

## **I-84 and Tanner Creek Minutes from PZ**

### **Public Hearing continued from October 19, 2023 for I-84 and Meridian Road (H-2021-0099) by Hawkins Companies, generally located at the northwest corner of S. Meridian Rd. and I-84**

- A. Request: Annexation of 18.30 acres of land with a C-G zoning district.
- B. Request: Comprehensive Plan Future Land Use Map Amendment to change the future land use designation on 70.4+/- acres of land from Mixed Use Community (MU-C) to Commercial (34.3) acres and Medium High Density Residential (36.1+/-).

#### **4. Public Hearing continued from October 19, 2023 for Tanner Creek Subdivision (H-2022-0048) by Engineering Solutions, LLP., generally located 1/4 mile west of S. Meridian Rd. on the south side of W. Waltman Ln.**

- A. Request: Modification to the existing Development Agreement (Inst. #108131100) to change the development plan from commercial to a mix of residential uses.
- B. Request: Rezone of 41.89 acres of land from the C-G to the R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres) zoning districts.
- C. Request: Preliminary Plat consisting of 130 building lots (83 single-family, 45 townhome & 2 multi-family) and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts.
- D. Request: Conditional Use Permit for a multi-family development consisting of 280 dwelling units on 15.88 acres of land in the R-40 zoning district.

Lorcher: I have some disclosure for the next two applications from -- for the Tanner Creek Subdivision and Hawkins. I have family members who live in the impact area of both of these projects. After consulting with the city attorney I will recuse myself from the conversation for this evening's application. That's -- that area impacts my overall family. So, with that I am going to turn it over to Jared and he will lead these two applications for these discussions.

Smith: Thank you. Thank you, Commissioner Lorcher. Kurt, would you like to say any words about kind of how this --

Starman: Thank you, Chairman. So, a couple of items before we open the public hearings this evening. First, just for the public's benefit and for the record, we have -- we started our meeting with four Commissioners, which establishes a quorum for tonight. As we just heard, Vice-Chair Lorcher is recusing herself for a conflict of interest reason -- is remaining in the building. She's just in the City Council conference room and so a quorum is maintained. So, we will proceed with three members casting votes -- or are eligible to deliberate on these items. But we still maintain quorum is the first observation for the record. The second item is that we have -- as I understand it, a request from the applicants for your next two public hearings, Items 3 and 4 on your agenda this evening, to open those public hearings concurrently and to hear those items concurrently and the rationale for that is that they are very much integrally related to one another and as you noted I'm sure when you read the staff reports, the two projects really go sort of hand in glove in many ways. In addition that City Council in earlier discussions had expressed an interest and desire for these projects to be dealt with at the same time. That is a bit unorthodox. We don't typically do multiple public hearings at the same time. It's certainly not prohibited by -- in a legal manner. It's just a bit unorthodox. And so what I would like to ask is a representative for each applicant to come to the podium before we head down this path, I would just like to have it on the record that the applicants are making this request and that they would prefer to proceed in this manner. So, I will invite our applicants up to confirm that on the record. And, then, we will -- if that is the case I would ask the chairman to open both public hearings and we will proceed accordingly. I have one more announcement after that.

McKay: Becky McKay from Engineering Solutions. 1029 North Rosario, Meridian. Business address. I'm representing Challenger Development for the Tanner Creek project. We do consent to the consolidation of our presentations and being heard kind of as one integrated project

Mansfield: I'm Ethan Mansfield with Hawkins Companies representing that the corner development there to the east of Tanner Creek and we also consent to being heard together. Thank you.

Starman: Thank you. One last announcement and, then, we will turn to the hearings at hand, but that is in order to be as fair as possible and provide due process to all involved, the applicant, the public and others that have an interest in these topics, because we are doing essentially two public hearings concurrently, we will essentially double the allotted time for applicants to present and, then, double the amount of time that we would typically provide to -- for citizen testimony. So, by way of example, we would typically allow applicants 15 minutes initially to make their presentation. In this instance we will allow 30 minutes in total. They may or may not want to use that entire time, but we would make that available and, likewise, for those that want to provide testimony this evening, the public and other interested parties, we would typically provide -- provide three minutes for that purpose, but tonight we will provide six, because we are hearing both items concurrently and so we have more material to cover. So, with that, as -- as preface, I would turn it back to you, Mr. Chairman, to open both of the public hearings and we can

proceed with double staff reports initially. Sonya will discuss both projects back to back and, then, we will turn it over to the applicants.

Smith: Thank you, Kurt. So, per applicants' request, we are going to open for public hearing Item No. H-2023-0099, annexation and future land use map amendment from Hawkins Company concurrently with Item H-2023-0048, a modification to the existing DA agreement, rezone request, preliminary plat and a conditional use permit for multi-family housing for Tanner Creek Subdivision. We will begin with the staff reports.

Allen: Thank you, Mr. Chair. Just a clarification for the record. This file number is H-2021-0099. It is an older file number that's been in the -- been in the process for a little while. So, just like to --

Smith: Thank you.

Allen: -- mention that. Thank you. The subject applications before you tonight are a request for a Comprehensive Plan map amendment and annexation. This project was heard by the Commission on April 28th, 2022, and the recommendation of denial was sent forth to the City Council. City Council heard the application and remanded it back to the Commission for the following reasons: Reference for this property and the abutting property to the west Tanner Creek to come in together or concurrently with a master plan for the overall area that demonstrates consistency with the existing or proposed future land use map designation and that -- that is mixed use community and mixed use regional. Desire for the transportation issues to be addressed before a development plan is approved and desire for changes to be made to the concept plan to be more consistent with the general mixed use guidelines and specifically the requested mixed use regional designation. Some changes were made to the plan, but they were not substantive -- substantive enough to be deemed consistent with the general mixed use development guidelines existing MUC or the proposed MUR guidelines. Therefore, staff recommended the applicant change their map amendment request from MUR to commercial and include the Tanner Creek project to the west in the amendment with a change from MUC to medium high density residential. Revisions to the conceptual development plan and associated exhibits have also been amended to address previous comments in the staff report and discussion from the hearing. The property associated with the amendment to the future land use map consists of approximately 70 acres of land and the portion associated with the annexation consists of 18 acres of land. The general location of the property is at the northwest corner of South Meridian Road and I-84 on the south side of Waltman Lane. The map on the left there shows the existing -- on the top there the existing future land use map designations for this property and the general area around the property. The map on the bottom shows the requested change to the future land use map. The applicant is requesting, as I mentioned, an amendment to the future land use map to change the land use designation on 70.4 acres of land from mixed use community to commercial. I'm echoing here. Excuse me just a second. The commercial designation is requested to be 34.3 acres and the medium high density residential is proposed to be 36.1 acres approximately. Based on the analysis in the staff report staff finds the proposed development plan is generally consistent with the requested future land use

designation of commercial for the subject property and medium high density residential for the adjacent property to the west, which is Tanner Creek. Further, the proposed future land use designations provide for a better transition and uses from existing and future residential uses to the west and northwest and are compatible with adjacent future land use designations and land uses in this area. The applicant also proposes to annex 18.3 acres of land as shown there on the exhibit on the right with the C-G general retail and service commercial zoning district consistent with the proposed future land use amendment to commercial. The subject property is part of an enclave area surrounded by city annexed property. The plan on the left is the original development plan that you reviewed on this project when it was before you the last time. The one on the right is the proposed revised plan. This is a little -- a little easier to see here. So I will flip to this plan. The revised conceptual development plan submitted as shown depicts how the property proposed to be annexed, as well as the area currently zoned C-G to the north is planned to develop with two big box retail stores. Retail one, which is approximately 153,300 square feet and retail two, which is approximately 80,500 square feet, four pads and five shops. The area shown on the concept plan on the bottom portion -- and that's just -- let's see. I don't have this one. Everything south of this red line is proposed to be annexed. Everything north is already annexed in the city and zoned C-G. The portion of the site currently in the city is entitled to develop in accord with UDC standards regardless of whether or not the proposed annexation is approved, as there is not a development agreement and effect for that property. I will note, though, as part of the new development agreement for the property proposed to be annexed, the applicant has agreed to enter into a development agreement on the entire property. Sole access for the development is proposed via three accesses from Waltman Lane, a collector street, in accord with UDC 11-3A-3A2, which supports limiting access points to collector streets and requires a cross-access ingress-egress easement to be granted to adjoining properties where access to a local street is not available. Staff recommends a driveway is provided along side the proposed pathway across the Ten Mile Creek to the west, unless otherwise waived by City Council, which will provide interconnectivity between these two developments. The applicant has submitted an emergency access easement agreement with the property owner to the west for secondary emergency access via Ruddy Drive and Waltman Lane. At no time should construction traffic associated with the development of this site be allowed to access the site using Ruddy Drive through The Landing and Tanner Creek Subdivisions. Other than, like I said, emergency access. Improvements are required to Waltman Lane, including reconstruction of the bridge over the Ten Mile Creek west of this site with the Tanner Creek project. Improvements to the section of Waltman that abuts this site will be determined by ACHD with a future development application, since this is only an annexation request. The extension of Corporate Drive to the northwest of this site designated as a collector street on the master street map, including construction of a bridge over the Ten Mile Creek from the north to Waltman Lane is proposed to be completed with the first phase of development with the Tanner Creek project prior to issuance of building permits. If the Tanner Creek project does not go forward and complete the improvements to Waltman and Corporate as planned, staff is recommending that these improvements are completed by this developer through a cooperative development agreement with Ada County Highway District as noted in the staff report. Based on the findings of the traffic impact study for the proposed project,

