

Public Hearing for VanTrust (H-2025-0052) by VanTrust Real Estate, generally located at the southwest corner of Black Cat Rd. and Franklin Rd.

- A. Request: Annexation of 23.13 acres of land consisting of six (6) buildings that span a total of 340,000 sq.ft. in the I-L zoning district.

5. Public Hearing for VanTrust (ZOA-2025-0002) by VanTrust Real Estate, generally located at the southwest corner of Black Cat Rd. and Franklin Rd.

- A. Request: UDC Text Amendment to adjust the flex space standards to lower the office requirement from 30% to 10% in the I-L zoning district.

Lorcher: All right. If we can resume our meeting, please. Okay We are going to continue on with the meeting, please. Next up on the agenda is H-2025-0052 and we are going to combine these two with the UDC amendment of ZOA-2025-002, for VanTrust Real Estate, located near the corner of Black Cat and Franklin Roads and we will start with the staff report.

Napoli: Madam Chair, Members of the Commission, next item on the agenda is the annexation and UDC text amendment for VanTrust. The applicant requests annexation of 23.13 acres of land with a concept plan consisting of six buildings that span approximately 340,000 square feet in the I-L zoning district. In addition, the applicant requests a UDC text amendment to adjust the flex space standards to lower the office requirement from 20 percent to ten percent and I'm going to break this up into -- I'm going to start with the annexation and I will go to the UDC text amendment at the end.

Lorcher: Okay. Thanks.

Napoli: So, the site is generally located on the southwest corner of Black Cat Road and Franklin Road and as shown on the screen the existing zonings are RUT in Ada county and the FLUM designation is low density employment and mixed employment and for the purpose of this application the applicant has requested we view the entirety of the project as a low density employment FLUM designation. Low density and city employment FLUM designation is defined as low rise and specialized employment areas. The intended land uses for this designation include corporate or business offices, research facilities, and laboratories. In addition, it should be designed to incorporate traditional neighborhood designs, such as pedestrian circulation, connecting to open space, enhanced landscaping, tree lined streets and plazas and the intent behind this is to create developments that are more attractive, engaging and accessible. The applicant is proposing the 340,000 square feet of industrial uses across six buildings and the applicant's narrative states that the proposed use for the property, include light manufacturing and assembly, flex space, warehousing and distribution. The applicant estimates that the proposed development will create over 575 jobs or 1.91 jobs per one

thousand square feet. In addition, the applicant argues that low density employment is the best FLUM designation for the proposed development due to this development creating significant -- significantly more employment than traditional industrial developments. The proposed uses are not noxious or nuisance like and architecture and design of the site is heightened. Lastly, the narrative notes that the Meridian -- that the city of Meridian and general region have vacancy rates under five percent for flex spaces. There is the elevations. So, staff has met with the applicant six times over the past year to discuss the project. Throughout these meetings staff has consistently indicated that the proposed annexation cannot be supported without a concurrent comprehensive plan map amendment or CPAM application. This -- this position is primarily based on the project's inability to meet key design elements and the allowable uses within the low density employment designations -- or designation. The applicant's proposal does not align with the intended uses in the low density employment designation and lacks the traditional neighborhood design that is called for. Staff has relayed these concerns to the applicant and they maintain that they are consistent with the plan. I would also like to add that the applicant's presentation will -- shows some changes on the site plan that staff saw for the first time today just for reference. So, they did incorporate some additional neighborhood design elements. In addition, the Ten Mile Interchange Specific Area Plan showed the intended transition away from the residential on the east side of Black Cat to the industrial node next to the future State Highway 16. Staff notes that mixed employment and low density employment designations are limited along the Black Cat and Franklin corridors, including this project. The I-L zoning comprises -- comprises approximately of 40 -- or 54.15 percent of the low density employment FLUM designation and 61.28 percent of the mixed employment designation. These designations are intended to support a mix of employment and service uses to support employment and residential in the area. With industrial taking over these FLUM designations the area will lack key elements of the plan, including office and employment uses, supporting services for the surrounding employment and industrial and residential. In addition to this it adds significant amount of truck and freight traffic on the Franklin and Black -- the Franklin, Black Cat and Ten Mile corridors that were not contemplated when the Ten Mile Specific Area Plan was created. And I overlaid a lot of the developments that are here on the Ten Mile -- the Ten Mile, Black Cat, Franklin area that has -- some of them have been built -- as you see in the orange these are buildings that are under construction or have been constructed. You, obviously, have the existing subdivisions here and on the north side of Franklin. But the rest of it that is not highlighted, which -- but the non-highlight portion is yet to be built, which means the traffic impact for this area has not been felt on these roads yet. In this picture it roughly depicts about 22,000 -- or 2,284 residential units and 4,318,000 square feet of commercial and industrial space within this mile and a half radius -- mile or mile and a half stretch of the larger area. Staff is asking the Planning and Zoning Commission to carefully evaluate whether this continued expansion of I-L into the low density employment and mixed employment FLUM designations is appropriate. So, access to the site is proposed off a future collector that will connect to Black Cat Road. They are proposing an emergency access point off of Franklin Road through a shared access point with Butte Fence on their western boundary. So, in early -- late January, early February ACHD provided the applicant comments and ACHD and city staff determined that the only access to Franklin Road is a shared access with Butte Fence

and as a result the applicant edited the site plan in early February to eliminate two frontage buildings along Franklin Road and expand their large bay industrial buildings. They, then, shifted all the access points to the collector on the southern portion of the site and ACHD staff report did indicate that the anticipated trip generation for this development is 1,119 vehicle trips per day. Staff agrees that there may be a strong market demand for industrial uses, but the plan specifically says the intent of the Ten Mile Interchange Specific Area Plan is to create a place that will provide long-term economic stability for the City of Meridian and not just respond to immediate market forces and trends. All right. And I'm going to move on to the UDC text amendment. So, the applicant is proposing to amend the flex based standards to lower the office requirement in the I-L zoning from 20 percent to ten percent and the applicant asserts that this change would better align with current market conditions and remove an existing barrier to leasing flex space in Meridian. So, staff is currently working on a broader -- a broader code amendment to address the flex based standards that were most recently adopted by City Council on June of 2025. Staff has informed the applicant that the -- that staff is processing this code change and to address inconsistencies in the new -- newly adopted standards. However, the applicant has elected to proceed with this separate text amendment. Staff does not support the proposed UDC text amendment, as it allows for implications beyond the individual development. While the applicant notes that flex space vacancy rates in Meridian are critically low, they also contend that current flex based standards present -- present a barrier to leasing, which staff finds to be contradictory. Additionally, within the I-L zoning district warehousing is permitted -- a permitted use that already allows an office component up to ten percent. So, that would be a maximum of ten percent. Adoption of the flex based amendment would perpetuate inconsistencies in the code, including land use percentages that do not add up to one hundred percent total for the floor area of a building and would effectively allow flex space to function identically to warehousing. So, staff agrees that revisions to this section of code are warranted. However, the applicant's proposal -- proposed amendment is narrowly focused on a single development and does not adequately consider citywide impacts. Staff has met with the UDC focus group, which is -- typically consists of city members and local developers -- to discuss proposed revisions and will be presenting these changes to the Planning and Zoning Commission and City Council later this year and those -- we actually -- there was actually a meeting earlier this week with the UDC focus group. So, staff is recommending denial of both applications and has not received any written testimony and I will stand for any questions.

