feet of retail. That's a shops building, not additional drive-throughs or car washes or anything like that. So, we have got almost 150,000 square feet of food retail, personal services, other commercial services. Finally, we have ten acres of quasi-public open space. That's 18 percent. That's three and a half times the amount required by the Comprehensive Plan. So, when we talk about the amount of open space required to support the development, we have three and a half times what city feels is appropriate to support a mixed-use development and we will talk about that more later, too. We also have 4.8 acres of multi-family CUP open space and, again, we are willing to dedicate this to the public. Other than the clubhouse, obviously, that remains private. But we are -- we are looking at that -- that park. It's a quasi-public park; right? It's an -- it's over an acre of park. It's -- you know, I looked at the subdivision to the north. Their central gathering place is .6 acres. Another subdivision has a .5 acre. This is more than twice that size. We have 166 acres more than required of CUP open space and I will talk about that a little bit more, too. Well, here we are. So, this is where I get a little bit confused by staff's statement here, specifically on the southwest corner. These places do not comprise a minimum of five percent of the development area on the southwest corner. Well, even if you look at just the commercial stuff, the stuff in the commercial area; right? We have 2.8 acres, which is 128 percent more than what is required by the Comprehensive Plan on the southwest corner. In addition to that, we have got 166 percent more than what's required in our multi-family area alone. In total on the southwest corner, one in three square feet of the total land area is open space and that's open space per the UDO and Comprehensive Plan definitions of open space. We are not making up our own definition of open space here to fit that. That's one in three. Therefore -- and the Comprehensive Plan states high intensity residential requires commensurate levels of non-residential elements supporting residents and reducing local vehicle trips. We are asking for -- even if you took the southwest corner alone we are asking for three acres -- or three units per acre more in density, but we have 166 percent more open space than what the UDO requires and if the UDO is the right standard and that's adequate amount of open space, we are blowing that out of the water. So, we -- this development will not feel dense, packed, overcrowded, anything like that. I just want to make that really, really clear. As you note on the plan, if you look here in the southwest corner, these areas -- the staff report says these areas are not located in spaces between residential and non-residential uses. You know, if you look at the actual plan that's exactly where these use -- where these open spaces are located. You can see where the commercial is here wrapping the corner and you can see where the residential is interior to the site. We have a private roadway, which provides a buffer and we also have this connected -- area of connected plazas that basically take pedestrians from one use to the other. It's literally immediately between the commercial and the residential. I don't know how we could get more between. I'm just looking at the plan and thinking about it out loud. And if we can get more between I would love to hear your suggestions on how to get more in

between and provide a better transition. So, here is what these spaces actually look like; right? We have got kind of little -- I mean we have got little areas for -- for rest and it's comfortable pedestrian experience moving from one place to the other across the development. You know, these show kind of connected themes from the area immediately adjacent, you know, kind of -- kind of integrated into the multi-family. You cross on a ten foot pathway kind of crossing across the main drive aisle, another kind of pedestrian plaza area crossing a drive aisle to the, you know, main commercial -- central commercial hub. All the shops. Extremely convenient and comfortable pedestrian experience here. Furthermore, you know, here is just some views of what the park is anticipated to look like. Dog park. Pickleball. We have got, you know, open space, like I said, about an acre and, then, here, you know, we didn't talk as much about the north side. That wasn't really a concern of staff's, but, you know, it's linear open space, basically runs from North Alyer Street all the way down to the southern corner on Amity and Meridian. We actually had -- I think I told everybody this -- we had a couple at the neighborhood meeting -- one of our earlier neighborhood meetings actually get really excited about the prospect of having a walking path from where they live up in Stapleton to our development. This provides it. Here is a small office plaza. You know, again, we have these kind of small open spaces. Some are small, some are much larger, kind of tucked in throughout the development to create comfortable, pedestrian experiences, while still meeting parking requirements, meeting tenant requirements; right? We have to do both of those things. Here is our connectivity exhibit. Ten foot sidewalks throughout the site. Commissioner Smith last time asked a great question about how the heck does someone get from the southern end of the development to the northern end or across the street on a ten foot pathway without crossing through a bunch of parking lots? We have removed parking spaces around these pedestrian pathways to allow for trees, to allow for more comfortable spaces for pedestrians to kind of move through the site. Again, we have parking requirements. The City of Meridian requires north of two parking spaces per unit. So, we have got to provide that and we want to provide that, but we also intentionally are creating space for comfortable movement through the site. Finally, here is just a kind of A, B of the old and the new areas. We kind of went through exactly how those work. I can go back to them or dwell on them in the time after I present here. Importantly let's talk about STARS. STARS will provide the transportation improvements that are not only required by this development, but that are going far above and beyond. That includes the full build out of State Highway 69 from south of the development's southern boundary to north of the development's northern boundary. It constructs all of Hermatite backage on the north and south sides, builds out all of the legs of each of the intersections of State Highway 69 and Amity. This is only feasible because we have a commercial shopping center on the northwest corner. It's anchor -- it's a grocery anchored shopping center. Grocery anchors take up space. You can't just put a grocery store out there and have all of the out pads on the southern side of the arterial. It doesn't work like that. That doesn't generate enough pad interest. The grocer who is an anchor, that's what draws people in. You won't get the trip capture you want either if you do that, because people are going to get in a car and drive across the -- you know, it's like if you want -- if you want people to be captured in this area they are going to go shop at the grocery store, they are going to go out to eat on that corner, they are going to do all this stuff on the