which includes the Tanner Creek project, the Meridian Road-Waltman Lane intersection would exceed ACHD's acceptable level of service thresholds. With previous development applications for the Tanner Creek property ACHD did not recommend any mitigation at the intersection due to right of way constraints impacting -- impacts to existing businesses and substantial intersection redesign and construction making the recommended mitigation infeasible. A letter prepared by Six Mile Engineering dated January 23rd of this year, in response to comments and feedback during the City Council hearing for this project, was submitted to ACHD proposing phased alternative improvements at the Meridian Road and Waltman Lane intersection to address traffic impacts from these developments. A three phase concept design was proposed in which the first few designs did not require any additional right of way dedication and the final phase did. ACHD reviewed their proposal and does not recommend any modifications to the intersection as under all concept designs these modifications would negatively impact existing operations at both the interchange and ramps. ACHD concern also extended to the impacts the proposed modifications would have to the Central Drive and Corporate Drive intersections at Main Street and Progress Avenue. While the proposed improvements may benefit both of the proposed developments in the short term, they will likely negatively impact the already congested area roadways and intersections. These improvements without significant widening increased corridor travel times and interchange queue lengths, further compounding existing congestion in this area. ACHD believes that there are alternatives that may be considered, such as converting Central Drive and Waltman Lane and Corporate Drive to a one way couplet, which is anticipated to reduce both queue lanes and the impacts to the Meridian Road and I-84 interchange system. Construction of the Linder Road overpass, which is three quarters of mile to the west, is scheduled in ACHD's five year work plan for construction in 2026 and '27, which should improve traffic conditions on Meridian Road by providing another north-south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not consideration should be given to the inclusion of a provision in the development agreement which limits development to the large retail -- retail one store at this time and delays the retail two building and pads three and four and the shops until such time as the Linder Road overpass is completed or other improvements occur that allow for an acceptable level of service to be provided as determined by ACHD. There has been no written testimony from the public received on this application. Staff is recommending approval with the requirement of a development agreement and just with a caveat. If Council does not approve the requested amendment to the future land use map, staff is recommending denial of the annexation request based on incompatibility of the proposed development with the existing mixed use community future land use map designation. The applicant is here tonight to present. I guess we are going to hold the applicant testimony -- okay. Excuse me. I will roll right into the Tanner Creek project then. The applications before you on the Tanner Creek project are a development agreement modification, a rezone, a preliminary plat and a conditional use permit. This site consists of 38 acres of land. It's zoned C-G and it's located west of South Meridian Road on the south side of Waltman Lane and the north side of I-84. Two previous development applications similar to this were denied for this property in 2018 and 2020. The Comprehensive Plan future land use map designation, as I mentioned before, is mixed use community. We have a request

for an amendment to medium high density residential with the I-84 and Meridian Road project. The applicant requests a modification to the existing development agreement, which allows commercial and office and hotel uses to develop on the site as shown here on these concept plans -- two -- two different concept plans were included in the existing development agreement for this site and the applicant is proposing to replace it with a new development agreement allowing a mix of residential uses, including single family residential, detached and attached dwellings, townhouse dwellings and multi-family residential apartments. There we go. Problems with my clicker here. As shown on the concept plan here before you. A rezone of 41.89 acres of land is proposed from the C-G to the R-8 zoning district, which consists of 12.16 acres, to the R-15 district, which consists of 12.27 acres and to the R-40 zoning district, which consists of 17.46 acres. A preliminary plat is proposed as shown consisting of 130 building lots. And I will go through the breakdown of those. Eighty-three single family, 45 townhome and two multi-family and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts. The plat is proposed to develop in four phases as shown on the plan there on the right. I don't know if you can see that very good. The bold lines are the phase lines. This is phase one right here where my pointer is at. Phase two is directly east of that. Phase three is to the south and west. And the last phase by phase four, is on southeast. The applicant is requesting flexibility in the phasing to adjust the number of lots, combination of lots and number of phases to reflect changing market conditions. Staff is amenable to this request, unless otherwise restricted in the cooperative development agreement with ACHD or as otherwise approved by City Council. Because noise from I-84 will greatly affect future residents in this area, staff is recommending noise abatement in the form of a berm and wall is constructed per UDC standards in its entirety with the first phase of development as a provision of the development agreement. Currently it is proposed to be constructed with the associated phases three and four. Access is proposed via the extension of Ruddy Drive at the west boundary the site and via two accesses to and from Waltman Lane at the northern boundary of the site. The applicant is proposing to construct the extension of Corporate Drive, a collector street, off site from its current terminus north of the Ten Mile Creek to Waltman Lane with an existing right of way with the first phase of development. The construction of Corporate will include the construction of a new bridge over the Ten Mile Creek. This will provide additional access to the site and provide for additional access when the Ten Mile Creek Bridge on Waltman is being reconstructed. The road north of the bridge should be constructed as required by ACHD. The staff report recommends the roadway south of the bridge to Waltman Lane is constructed as a complete street section with detached ten foot wide multi-use pathways along both sides of the street and that is DA provision 1-B. Because there is not sufficient right of way at this time staff recommends a change to the staff report to only require a five foot wide detached sidewalk as required by ACHD. That should be in your recommendation tonight if you consider that change, please. These improvements shall be complete prior to issuance of any building permits on this site. The applicant is proposing improvements to Waltman Lane in accord with ACHD requirements, with a ten foot wide detached sidewalk within the street buffer. The improvements to Waltman will require reconstruction of the existing bridge over the Ten Mile Creek and should be completed as required by ACHD in the cooperative development agreement. The proposed qualified open space and site amenities meet and exceed UDC standards.

Conceptual building elevations were submitted for the proposed single family residential homes and townhomes as shown. I'm just going through these quickly, as I know the applicant has -- like a -- or a presentation on these. A conditional use permit is proposed for a multi-family development consisting of 280 residential apartment units on 15.88 acres of land in the R-40 zoning district. Private streets are required for addressing purposes within the development. The proposed qualified open space and site amenities in the multi-family portion also meet and exceed UDC standards. Conceptual elevations were also submitted for the apartment and the clubhouse buildings as shown. As mentioned with the previous application, the construction of Linder Road overpass half a mile to the west is scheduled in that five year work plan for construction in 2026 and '27 should improve traffic conditions on Meridian Road by providing another north-south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not, consideration should be given to the inclusion of a provision in the development agreement which limits development to the single family and townhome portions of the development at this time and delays the multi-family portion of the development until -- until such time as the Linder Road overpass is completed or other area improvements occur that allow for an acceptable level of service to be provided as determined by ACHD. Written testimony has been received on this application from the following. Heath McMahon that the requested project is denied due to the density proposed and the negative impact on traffic in this area and that letter is in the public comments. You should have already seen that. And, then, written testimony from Becky McKay, Engineering Solutions, the applicant's representative, in response to the staff report and I will let Becky go over that in her presentation. Staff is recommending approval per the staff report, just with a caveat as mentioned in the previous application, if the proposed map amendment is not approved staff recommends denial of the proposed development agreement modification and, consequently, the rezone, preliminary plat and conditional use permit applications due to inconsistency of the proposed development plan with the existing MUC designation. Staff will stand for any questions.

Smith: Commissioners, do you have any questions for staff?

Rivera: No.

Stoddard: No.

Smith: All right. Then would the applicants like to come forward and, please, state your name and address for the record and, then, one additional thing before you do, given the small number of Commissioners that are available tonight, I want to make sure, especially so that we get this right, so I will ask you to speak -- error on the side of speaking too much too closely into the mic and my fellow Commissioners online, if you are having trouble hearing, please, let us know, so that we can solve that. I want to make sure there is nothing missed. Thank you. Name and address for the record.

McKay: Thank you, Mr. Chairman, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm here this

evening representing Challenger Development for the Tanner Creek application. We have before you this evening a rezone, preliminary plat, a conditional use permit and a development agreement modification. The property -- the subject property that you are looking at is 38.05 acres. It's not me? Thank you. The property -- just to kind of give you an idea of the location, the property is located just on the west side of Meridian Road. It is south of Waltman Lane. To the east is The Landing Subdivision. That's a single family development, which is currently zoned R-4. On our southern boundary is Interstate 84. North of Waltman Lane there are some estate residential. There is some agricultural. Kitty-corner to us is a mini storage facility and, then, obviously, to the east of us is the proposed Hawkins development. This property is currently zoned C-G, general retail and service commercial. The rezone before you this evening we are asking to down zone the property to R-8, medium density residential, R-15, medium high density residential, and R-40, high density residential. Oh, there were go. Okay. It's just slow. So, this particular 31 -- 38.05 acres is a combination of nine parcels. So, historically there were multiple single family dwellings on these properties and, then, an agricultural parcel to the south. So, by consolidating these nine parcels here along Waltman Lane, that's -- that makes up the Tanner Creek property. To kind of give you a little bit of history on this property, it was annexed and zoned in 2008, 15 years ago, as C-G. In the original development agreement it was anticipated -- concept plan was submitted and tied to their DA for a mixture of big box, commercial retail office and hotel use. Obviously, after 15 years the proposed 400,000 square feet of commercial and office development and hotel never transpired. This area has been talked about -- I have been doing work in the City of Meridian for 30 year -- over 30 years and the Waltman Lane area has always been discussed as an area that we -- the city wanted to develop, but there was always a difficulty in trying to get adequate access into this area. In 2018 Matt Schultz submitted an application to the city for the Tanner Creek property that you see there highlighted in blue, asking for comprehensive plan map amendment, development agreement modification and rezone. The application was denied by the City Council. They had some concerns about traffic congestion at Waltman Lane, impact on schools and the lack of a commercial component, because they wanted to see that there was kind of a mixed use within this area. Then in 2020 Mr. Schultz submitted -- Mr. Schultz submitted an application before the city. It was very similar. And the City Council denied it a second time and they indicated we feel it's premature for this application to come through until we know what's going to happen on the adjoining property to the east. Until such time as we know we have the full picture along Waltman Lane, we are reluctant to approve anything and they said we know we want a commercial component in addition to a residential component and if we approve you for residential what happens if the property to the east comes through asking for residential also and we may not get that mixed commercial component employment center that -- that we have kind of envisioned in this area. So, strike two. Then, the Hawkins property came through independently and as Sonya indicated, the City Council reviewed it and said we would like to see you work with staff to make some changes to your site plan and remand it back to the Commission and have the two projects come through concurrently, so that we can see the big picture and see, obviously, the -- the integration of these two properties and the mitigation that can be done with two different developers working to improve the transportation system in this area. One of the problems with this Waltman Lane area is -- as you can see by this larger