Lorcher: Would the applicant like to come forward?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: May I ask staff a question very quickly?

Lorcher: Sure.

Perreault: Can you go over the very first -- first part of -- of what you described with the number of square feet for industrial that's been approved and the number of units? Can you go back to that?

Napoli: Yes. Are you looking for the geo reference?

Perreault: Yeah. You had said the red sections is what's been approved, but not built.

Napoli: So, the red -- the orange highlight is what has been approved and built. Everything else that's not highlighted that is shown in these overlay images -- so, you know, the gateway over here. You got Outer Banks. You got the district. You have Vanguard Village. You have an Adler project. I don't remember the name. You have a Corey Barton project. You have the Bonnie Subdivision. And, then, you have Black Cat industrial in Core & Main.

Perreault: So, all approved, but not constructed.

Napoli: That's correct. And the total square footages that were based off of the development agreements -- I went through all the development agreements -- you have 4,318,000 square feet of commercial industrial and approximately 2,284 residential units.
Lorcher: Okay. Would the applicant like to come forward? If you could state your name and address for the record, please.

McCluskey: Of course. Chris McCluskey. Address is 205 North 400 West, Salt Lake City, Utah. 84003.

Lorcher: Thanks.

McCluskey: Madam Commissioner, before we get started, could I request 20 minutes for our presentation? We actually have a lot of information to cover. As you can see these are combined. Wanted to see if we could just get a little extra time.

Lorcher: Yes. We will do the 20 minutes, since you are doing both at the same time.

McCluskey: Okay. Wonderful. Thank you. And appreciate everyone's time tonight. I want to be brief, then, we are going to turn it over to Deborah Nelson, our land use counsel, to kind of get in the meat and potatoes of this, but wanted to spend a few minutes to speak specifically to sponsorship. So, since 2010 VanTrust has developed over a billion dollars' worth of total project cost. This year we are projecting about 1.2 billion in total starts. That -- 95 percent of that is industrial. So, as you can see this is our bread and butter product type. So, we are excited for the opportunity to be able to partner with the City of Meridian to produce a project that we think is the right project for the right location for the time. Wanted to spend one second to talk about our capital source the VanTowel family. So, we are the largest operating entity for the VanTowel family and as such they have the capacity to execute this project all cash. So, all equity. So, funding is -- is not a concern as it is for some developers and we are going to go for this project

in one phase. So, we are anticipating starting it tonight and future meetings go well. But with that being said make myself available for questions afterwards, but we would like turn it over to Deborah Nelson.

Lorcher: Okay. Thank you.

Nelson: Thank you, Madam Chair and Members of the Commission. My name is Deborah Nelson. My address is 601 West Bannock Street in Boise. I'm a land use attorney with Givens Pursley and I have got a number of other team members here with us this evening. Jason Densmer from The Land Group. Tyler Martin from TOK Commercial. Hunter Lake from VTRE. And Danielle Strollo from my office, who are all here available to provide information and answer questions. As Nick mentioned we have got two applications that are before you, the annexation and zoning to I-L and the code amendment request regarding the minimum office space. We will also have to come back before the city for a preliminary plat and design review, so that we can finalize the detailed platting and design elements that would accompany a landscape plan and architecture details. As Nick noted, we did not seek a plan amendment as -- to accompany this application and that's because amending the Comprehensive Plan, the Ten Mile Plan from low density employment to any -- isn't necessary to support I-L zoning. That's the - - LDE is the majority of the property and in the capability matrix, which we will walk through, that supports I-L zoning. The city has previously approved I-L zoning on the LDA -- LD -- LDE designation within the Ten Mile area. We are asking for the same thing that has been approved. So, Planning staff's concern is really fundamentally about the end use. They -- they have told us they prefer to have a -- more of a traditional office park here versus the light industrial space and so we will -- I will address these concerns and try to show how the plan supports that I-L zoning and how the proposed light industrial space that we are providing does support employment that's appropriate for this location, as -- as well as or better than office could do in this location. The location we have already touched on. For the interest of time I will just move along and we are -- this is the conceptual site plan. We will get into a little bit more details about this. We are proposing 339,000 square feet of flex, warehousing and distribution space, with six buildings and two building types and all six buildings are designed for multi-tenant use with demissable spaces. So, these can change based on tenant demand. This flexibility helps to attract and keep employers in -- in Meridian, because as businesses grow they might outgrow their smaller space, but can stay on site and move into a larger space. Our two building types include a medium format shallow bay building. We have got two of those. These have tenant spaces that range from 18,000 square feet, serving local services and light manufacturing businesses. And, then, we have small -- four small bay buildings. These are flex spaces and they have tenant spaces as small as 2,700 square feet. So, serving much smaller businesses. We are not providing any of the large cross-bay type warehousing and distribution that is located in the general industrial area. Instead we -- given our sizing we expect to be serving between 30 to 40 small to medium businesses on this site with clean, quiet, non-hazardous, indoor, light industrial uses that provide employment. The property, as I mentioned, does have both -- and you heard from Nick as well. The LDE and the MU designations. The majority is the LDE consistent with the -- the Comprehensive Plan. We have aligned our project with that majority, as is allowed

in the Comprehensive Plan to use an adjacent property that way. The LDE designation supports the I-L zoning as listed in the zoning district compatibility matrix, which is included in the Ten Mile Plan and the reason we are requesting the I-L zoning district is because it's the most flexible for the types of tenants that are looking for flex space with more permitted and accessory uses that are better aligned with the exact target industries that we believe are both in demand and are looking for this type of space. And this existing LDE designation is the right conceptual fit for the project. And consistent with the plan we are providing specialized employment in a variety of flexible spaces, with convenient circulation and without retail. Our site includes landscaping, pedestrian circulation and connection to gathering spaces for employees. Our buildings also meet the LDE description of one to three stories. Five -- between 5,000 and 150,000 square feet and a floor area ratio of less than .75. As I mentioned, detailed landscape plans will accompany the plat and -- and also the buildings will be reviewed at design review. But in light of staff's feedback we have added some elements to the conceptual site plan now to show where these open space areas will be. So, each building will provide a gathering space for employees with landscaping and seating. We will also add a public art element at the site's entrance that's consistent with the Ten Mile Plan elements. Sidewalks and crosswalks will provide connectivity through the site connecting pedestrians to the buildings and open spaces. And here are some conceptual building elevations consistent with the Ten Mile Plan. The buildings will include articulation, fenestration and be built to scale, so that they don't dwarf pedestrians. The building facades along Franklin and the new collector will include glazing and fenestration to create an inviting appearance and provide compatibility with other uses across Franklin. The small loading docks that will accompany the two medium format shallow bay buildings are oriented to the interior of the site, limiting visibility to adjacent properties. And here you can see some conceptual renderings of the smaller micro bay flex buildings with differentiated facades, distinctive entrances and attractive landscaping. VanTrust has signed guidelines for all their projects, so there will be a cohesive appearance in project signage, consistent with the Ten Mile Plan and approved through design review. The collector road that Core&Main has begun to construct on our east will be extended on site to provide access to the project and this will be designed with the neighborhood feel, including landscaping, a multi-use pathway and two lanes of traffic adjacent to the project. ACHD did not require a traffic impact study for this application as this is just an annexation and zoning at this stage. There will be further studies that are done with their preliminary plat before development can proceed and they did provide comments on the -- on the project, including to note that we needed to align our accesses only on the south and the new collector, that no access would be allowed on Franklin. That the site is served by transit and that currently the surrounding roadways meet ACHD's level of service planning threshold. They also note that both Black Cat and Franklin are planned for expansion in the CIP. The Franklin improvements in particular are scheduled for 2027 with expanding to five lanes with bike and -- and pedestrian facilities. The staff report did note a concern with truck traffic, but VanTrust does have experience with exactly this product and they have seen that in the flex space traffic is almost entirely light truck and standard vehicles and for the two midsize buildings the trucks accessing the -- these uses are approximately 70 percent smaller box trucks and only 30 percent in the semi-truck or larger truck range. This project will have a significant positive impact on the city. It is expected to bring 575