corner. We can't separate the commercial uses to the extent that would allow each development to be split 50-50. I hope that makes sense. I really hope it does, because it is an economic reality that we face. So, you know, some of the staff recommendations that are in this report simply just don't work with a STARS agreement. We can't remove the northwest corner from the annexation area. I don't know that that's -- I think that may have been a vestige of a previous staff report. It was in the most current, but it may be left over from another time. And, again, we can't modify -- we can't pull half the commercial from the north to the south side just so we can get 50-50 on each side or, you know, 60-40 commercial-residential, because that's just not how grocery anchored shopping centers function. It's not how they work. We think this still provides an absolutely fantastic place to live, work and play. We have elements for each thing. We added office, so that they can, you know, achieve that. Speaking of community serving facilities, we are providing an acre plus park that we are willing to dedicate to the public. We are absolutely happy to provide daycares, churches, schools, medical offices, clinics, anything that wants to be here can be here with the mix of zoning that we provide. We are happy to consider civic uses, institutional uses. We have not heard; right -- these agencies all get transmitted. We have not heard any interest. Each of these groups has professional facility siting people that, you know, typically are like, hey, we have a master plan that shows us wanting to expand in this area. We want to go here. We haven't heard from anybody. I asked the school district many years ago when this process started if they would be interested. There is no interest in a school here. I think they have their siting years, years, years in advance; right? And so, you know, we don't have those -- we are happy to consider them if you guys have ideas. So, in sum, we think we comply. We would love for you to consider the development as a whole. That's the only way we get all those transportation improvements with the STARS agreement, which is a condition of the approval should you choose to recommend approval and this just indicates how we comply with the Comprehensive Plan and additional detail. Happy to leave it on that slide so you can read it. Thank you very much for your time. Happy to answer any questions.

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: Staff, quick question. Who -- could you kindly remind me, because it's been a while. Who owns the -- who owns the other portion to the west of Hermitite, the property?

Allen: Commissioners, that's part of the Storyrock development that was recently approved by City Council.

Gelsomino: Perfect. Thank you. Now quick question, Ethan. So, the fire department has conditioned multi-family occupancy on prior completion of South Hermitite Avenue. Hermitite, of course, like we just confirmed, crosses property to the west that the client doesn't own. What legal instrument exists today to guarantee right of way dedication

from that property? Is there a signed option agreement, a recorded easement or any executed instrument between your client and the adjacent property owner to the west?

Mansfield: Madam Chair, Commissioner Gelsomino, there is e-mail -- basically we have been in communication -- deep communication with the developer of that property Corey Barton and Trilogy Development. We typically don't execute easement agreements prior to approval from governing bodies. It would just be a -- kind of a silly thing to do, because we don't have permission to build anything there, so we wouldn't execute an easement to build anything there. So, if the plat for Storyrock, that particular phase, is not recorded prior to when we are ready to start construction, we would -- we would record an easement -- an access and utility easement over that. That would, then, be replaced very quickly with Storyrock's primary entrance road, because they are in the same place -- they are -- they are the same road. So, we have coordinated extensively with Trilogy to assure that whoever goes first builds the road, constructs the road and if that -- if we are building the road I'm sure -- well, I know that Trilogy would absolutely give us permission, because we are building them a free entrance road. So, everyone wins. And Storyrock has been approved, so you know that if they want to proceed with their development that road goes in.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. Thanks. Question for the applicant. Can we go to slide 17? I guess it's a comment -- a couple comments followed by a question. I think from my perspective. I can't speak for staff. But I want to communicate some of the problems that I still have. I'm glad you mentioned kind of our discussion last time around pedestrian connectivity. I'm not going to put you through the same rigamarole as last time, but I still see -- again, I -- I like the pathways. I like the -- I like everything here. But if I'm in kind of one of these corners -- you know, one of these residential corners, either on the northwest or southwest sides, I still have to go through four, maybe six conflict points to get to the nearest commercial; right? And I know there is -- there are economic realities at play and you can't have everything fully integrated, but -- you know. And if you go to slides 15 and 16 I think some of these functional integration kind of -- kind of callouts, I don't -- I don't really look -- I'm not -- I can't speak for every consumer. I don't see a spot between two offices as functional integration. I don't know that I see a fenced-in pool or -- or dog park as -- as really functional integration and I -- again, I know that there are amenities and certain requirements and you are trying to balance all these. So, I understand it. But when I looked at this last time I think my perspective was that there are a lot of smaller issues that pile up here and not that you can resolve it through a bunch of small tweaks, but there are so many small issues that there might be a larger problem with the overall design. Even if you were to consider this as one project it still feels very residential -- commercial, residential. I know some of that's the fact of the hard corners, et cetera. But I wanted -- you know, monolog over is -- is -- is the client -- are they just dead set on this site plan? I mean what -- what is the -- you know, given the feedback from -- from Planning and Zoning or -- or was this kind of prep for City

Council, hoping that City Council disagreed, which no offense. If that's the plan that's fine. I guess kind of walk me through some of the decision making of why we are kind of tinkering with something that from my perspective Planning and Zoning last time said this is kind of maybe a little too fatally flawed to -- to work.