aerial map, this section is bounded by Linder Road on the west, Franklin Road on the north, Meridian Road on the east and I-84. And, then, you have Ten Mile Creek that traverses the section creating another boundary or barrier to interconnectivity. Since Linder Road did not have an overpass over I-84, this section was kind of segregated from itself. When The Landing went in they have no vehicular bridges over Ten Mile Creek, so they are basically -- that entire subdivision is coming off of Linder Road without any true secondary access. With the Tanner Creek property developing it provided other transportation opportunities that not -- not only will benefit the projects that are proposed and you are reviewing this evening, but will also enhance the interconnectivity of The Landing Subdivision by the connection of Ruddy Drive, which is a stub street that The Landing has on their eastern boundary, we will be bringing that in as a collector road up to Waltman Lane and, then, with the extension of Corporate Drive down south and building a bridge across Ten Mile Creek, will be providing another interconnectivity that will also allow for traffic not only to go to Meridian Road, but to go north up to Franklin or to go west out to Linder. With the Linder overpass everyone is -- is pretty much in agreement that it is going to really change traffic patterns in this section, because you will have this alternative route south and with the State Highway 16 extension to the interstate creating another interchange and another crossing, that's also going to make a significant difference in the interconnection between north and south Meridian and the City of Meridian and the city of Kuna, because I-84 is a barrier. Here you can see the Tanner Creek rendering, along with the Hawkins commercial development rendering. One of the things that we did is we work closely together to try to integrate the two projects to make them pedestrian friendly, make them inviting for people on bikes, skateboards, scooters, walking back and forth, trying to alleviate the number of trips that would be on the -- the Ada County Highway District network. So, there is the -- you can see the Tanner Creek project there. So, we have, as I indicated, the R-8, the R-15 and the R-40 zones. The overall density that you are looking at here is 10.72 dwelling units per acre. Then we did break the density down within each zone, so that the Commission could see -- like within the R-8 zone where we have our single family dwellings, the density is 4.14 dwelling units per acre and we have those single family dwelling units adjacent to The Landing, so you are seeing a transition from R-4 to R-8. Then in the interior -- in the interior we have R-15 and our density within the R-15 area is 7.09 dwelling units per acre. Then as we go to our eastern side, which is the transition that we have next to Ten Mile Creek and the commercial development proposed by Hawkins, we are at 17.63 dwelling units per acre in the R-40. So, as you can see we are not pushing the density of any particular zone, but, obviously, transitioning from low density to medium density to high density. We feel that this is an ideal location for a mixed residential project, considering that the project is located one quarter mile west of a major arterial roadway, Meridian Road, and south of Waltman on -- which is designated a collector and, then, with the extension of Corporate Drive, which is also a collector. This area will have access to the Meridian Road interchange and I-84. So, we feel that -- that this is an appropriate location for what's being proposed. As far as that original development agreement, the Council had indicated what they wanted to see with that 2008 development agreement we have accomplished with our project by having east-west and north-south pedestrian connections. Your master pathway plan shows a regional multi-use pathway along the west side of Ten Mile Creek, which is on our eastern boundary. So, we will be

constructing that and it will be not just ten feet, but 14 feet in width and, then, we have a ten foot east-west pathway that will connect over to the multi-use pathway and over to the Hawkins development. In looking at the overall project, we feel that the incorporation of the mixed use residential and, then, the mixed use commercial will, obviously, be the best fit for this area by balancing out the traffic generated by the two projects. We have 83 single family lots that will be ranging from 30,850 square feet up to 10,500 square feet. We have 16 alley loaded lots and 67 front loaded homes and we have varying widths for different economic targets. We have 40 foot wide lots, 50 foot wide lots and 60 foot wide lots. We have 45 townhomes that are all alley loaded. They range from 2,400 to 3,884 square feet and with an average of 2,739 square feet. As I indicated our overall density, including the multi-family, 280 units, is 10.72. It's anticipated that we will build this in four phases. I always ask for flexibility in phasing, because we never know what the market conditions are going to do. If market conditions continue to decline, obviously, our phases get smaller. If market conditions improve, then, sometimes the phasing gets larger. So, therefore, what's before you is 128 attached and detached single family dwellings and, then, the 280 units. So, we have a total of 408 dwelling units on the property. We tried to balance out, so we didn't end up with a lot of garage orientation. We have about 47 percent alley loaded where we have front porches and emphasize, you know, the kind of cottage type look with different materials and, then, we have front loaded about 53 percent. Along I-84 where we have the single family dwellings those will all be single level dwellings. We have a 50 foot proposed buffer along I-84 and we will also be building a nine foot high berm and, then, we have a rhino rock type concrete wall as a sound barrier and landscaping along that entire south boundary. Along Waltman Lane your code requires 20 feet for a collector buffer. We have 37 feet. Within the multi-family area and under the conditional use permit we have a total of 12 multi-family buildings of those 12 11 are three story. The building that is adjacent with the side view to Waltman Lane is a two story building. We have balanced our -- our number of bedrooms. We will have about 33 percent one bedrooms or 94 units. Fifty-four percent will be two bedrooms with 152 units and we have 34 three bedroom units. The total parking provided meets your code update, which requires I believe 579 spaces. We have 581 spaces. So, we basically have 1.5 spaces for the one bedroom, two spaces for the two bedroom and three spaces for the three bedroom and, then, we also have guest parking, which is a new requirement under the code. In the -- the single family amenities we wanted to make sure that we hit the mark on our amenities. Our qualified open space within the single family area is 6.49 acres or 17 percent. We have a central common area that's 1.70 acres in the single family and townhome area. We have a large play structure, half basketball court, pickleball court. We have benches. And, then, ten foot pathways that lead over to the multi-use pathway. You will have pedestrian friendly crossings. They will be all striped and signed pedestrian crossings, so we can get people safely across the street if they go east and west through the project. In the multi-family area we have 3.76 acres of open space or 21.35 percent qualified open space. We will have a 5,000 -- about a 5,500 square foot - - a clubhouse. It will have a fitness facility, kitchen facilities, conference room, community gathering area. We will have covered patio with a barbecue -- outdoor barbecue area. We will have the greenbelt plaza area where we have sitting areas and plantings and that will be mirrored in the Hawkins development. We will also have a swimming pool with a hot tub. Cabana at the pool deck. Play structure. Picnic gazebo. Pickleball sports court.

And within the clubhouse we will have a bicycle repair station and, then, we also have a separate room, indoor, for a dog wash area. We are going to provide charging stations for EV vehicles and we have provided for linear parks, micro paths and pathways, multiple picnic shelters and, then, obviously, the multi-use pathway. This kind of gives you an idea of the townhome elevations, so we are going to have some diversity. You can see there is a lot of different modulation. When we rear load those townhomes, obviously, the curb appeal along the public streets is very attractive. This -- they have little porches. Very different roof changes. Very cute, very cottage looking. On the single family lots we will have some two story, two car garage. We will have some single story, two car garage. There is another one. And, then, this is the -- an elevation of the two story multi-family building that will have just 16 units that adjoins Waltman. The other building is turned so only the end of the building -- we want to minimize any wall effect next to Waltman Lane.

Starman: Ms. McKay?

McKay: Yes.

Starman: Can I interject? Can we stop the clock just for a second, Madam Clerk. I just want to make sure we all have a common understanding of the time limit. So, I just want you to be aware that we -- so, I meant 30 minutes in total for both applicants and we are about 20 minutes in, so I just --

McKay: Okay. I will wrap it up, sir. Thank you.

Starman: That's between you and your fellow applicant. I just want to make sure we had a common understanding.

McKay: Want to make sure -- thank you. I appreciate that.

Starman: You are welcome.

McKay: Because I never know where I'm at. I will wrap it up here. So, this is the elevation of the two story building. These are elevations of the three story buildings. These renderings. As you can see they are very attractive. They got different roof lines. A lot of modulation. We have covered parking. We have uncovered parking. That's a picture of the clubhouse, swimming pool, cabana, fireplace area. So, we want to make sure that we provide an excellent gathering areas and this kind of gives you the pedestrian connection perspective of the two projects that you see there. So, that's Tanner Creek and, then, if you see to the distance that's the Hawkins property. So, we have been working with the landscape architects, so that each project mirrors the same type of amenity on each side of the creek and, then, we have a pedestrian bridge that takes everyone over and I will stop there and I will turn the time over to --