jobs based on existing employment at similar flex and light industrial spaces in Meridian and Boise and at least 26 million dollars in annual payroll impact based on U.S. census data for wages in Meridian. The types of companies that are expanding into these spaces include LED light manufacturers, plumbers, electricians and tile installers, as well as high tech employment in the semiconductor manufacturing industry, that as the supply chain companies are starting to move to the valley to support the Micron expansion. A recent example of this in Meridian is JST Manufacturing, who came here for that exact reason. The targeted tenants for this project are in some of the valley's top employment industries that are still growing and need space and these are construction, manufacturing, wholesale, trade and transportation and warehousing. And unlike office employees, the jobs in these hands-on industries are less susceptible to being eliminated by AI. These are more sustainable jobs for the future. The same industry sectors support good wages, with average wages well above Meridian's average wage of approximately 24 dollars an hour, with wages ranging from approximately 29 to 38 dollars an hour. Staff's argument against this use is that it's a prime area for professional office jobs, but Class A office, developers and tenants want adjacent retail and restaurants, ideally with integrated residential and access to a major intersection. You can see that there are numerous office developments along Eagle Road close to I-84. The activity just down the street at Ten Mile and 84 also illustrates this mixed-use concept that is attractive to office tenants closer to homes and planned commercial amenities and interchange. And more details here about the district, with the types of commercial uses that serve those offices. These sites are very different from what we have at this property, which is surrounded by existing and planned industrial uses, including some immediately to our west and east that have outdoor uses. For us this projects with planning light industrial and flex industrial. This is a great location. Will be compatible. This will fit well. But if you are looking to site a traditional office park, a developer is not going to find this location as desirable. You have got light industrial here around this site and, then, you have heavier industrial to the west and -- as you get closer to the Highway 16 interchange. Demand for this product is high. The development that is to our south is leasing up very quickly and just looking at the existing listings in the Meridian sub market TOK Commercial compiled this data for us and there is currently a total of 24 flex spaces that are available in Meridian and a range of sizes and 33 percent of these listings are over 25,000 square feet. This large format product dominates the available supply here and yet there have been zero leasing activity in that size category over the past 12 months. Meanwhile, the small bay supply is being absorbed fast and the zero to 10K size is 37.5 percent of all the listings, but faces the highest transaction volume. So, this product -- this project small bay and mid spaces really address the demand that's in this red box here on this slide and this is the size range where Meridian tenants are actively seeking space. So, I will turn to the -- the code change. As -- as has been noticed -- noted already we are requesting a reduction in the required amount of office space in the I-L district from 20 percent to ten percent. This is the same reduction that was approved by the city in August for the ME zone and really based on the same reasons, that having a required minimum office limits the tenant flexibility in these flex industrial spaces. So, here are some examples of conceptual floor plans that VT area has done in other locations and they will certainly have the opportunity to provide this kind of build out here. You can see a variety of office setups with -- with walls and some open workspace opportunities. But this is driven by the tenant. So, the

tenant may want this kind of configuration and, then, they could have that or they may want a more flexible space, with open work stations instead of walled off areas. That's the nature of the working environment for these users. It doesn't mean that they have fewer employees simply because they have fewer walls around their working spaces. So, in short, this is the right project at the right time for this part of Meridian given this location. This provides a nice transition from our mixed uses that are across Black Cat to the east, to the heavy industrial that's to our west. We will continue to build out the area consistent with what has been approved by the city with this light industrial flex space that is clean and quiet and non-noxious, non-hazardous, but it still provides that great opportunity for mixed employment that is called for in your Ten Mile plan. With that I will stand for any questions.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: One of the things you mentioned earlier in your presentation was just asking for kind of what's been done before. Core&Main is your neighbor. They just CPAM. So, what -- I guess where is the discrepancy between this application and other applications? Do you have examples of other applications in the Ten Mile area that have had light industrial and low density employment without having a CPAM?

Nelson: So, both CPAM -- Chair -- I'm sorry, Commissioner -- both the Core&Main and the AT development to our south had LDE at its core and still were seeking zoning of I-L and ended up with I-L. Staff's concerned with this -- why they are pushing us to do a plan amendment is not to seek I-L zoning. They want us to do a different zone that doesn't allow the same uses that are allowed in I-L zoning. So, a plan amendment isn't necessary to facilitate the I-L zone in this area and that's the -- the slide that I -- I showed you with the -- the zoning compatibility matrix. If we were going to seek a different zone than I-L, then, it may be appropriate, but since we are seeking a zone that is called for as allowed within the LDE, that is not something that we felt was necessary. And, again, staff's concerns to us were more about the end use.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Can I ask of staff -- my understanding was that staff actually said that we would be -- you know, have -- you have concerns about growing I-L in the area, but able to support it with the CPAM, but --

Napoli: Madam Chair, Commissioner Smith, that's correct. You know, early on in the process -- and I think we were open to I-L zoning. It was more about site design as well. We asked if they would want to do a mix of mixed employment and I-L on the site, like mixed employment on the front end on Franklin and, then, I-L as it transitions down towards the Rosenloft. So, we did have those conversations. If this project was either

500 yards to the west in the general industrial this would be the easiest approval. It's general industrial. This is exactly what we want in that area. If this -- if they did a CPAM to change this designation to either mixed employment or general industrial, I think through design elements we could have gotten to an approval. Correct. And that was stuff that we did have conversations with early on. It was ultimately determined, though, that they did not want to do a Comprehensive Plan map amendment and Core&Main did do a CPAM. So, they did process one last year and that's the main reason we were able to support them. They also worked with site design and all of that stuff with staff to gain that support. The property to the south, which is -- has many different names, Blackhead Industrial, Meridian Commerce Park. AT Industrial. The big larger development to the south. Staff recommended denial of that in 2021 I want to say and City Council ultimately found that it was consistent with the plan. So, they did not do a CPAM, but -- so that -- that's -- so, there is one that has and there is one that has not, to answer your question.