Mansfield: Madam Chair, Commissioner Smith, I really appreciate the comments. I appreciate the directness. I will say that Hawkins has been doing retail developments since the mid 1970s. We have a pretty good idea about what makes a successful retail space and what makes a retail space that turns over frequently. Retail spaces that turn over frequently typically don't have -- and -- and, again, I'm not saying -- I'm going to just preface this by saying I live in -- a few miles from downtown Boise. I love downtown Boise. I love Hyde Park. That's why I live close to downtown Boise; right? Like -- like I love having to park two blocks away and walk to Hyde Park to eat and, then, walk back to my car. However, that said -- I was just speaking with our leasing guy yesterday and he goes you are an absolute anomaly based on how people spend their money and how people actually use spaces and I'm like, yeah, I guess I am. That's -- that's kind of a bummer, but that -- that is the reality of the situation; right? Is like what drives successful retail is convenient places to park, easy visibility from adjacent roadways, easy access into centers and out of centers. That's what drives retail success and so as such -- and I guess I should -- as such this is why we have designed this the way we have. In addition to that, retail success is really critical here, because we have this STARS agreement condition that we have agreed to and we want to participate in that demands sales tax revenue to help pay for transportation improvements. So, it drives a public good. So, we need that retail to be successful. So, we won't be able to lease and we will accept much, much, much lower rents for buildings that are tucked inside -- let's say between Building One and Building D1 on the south side, for example. Like that's just an economic reality that we face. And, again, I'm the first person -- I'm like Exhibit A on like why I don't -- why I hate that reality, because I walk around downtown -- I love living downtown. But -- but that is an economic reality that we face and we cannot do what we need to do with accepting lower rents. The community doesn't get what the community needs with lower rents. Lower rents means lower tenant -- like lower means lower value. Lower value basically means like, look, a tenant is not succeeding. It's a bad thing. Like tenants don't succeed; right? And they -- they -- they circle out and they -- they don't renew, because they are struggling to make ends meet; right? Like successful community spaces is what we are after here and so what I'm experiencing and have experienced in the past several years working in Meridian is that there is this fundamental disconnect between what we want to envision our community as and economic reality and it bites that those are different and what this attempts to do is -- is merge those together to create comfortable spaces within the context of making a successful shopping center and that's as -- that's as good as I can get. I mean that's really as good as I can give you. Like I will say one more thing about multi-family parking ratios. We are way over what we would like to be as a -- as a multi-family developer. If I could remove another 20 parking spaces from this I probably would, but I can't because of the code; right? We -- we like to park 1.7, 1.8. You know, you have to park at 2.1, 2.2 in Meridian, so --

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I guess a follow up to that -- and I appreciate the economic value, especially about around the retail. I guess part of it -- and I should have communicated this clearer -- is also the -- there is -- correct me if I'm wrong. Maybe I'm just flat out wrong. But I also think there is nothing, you know, prohibitive about pulling some of that retail -- or some of that residential closer to the retail. I mean you see even -- and I know it's -- again, it's a different location, different rules apply, but just outside these doors there -- there is residential over retail. Again, different product. But is that just -- again, is that -- is that just -- it yields a lower rent product overall? I guess I'm trying to understand. I see plenty of places. I grew up in southern California, downtown Fullerton, Birch Street and Brea, you know, these places -- and they are similar to things that I have seen from -- from Hawkins.

Mansfield: Yep. Yep.

Smith: So, I'm just trying to kind of square that circle of -- and Hawkins is capable. I know vehicle oriented -- you know, vehicle friendly mixed use that still respects pedestrians is -- is doable. Why is it not doable here?

Mansfield: Great question, Commissioner Smith. Madam Chair, Commissioner Smith, this is a fantastic question. We should seriously get a beer sometime and talk about this, because I would love to just beat this up. I -- yeah. I mean the answer to that question is -- is kind of twofold. The main piece of that is the rents that this area is experiencing, the market rate rental product that we are experiencing, the market rates, market rents, are not high enough to support the construction of something like a four over two. We can't go any more than four over two. That might actually exceed the height of the R-40. I can't recall. Four over one. It simply doesn't work and it doesn't just work because we might make less money, it's much more complicated than that. It -- it doesn't work because when you don't have returns that hit a certain target; right? When construction costs are so high that your returns, because of market rents, don't -- don't generate high enough internal rate of return, you can't find people to -- to invest in your product. It's like asking someone, hey, would you rather spend -- would you rather put one dollar in and get five dollars out or one dollar in and get two dollars out? Everyone knows which one they would choose. They would rather put one dollar in and get five bucks out. Building something like a four over two in this location would be like, hey, why don't you put one dollar in and get two dollars out, instead of getting one dollar in and getting -- putting one dollar in and get five dollars out? That's like, you know, every dude, lady on the street is like making those decisions every day. They are just economic factors; right? They are like what would I rather do? How -- where would I spend my money? And that's what we experience when we try to build podium product and especially put things like retail in the bottom of the podium product when market rents aren't there and, you know, that's the best economic explanation I can provide. I'm just trying to be honest with you, guys. We just wouldn't be able to build it.

Smith: I appreciate it. Thank you.

Mansfield: Yeah.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: This is so tough. We -- we always want to redesign projects for applicants. It's just -- but not -- not because we don't think you guys do a good job, it's just, you know, we -- we are seeing the bigger picture of our city as a whole and what -- you know, what we would -- just think would be so beneficial here, but I have a couple maybe smaller questions. First, on the -- the -- the first waiver that's being requested regarding the common open space areas -- and I'm curious if you have like a visual of what it is that you're trying to help us understand regarding the -- the reasoning for it. It says in our -- in -- in the staff comments it says the reason for such -- for such an enhanced interaction is desired between the street and the foot multi-use pathway along the collector street with a narrower street section and wider pathway adjacent to common areas. So, that's in the southwest -- southeast corner of the southwest project; right?

Mansfield: Southwest corner of the southwest project.

Perreault: Is that where -- so, we are looking at UDC 11-4-3-27C.8. So this, is your first waiver request from Council?