Mansfield: I will try and -- my name is Ethan Mansfield. Hawkins Companies. We are the commercial portion of this development and, Sonya, if you could bring up the presentation for me. Thank you very much. So, yeah, I will kind of pick up where Becky

left off. This is the commercial. This is the eastern side of the project on the southwest corner of Waltman and Meridian. So, this -- our application includes the comp plan amendment to go to commercial on our section, a comp plan amendment for medium high density residential on Becky's portion of the project and, then, an annexation and a rezone on that small piece to the south. Let just show you here -- not quite yet. Anyway, small piece on the -- to the south of where -- where we are not actually in the city limits. So, I will give you a brief overview. Becky went through most of it. So, we were heard by City Council in June of 2022 and our application was remanded back to Planning and Zoning Commission to be heard concurrently with Tanner Creek and they wanted to ensure that the TIS was accepted by the Ada County Highway District. Later that month ACHD accepted the TIS and drafted some recommendations. So, over the course of the next -- course of the year we spent time, both with Tanner Creek and significant time with Meridian Planning and Zoning staff, to make changes to our site plan. We also worked with our tenants to -- to get our site plan dialed in. That was really important to us to, obviously, meet the requirements of staff and the suggestions of staff in the staff report. So, in July 2023 city staff expresses that they are generally supportive of the new site plan and accepts the site plans together and, then, in October last month, a couple of weeks ago, staff asked us to -- rather than go with a mixed use regional designation, that we change to the commercial land use designation for the Hawkins development, the medium density residential designation for Tanner Creek. The site plans didn't change. So, we still have a -- clearly a mix of uses. We have residential on the Tanner Creek side and we have commercial on our side of the creek and so that looks like this map before you. As you can see it's pretty darn similar to the other corners of the intersection. You know, you have got commercial on the busy corners and, then, you transition into residential as you move inward from those major arterials, especially right around the interchange. So, overall we think that this configuration makes a lot more sense than the previous. The previously approved development agreements, which -- which had commercial on Becky's side and nothing on -- on our corner here. Again -- so, this is kind of what we are looking at. Here is the annexation rezone request down at the bottom -- kind of bottom right southeast corner and showing where Tanner Creek would be and, then, this is -- you have seen this, you know, 15 or 20 times already tonight, so I won't bore you. I would like to talk a little bit about our site plan evolution however. So, on the left side of your screen you will see the old site plan. Right side of the screen you will see what's before you this evening. I would like to thank staff for working with us to dial this in and getting it to a place that we can, you know, approve -- that we can have an approval. We think it's a much better site plan. The drive aisles are oriented in a -- we think a more logical way. Obviously, the transition between Tanner Creek and our development makes a lot more sense. Overall we are really really proud of this site plan. We have got community serving shops uses right up against Waltman. You know, we have got a couple of drive-throughs kind of on the Meridian Road side and we think it kind of meets the needs of, you know, the fact that it is a regional corner, serving the needs of the region, but also having these community serving uses to meet the needs of the immediate surrounding community and providing pedestrian connectivity, so that this immediate surrounding community can -- can walk or bike to the project. That's -- I think this -- I'm really proud of this lifeline. So, anyway, I will stop there. Here is the pedestrian circulation plan. You can see that, you know, if you are a pedestrian you can get pretty much

anywhere on the site, you know, and we provide pretty robust open space amenities and I think, you know, we will go through those in a second, but I think that's very important. Here you can see we have kind of modeled three different concepts of kind of Plaza amenity areas and so I will start with -- with area B. These are kind of designed -- or sorry. Area A. A type plazas. These are kind of designed to be kind of patio seating areas and, you know, these are just kind of illustrative concepts to kind of show what the design intent is. Areas A. These are the B types. These are kind of our main entry plaza when you are turning in off of Waltman. You know, it's kind of designed to be an open space where people can kind of hang out, as well as kind of some patio seating that isn't really -- you know, it kind of merges together seamlessly to provide a really comfortable pedestrian experience. Here is another couple of views of that and, then, I think most importantly -- and Becky hit on this -- is we have our connecting plaza area. The design language is pretty similar across both the multi-family and the commercial side. It's -- it's a really cool feature I think of this project. So, here is looking at just the residential side, kind of modeling it, showing what it's going to look like. I think it's pretty cool. Pretty neat. And, then, the commercial side kind of mirroring that concept to kind of provide that pedestrian and bike comfort as you move between the two developments. Again, it's tough, because there is a creek running through it, so you can't seamlessly merge them, but this site plan I think does a really good job of tying the two together despite the geographic barrier of the creek. One thing I would just like to ask for a condition to be changed is that the city is currently recommending a street with two multi-use pathways be punched through this area. So, the area shown here is about the same amount of area. I think it's actually 74 feet -- we modelled it -- with the Corporate Drive extension, to provide two multi-use pathways, a drive area, 25 foot driveway and the associated buffer widths. So, that's about what you are looking for for your street width. Now, if you look back on this you can see that that's pretty much where our pedestrian amenity -- it's our really nice kind of plaza area connecting the two together. That's where they are located. So, what we would end up having to do to provide this connectivity with the street is remove some of these really nice amenities and we think that since the goal of -- you know, the Comprehensive Plan goals clearly state, right, that -- that the desire for the pedestrian comfort -- the experience of the pedestrian comfort -- we think that it makes a lot more sense to create amenities like this than it does to have a street that -- with just the pathways. One other quick condition we are asking for a modification of and not a removal of, but a modification of, is the construction of a stub driveway to the adjacent out parcel. We worked really hard to try to get this parcel under contract. This is up on the northwest corner of our site. So, this is up adjacent to the creek along Waltman. We were unable to acquire this parcel. They were adamantly opposed to being -- to selling their property. So, the condition from staff was to provide a cross-access agreement to allow any future development to access through our development and to construct a stub driveway to the edge of that development. We are not -- we are amenable to providing a cross- access to the future development. However, when we took a look at where and how we would actually connect that stub in, we --

Smith: You can finish up that thought.

Mansfield: So, we -- we looked at it and there will be some significant grading and drainage issues if we try and construct a stub drive. Mainly we will create kind of a waterfall that goes into this adjacent property in their backyard. So, we don't really want to actually construct the stub street. We would really like to simply provide the cross-access agreement, which protects that.

Smith: Thank you. Do any Commissioners have any questions for the applicants?

Rivera: No.

Stoddard: I don't.

Smith: All right. I have a couple of questions. Thanks for -- and this might also touch on what you were speaking to regarding the staff report and discuss for Becky, too. Just curious about any other issues with the staff report, any other disagreements with staff recommendations. Particularly one that I'm really interested in is the possible recommendation to require phasing based on the Linder overpass completion as part of a development agreement. Just curious about any thoughts on this.

Mansfield: I will -- I will address that. Thanks, Commissioner Smith. We don't have any other issues with the staff report. Those were my only two concerns. Regarding phasing, that puts us in a really -- really challenging position, because we would like this center to develop in a cohesive manner and it takes years sometimes from when we have surety that we can actually develop in a certain way to actually getting a door open, a restaurant open, a shop open. The development process takes a long time and so when we don't have surety that we can do the development it really -- it -- let's say we get surety -- let's say we had surety tonight or even at Council, you know, it might be three to five years before we even finish this center's development in its entirety, simply because of -- of working through deals with tenants -- potential tenants, signing LOI's signing leases -- leases, doing due diligence. All of that development work. So, we really need that surety now to begin to even start figuring out those details. Since the Linder overpass is going to start construction in 2026, we feel that, you know, that's an appropriate timeline given what we are looking to do.

Smith: And, Becky, I will ask you the same -- one I guess thought on that and whether this changes anything -- is whether that might be -- I believe we have in the past made certificate of occupancy contingent upon completion or access or something like that and so I wonder if that could help ameliorate things that you could at least get the ball rolling on some of those things, but that final occupancy wouldn't be granted. But that kind of applies to that question for you, too.

McKay: Yeah. Commissioner Smith, I did discuss that with my client and -- and as Ethan stated, these projects don't pop up overnight. We -- with our first phase of Tanner Creek we have to design the bridge and the Corporate Drive extension and get that online in conjunction with our first phase and, then, after that's done, then, we have to work on Waltman Lane, replacing the bridge, building it out to a collector standard, so there is a

lot of things that -- obviously, improvements that we have to install before we can even bring on phase one. The engineering plan approvals take place, as Ethan said, instead of months now it takes over years. So, my estimation is that -- that you are not going to see a lot of traffic generation before that overpass is installed in fiscal year '26, '27, because we have got a lot of work ahead of us. We will have to be doing LOMARs, 404 permits, no rises, but to -- to impose a condition that you can only build one phase or you can only build the target, that's going to hamper their marketing and my client was concerned about that. We are convinced that our timing is going to -- to, obviously, be within that time frame, but like with our first phase I calc'd it, I'm only generating 850 trips with phase one and you have got 55 homes that have to be built and they are not going to be occupied or built overnight. So, I don't think it's necessary that -- that that condition be imposed on the project, because, like I said, I fear it will hamper their marketing and their ability to create a cohesive retail office and employment center, which, obviously, we are going to be part of as far as the residential component and our residents, hopefully, will work there and support it and I have been told that -- that Linder -- I mean that's the number one priority, that Linder overpass. I mean they are going full bore. They have already -- I did the Kendall Ford Center that's under construction on the west side of where it comes across the freeway, they have already acquired the right of way. I mean they are rocking and they are rolling. So, I don't see that there is going to be any type of delay.

Mansfield: I think one other thing that's helpful to consider is that these other improvements, namely Corporate Drive and the Ruddy extension and the expansion of Waltman Lane, these other improvements will be completed prior to occupancy and I think that -- I mean that will, obviously, add an extreme amount of connectivity to the surrounding area. You know, I put this together -- we all -- you know, this is where we all live. You know, previously you just had this -- this little purple connection here. By opening up that connection to Franklin it really changes the game for not just our development, but for people who live in north Meridian to access the interchange, to access, you know, goods and services and, then, the connection to the adjacent neighborhood, too. So, those blue -- those, you know, blue connections there really have this outsized impact -- they are small connections, but they have a really outsized impact on the ability of the community -- surrounding communities to travel through the area and we think that in and of itself is something that is -- is pretty special with this development.

McKay: And you are going to be capturing --

Mansfield: Right. And we will be capturing trips, you know. You are not really generating -- I mean, you know, a commercial development doesn't necessarily in and of itself create new trips, it mainly captures trips from other households in the valley; right? Because, really, the only way you can get a new trip is by having a new person driving a new car through -- through the area and, really, we are not adding any new people to the network, we are just adding a central location by -- for which to shop and -- and play.

Smith: Thank you. So, you can correct me -- correct me if I'm wrong, if -- I don't want to put any words in anyone's mouth. It seems like it's a question of -- more of whether it's

necessary, rather -- rather -- especially for, Becky, for your development, rather than if it's outright harmful or whether it would prevent the -- it might make things a little bit more of a task, but it wouldn't inherently prevent the project from being completable, but just some --

Mansfield: I would say, Commissioner Smith, that it could be extremely detrimental to our project. We don't know the extent to which it could harm our project, because there is so much uncertainty with tying the ability for us to construct part of our project to a public agency's ability to complete a -- to create and complete an infrastructure project that it -- it really throws the uncertainty -- I should just say it's the amount of uncertainty that it throws into the project. It is so immense that it -- it very well could extremely negatively impact the ability for this project to be constructed.