Smith: Thank you.

Nelson: Madam Chair, may I respond to that as well?

Perreault: Madam Chair, may I ask a question?

Nelson: Okay.

Lorcher: Go ahead, Commissioner Perreault.

Perreault: Thank you. Can you explain before you respond to that what the downside would be for you in applying for that Comprehensive Plan change?

Nelson: Madam Chair, Commissioner Perreault, that's a great question, because it's consistent with what I was going to say and my -- my client may have more to add on this since they were involved in these meetings as well. I guess Nick and I have very different memories of these meetings -- of the discussion, because we had a discussion about whether they would actually support a comp plan amendment if we came forward and we were told no and so because we didn't -- the direction from staff that we were told was that they were looking for a different use than we were providing. They wanted more of an office-type use to support more professional offices, because they felt that that use supported the Ten Mile Plan and they had enough of the industrial to our south and east. So, it -- it didn't make sense to us when we could see in the plan the matrix that allowed and supported the I-L zone and the decisions of the City Council that allowed the I-L zone in the same designation to go through a comp plan amendment to be denied for the use that we could see was authorized. So, I -- I don't know how we had -- had that big of a disconnect in our meetings, because we had many. You know, we understood that staff wanted us to seek ME zoning they said -- and I believe it says in the staff report, too, that they are concerned that the uses that are allowed in the I-L zone are -- there are -- there are too many allowed uses, including more industrial -- excuse me -- more warehousing and distribution and so their concern was, again, more about the end use in the zone, not the process to get to that zone. So, this is the first I have heard that they would have supported I-L zoning and the uses we are proposing if only there had been a CPAM.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I guess I'm confused, because it seems like generally speaking those other uses are not envisioned or contemplated in the -- in the application. So, if the concern around end use was something that you are not doing, what -- what would be the -- the -- do you -- do you get my question? What's the cost of doing that CPAM if it just prohibits you from doing something that you weren't planning on doing anyway?

Nelson: Madam Chair, Commissioner Smith, it's important that we are very clear about that. We -- we will have warehouse and distribution uses here. That's why we have sought the I-L zone. So, that will be a part of it. The nature of the -- of those uses is different from larger -- the large cross bay buildings, because they are small, and so the demissible spaces -- I mean that's the -- the point of a shallow bay; right? You have -- it's not very deep. So, you have -- end up with a smaller space and, then, you can separate uses easily with demissible walls. The same thing in the micro bay. And these are the same that are in the smaller buildings that were approved in the development to our south. They create these very small spaces and that supports a range of businesses that creates the employment that's called for in your plan and so that's -- that's our pitch to you is that we are creating the same employment that is desired by the plan and that we understood was desired by staff by promoting office. Office is just a shell; right? It's who are the users that are going to attract it. We are building a shell that is appropriate that attracts the in-demand users, the employers that are the lead -- have -- have the higher wages and are in the lead in demand right now in the valley and we are putting them here and they will have warehouse and distribution uses among other flex industrial -- light industrial uses.

Smith: Thank you.

Lorcher: Okay. Thank you very much.

Nelson: Thank you. Appreciate the questions.

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

Lomeli: Thank you, Madam Chair. Yes. We have Tyler Martin.

Martin: Thank you very much.

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

Martin: Tyler Martin. 322 Bacon Drive, Boise, Idaho.

Lorcher: Okay.

Martin: I am an industrial broker with TOK Commercial. I'm working with the applicant. Really came up here to speak to you about jobs. Similar testimony I gave to City Council late last year. You know, this -- this type of product is what's very very much in demand in the market. As we have talked with staff there has been a lot of comments about different types of development to support jobs and I had a couple of comments real quick to clarify. So, if you look at the aerial map of the Ten Mile Plan and you go to the west it shows all that light industrial land to the west. It's not developable, to the best of my knowledge. There is no sewer capacity. So, the market's demanding this light industrial flex space, but there is large sections that aren't developable just because of utilities, infrastructure, other concerns that are a long way in the future. Also just speaking to staff real quick -- or countering -- as far as mixed employment, as we have gone through this plan, mixed employment on the front, that was actually the applicant's initial desire was to kind of phase this development -- not of mixed employment, but a product type that was -- that had more transition, kind of lower ceilings to higher. Without access to Franklin Road -- and I don't mean to speak for you all -- but without access to Franklin Road you can't have those more retail traffic orientated uses, because they have to come up the collector street and, then, go through what is, essentially, you know, parking lots and truck bays. If there was access to Franklin Road -- direct access to Franklin Road, then, you could support more retail type uses or more mixed employment type uses. Primarily what I want to talk to you all about, though, was just employment numbers. We surveyed 800,000 square feet of space in the market, door knocked over 80 doors just to see how many jobs were in each of these buildings. We started in Boise for this testimony. I focused solely on Meridian. In Meridian we -- I forgot my glasses. We surveyed 400 -- we have responses from 442,000 square feet of space. In those spaces -- and that was 40 different companies in Meridian. In those spaces there was one employee for every 468 square feet. These are high employment spaces and it's not always the employees in the building itself, they have out -- they have staff working from home. They have staff in the field. There is a lot of jobs that flow through these buildings. Very high demand. I also wanted to share just some recent work that I have done -- only clients that I have worked with. Recently or currently I have worked with five clients that identified Meridian as their core where they really wanted to be based on traffic flow, employees, whatever -- where their customers are. Of those we were able to land one in Meridian. Those companies employed similar numbers -- some of them had one employee for every 262 square feet, but there was no space available in Meridian. So, we ended up in Boise -- primarily in Boise. But it's all about -- they were unable to find space. Meridian has identified locations. We were unable to find anything that worked. Moved to Boise to find existing space. I'm open for any questions. I would love to answer some questions actually. I'm much more comfortable that way.

Lorcher: Okay. So, thank you very much. Do we have any questions for Tyler at this time?

Martin: All right. Thank you all very much. I appreciate it.

Lorcher: All right. Thank you. I do know -- I live in the impact area of Highway 16 and the City of Meridian and Toll Brothers just came into agreement to put sewer down Ustick and so they are going to collaborate with ACHD so that the road improvements between McDermott and Black Cat and the Toll -- and the lift station with sewer are all done at the same time, because the City of Meridian is not planning on sewer until 2029, but ACHD is going to do road improvement in 2027. So, optics say why take a perfectly good road and chew it all up again to do sewer. But they end at Ustick. ACHD and Toll Brothers told me that the extension of the sewer down south on McDermott to Franklin will happen somewhere after 2029. Now, how that connects to Franklin going east to Black Cat I'm not really sure, but the soonest that you will probably see sewer coming to Franklin for any kind of retail development would be closer to 2030. So, you could fact check me, but that was a conversation I had a few days ago with the Toll Brothers. I figure our home is going to be under construction for the next ten years with the ACHD project and -- and Highway 16, so I'm in it for the long haul as far as construction. Madam Clerk, do we have any other people to testify?

Lomeli: Madam Chair, I have Keith Whiting.