Mansfield: Madam Chair, Commissioner Perreault, that would actually be along Hermitite Roadway.

Perreault: Okay.

Mansfield: That's not something that we actually need. You know, we are happy to not have that waiver. The reason we requested it is truly because the objective -- one of the elements of our functional integration is we want this community to not be fenced off like a little fenced-off enclave, we want this community to be part of the neighborhood. We are not adding like -- we are not adding a big fence there with little tiny gaps in it. We are generally trying to keep that open and accessible from our ten foot pathway that runs along Hermitite, so that people walking along that don't feel like there is like this closed-off development on one side of them. That's like in my mind a big element of functional integration; right? Is integrating with not only the surrounding uses within the development, but also the surrounding neighborhood fabric. So, because of that that's why we are asking for that waiver. We -- we could install stuff there to make it feel more walled off, but that's simply the only reason we are. So, I'm happy to, you know, go either way on that. We could figure it out either way. That's not even a cost. I mean it's not even a cost thing for us.

Perreault: Okay. Thank you. And, then, just one more. I think I mentioned this in the last hearing and -- but the plaza that's there in the -- the southeast corner of the northwest section --

Mansfield: Uh-huh.

Perreault: -- I don't understand it. If it's me I am not sitting anywhere that has two -- that has a state highway and a collector road that -- the noise itself is deafening. So, why would I sit there and have a coffee or sit with my friend in the plaza or even want to spend any time there and I certainly wouldn't want to take my children there. So, I want to understand that, because we are getting down into the minutia of -- well, I shouldn't say minutia. That's not -- that's a bad word. But we are getting down into the specifics of these open spaces being so critical. That is one that your, you know, developments kind of trying to showcase. I want to understand the location of that and why that seems to be such an asset for you guys.

Mansfield: Yeah. Madam Chair, Commissioner Perreault, you know, that's a great point. That spot is likely not going to be a -- like focal point of large community gatherings or anything like that. It -- that piece right there is just one of many open space areas, especially on the northwest corner as you were talking about specifically the northwest corner, where, you know, we provide so many kind of other plaza spaces -- that's kind of just kind of a continuation of kind of the theme of like -- this is a plaza. This is a plaza. This is a plaza. Here is the termination of -- or kind of the end of this longer piece of like plaza network -- pathway plaza network. It's better to have that kind of -- it's -- it's almost more of like a visually appealing thing and kind of a -- a design esthetic to like notate that like here is your stretch of pathway plaza and open space areas. Here is the connection between one corner of Amity and Meridian, the other corner of Amity and Meridian and it's kind of a placemaking kind of like anchoring thing, rather than like a -- I want to spend time with my kids in this particular plaza. Does that make sense? And it is on a busy street, so I understand that.

Perreault: It does. The -- the rendering didn't give that, okay, yeah, in my opinion. So, that's why I was trying to understand that. If I can make a recommendation. Maybe do some really nice artwork. There is such a huge amount of traffic that goes through there. I think if you want to really do some placemaking, you know, do some -- do a dedication of some kind or some artwork there, just -- that's not a major issue, but just a recommendation. And can you -- I see the big picture of what's going on and your desire to have all of this -- you know, considered as one -- one project and I understand the -- the concerns as far as the STARS -- the STARS program goes and we had the same conversation with Costco on Chinden about, you know, should the transportation benefit of the STARS program be the driver for the approval of this project or is the project -- is that just a -- you know, a benefit that's received because we have this project that our community really wants and that's the same, you know, decision that we have to make here and there was a lot of criticism given to the city over you guys -- you know, the city just agreed to Costco, because, you know, Chinden Road got widened and this was a benefit to the City of Meridian; right? And so I just want to make sure

that we are not doing that and the STARS is -- the STARS is significant. It's huge. It's -- it's really an amazing program; right? But I just -- I want you to understand as an applicant that that is a motivator for us, but that is not the motivator for us and so I don't know if my fellow Commissioners feel the same way, but I think that's something that -- when you're presenting before Council just kind of keep that in mind. That -- that's -- you know, it's a plus, it's a benefit, but we have been -- we have had these same conversations before and we have to be really careful with that one and I get how that's a massive thing for you all because of the cost of developing that Hermatite and -- and all of that. It's -- it's -- it's a big deal. But for me it's not enough of a motivation to say, okay, we are -- we are okay with just having this exist the way it is with all the ratios and completely discounting what it is that we have in our comp plan and our code. That being said, I -- I know you all have probably gone through, you know, who knows how many different versions of this and designs and whatnot of this and I agree with Commissioner Smith that if there is any sense of getting just a little bit more creativity with it, that that would be a benefit. So, I just wanted to make those comments to you before we close the public hearing in case there is any questions that you have.

Lorcher: We haven't taken public testimony yet, so -- thank you. And, then, we will open it to public testimony and if we have anymore questions we will -- we will go from there. Okay? Thanks. Madam Clerk, do we have anybody signed up to testify?

Lomeli: Thank you, Madam Chair. We have Pauline Skeggs.

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

Skeggs: My name is Pauline Skeggs. I live at 259 West Norwich. I live in the Stapleton Subdivision.

Lorcher: Okay.