Smith: Does that -- does that change at all if it -- say -- I know the staff recommendation is -- or staff's potential recommendation is constructing retail one before the Linder overpass and waiting until after the Linder overpass to construct the rest. Does the calculus change at all whether it's -- say the other units and, then, retail one and two after or anything like that in terms of construction times, lease signings, et cetera? Does that make any of that doable at all?

Mansfield: Commissioner Smith, I will say, you know, it is imperative that retail one is there, because that is the driver of other tenants. However, it -- it is, again, really totally uncertain whether or not -- you know, we might -- we might be able to construct retail one, for example, and, then, suddenly the tenants that are interested in the spaces along Waltman, the shops tenants, the -- the shops tenants that are difficult to find already sometimes and the tenants along Meridian Road might just say, no, not interested. We are going somewhere else. Something could happen in the economy. We could find ourselves with a bunch of empty pads. We could find ourselves with an empty retail two. It is -- those are all very -- very realistic scenarios, which is why we are seeking approval for the entire commercial project.

McKay: Yeah. Mr. -- Mr. Chairman, you know, with commercial developments -- I have done quite a few commercial, industrial developments. There has to be certainty. You know, some of these -- these people that -- they may want to lease a building or build a building, if there is some condition where maybe there is uncertainty in which they can bring -- bring their business online that could really hurt the Hawkins Company. Whereas, obviously, with our residential development, you know, that's kind of not the case. It's more that we would prefer, you know, to build this out in a timely fashion. We think the timelines will work and we are adding capacity to the network to compensate for what we are generating. Right now what's approved on the Tanner Creek property is -- would generate 10,300 vehicle trips a day. So, when you combine the Hawkins commercial with their 10,891 at build out, then, you combine the Tanner Creek, which is 3,014 trips, you are talking, basically, a difference of 3,600 vehicle trips per day. Right now Waltman is horribly underutilized at 190 vehicle trips per day. Once we bring Corporate in and you got access to Franklin, you have got other -- you have got secondary access to Meridian Road and we rebuild Waltman -- we have got a lot of work ahead of us, but our clients,



obviously, need to, like I said, have some certainty that -- that they are not going to spend millions of dollars on this infrastructure and, then, find that their hands are tied, because they can only bring on so many uses within a specific time frame.

Smith: Thank you. Understandable. I do have a question for -- and any other Commissioners, do you have any questions respect to this? I just wanted to get staff's response, I guess, to the Tanner Creek -- that the two asks around not requiring that street connectivity in favor of pedestrian and amenities and not requiring the stubbed driveway to that abutting property. Are there any major staff concerns around that?

Allen: Yes, Mr. Chair. You said the timing of the -- did you say the timing of the buffer along I-84 on the Tanner Creek property?

Smith: I believe the two asks specifically were regarding the street connectivity requirement --

Allen: Between the two development --

Smith: The two developments.

Allen: Yeah. Our UDC requires cross-access to be provided when access is not available from a local street. Waltman is going to be reclassified as a collector street. So, that would require a driveway connection interconnectivity. Not necessarily a public street, but a driveway connection. Our code does allow for a waiver by City Council if they deem that appropriate.

Smith: Okay. And, then, as for the stub driveway, are there concerns there?

Allen: On the I-84 and Meridian Road property? Yeah. The only concern I have is how that driveway gets constructed in the future. They will have an access easement, but who would pay for that and, you know, that kind of thing. So, if the applicant has a solution to that I think we would be amenable to it.

Smith: Okay.

Mansfield: Yeah. Sonya, Commissioner Smith, I -- I can say that I think one way to -- to ensure cross-access would be to, right, have us sign a cross-access agreement basically allowing cross-access from them to us and, then, also limiting access from that parcel when it redevelops onto -- onto Waltman. So, if you were to say no access from that parcel onto Waltman, when that parcel comes in to redevelop and they have access to our driveway, that would ensure that access was not taken onto Waltman, but, instead, through our project, that -- that would be my -- you know, if I put on my planner hat that's kind of how I probably would -- would solve it.

Allen: Yeah. But we couldn't -- Chairman, excuse me. We -- we couldn't condition that -- for that property to not take access on Waltman at this time, because it's not part of this application. It's certainly something we would look at in the future.

Smith: So, that will be present in a future staff report for whatever eventually develops here?

Allen: It's always easier to catch it if there is a constructed driveway and access and going on to that property to construct the driveway and -- and I'm assuming the applicant -- I don't think you touched on that, Ethan, on who would pay for that construction of that driveway. I assume that you are -- you are thinking that developer of that property would pay for it.

Mansfield: Ms. Allen and Commissioner Smith, I would assume that they would -- just like as if they were connecting to a public street, they would be responsible for the cost of the driveway. You know, all of the things that I envision are basically just -- when that -- when that parcel redevelops, instead of paying for a connection to the public roadway, they would just pay for the connection to our driveway instead and so, really, we are kind of hung up on just building that stub. We really don't want to have a situation, A, where they have a site plan that just in no way really matches where we happen to have constructed the driveway, because we don't really know what that site plan is going to look like, so we -- we want flexibility to ensure that that connectivity can happen realistically and most efficiently and also that if we did connect something into there, there is a pretty significant grade change between where this driveway is going to end -- sorry -- where this drive that we are constructing is going to go north-south and, then, where the parcel is -- where the existing grade is on the parcel to the west and so if we were to construct a stub it would, essentially, almost like just drain water into the back of their property and we don't really want -- want to do that and it would -- we would end up spending a lot of money and time and engineering head scratching to like figure out how to not drain water into their property and at that point it would probably need to be reconfigured anyway upon the time that the parcel did develop, just to even out grades and to straighten out, you know, drainage and all the stuff that we kind of messed up just to put a stub street in there.

Smith: So, staff and -- and also I guess if this is amenable and if this is possible, I can't seem to remember the discussions we have had in the past round this. Would it be possible to put as a condition in the development agreement that they have money set aside to pay for that stub street when -- if that property gets redeveloped in the future, so they don't have to construct it now, but we have surety that it will be constructed as part of that application?

Allen: Mr. Chairman, you could certainly do that. I'm not sure about the -- I will defer to our city attorney on that.

Starman: Thank you, Mr. Chairman. I think you could craft a condition or a provision within the development agreement that would deal with that general topic. We typically

don't like road sureties, just because of -- number one, there is some questions about the viability of that and, secondly, just the -- I guess the accounting and the administration that goes with something like that to collect and hold a small amount of money in a -- in the scheme of things. So, we typically don't do that. So, I guess a way I answer the question more succinctly is it's -- I think we could do -- have to condition around that topic that would require construction of a date certain or whether -- with a or trigger event. I would probably recommend that we not try to require a financial -- like a deposit or some kind of road surety today. Just administratively it's difficult for us to monitor and maintain.

Allen: Mr. Chair, I believe you suggested that the applicant set aside money for that.

Smith: Yeah. I -- my -- my concern is rather than -- not a surety or anything like that, but could we -- we can -- could we require them -- it sounds like the answer is yes -- to commit to building that road when -- if this property is redeveloped, regardless of where that money is held, et cetera.

Starman: And, Mr. Chairman, I guess there is two topics there. So, one is a development agreement -- to distill it down is really a contract between two parties, the city and the developer in this instance, and so, contractually, I think you can craft a provision that would require some of that nature. So, that's sort of topic one. Topic two is how do you enforce it and so that's really I think -- by the other part of your question is it's nice to know that you have some type of money on deposit, some kind of surety that would ensure that a provision is carried out. That's the part that's a little more difficult just from an administrative perspective. I think the answer to both questions is, yes, that that would be a possibility, but I know -- just know from previous discussions amongst city staff that there is some hesitation about the idea of the surety idea or taking a deposit and monitoring and tracking the deposit over some period of time, yes. Maybe for several years.

Allen: Definitely all those things are a concern of staff. Another alternative I might throw out is that in that cross-access easement agreement that Hawkins provides to that property owner that they provide language in it that authorizes them, the developer of that property, in the future to go onto their property to make improvements and construct that driveway.

Smith: So, sorry, I'm not -- I didn't fully track that. Could you --

Allen: Yeah. As part of that cross-access easement agreement that Hawkins grants to that property, include language in it that would allow that property owner or developer to enter their property to construct those improvements on their property.

Smith: Okay.

Allen: Typically -- like Ethan said, you know, typically we require connection to public streets, but -- but, typically, those are stubbed to the property boundary. That's the difference in this case and this -- this is not a public street, it's just a -- it's an access

driveway. But that's the problem we run into is going -- having that property owner go onto their property to, you know, construct those improvements. So, yeah, there is some issues with all this. Absolutely understand the applicant's concern with drainage on that property. We don't want to create an issue with that either.

Smith: All right. And the applicant -- he seems like -- that seems amenable to some extent?

Mansfield: Commissioner Smith, Ms. Allen, I think that's probably the best solution that we could come to. We aren't a big fan of the surety idea. Having both been on the public sector side of administering those and the private sector side of administering those -- on both sides it's an absolutely miserable experience for both parties. So, I think that this solution is ideal and we can craft easement language that allows the tie in and allows construction to occur on our property for that specific, you know, connection for the driveway.

Smith: All right. That's all the questions I have. Do any other Commissioners, before we open up to public comment, have any additional questions?

Stoddard: I don't have any.

Rivera: I don't have any either.

Smith: All right. Well, thank you. I will now invite the public to comment. Do we have anyone --

Lomeli: We have a Terry Harper signed in.

Smith: Okay. Oh. Sorry.

Starman: I was going to say just for the record, so we can capture that, the -- the -- the citizen indicated that they chose not to -- to testify, they just wanted to hear what was happening.

Smith: Thank you. Is there anyone else on -- that signed in?

Lomeli: Kelsee Lorcher on -- via Zoom.

Smith: All right. Kelsey, are you --

K.Lorcher: Hi. Can you hear me?