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

Whiting: My name is Keith Whiting. Part of the trustees of the family trust for the property at 4925 West Franklin Road in Meridian. My mother is 92 years old. She lives on the property, which is just to the east of the development. So, our main concern is -- and I listened to their presentations. So, I have caught a few things, but it is just -- you know, how much extra noise, of course, that's going to create. Franklin Road is already a very noisy road. Franklin is going to become even noisier. Currently it's not as noisy, of course, because it doesn't have that much traffic. But with all the trucks and other vehicles going down to the feeder road just -- just south of our property next to the Core&Main building where they are going to be putting that in, you know, that might be somewhat of a factor, but our main concern is, you know, in the long term after our mother passes away we are going to need to sell the property. So, is that going to -- you know, is this development going to increase or decrease the volume of our land, so that we can someday sell it and -- and get as much out of the property as we can? But at the moment, you know, moments, you know, on the property and we do have family caregivers that take care of her on that land, so --

Lorcher: How many acres do you have?

Whiting: We have 7.7 acres. Just under eight acres.

Lorcher: Right. Because she lost the house due to the highway project.

Whiting: Exactly.

Lorcher: The -- the intersection of Franklin and Black Cat.

Whiting: That's correct.

Lorcher: Okay.

Whiting: Yeah.

Lorcher: Okay Thank you very much.

Whiting: Thank you.

Lorcher: Oh, did you have a question, Commissioner Perreault? Now you are good? Okay. Thank you.

Whiting: So, is there -- I guess is there an answer? Is there -- do we know whether or not something like this --

Lorcher: We will have the -- if -- if there is an answer we will have the applicant respond.

Whiting: Okay. Thank you.

Lorcher: Thanks.

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

Lorcher: Is there anybody else in Chambers that would like to speak? Would the applicant like to come forward and respond?

Nelson: Madam Chair, if it's all right I will get us started and, then, if anybody wants to add in they will come and add into this. So, we will start with Mr. Whiting. I think that the main thing that we want to do is build -- we have to come forward to -- to the city and build within your plans and so this is the -- the -- the designation exists on our plan and on his plan and so by building out consistent with what's called for in the city, then, we aren't creating any new conditions that aren't already contemplated by any buyer of the property. I think it's when you -- you come forward and do something that's different than the plans that you could change that. But from my perspective of representing developers, when you see a successful development adjacent to you that increases the value and so, you know, having the other projects that are approved to our south and the Core&Main property to our east help support this project as well when you are bringing in consistent uses and so I would expect that that's going to increase the value of Mr. Whiting's property with a successful decision here. If -- if the property was not approved and instead it was for such a reason of, no, we are going to hold off and wait and see if anybody wants to develop this as a traditional office park, then, I would think that is not positive for his being able to sell that property to a developer. So, I guess just turning to the -- the discussion of -- of the no -- no CPAM here. You know, the comment from -- from staff here was that -- you know, that they maybe there is additional design elements. We aren't aware of the additional design elements that would come in from the -- the ME designation. You know,

I think it might help to look at, you know, one of these tables from the Ten Mile Plan. You can see the -- the red and the blue box there of the different features and the elements that are called for. Everything's the same except for under the 3-3-4, the buildings to scale. There is an extra requirement in the LDE. You know, LDE buildings are -- are lower. They are one to three stories. We meet that. So, we -- we meet -- we meet all the specifications and I read those off earlier with the being below the -- the floor area ratio. We are within the square footage sizing. We have got -- and now -- and -- and to staff's credit they didn't have this information. We have added the features. They have added all of that we have said would be addressed in the future detailed landscape plan that comes forward with the plat. But we have brought that forward to show that on our conceptual site plan now to address some of their concerns about those elements and so, hopefully, that also helps their concern about those design elements by bringing in, you know, the item that's -- the items that are mentioned here, including like the public art, having the connectivity to the -- the public spaces, having those gathering spaces and so when you look at the images in the plan, the -- the uses that we are proposing fit better with the look of the LDE, that the ME tends to be a little more office parky looking, but, you know, the -- the table that -- the zoning matrix table does support both uses -- both of the zones support -- excuse me -- both designations support the I-L zone. So, if -- if staff truly is of the opinion that the I-L zone is fine and our use is fine, they wanted additional design elements, you know, maybe we have addressed this, that -- these now by bringing forward elements they had not seen yet or if there are additional design elements that, you know, the Commission feels are necessary based on staff's recommendation, then, those could be added as conditions of approval and we can, you know, see if those can work for us or take those up with Council. But it -- it's really the -- fundamentally we are here to confirm the zoning. We are annexing and seeking I-L zoning and I-L zoning is consistent with your Ten Mile Plan, compatibility zoning matrix, it is what the city has approved on adjacent developments, including one with or without the CPAM, but there is nothing in the plan that says you have to do that. That's just a choice. So, again, if there is design elements that that brings to the city we would -- you know, we are open to that consideration and that doesn't require a denial. That would be an -- an approval with a condition. So, stand for any questions you have. Or any other comments from the team. Okay.

Lorcher: Commissioners, do we have any questions?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: If there were a CPAM do you envision that substantially changing the site plan in any way?

Nelson: Madam Chair, Commissioner Smith, no. No, we don't. This is the -- the uses that we expect -- you know, they are allowed in the I-L zone that we believe are what this applicant plans to build here that meets the market and so we do expect it would be consistent with I-L zoning uses. Similar to the approved projects that have come forward

in the city. I mean Core&Main also has I-L and so does the -- the larger development -- the 130 acres to our south all have I-L. So, they took different processes to get there, but they have the same result. There is nothing that requires doing an extra process to get to the same result here.

Lorcher: Right. If the UDC text amendment is not approved, would that change your -- your application?

Nelson: Madam Chair, it just limits the flexibility that tenants have and so to have the most successful project we would, you know, urge the city to strongly consider that I-L change consistent with the ME and if you think about the reasons -- you know, Adler Industrial is one that came and testified in support of that and they talked about how it was creating, you know, financing hurdles for tenants. It was creating leasability problems for flex space, because they didn't have the flexibility to use the space the way they wanted to and that was in an -- in rezone. Your industrial you have got even more of that flexibility that's needed and so -- and you are more likely to have your workspaces spread out through a larger space and not have walls and so that's -- yes, it -- it would impact the success of the project, but -- so, that is part of our request of the city to do that. But they are separate application requests.

Lorcher: Okay. Thank you. Any other questions for the applicant? All right. Thank you very much.

Nelson: Thank you.

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

Smith: So moved.

Gelsomino: Second.

Lorcher: It's been moved and closed -- and seconded to close this public hearing on both H-2025-0052 for the annexation and ZOA-2025-0002 for the UDC amendment. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: So, Commissioners, when you give your comments please be specific and when we are talking about annexation and UDC amendment, please.