Skeggs: Okay. And I just had a couple of concerns. One with the noise and one with the traffic. I understand that the three -- the two and three story buildings will be -- when you walk -- fourth -- they just did fourth on our subdivision. It's fourth stage. Okay. They are all patio homes. They are all senior citizens. We look at our backyard. That's the empty lot. So, if they build those apartments right up on us -- three -- two and three story, that's going to be an issue for us. You know, we are concerned with the -- with the noise. I don't know if somebody's did a study on -- you know, a noise study on the impact of humans -- more specifically senior citizens and also if they are going to put a barrier that's going to protect our subdivision from their buildings and what they are going to build over in that lot, because a lot of the seniors have problems with sleep right now and if it's really noisy it's going to make it worse. They didn't tell me that when I bought my house a couple months ago. They just told me that it would probably be a grocery store that's going to be built there. Commercial. And I'm like okay. But that's why when I first saw the sign I'm like -- I better go see what they are going to do, because they told me a grocery store --

Lorcher: Right.

Skeggs: -- and now it's more than that. The second thing is the traffic situation. It is really bad. It is not only peak times, morning and evenings, Meridian Road is constantly full. It reminds me -- I moved here in '95. It reminds me how Eagle Road is now. Okay. They are building a Costco on Lake Hazel and Meridian Road. Okay. It's almost done. That's going to cause traffic to be even more than it is now. So, I don't know if they did a traffic study on the impact. Now if they build these 302 units and all these commercials and grocery stores and everything it's difficult to get out of our subdivision right now. That's going to impact us again. The other side of Stapleton is where the young families live, which is fine, they are probably fine with it, but, unfortunately, where they build the fourth stage is all senior citizens. Those are our houses right across that lot and that's when I said, wait a minute, I got to go listen to what they are going to say, because I was under the impression it was just going to be like a commercial grocery store and I saw your little sign and said better go check it out, so -- so, that -- that's basically the noise and the traffic.

Lorcher: Okay. Thank you very much.

Perreault: Madam Chair, I have a question.

Lorcher: Oh, Pauline.

Perreault: Did you get invitations to this neighborhood meetings?

Skeggs: No, I didn't. But one of the residents across the street, my neighbor did the last meeting, because we -- we kind of citizens -- ladies that are widows we kind of meet monthly and she said she had a little postcard and she said, oh, they had -- they had a meeting. We didn't -- I didn't go. And I'm like I didn't get anything. I didn't get anything this time as well. I just saw your big sign when you leave our subdivision there is a big sign saying that there is going to be a meeting on -- on -- tonight at 6:00 p.m. at City Hall.

Lorcher: And how long have you lived in your house?

Skeggs: I have lived there six months.

Lorcher: Six months. So, it may have -- it may have been before you moved in.

Perreault: Okay.

Lorcher: It was the neighborhood meeting in February? Yeah. So --

Skeggs: And most of the city -- this -- it was the -- like I said the fourth phase is all senior citizens. It's patio homes. And I have lived there six months and the majority of the people have moved in in that section.

Lorcher: Right.

Skeggs: After me.

Lorcher: Right. Okay. Thank you.

Lomeli: Madam Chair, we have Sandy Griffith.

Griffith: I'm Sandy Griffith and I live at 223 -- three -- Norich -- two houses down from Pauline. In the backyards -- my backyard faces that whole field and we have half fences in the back. On the sides we have a full fence. So, my safety level is going to go way down when people are out there and people are looking in my house and the noise level -- like she said we are divorcees, widows, all, you know, retired people and the noise level will be in the traffic and to go out of our division there on Stapleton you can't go right -- you can't go left. You have to go right. I have to go up to that light and make a U-turn to go into town.

Lorcher: Yeah.

Griffith: Or go all the way through the division and go clear out to Victory to go out at a light. So, traffic -- and every ambulance that comes from Kuna comes down there and the big traffic jams at that light when the school bus was wrecked is right there in that intersection. Yeah.

Lorcher: Okay.

Griffith: It will be a hardship.

Lorcher: All right. Thank you very much.

Griffith: Thank you.

Lomeli: Madam Chair, we have Monty Palmer.

Lorcher: Hi. If you can state your name and address for the record, please.

Palmer: Hello. Monty Palmer. 3800 South Meridian.

Lorcher: Thank you.

Palmer: So, I have just been observing that development for a long time, even back in '19 -- just -- I know the plan for it. I think the widening of the road there to have access on Meridian, you know, and Amity is huge for that area, because if you try to pull into the -- like the Victory Greens right now there is a right-in, right-out where that old barn -- you know, where the building is and the business is, which is just crazy to try to turn out of there. It's okay turning in, but to try to turn out it's -- it's ridiculous. I don't -- is it crazy

to think that -- that Hawkins Companies is trying to encourage people to like walk and stroll to go to the -- you know, to move within the development? Because it's -- like the gentleman was saying, the -- the lack of activity -- outdoor activity is -- I don't think it's unreasonable to walk and stroll and maybe find your way through -- you know, take a different path to get to whatever you are wanting to go to. That -- it's -- like I said, it's just the Costco obviously knows that there is a huge growth is going out there. Everything is moving that way, so -- so, to accommodate the -- the widening of Meridian and -- and -- and Amity and to even be, you know, a forerunner in that, is -- is I think very important to the community. I think like the -- the women were saying with their houses backing up to the -- you know, the multi-family, that's -- I'm not -- I'm not sure exactly the buffer zone or how much space is between there or, you know, what that needs to happen, but -- yeah. It's -- I just don't think it's unreasonable to -- to see a development that -- that spans Amity Road that is able to, like I said, accommodate foot traffic and encourage activity offside of motorized vehicles, but --

Lorcher: Okay.

Palmer: Yeah, it's -- it's definitely needed. Something's definitely needed for there.

Lorcher: All right. Thank you very much.

Lomeli: There is a gentleman raising his hand. Go ahead.

Lorcher: Good evening. If you can state your name and address for the record.