Smith: Yes, we can.

K.Lorcher: Hi. My name is Kelsee Lorcher. I live at 2099 West Meta Drive. First and foremost, I'm very not for this application. Very against it. One of the biggest issues that

wasn't really talked about was the traffic impact study and how there is going to be almost 14,000 vehicle trips -- daily vehicle -- vehicle trips on Waltman Lane and also there is going to be over 950 vehicles per hour during peak hours and that's just with the Hawkins development. I wanted to go over one of the things I found that the ACHD submitted on to the application with their review. They talk about Waltman Lane. I'm just going to go ahead and quote them. It says: The traffic impact study did not evaluate Waltman Lane abutting the site, but the Tanner Creek traffic impact study indicated that Waltman Lane abutting the Meridian site is projected to exceed ACHD thresholds for a three lane collector road under the total build out conditions in the p.m. peak hours and would need to be widened to five lanes to meet ACHD's acceptable LLS planning thresholds. However, there is not enough existing right of way off site to construct this. This would not be consistent with the existing intersection configuration at Meridian Road/Waltman Lane and tapering from a five lane road to a two lane road would create confusion for drivers. Staff recommends that the City of Meridian take this into consideration when evaluating this application, as ACHD cannot require additional improvement with this development application for Waltman Lane beyond widening the segment to the three lanes abutting the site. So, basically, what that's saying is it's going to be LOS F. It's going to be a grade F even with three lanes and they recommend -- they can't enforce, but ACHD recommends that needs to be widened to five lanes and if that neighborhood to the west that will be coming through Ruddy Drive once that's open, that's not even part of the traffic impact study. There is no numbers on how many people are going to be coming through those neighborhoods to get to the Hawkins' side or to get to I-84 from Meridian onto the ramps if they are going to Boise or whatever. So, you are talking about 14,000 just from -- from Waltman Lane and Corporate and, then, not -- we don't even know the number of the neighborhood going through Ruddy Drive onto Waltman. And another thing is that Ruddy Drive -- with all the people coming in they are going -- into Tanner Creek neighborhood out onto Waltman and that creates a safety issue for the local street inside the neighborhood and the park is right there. It's near and there is -- that's a whole other situation. So, I just wanted to talk about just how wild and crazy our intersection at Meridian and -- and Waltman Lane is already. It's way over -- over jam packed with traffic and this is just going to create so much chaos and just the grid -- everything -- if you look at the traffic impact studies, once Tanner Creek and once Hawkins is built almost every intersection from Franklin and Meridian to Overland is F. F down the board. F. F. F. F everywhere. So, this is not the smartest development to be -- it's not -- that's not the smartest location for this development. This development would be great somewhere else. But since our intersection is landlocked and there is not much we can do to improve it for new construction to modify it, we are pretty much landlocked with all the neighborhood commercial, the roads, the bridge, the ramps. I-84. There is like no improvement. So, this wouldn't -- to my opinion would not be very smart to approve due to future traffic. It's already out of failing rates. This is going to make it even worse and I think it said about like 2040 we are going to have a million people in the Treasure Valley and, honestly, I don't think the Linder overpass is going to really do much once we have a million people. I think it's going to be just as bad, if not worse within the next 20 years and that's all I have to say on that. So, I would ask you to, please, deny this application.

Smith: Thank you. Do we have anyone else signed up?

Lomeli: Yes. Clair Manning.

Smith: Is that also via Zoom?

Johnson: Mr. Manning, you should be able to share your screen when you are ready.

Manning: I am getting ready here to share my screen. Oh. So, it's not going to let me share my screen until someone else stops sharing.

Johnson: We are fixing it right now.

Manning: But my name is Clair Manning. I live at 650 Waltman Lane. You should be seeing a screen right now. Is that --

Smith: We can see it.

Manning: Can you, please, confirm? Okay. So, while -- while it is tempting to take a look at this area and think that it belongs is, you know, commercial or a regional use, you know, the simple fact of the matter is -- is you do not have the infrastructure to support it and there really is no path from the developers to support that infrastructure. So, I wanted to take a few moments to share some of the nuances of the area with you guys, since, you know, I live here and I am pretty familiar with -- with that area. So, right to the north you already have some monstrous high density apartments here. This is the area next to the freeway where you would like to put more commercial and 17 acres of, you know, high density apartments here and this development. It makes for a lot going down Waltman Lane. So, let's take a look at how someone actually has to get into Waltman Lane. So, you have -- over here you have that high density developments that are existing that will spill out here into Meridian Road going towards the freeway; right? And more importantly what you have going into the development for a left turn is this small little sliver of a buffer and once that fills up that will choke off an entire lane into the city and it does not take much to -- to fill that up. So, I mean if we looked at it a little closer, I have kind of parked here towards the end, so I think you will notice it's not very big and I also want to point out that to the right here you can even clearly see that there is no path to where you can open that to the left and there is no path -- path for them to widen the street on the other side and, you know, here you can see four -- you know, four cars here in the -- in the area. It fills up quite a bit of that. So, there really isn't much buffer to get in -- to get into the area. So, it's -- it's extremely -- extremely problematic to get into the -- into the subdivision to -- what's proposed as the subdivision and the commercial. So, I mean I think Kelsee has mentioned that it's already a little overrun, but maybe you are wondering like what it really looks like today. So, this is -- this is what I see every day on my morning commute to Micron. So, this is pretty common. You probably all experienced it as well and let's say I'm so lucky as to like actually get home off work during rush hour and have a bad picture, but you can see it's -- it's even challenging to get like in today into this area with a green light with like, you know, traffic still coming over here where I -

- where I still have a green light and I'm completely blocked going in. So, you know, it's pretty clear from -- from this that it shouldn't be a surprise to you that it really is going to be a level of service F when they put this in and, you know, this -- this kind of -- this small little sliver -- Linder overpass will do nothing to help this. Linder overpass is never going to fix this. There is no path to fix this. The developer has no plan and there never can be a plan, because they are blocked by the -- blocked by ACHD and they are blocked by, you know, the state of Idaho. So, you know, I think it's pretty clear that a -- you know, a zoning mess to -- to allow this would be -- you know, as a commission would be completely irresponsible. So, I would ask you to deny this. Can I answer any questions?

Smith: Any Commissioners have any questions for Mr. Manning?

Stoddard: No.

Rivera: No.

Smith: Thank you. We -- we have no one else signed up, so anyone on Zoom if you would like to testify, please, raise your hand or anyone else from the audience if you would like to come up and speak on this.

Lomeli: We have one more Joe Lorcher.

Smith: Okay. Joe, are you there?

J.Lorcher: Can you hear me? Can you hear me now?

Smith: Yes, we can hear you now.

J.Lorcher: Okay. My name is Joe Lorcher. I live at 740 Waltman Lane. I'm the agricultural triangle at the north of the Tanner project. My main concern for this project is just the safety of the residents. They are all talking about connectivity and walking paths, but I have got some questions on the ten foot walking path along Waltman Lane. What happens there where Mrs. Lee didn't sell her parcel, does the ten foot path stop and you have to walk out into Waltman Lane and, then, come back once you get past Tanner and, then, go out into Waltman Lane and, then, come back into where Hawkins is developing? Also the -- just the -- right now Waltman Lane is used as a walking path for a lot of residents in The Landing Subdivision and they walk up to Winco and so a lot of concerns on just safety of the residents. When Ruddy drive is opened up all those cars are going to be coming down Waltman Lane and that park is right there. There is no parking for the park. So, people are going to park along the street next to that park, because there is no assigned parking spots for the park. The Linder overpass, like Clair just said, it's not going to impact this at all. If you live in The Landing Subdivision and you want to go to Boise you are going to go through Ruddy Drive, Waltman Lane and get stuck at that intersection. They talked about how many cars -- 190 cars a day. That's 15 cars per minute. Right now there is six families that live on Waltman Lane and we get stuck in that subdivision. Six families. I can't remember what the count was. I think it was -- current

count was -- Becky said it. I can't remember what it was. But we get stuck and Clair showed that picture. This is every day we get stuck in that -- that intersection to turn left onto Waltman Lane. We have to watch that light turn at least twice before the traffic coming from Winco turning in front of us and stops in front of us, so that we can get across. Ada County Highway District has done nothing to help this. They -- all plans that have been sent to them they have denied. They -- they are not going to fix it, so why would we want more cars onto an intersection that's already graded F. The Corporate Drive through my place connecting up, it still comes back to the same intersection. They can go up Corporate Drive, turn right onto Meridian and, guess what, it's the same intersection. Until the highway district decides -- figures out somehow to fix the overpass, to fix the Waltman Lane, there is just no way that this project can handle the density that's being offered because of the intersection. So, I strongly suggest public concern, public safety. There was no officer -- last time we had this meeting there was a police officer and -- and it would be nice if we could get their opinions on this. But, please, deny this just for the public safety. Thank you.

Smith: Thank you. Is there anyone else with the hand raised?

Lomeli: One more. Joey Lorcher.

Joey Lorcher: Can you hear me?

Smith: Yes, we can.

Joey Lorcher: Okay. My name is Joey Lorcher and I live at 5110 Dandridge Way. But at one point in time I lived off of Pelican Way, which is in The Landing -- the neighboring -- next door neighborhood and when I lived there if -- if the road would have been punched through to Waltman Lane I would have took it every day to get to the freeway. So, it's -- it -- it will be a big problem for Waltman Lane and also this wasn't touched at all, but the Tanner project is going to overrun Peregrine Elementary with kids, especially with the new high density apartments off of Ten Mile and Franklin, which is in Peregrine's area. So, that's a whole other issue at hand. But I would -- I strongly am against this, both developments, because like everybody said before, Waltman Lane can't handle it. The City of Meridian really can't handle it. So, please, vote against it. And that's all.

Smith: All right. Thank you. Is there anyone else with a hand raised?

Lomeli: No one else.

Smith: Is there anyone in the audience that would like to come up and testify? All right. Would the applicant like to come back up?