Parsons: So, Madam Chair, Members of the Commission, before you get -- dive into these two topics I just wanted to at least give you some context on the -- the code amendment. It -- it doesn't go far enough. That's -- that's why we wouldn't -- we didn't want to -- the applicant to have to take that on. When Council made that change in I think it was October last year or September -- August maybe. Sorry. August. They changed the office component for the flex space, but they did not change the warehouse

component. So, those numbers no longer match -- sync up with what the intent of the Council was at the time and that's what we conveyed to the applicant. So, it's not that we don't disagree with them, it needs to change, it's just that we feel we are better suited to do it than they are, even though it's not on their timeline. So, at least wanted to give you some of that context on the code change. The other -- there is some -- there is some differences here that I at least want to express to you and I appreciate the applicant saying that they are willing to work with staff and make changes, because I have been in a lot of those meetings with the applicant and we have expressed numerous times pedestrian connectivity -- some of those pedestrian scale elements, some of the integration. I recall one time I expressed to them showing how the adjacent property to the east could integrate with this development, because we didn't want to -- with the scale and the bulk of the buildings they have on this site it's difficult to see how that eight acre piece on the corner integrates with the rest of the area with Core&Main and this piece and we just never got those things. I appreciate the applicant coming in and showing you some of those sitting areas and everything, but when we worked on the Black Cat industrial project in Farmstone, which is on the other side of Black Cat, the Corey Barton piece there near the freeway, we spent several months going back and forth -- continuations. I think you all remember the many continuations to try to integrate a plaza area and some of that open space and that connectivity and ultimately, yes, did it meet every element of the plan? No. But we have got consensus with the developer and the -- the -- the city felt comfortable moving forward and saying -- making that finding that it was consistent with the plan. So, again, the applicant's been great to work with. They were always willing to meet -- share their concerns with us. We met with ACHD. We asked them -- I followed up with Mindy at ACHD about why wouldn't access to Franklin be supported. She was very clear on why they wouldn't support that. We have the same policies, but there is a process to still request that. The other thing that I think is -- is -- I think the applicant's missing on this plan is walling themselves off from Butte Fence. I think there is a real opportunity for them and Butte to share an access to Franklin and not have an emergency access. I think that -- that just doesn't make sense to me on this plan and I'm not -- I don't develop property. They have to make that business decision. But that's what we try to do is get interconnectivity between the adjacent properties as well when you have a mobility arterial like a Franklin Road. So, I think that cross-connect even between the properties, with the addition of the collector that the applicant is building, is just a critical component that I would say missing from this plan. So, again, I'm not -- I -- I -- I think we just need to work with the applicant more, to be honest with you, but, again, we have had these conversations. The plans haven't changed. This -- again, this was the first time that we saw an attempt at some sitting areas and it was just today and so, again, the applicant's great to work with. I understand their vision. We want to help them. I-L zoning, ME zoning, L-O zoning, it's -- it's -- it's all relative. It needs to come in with -- it comes down to site design and that's what the Ten Mile Plan is all about. It's about those critical elements and, yes, it -- does every project in Ten Mile have those? No. And if we had to grade ourselves I wouldn't say we give ourselves an A. But Nick I think did a great job laying out what's been approved out there and a lot of it has not been built yet. So, there will be an impact. I don't know when that's going to happen, but I can tell you I'm in several meetings with all the developers in these areas and it's coming --

Lorcher: Yeah.

Parsons: -- and it's going to come quickly. So, I -- I know there is some work that has to be done. We know Highway 16 is going to open. We know Franklin will be probably a freight corridor. I have no doubt about that with that connectivity and that interchange. But, again, at least wanted to give you some context there about everything that we have been doing, trying to get this to fit under that -- whether it's a square peg in a round hole --

Lorcher: Right.

Parsons: -- as you see here so often at the hearings.

Lorcher: Thank you.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I had a couple questions for staff. What -- I want to make sure I'm hearing you correctly that you still feel like there is room for conversation to improve this. Maybe some conversation that -- that could have happened, but there just wasn't a -- maybe a little bit of a disconnect with it and I also wanted to ask is there anything that's -- in all the approvals that we have is there anything like this, which is sort of that light industrial, you know, small tenant user type of project? It seems like we have the really -- we have -- they have the industrial and the -- and the property to the south. We have some office focus in other parts of the Ten Mile Area Plan. This to me seems like something that we are not seeing a lot of the -- the -- the way that they are -- not just the site design, but -- but just the -- what the end user is, which it sounds to me like you -- that's -- that's really important and so just curious if -- if you think this -- there is a need for this specific style that they are doing? Or I shouldn't say style. This specific type of end user.

Parsons: Yeah. Commission -- Nick, if you wouldn't mind bringing up your -- your GIS work that you did. At least point out what's been approved in there, so we can have that conversation with you. So, every project that -- so, Black Cat Industrial had the small bay component and, then, the large bay that you see with -- that Nick shows. Farmstone is where Nick's cursor is -- had some of the -- the small bay as well and, then, it transitioned to the bigger bay and, then, Adler has the same thing. So, yes, we -- we -- we understand the market -- what's driving this area. We -- and we have -- we have done a pretty good job accommodating it. So, again, I appreciate Tyler's expertise, because he teaches me something new all the time as well. Just learning about industrial. I enjoy having those conversations with him, because they think we hear it all the time as well as a city that we need more of this and we want to accommodate it and -- but at the same time we want to make sure the plan is right for the area and fits and integrates. Again Ten Mile focused heavily on that job that housing and job ratio and the transportation network was very late -- specifically laid out for that balance to occur and so Nick and I are tasked with making sure that we keep that balance whole and I think overall when hearing those numbers

that Nick threw out tonight, you can see we have definitely set this up to have some pretty intense commercial industrial uses in this area or quasi-industrial -- whatever you want to call it. Flex space. We are trying -- we -- we -- I think we have done a good job at that and trying to balance that and just some of those things need to come online. We just over committed to housing right now in the area. So, we are trying to get that commercial balance back into the area and, again, the idea is to keep people in this area, so they don't have to impact the roadways. They can live, work and play in this area. That was the vision for Ten Mile. So, again, we have to be cognizant of that as we are looking at land use applications in -- in the Ten Mile Specific Interchange Area.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah, I think I -- to offer some thoughts. I will start with the -- the -- the short one first. I think with the -- the zoning -- or the UDC amendment by -- I don't think I could support that. I think -- you know, there is -- there is the saying, you know, bad facts make bad law. I think there is, you know, similar something here of, you know, if we are trying to really do case by case ad hoc UDC kind of rules and things like that, like I -- I don't think -- the same way that if Council wants to grant a variance kind of for a residential project or -- if that's something that in their discretion they want to do, that -- that's -- that's their prerogative. I don't -- I don't think that I feel comfortable in any fashion in any sense of the word trying to make case specific UDC changes. So, I -- I can't support that. As far as this property goes, I think there is a lot to like about it. This development -- there is a lot to like about it. I think it does meet a market need. I just think we got to do it right and I think there is a lot of question marks here, not to -- not to hold anything against the -- the applicant, but I think the fact that we got kind of an updated site map, you know, kind of day of, I think there is a lot more work to do. So, I don't know if there is a longer continuance in mind, if that is enough or if we need to deny -- the idea is to deny and, then, you know, re-approach this in the future, I just -- I don't think I can support approving -- you know, recommending approval, though, at the moment.

Lorcher: For either.