Percy: My name is Jim Percy. I own the land that lays to the south of the southwest corner of this project.

Lorcher: Okay.

Percy: I have been farming it for over 45 years. If we can pull up -- I believe it's 19 on the --

Lorcher: The slide show?

Percy: It's the before and after. Yes. The current situation where you see the before, we have a lot of green areas and my farm lays to that southwest corner -- to the south of that. That is under a preliminary plat for Allure Subdivision. We have single-family homes that border that. There is 13 homes that will be against that right back-to-back. When you see the new project there seems to be a lot less green area and the apartments are longer taking up more space. This is the third plan we have seen on this project and the first one we downsized it to which you see the old. We were was able to agree with that simply because of the common green area that's in there. It's about as good as we can hope for for their project and it worked for us. I would like to see that remain the old project, rather than new project, simply because it's -- they are three stories, just like we have seen right here -- the other testimonies, three stories

versus single family homes and not only the -- the stories, the elevation of the ground is higher than what my farm is. So, there is going to be an additional elevation. You know, I'm not sure just how the final grade will all work out, but that is my concern on that.

Lorcher: Do you know if the houses that are being built along the -- the -- the edge of this, are they single story or -- or double or two story homes or a mixture of both?

Percy: That's going to be up to the developer.

Lorcher: Developer. Okay.

Percy: Yes.

Lorcher: Okay. All right. Thank you for your comments. I appreciate it.

Percy: Thank you.

Lomeli: Madam Chair, we have Daisy Brooks, but I don't see anybody else in Chambers. I'm not sure who that is.

Lorcher: Okay. And there is nobody online, so --

Lomeli: Correct. No one else is signed up and no one else is online.

Lorcher: All right. Ethan, you want to come back and address some of the comments, please.

Mansfield: Madam Chair, I would love to. Thanks for having me. Just a quick note on the north side here adjacent to Stapleton. We actually spent a lot of time ensuring that the multi-family buildings were positioned in such a way that would only would -- would very -- as minimally as possible influence anyone in the Stapleton Subdivision. You can see that it's kind of oriented at an angle, so you don't really even have the windows on the end of the building or the windows on the side of the building really looking directly down at those yards. You know, Lyra Street is going to be, you know, like a -- I think it's a 50 -- what is it, like 60 foot wide collector strip is -- like that's the right of way dedication for the collector. It's only that narrow in one spot and other than that you have large amounts of green space. In addition to Lyra Street right of way buffering, we also put our clubhouse over there. Single story building. Finally, you know, if you actually look at traffic generation of commercial developments relative to multi-family, commercial drives a lot more traffic. So, we can expect on Lyra Street for -- for only minimal commercial traffic to be going through there. You know, you have to drive down Solaris Avenue just to get into the commercial development, so we think that's -- most of the commercial traffic is going to concentrate on Amity and Meridian. Finally, you know, the whole intent of this mixed-use area is to reduce trips by creating trip capture. This happens whether people like to admit it or not -- you know, I'm not going

to go from building B1 -- I'm not going to drive my vehicle on any public roads to get to any of these pads on the southern end here. It would be -- it would take me longer to get out of my parking space, get onto a public road, drive down the public road, turn into the parking lot and park in the commercial parking lot than it would be for me to walk. You know, similarly, we can make the same case for -- for this; right? Like we are not going to get on Meridian Road, we are not going to get on Amity Road, because you would have to drive around a mile block; right? That -- that would just be silly. So, instead, I'm going to take my Lime scooter, I'm going to walk or jump on my bike and I'm going to cruise up, even if I'm going to the stuff on the north side from the far south, I might jump in my car, but that car will not enter an arterial road. It will cross one, maybe on Amity, but, you know, we are not generating arterial road trips. Like it's in -- literally anyone who is walking from -- or traveling from any residential area in this development to any commercial area in this development will not be traveling on an arterial road or state highway. It would just be minutes of delay, half an hour of delay sometimes a day to -- to get through. So, you know, that -- that's not an option. I mean that doesn't -- it will not occur. So, because of that, if you think about minimizing trips, increasing trips captured, minimizing trips on arterial, the correct move here from a policy perspective is to max out the density. As many people as will fit comfortably here will reduce the amount of trips on the arterial roadway. The demand for housing in Meridian won't change based on the number of units we put on this development. What will change is the number of people who live within this development who can access services by walking, biking, scooting. I love Lime scooters, by the way. By scooting or -- or even traveling by vehicle on a collector road. So, just something to bear in mind as we are thinking about residential densities, as we are thinking about what's appropriate here as far as how much density; right? Eighteen units an acre is low by multi-family standards. Most of Hawkins residential developments, garden style residential developments are between 20 and 27 units per acre. Just for context. And that's because we have added so much additional green space, open space to this plan and that's what we want, because we want it to be livable. But we -- we can't -- I will say it right now. We have spent 1.3 million dollars on site plans and traffic studies on this site. We are getting a little bit of deal fatigue on this. You know, we have tried to really coordinate with staff and we have -- we have gotten here. So, just want to give you guys some context there. I think, you know, separate from the importance of STARS it's still important for this community to have a successful commercial development; right? If you put another layer of commercial buildings deep -- buried deep in this multi-family on the southwest corner, you are just going to have vacant commercial space -- or vacant office space, you know, and -- and that's not good for us. It's not good for the community, because it doesn't generate tax revenue. It's not a valuable thing. So, value is good for everybody. It's not just good for the developer. It's good for the community. And, then, finally, you know, just one more thing about ground floor commercial spaces. Again, goes back to population density. If you think about the success of ground floor commercial spaces in downtown Boise, for example, it's important to remember that there are -- you know, at last time I checked there were 50,000 jobs -- 55,000 jobs in downtown Boise and so that's why there is ground floor retail, 55,000 daytime, and, then, you add all the people who live down there, which is I think probably eight to ten thousand; right? So, you got 60,000 people milling around down there, moseying