McKay: Thank you, Mr. Chairman, Members of the Commission. Becky McKay. Engineering Solutions. Waltman in its current condition is isolated. It's limited. What we have the ability to do with these two projects is changed that with spending a significant amount of money, six to eight hundred thousand for a bridge over Ten Mile Creek and extending Corporate Drive down to Waltman. That's going to allow -- traffic can go north



up to Franklin or it has alternative access points onto Meridian Road. By opening up Ruddy Drive we will get some inner connection with the prop -- the subdivision to the west, but even Ada County Highway District in the memo written by Mindy Wallace on October 18, she talks about the Linder ACHD and the Linder Road overpass project and she states: It is likely that the intersection at Waltman and Meridian Road will operate better than reported in the traffic impact studies once the stub streets to the adjacent neighborhoods are connected and Corporate Drive is extended to intersect with Waltman. So, we are going to see a change in traffic patterns. With that Linder overpass we are going to see alternative routes and not just one point of access to Meridian Road from Waltman. These -- these roadway improvements that we are proposing are not cheap. They are very expensive and time consuming. We are willing to take on that task and we believe that it's going to help add alternative routes to this Waltman area and this is recommended by ACHD. The level of service during the p.m. peak hour, it does go to a level of service F with us or without us and that's due to the fact that you have a single point urban interchange that was built by ITD when they did the Meridian interchange update and that complicates the signal timing of the upstream and downstream intersections. Leah Kelsey is here from Six Mile Engineering and if you guys have questions for her -- they designed the Meridian one way couplet. They also did an analysis and provided three options for ACHD to allow us to extend some of those turn lanes and improve the capacity of the intersection at Meridian and Waltman. You also can't ignore the fact that the Tanner Creek project is already annexed. It's already zoned C-G. Somebody could come in and buy it and put a Fred Meyer there tomorrow if they wanted to with just a building permit, because in the DA that's what it's approved for is some big box, a hotel, retail, restaurants. Part of Hawkins Properties already zoned C-G. They said they could pull a permit basically for a big box user also. We are not going that route. We are downsizing. We are working together to solve the issues and as far as the infrastructure there is sewer out there, there is water out there. All of the police, the fire department, all their response times are significantly lower than what they average. So, all of your facilities are available out there now and I guess my thought is if not now, then, when and if not these projects where we are willing to make all of these system improvements, then what? We have good projects. I will turn it over to --

Mansfield: Thanks, Becky. I -- Commissioner Smith, I don't have a lot to add, but I would just say, you know, Becky's correct, there is a 400,000 square foot shopping center entitled for the Tanner Creek site right now. We are proposing to build about 325,000 square feet. So, it's significantly less than what is currently entitled. About 75,000 square feet less. I think that we are -- you know, we hired Leah to come up with some concept designs for the intersection. We are trying -- we are making as many improvements to the transportation network in this area as ACHD will let us and I think, you know, if we could do more we absolutely would and so that's all I really have to say. I think, you know, it's a -- it's a tricky situation, but this is an in-fill site. We are not extending services out into the hinterlands. We are filling in. That's going to capture trips. It's going to reduce travel times for many people and overall I think that's a very good thing for the community. Thank you.

Smith: I do have a quick question for one of you, but I will ask real quick first. Do any of you other Commissioners have any questions for applicants or any other individuals who were in the public testimony?

Stoddard: I do not.

Smith: All right. Mr. -- Commissioner Rivera, do you have any? I see he just come off mute.

Rivera: I just have a quick question. In terms of maximizing the, you know, solutions as best as to what ACHD allows you -- so, you have had these discussions -- discussions with ACHD and they also feel that this is the best implementation for -- you know, for that street and -- and the solution, just to make it more accessible and free up as much as you can to -- at the best capacity available?

Mansfield: Commissioner Rivera, that is correct. We have had extensive discussions with ACHD to try and increase capacity at the Waltman intersection and they have staunchly rejected that option.

Rivera: And these -- these improvements -- sorry. Follow up. And these improvements are -- are there any different from the past -- you know, I think, what was it, 2018 or the past submissions -- submitted applications, has anything changed or --

Mansfield: Commissioner Rivera, we are actually bringing up the -- kind of the proposal that we brought to ACHD that Leah helped us design. Again, Leah is with Six Mile Engineering and she completed the original traffic engineering for this entire area and so, you know, I think that -- her firm -- she and her firm know more about this area than any -- anybody else. So, you know, here is the proposed improvements. Two northbound left turns from Meridian into Waltman. Two eastbound right turns from Waltman to Meridian. We are actually increasing bike-pedestrian facilities by pulling the bike lane off of Meridian Road, putting it in a multi-use pathway separated with an eight foot buffer and we are also allocating space for an additional southbound lane on Meridian Road. The idea would be ACHD could come and, then, construct in the future the remaining improvements to the intersection to -- to allow it to, then, operate at an efficient level. So, that's a -- you know, this is what we proposed to ACHD and they were not interested at this time. So, we are moving forward with what we have got and appreciate them taking a look at it.

Smith: Could you -- Commissioner Rivera, any follow-up question?

Rivera: No. That -- that answered my question, Commissioner. Thank you.

Smith: Thank you. I do have a follow-up question. Could you speak a little bit to why ACHD -- or the reason they gave you why they weren't interested in that? And, yeah, if you would like to come up from Six Mile or to anyone.

Mansfield: Yeah. Commissioner Smith, if you don't mind I'm going to have Leah come up and talk a little bit about her understanding of that, because it is a very technical response from ACHD.

Smith: And to be clear, my question is -- I guess this might help inform kind of your response. My question is based -- trying to get to the root of is this something that there is some inherent, you know, law of nature type of thing that ACHD is citing as a reason for not or is it just not at this time? Is there -- you know, what was kind of their reasoning around that?

Kelsey: Yeah. I would be happy to answer your question. I'm Leah Kelsey with Six Mile Engineering, 704 East United Heritage Court in Meridian. And so we received the letter from ACHD in response to our January technical memo where we came up with three phased ideas -- or concepts to improve the intersection and level of service and in their reply, which Sonya also touched on and I believe Becky as well, they thought it would be detrimental -- these improvements would be detrimental to the operation of the SPUI interchange and they didn't provide any technical analysis, so I can't speak to the -- the actual -- or I can't quantify their -- their qualms with the improvements. It was just kind of a broad statement. Their feeling that it -- it would have some impacts to the SPUI and, then, again, they touched on Linder and how that would relieve some of the pressure on Meridian and improve the intersection operations, which I do agree with that. And if I can add something, I think that what Hawkins is proposing with their site plan doesn't preclude making these improvements in the future. They are setting their pathways back and allowing for additional right of way in Waltman. So, at some time if ACHD allows for these phased improvements they -- it will be possible.

Smith: Thank you.

Parsons: Mr. Chair, I can add a little bit to the conversations, too, because I had a conversation with ACHD staff this morning on the same topic. Because Sonya and I didn't want to be too nearsighted on this topic either, because we know -- I go home this way every night, so I know exactly what all of these residents are dealing with. I -- I'm stuck in traffic for -- I mean it takes me 40 minutes to go two miles home. So, I understand that and that's what ACHD's report says is you just -- city, if you are going to approve something here just be prepared to wait longer and I think we all recognize that. Where ACHD is concerned is if these improvements -- or that extra stacking lane happens we are queuing up more cars closer to the intersection. So, my conversations with ACHD is they would prefer to have the ability, if that -- if they keep that a single lane at the Waltman intersection, it would force cars potentially to go far deeper into Meridian and, then, turn left onto Corporate Drive or Central and, then, circle back from behind those apartments on Corporate and drop down in. That's why it's so critical that we get Waltman widened and that Corporate Drive extension done with this project and that's why ACHD said, yes, this -- and the city said, yes, we need this now, because that's the most critical piece right now is to get that built and get the -- all those roads extended and improved. So, that was the -- the intent -- the discussion that I had with -- with Mindy today is like even if we put it in the DA to say do it at a later date can you get behind this and she said, no, we

don't want to lose that functionality of the interchange that the applicant testified to. So, that's really their rationale is they really feel like it will degrade how that -- that SPUI -- or at least that interchange functions and they don't want to make it any worse. So, it's -- it really -- and that's why we even brought up to you in the staff report tonight. Are you willing to wait for other things to happen before too much development occurs on the site. Example Linder Road overpass. And we know that's -- that's a fair -- that's a stretch with this particular application, because they do have some sort of entitlement on it, but we thought if the applicant was willing to work with us and hold off on some of those -- some of that intensification that we could possibly continue to work on solutions as this project continues -- continues to progress through the city's process.

Smith: Thank you. That actually answered some -- my other question for you. The only question that I have remaining, I guess, is for Becky on -- and it's going to kind of bring up the issue we already talked about that you mentioned around phasing, et cetera. I think for me the -- the main concern right now -- I tend to actually -- this probably is one of the better plans that we could have for this kind of area, but I really am concerned about the timing and especially relative to that Linder overpass. I understand the concerns about whether it's necessary or not, whether it might hinder -- I know for -- for the Hawkins side of things it's a little bit more of an issue. Question for you, then, regarding occupancy of maybe the multi-family housing. Would that be possible to include in a DA, you know, requirement of waiting for that Linder overpass. I guess what I'm trying to get at is anything we can do to just kind of soften things a little bit, maybe just notch down the impact until that Linder overpass is done -- is completed. Are there any thought -- I mean during testimony haven't had time to think over it. Are there any kind of thoughts around how we can make that work?

McKay; Mr. Chairman, Members of the Commission, Becky McKay. I did go through that condition. The -- the way staff -- because they highlighted it in the staff report and I said if -- if -- if asked directly by the Commission, you know, would -- would you agree to, you know, not -- holding off on the multi-family component and, you know, their comment was that, you know, they -- they need to be able to make the project progress. Obviously it's very heavy front loaded and they said they would be reluctant to -- to be saddled with that type of condition. Now, if it's occupancies and not like final, you know -- then, that pushes that -- you know, when, that -- those units come online further out, you know, because, realistically, if this is approved by the end of the year, we will be in design for a year, then, the first phase comes online, then, the next year you start infrastructure on the second phase and -- I mean, you know, pretty soon before you know it we are into 2026 and 2027. That's -- logistically that's kind of how it works.