Smith: For either. But especially for the latter. Yeah.

Lorcher: Okay.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I agree with Commissioner Smith. I -- I'm -- at this time don't feel comfortable with supporting a -- a text amendment without more information. But also I appreciate the -- the applicant's pursuit in -- in trying to make this something that fits the area and I think that all in all the design is good. I think the -- I can see the need for this specific type

of -- of product. It's just a matter of making sure that, you know, that the end use doesn't justify -- doesn't justify an approval, unless it's gone about in the way that -- that works, that -- with, you know, what our current structure is with -- with our codes and with our comp plan. So, I think what -- what I'm hearing is, hey, we like the end use. Is this the right place? Is this the right location? Is this -- is this the right way to have actually gone about the process. So, I agree with Commissioner Smith, I -- if the applicant feels like after this hearing that there is things they can do to improve the application that would meet some of the concerns that have been presented or -- or maybe there has been clarity, that's had tonight that wasn't there before, then, I'm open to the idea of doing -- of continuing the application. Is there any interest in opening the public hearing to hear from the applicant on that question or --

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I do open that at first, but before we go down that route I would -- I would like to just ask staff's perspective, if that's feasible, if they feel like we can get to a spot where they can be supportive or at least ambivalent before going down that path.

Napoli: Madam Chair, Members of the Commission, yeah, so, first of all, I would like to address, you know, I think looking back at our notes and several e-mails and all of that, going back to the applicant. I think Bill hit it pretty spot on. It says with the current layout that they have it was going to be difficult for us to support in both the pre- application meetings we had and other e-mails that weren't pre-application meetings. We asked them to address these things as a list of things to address that may be able to gain our support. But, ultimately, we didn't see any of those things until they actually submitted and in my -- in my notes it does say, you know, a CPAM application would be required for staff support and -- but at this time it would be difficult for us to support unless these things are addressed. So, I see where maybe the disconnect was on our side and on their side and, you know, if that's on me, it's on me and I apologize. I -- I feel like we try to do a good job relaying that information to them and sometimes we just don't get that information until it's -- the application is actually submitted and, then, at that point it's -- it's submitted, it's in the process and that's what I'm reviewing it for. We didn't end up in this -- these conversations started over a year ago now or maybe a year ago now preliminarily. We had our first pre-app in June -- June 4th and, then, our final pre-app was in November and we had several meetings between that and we were asking for, you know, job information -- what kind of jobs they would create. Trip generation. We were asking for some of that data and we didn't actually end up seeing that until the narrative was submitted with the application. Not with a Comprehensive Plan map amendment and without the CPAM amendment it's -- like if we continue this without a comp plan amendment it's still going to be difficult to support just, because the low density employment is pretty specific about the uses that it wants to see. Yes, it says I-L zoning is one of the choices, but it also says L-O, which is limited office, is one of the best choices. So, I think it's saying there is a balance between the two that would need to be -- that's what the plan's ultimately saying, which isn't being met here. I'm -- I agree with the

applicant that there is a demand for this. Every project that I talk to people they call me back -- we have storage that people have done and we got flex space on the front edge on Ten Mile. They called me after they got their approval from City Council saying, hey, can we change this all to flex space, because we got way more interest in this than I thought we were going to, which ultimately -- I was like you got to do a DA mod. But that's not for this applicant and I think that -- like I said, it is in demand, I just think -- it sounds like there was some miscommunication or misinterpretation and just not enough information that staff got to be able to say, yes, we can support this with the comp plan amendment and we said it was going to be difficult to support without these things being addressed even with a comp plan amendment. So, I do see where Deb and them are coming from on that.

Smith: Madam Chair?

Napoli: Sorry. I -- the question -- you asked another question. I apologize.

Smith: That's helpful. I -- I don't know this. I guess a question for anyone. Staff. Are -- would they -- would it -- would adding a CPAM -- would that require a denial and resubmission?

Napoli: So, the tricky part -- Madam Chair, Members of the Commission, tricky part is CPAM is only processed twice a year. We already had our December 15th submittal. We have two in process that will be coming in front of you guys here in the next couple months. So, they would have to wait until June 15th for that to actually be processed and I know time is of the essence for them. I know that they have waited a while to get to this point and I don't know if that's something that they would be interested in. If it is, you know, staff's definitely open to it. You know, I think we still need -- there is still some work to do I think with their site plan and maybe even opening that connection to Franklin is -- because their site plan did change a month ago, which ultimately eliminated two small flex buildings on the frontage of Franklin, which, you know, staff had worked pretty hard with them to get on the plan that we saw in November and, then, ultimately it -- because ACHD wasn't allowing access to Franklin those were eliminated, which, then, furthered the inconsistency with how staff viewed the plan. So, I would like to hear -- I think hearing from the applicant would be important here, see what they think if -- see if they would be even willing to wait until June and -- yeah.

Lorcher: With that can I have a motion to reopen the public hearing?

Gelsomino: So moved.

Smith: Second.

Lorcher: It's been moved and seconded to reopen the public hearing to discuss some possible changes with the applicant. Would the applicant like to come forward, please?

Perreault: We need to vote on that.

Lorcher: Oh, do we vote? Sorry. Hold on. It's getting late. Okay. All those in favor say aye. Any opposed?

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Okay. Come on up. Sorry. I was just hearing them all in my head.

McCluskey: That's all right. And I jumped the gun. I was already up here. So, maybe we started with the first one, the connection to Franklin, because I think that maybe is a look bit lower hanging fruit as well. So, we have tried to provide a cross-access. Obviously, the reason we made that limited only to fire access was ACHD is also presented to us that that is a temporary drive for Butte Fence as well. At the -- at the moment when the collector street comes in that drive B will be closed. So, really, making a connection to drive A that's going to be future closed is -- in our opinion just not really beneficial to any of the developments and so --

Lorcher: Hold on one second.

McCluskey: Yeah.

Lorcher: So, if -- if Butte Fence doesn't have access on Franklin, then, where would they have access on?

McCluskey: As soon as they are required to take the collector street adjacent to theirs, which my understanding is Butte Fence actually subdivided the parcel illegally causing annexation to be required and they are coming in soon -- I might be misspeaking for staff, but --

Lorcher: Okay. So, they are going to end up being access to the collector street as well.

McCluskey: That's correct.

Lorcher: And nobody's going to have access on Franklin.

McCluskey: That is how ACHD has presented it to us, that that drive will be closed. It is a temporary drive only for use until the collector street is adjacent to Butte Fence.

Lorcher: All right. Well, we will have to fact check that, but we could -- that's something that we can kind of look at -- or if you choose to have another meeting with staff, so -- go ahead.

McCluskey: Yeah. And I was just going to address the -- go ahead, Nick.

Napoli: Go ahead.

McCluskey: I don't know what -- the process on that.

Napoli: No problem. Go ahead.

McCluskey: So, we are just going to make it -- yeah, tell me what I do wrong. So, let's talk a little bit about the CPAM. So, you know, it's kind of a double edged sword and I don't want this to come across the wrong way, but with the timing to Nick's point, we were trying to facilitate if the CPAM really didn't bring any changes to our site plan, there was no reason to submit when that is required when 60 percent of it is of one use -- or a majority of the use, you can make it the entire property; right? So, the intent was not to circumvent any of the processes by not doing this CPAM, the thought was that -- and I think Nick and -- and we got to that at one point -- was that, you know, the intent is if -- if the applicant has made this to what is market conditions and what we can facilitate, if this product type and this use is not the desire -- of -- of, obviously, the Commission and, then, the Council that's our concern and so I think in our opinion if -- if at this point delaying it for a June for the CPAM resubmittal is just -- is -- is kind of out of the question as far as our concern. We would rather have a denial and, then, we will -- we will discuss that at Council and to your point maybe that alleviates the concern of text amendments at this level and Council maybe could make that -- or we will see how that happens. So, I guess from a timing perspective, unfortunately, we don't have the time to -- to wait for that application to come back. We also did the zoning and -- and I would like to make a point -- it might be a moot point, but the preliminary plat design plans -- we still have a lot of things to figure out and what we are trying here is for zoning; right? And so as long as we are still meeting the requirements of that zoning we are -- we are trying to make those adjustments now. So, some of it has been laid, some of it is because of ACHD giving us feedback on drive locations a month ago. So, we -- you know, there is a lot -- there is so many steps that -- when you take them that have repercussions and -- and that is kind of where we have ended up today. So, Deb, I don't know if I answered all the questions or even if you had more to add, but I -- I think from an applicant standpoint, unfortunately, we would rather proceed to the denial then --

Nelson: Maybe just one quick point and appreciate Nick's comments just now. But in the end of it I think I still heard that you still wanted the CPAM to be able to support it. So, I feel like that's where you circled back to. So, I just want to make sure we are clear on that. And so to that end it's not just the delay to June, it's that it -- it -- it feels like it might be unproductive. If -- we still haven't heard what design elements we might be missing now, if there was something that is an element that, again, was -- was -- was needed that could be, you know, added as a requirement, we just haven't heard what that is yet and -- and, you know, I went through the table, showed you each of those little dot -- we have checked each of those boxes. We don't have flexibility because of Franklin. So, we have tried to address all of the concerns that for us we are going to come forward in a future landscape detail plan with the preliminary plat and bring those forward since staff wanted to see them now and -- and so we have done that. So, I appreciate that it -- it -- you know, wish we had done that sooner with staff. We just weren't -- we weren't getting the support for the zone and so we needed to get direction on the zone is why we are here. But if there is a design element that we have not yet incorporated in the conceptual plan that needs to be added, you know, please, add that as a condition and, again, we will consider

it and decide whether or not we can incorporate that. We just haven't heard that yet. So, pausing longer for a continuance doesn't feel productive from what we have heard so far this evening.

Lorcher: Okay. We are not city planners, so we wouldn't be able to address what exactly the planners -- as far as our conditions are concerned. So, we wouldn't be able to pinpoint, nor would we want to kind of pigeonhole into saying that if you did A you would get B. So, that would not be something that would be appropriate for us to specifically say. But if you don't feel a continuance to be able to meet with staff one more time would be productive, then, we could just go forward and if you do have that conversation you would be prepared when you go to City Council. Commissioner Smith, did you have a comment?

Smith: Oh. Madam Chair, I just wanted to confirm that we are on -- that everyone's on the same page regarding preferring a denial. It seemed like there was maybe just a question where I just want to make sure that that's the preference over a continuance, if an approval is -- is not feasible.

Nelson: Right. Madam -- Madam Chair, Commissioner Smith, we would prefer an approval just to be clear. Second choice is a denial instead of a continuance.

Lorcher: Okay. Thank you.

Smith: I would prefer an intact hairline as well.

Lorcher: All right. May I have a motion to close the public hearing?

Smith: So moved.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Napoli: Madam Chair, just to answer Chris' question, as far as -- or not question, but his point as far as -- I can't really speak to the Butte Fence, because it is an active application, but I can speak to the conversation I had with Mindy -- or at ACHD regarding that Butte Fence access and, you know, Chris is partially correct in the fact that, you know, ACHD basically said, you know, they have no plans to close that access to Butte Fence even when the collector is available to the south until Franklin Road hits a certain threshold, so -- which I don't believe is close to at this point. So, it didn't seem like it was very likely or imminent that, you know, that access to Butte Fence will be closed on that frontage and I know that they have their main offices up there, which would require quite a bit of site design. So, it sounds like they may have had a little bit different of a conversation with

ACHD than Bill and I did. So, maybe good to get clarification on that at least before -- if this does move to City Council before that with ACHD and get that in writing, because from my understanding of our conversation is, you know, that access would remain open for the foreseeable future and with the -- with -- yes, the caveat that at some point it could potentially be closed if -- or restricted to right-in, right-out when Franklin hits a certain threshold and I understand that's a risk for them and, you know, they need to have adequate access for people to lease spaces. So, I -- you know, I'm not going to talk on their part of that, that's -- they are the experts in that. But I did want to just provide some clarity on that -- that that access point has no plan to be closed even when the southern collector will be available for them.

Lorcher: Yeah. That would be huge. I mean that would probably kill their business right there since their office and, then, the -- the landscaping company across the street -- I can't recall their name, but you also had in the staff report that Franklin widening to five lanes is in 2028. Black Cat widening to 2036 to 2040. And, then, the Franklin- McDermott roundabout in 2027, which supports the Highway 16 project. So, I'm sure that threshold is going to be a hot minute before it gets to that point. But, again, both -- the applicant should fact check all that information. Overall in my opinion, because I was on the Commission when Planning and Zoning denied that industrial park at Black Cat and the freeway. We thought it was too soon. It was still a two lane road. It still is a two lane road. It couldn't accommodate the huge trucks and the traffic that would be, because it was mostly farmland and that still exists today. But City Council thought that there was a value to that and they did approve it, which I was actually very surprised at. But -- and so now it exists and St. Luke's and a whole bunch of other people are leasing that space. So, this has become the industrial corridor and it makes sense, because Highway 16 is going to be a major part of our community in northwest Meridian and that's hopefully all coming to fruition in 2027, which is right around the corner. The idea of flex space and having, you know, small, medium -- small and medium, because that's what you are focusing on, clearly is a need, but in regards to the UDC and how the industrial parks works and office parks works is -- should be a city decision, not driven -- driven by the city and not driven by the developer, because if we did everything the developer wanted we would be all over all the place. Understanding that there has been a lot of exceptions to the rules, so -- but that is something that you would be able to -- to take the City Council, but at this point in time as discussed, based on the UDC requirements that we have and the future land use map and on all the things we have thrown a bunch of acronyms with, I will support the denial of this and, then, you can make the adjustments before City Council. Any other comments? Matt, do you have anything to add?

Sandoval: Nothing from me.

Lorcher: Okay.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: After considering all staff, applicant and public testimony, I move to recommend denial to the City Council File No. H-2025-0052 and ZOA-2025-0002, as presented during the hearing of March 5th, for the reasons that there is still too much lack of clarity around site design and -- and use and as well as a lack of a CPAM.

Gelsomino: Seconded.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.