around, population density is critical to creating conditions for ground floor retail to be successful. And, historically, in post-zoning America, we don't see that level of population density, because communities don't support that level of density and so when you think about buildings in pre-zoning America -- not -- sorry. Again, we got to get a beer and talk about this, Commissioner Smith. But I think about this all the time. We -- when you -- we are allowed to build big tall buildings, that's when you get the ground floor retail, when there is 50,000 jobs surrounding your community, but that's the only time it works. That's the only way it works, you know. Here in Meridian it's starting to work a little bit. Like Voodoo is awesome. But it can't support a whole, you know, city of that. So, you know, as a very passionate city builder myself, I think about this stuff daily and I have seen -- as a former planner I have seen the planning side. As working for a development company I'm seeing the development side and I guess I can just say like I would love to walk you guys through this development when it gets built and show you around. I'm excited for it. I want it to happen. So, with that I will stand for any questions. Thanks.

Lorcher: For the development to the south where the buildings have -- have changed shape and having more exposure to the single family homes that are going to be on the other side, have you and your team discussed that at all based on your new presentation?

Mansfield: Madam Chair, we learned of that earlier this week. Just as a note, these are both three-story buildings, so the buildings are slightly longer. We don't -- you know, this isn't really to scale. This is for like illustrative purposes only. So, you know, we -- we could look at how long the buildings are. I mean we -- again, we don't know -- I mean we would have to go back and look if we -- see if we can absorb additional decreases in density. I don't know if that's -- you know, I mean we can look at it, but there is absolutely no guarantees that losing density would absolutely only make the project harder to accomplish.

Lorcher: Right.

Mansfield: Yeah.

Lorcher: And it looks like you might have some topography issues. I don't -- he said his property is lower elevation then -- yours is going to be higher. So, a three would be even higher than the other. But something to take into consideration for the -- the south neighbors, so -- any other questions or comments for Ethan?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: So, the commercial that's on the south side, is there not -- or has there not been another -- I don't want to say anchor tenant, because you are not going to get another big tenant in there, but -- but another, you know, business that would draw

more, so that you can add more commercial to that or is it -- is that just too much for the entire area in general?

Mansfield: Madam Chair, Commissioner Perreault, that's a great question. You know, when we design the breakout of, you know, how much commercial space do we want to develop here, we look at all sorts of stuff. We look at absorption, market trends, rent per square foot. We settled on this, because we thought that this is what would be -- what would work here given the amount of frontage, given the visibility and just generally the amount of space and you are absolutely right, you know, that was my first question is like, well, why don't we just put another little commercial center down here? There is just not demand for a second anchor down there; right? It's still -- this is still on the edge of -- it's not in the middle of town; right? You know. But what we need to do is be providing services for people who do live and will continue to live out here and so, yeah, we looked at it. This is the right amount of commercial we feel to serve the surrounding area and be able to synergize with the center on the north side. We can't have the double layer pads. It just -- it just doesn't -- doesn't rent well and, therefore, could remain empty.

Perreault: Even given the traffic that Costco will bring, Kuna, all of that, it's still -- it's still not working, huh?

Mansfield: Yeah. I mean we -- we continue to look -- Madam Chair, Commissioner Perreault, we -- we continue to kind of monitor that and we just -- we just don't think there is quite enough -- just not enough draw there at that point yet.

Lorcher: Any other comments before we close the public hearing? All right. Ethan, thank you very much.

Mansfield: Thank you so much.

Lorcher: May I get a motion to close the public hearing, please?

Smith: So moved.

Gelsomino: Seconded.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Ethan, the second -- that -- it's not a conflict of interest. You know, I would love -- love to grab a beer and chat about this. I think to a larger point what -- what really I struggle with about this project is separating my would be legislative hat from kind of the judicial role that we serve. There is a part of me that looks at this corridor and says, you know, honestly, like a lot of this product would be great here and, you know, maybe we can kind of just, you know, make it work and fudge it a little bit and -- and it's close enough and -- you know. And that may be where City Council ends up with, you know, kind of the -- the hat that they wear, the far more expensive hat. I just -- I just don't think the integration of uses is there for what this future land use and for what this zoning asks for and I think that if there was a world where this came to us as a rezone and they were able to justify that rezone and approach that, this is -- you know -- you know, high density residential and retail, I -- I might be able to get there. But, again, that's a different conversation with a different set of staff analysis and different implications there. I -- you know, I agree on the density issue. Density is not my problem here. I would, honestly, love to see more density here if it was able to make it work in an integrated fashion. This is a really important pair of corners and a really important pair of corridors for south Meridian and so I think this is -- this is really important that we -- that we get it as right as possible and I struggle a lot with kind of, you know, us -- the government telling what the -- the developer who has done far more market research about what people want, et cetera, to do and what -- what is right. But in the interest of the city and in kind of what City Council set forward of -- of the vision, I just don't think that -- that this -- this complies with that. And, again, it's -- you know, I agree. I think a post-zoning world is interesting. Every once in a while look at what's going on in Houston I think is really cool, but -- but that's not the -- the place that we are at right now. So, you know, again, I think this is an argument that the applicant can make to City Council, because they wear a different hat than we do, but from a Planning and Zoning Commission perspective I don't think I can support this. I really appreciate what they are trying to do and I appreciate the overall value that this would provide for the city, but I think it -- it is not aligned with what the plan calls for regarding integration of uses specifically for pedestrians and for non -- non-vehicle users. So, again, separating what -- you know, I really want to be able to support this. I really want to be able to like this and put this Commission's kind of hat behind it, but I just don't think we can from the lens of the hat that we wear for those reasons.