Smith: Yeah. But my main concern, to be clear is, again, regarding the necessity versus detriment is, you know, we talked about, you know, what if market conditions shift, et cetera. What if for some reason Linder gets delayed or what if, you know, things go great and you are ahead of build schedule, you know, considering all these other kind of these -- these marginal cases, what my main concern is -- and it seems like this might not be feasible with the retail side, if you are just kind of not amenable to that, but maybe we can reach something on the residential side to, you know, kind of just ensure that there is a

little bit more peace of mind around, you know, us not -- you know, there is going to be some strain in the interim while -- while Linder overpass is being constructed and there is going to be some strain regardless until ACHD can kind of figure this out, whether that development is there or not, but how can we reduce the impacts where possible is kind of my concern. If we can have some peace of mind around, you know, if things get delayed or ahead -- behind schedule, et cetera, how can we make sure that, you know, that worst case scenario doesn't happen.

McKay: Yeah. I get it and I guess I would be reluctant -- I don't -- I'm not authorized, based on the question I asked them and the answer I received, I'm not authorized to make a commitment that, you know, we are only going to build phase one until the Linder overpass is -- is completed. I'm not authorized to say that. Obviously, you know, the Commission has to understand that when we are putting out millions of dollars in improvements off site and on-site improvements and, then, we are -- we have to stop, then, you lose momentum in a project for marketing and so forth. Logistically, do I think that everything's going to fall into place in the way that will match up with that overpass construction? I think logistically it will. But I can't make that commitment on part of my client, because I was not authorized to do that, sir. But, obviously, it's the purview of the Commission and the Council in what they want to stipulate. Thank you.

Smith: Thank you very much. Appreciate it. Any other Commissioners have any additional questions? No? All right. Hearing none, I would -- can I get a motion to close the public hearing on items H-2021-0099. I think I got that. And H-2023-0048. If we can get a motion on that.

Rivera: So moved.

Stoddard: Second.

Smith: It's been moved and seconded. Can I -- all those in favor, please, say aye. Any opposed? Motion carries.

**MOTION CARRIED: FOUR AYES. THREE ABSENT.**

Smith: So, discussion? I will kind of start off.

Starman: Mr. Chairman, two -- two quick housekeeping items --

Smith: Yes.

Starman: -- with your permission. One is I wanted to -- for the Commission as a whole, the recommendation both from the city attorney's office and from the planning staff would be as you get to the point of making a decision and recommendation to the City Council, we would recommend that the Commission first take up the Hawkins Company project, because that includes an amendment to the Comprehensive Plan that also incorporates Tanner Creek. So, it would be logical for the Commission to deal with that topic first as

you take action and, then, do Tanner Creek second. So, that -- that would be the recommendation in terms of order and I just wanted for -- for the Commission, but mostly for the public and the record, as we have stated earlier, Commissioner Lorcher has recused herself, so we have three Commissioners acting on this item and just for a base general -- still on the same page, this requires a majority of those voting on the items. A two-one vote would carry a motion. Obviously, a three-oh vote would carry a motion as well. But stated differently, two affirmative votes is required to pass a motion.

Smith: Thank you. Yeah. So, like I said, I will -- I will kind of lead off on just my thoughts is -- I mean I think it's kind of been made clear throughout some of the discussion and questioning. I do tend to think that this is -- you know, given what these developers or future developers have the right to do, it seems like this is -- this is probably near as good as -- as a developer is going to get in this area and, you know, save for this -- this sitting kind of dormant forever, I don't really know what this looks like in a way that looks better than this. My main concern, like I said, is -- really around timing is -- I think we kind of worked through this and to work -- we are going to start with Hawkins first, but I will speak to Tanner Creek as well for this kind of portion -- that it seems like we kind of reached somewhat of an agreement on the stub driveway issue. The -- the pedestrian amenities versus street connectivity issue, it seems like Council can -- can grant a waiver and so that can be part of a recommendation if anyone wants to include that in the motion. My main thought at the moment regarding timing and regarding requests, especially for the Tanner Creek Subdivision is I believe -- just want to make sure. Yes. Regarding Tanner Creek is the requirement at Linder -- my thought is I wouldn't mind seeing in a -- any motion something that errors on the side of including that request that that phrasing be there and that could be a discussion point for Council. The applicants can -- can speak to the owners that they are representing to maybe kind of formulate whether they can find something to make that workable or if they have a compelling agreement -- compelling argument for Council. But I would like to maybe see that personally, knowing that I can't make that motion, I would like to maybe see that in there personally as a preference. But that's kind of where my head is at the moment. It seems like this in-fill being what it is, especially right off of, you know, a freeway entrance -- it's tough and it does seem though that this is a really good faith attempt to meet all those requirements that Council made - - those recommendations Council made on remand and I think that this is a good faith effort by developers in -- and, yeah, regardless of -- not regardless, but even considering some of the issues that this maybe creates or exacerbates in some cases, I think net -- especially in the long- term future for Meridian this seems to be a solid project that I would support. Any other Commissioners have any thoughts, concerns, motions, et cetera?

Stoddard: I actually agree with --

Smith: Commissioner Rivera, do you have any thoughts on this or any -- would you like to express anything?

Rivera: Yeah. It's -- it's a -- it's a tough project at a -- at a tough location. I appreciate the developers putting in the effort to -- to make the best accommodations possible for the -- for the road and under the constraints of that -- of that location. Overall I understand

-- I mean I -- I use that intersection on my commute in the morning and in the evening. It's definitely congested. But I also appreciate the -- the project going to your -- your statements, Commissioner Smith, on -- before that -- that it's for the City of Meridian, too, for that -- that project to go there, since it's a well thought out project. I wish I -- it's a lot of information in two hours to digest. That's -- that's -- that's tough. I wish I had more from the ACHD side to have been able to review. But overall I look -- I support the project. But, yeah, that's what I have to say right now.

Starman: One last clarifying comment. I just want to go back. You made a comment -- you made a remark maybe three or four minutes ago and I have heard this from others as well. I just wanted to clarify. It is certainly sort of custom and protocol that the chairperson allows other Commissioners to make motions and second and so forth. I just wanted to just say from a legal perspective there is no prohibition against the chairperson making a motion or certainly no prohibition on voting on items for sure. But I do think there is a little bit of misunderstanding that the chairperson is like legally prohibited from making a motion. That is not the case. It's more for custom and protocol. But when you have a small commission like we do tonight, that's something you could consider.

Smith: Thank you very much, sir. I appreciate that. Given that -- and, again, with the knowledge that we are going to be moving on the Hawkins application first, does anyone have any additional comments or a motion that they would like to throw out? I might hand -- let's see. So, with Hawkins -- sorry. Let me make sure I'm -- have all my T's crossed and I's dotted. I'm sorry. So -- yeah. Okay. Yes.

Allen: Excuse me. If I may. I am not sure that on this application I mentioned staff's request to modify DA provision A-1-I to require the extension of Corporate Drive to be constructed as required by ACHD. I know I did with Tanner Creek and I'm not sure if I did with this application. So, if you could also consider staff's request on that, please. Thank you.

Smith: Could you say -- you say DA -- DA provision A-1-I?

Allen: Yes. To require the extension of Corporate to be constructed as required by ACHD. That was where staff had recommended a complete street section and there is not -- there is not enough right of way for that. Thank you.

Smith: All right. I will try my hand and you all can let me know if I missed anything. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2021-0099 as presented in the staff report for the hearing date of November 2nd, 2023, with the following modifications: To modify the DA Section A-1-I to require an extension of Corporate to be completed up to ACHD requirements and -- sorry. I have this mixed up. To grant a waiver for the street connectivity requirements under UDC and, then, to -- instead of requiring a stub driveway to the abutting property, allow a CDA with a requirement to allow the property owner to -- or the future property owner to enter the Hawkins property in order to construct improvements.

Stoddard: Second.

Smith: I have a motion. Any second? Any -- or I have -- all those in favor say aye. None opposed. The motion carries.

MOTION CARRIED: THREE AYES. ONE RECUSE. THREE ABSENT.

Smith: All right. As for Item No. H-2023-0048, is there any additional discussion? Are there any motions, et cetera?

Stoddard: No discussion from me.

Smith: All right. I will try my hand at motion number two here. After considering all staff, applicant and public testimony, I move to recommend to the City Council File No. H -- want a clarification. Is this 2023 or 2022? There are different numbers here. Two? Okay. I move to recommend approval to City Council of File No. H-2022-0048 as presented in the staff report for the hearing date of November 2nd, 2023, with the following modifications: To also modify the development agreement, Section A-1-I to require the extension of Corporate to be completed per ACHD requirements and to include a provision requiring that Linder -- the Linder overpass be completed prior to occupancy of the multi-family housing development.

Rivera: So moved -- I second.

Smith: I have a motion and a second. Any discussion? Seeing none, all in favor, please, say aye. Any opposed? None opposed. I guess that motion carries.

MOTION CARRIED: THREE AYES. ONE RECUSE. THREE ABSENT.

Smith: It is at this time that I think we can grab Commissioner Lorcher to come back in I believe.

Starman: Madam Clerk, would you mind asking Commissioner Lorcher to join us?

Smith: And as part of that I would like to -- I don't know what the official word is, but the chairmanship is now yours again. Yeah.

Lorcher: Back in the room. So, are we going for one more motion?

Smith: I do believe we are.

Lorcher: All right. One more motion for the evening.

Smith: Madam Chair, I move to adjourn.

Lorcher: Do I have a second? Is that a second?



Stoddard: Second.

Lorcher: Okay. All those in favor to adjourn say aye. Any opposed? Meeting adjourned.  
Thank you very much.