Lorcher: I agree as well. There were two things that you had said. A quasi-public park, which was on the -- the south side, but as a person driving down Amity or Highway 69, I would -- I would never stop there, because it seems like it's just for that particular community and I can't tell if you have re -- you realigned where the -- the pool was on the -- the south side, but you have to go through two parking lots and past three buildings in order to get to get to the pool if I'm living in one of those apartment buildings and that seems -- like where you have your public park I -- I would rather see the pool there, because, then, it's kind of in the middle of all the buildings, not all the way at the top by the commercial. I a hundred percent agree that everything on Highway 69 and everything on Amity Road needs to be commercial. I a hundred percent agree that there should be a grocery store there. That's actually a great thing, because I think the long-term goal for the City of Meridian is have people who live on south of 84 to live,

work and play there, because, then, you have less trips going back and forth. The Costco is going to be a great addition and I think the way they are working with it is that's going to have its own drive aisle to get in and out. Hopefully, getting people off of Highway 69, so that it doesn't create that bottleneck of people turning in and out, like we do see on Ten Mile and Chinden more often than not with the Costco up there. The convenient pedestrian experience is there if you are on your side. So, I can't get past Amity Road being a major arterial road dividing this project into two. I cannot see -- and, you know, through the lens of our code and -- and the city this being one project because of that. Although I understand a hundred percent that you want to be able to take advantage of the STARS program with, ITD so it needs to be and if it needs to be, then, it needs to either be rezoned not mixed use community or something else that still gives you the ability to be able to take advantage of that program, but in a way that works. And, then, finally, you know, where people will be taking the interior roads to this absolutely, but like Pauline and Sandy said, they are not going to walk to the grocery store. They are going to end up driving, because in the winter time it's going to be too dangerous and if you have a senior community at the north side of your project all of those seniors are going to have to find different ways of transportation and it's not going to be walking and I don't know what kind of community is going to be to the south of you, but if there is more patio homes and that -- and that's great that they don't have to get on Amity or Highway 69. They can take interior roads to be able to do that. But there is going to be less walking than -- than you think, especially people who live on the ground floor. So, with that in mind I also cannot support this, although I think it is needed and what you have here is -- it's some version of this. It's just not this version. The grocery store is fantastic. The outer pads are fantastic along Amity to get that trip capture, to be able to make those sales, to be able to -- be able to do all those road improvements are key. Having those tall buildings next to patio homes and single family homes is a little problematic, but if you were just learning about those projects now, then, this design might change a little bit. Commissioner Perreault.

Perreault: Madam Chair, I agree with everything you said. I couldn't have said it better. There is absolutely need. I have no opposition to the -- the concept as a whole and -- and the businesses that you would like to go there. I really want to say yes to this, but as Commissioner Smith shared, that's not -- our goal is not to necessarily do the big picture, you know, approval of this. I -- I just -- I want to say to you as a -- as a main player in this area and in general that the idea that residents will stay within their mixed-use area to access their services is -- is not really a proven thing; right? Like we -- so, I was not a decision maker in the District at Ten Mile. Personally I think that if you have high-end employment in an area that folks probably aren't going to live in the apartments that are in that, they are going to live in a four-bedroom house in a subdivision, because they are making enough in a high employment area to not live in the apartments. So, I don't always assume that the residents of that are going to use the services that are going to come into that. You know, I doubt that folks that are living in an apartment are going to, you know -- they are going to -- patron a plastic surgeon's office that might be in the office building; right? I mean just -- just like we -- we kind of have to take -- we kind of have to take the idea that folks are going to be using these services that are here that they are actually going to want those services.

So -- so, when it comes to conversations about pedestrian access and internal and external, I'm always kind of keeping in mind the fact that -- and we can get all into the numbers of who is staying in and -- you know, who is -- the trip capture and -- and all of that, but we don't even know if those residents are actually going to use whatever ends up going in there. So, I just want to keep that in mind as we are having that conversation, too, because it is a -- you know, we are talking about design in terms of pedestrian activity and -- and flow of this, but that's making a lot of assumptions about the residents actually using these services and these services, with the exception of -- of the grocer, may not even be at the financial level that residents who live in an apartment are going to be able to use. That's just the reality of it. So, that's just my two cents on that.

Gelsomino: Madam --

Lorcher: Commissioner Gelsomino.

Gelsomino: Madam Chair, there is nothing further that I can add that has not been said already.

Lorcher: Okay. Are you drafting something here?

Smith: Yeah. Madam Chair?

Lorcher: Commissioner Smith.

Smith: After considering all staff, applicant and public testimony, I move to recommend denial to the City Council of File No. H-2025-0007 as presented the staff report due to a lack of adequate multi-modal interconnectivity and the lack -- lack of functional integration between the different uses, particularly regarding quasi-public spaces and I guess that multi-modal interconnectivity as well.

Gelsomino: Seconded.

Lorcher: It's been moved and second to deny Item No. H-2025-0007, Syringa Crossing. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: I will take one more motion.

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: I would like to make a motion to adjourn tonight's meeting.

Smith: Second.

Lorcher: It's been moved and second to adjourn. All those in favor say aye. Any opposed? Motion carried.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 9:34 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

MARIA LORCHER - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK