

**Meridian Planning and Zoning Meeting**

**May 20, 2021.**

Meeting of the Meridian Planning and Zoning Commission of May 20, 2021, was called to order at 6:00 p.m. by Vice-Chairman Andrew Seal.

Members Present: Commissioner Andrew Seal, Commissioner Bill Cassinelli, Commissioner Maria Lorcher, Commissioner Nathan Wheeler and Commissioner Steven Yearsley.

Members Absent: Commissioner Rhonda McCarvel and Commissioner Nick Grove.

Others Present: Adrienne Weatherly, Ted Baird, Sonya Allen, Joe Dodson and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Nathan Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Andrew Seal	<input type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Steven Yearsley	<input checked="" type="checkbox"/> Bill Cassinelli
<input type="checkbox"/> Rhonda McCarvel - Chairman	

Seal: Good evening. Welcome to the Planning and Zoning Commission meeting for May 20th, 2021. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the City Attorney and Clerk's offices, as well as the city Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail [cityclerk@meridiantcity.org](mailto:cityclerk@meridiantcity.org) and they will be able to reply as quickly as possible. If you simply want to watch the meeting, we encourage you to watch the streaming on the city's YouTube channel. You can access it at [meridiantcity.org/live](http://meridiantcity.org/live). With that let's begin with the roll call. Madam Clerk.

**ADOPTION OF AGENDA**

Seal: All right. First item on the agenda is the adoption of the agenda. Can I get a motion to adopt the agenda?

Yearsley: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**CONSENT AGENDA [Action Item]**

1. **Approve Minutes of the May 6, 2021 Planning and Zoning Commission Meeting**
2. **Findings of Fact, Conclusions of Law for Jump Creek North Four-Plex (H-2021-0018) by Kent Brown Planning Services, Located at the Northwest Corner of N. Black Cat Rd. and W. Gondola Dr.**
3. **Findings of Fact, Conclusions of Law for Mountain America Credit Union Drive-Through (H-2021-0019) by Mountain America Credit Union, Located on the West Side of N. Ten Mile Road, Approximately 750 Feet South of Chinden Blvd.**
4. **Findings of Fact, Conclusions of Law for The Oasis (H-2021-0004) by Brian Tsai of Balboa Ventures, Located at 3185 E. Ustick Rd.**
5. **Findings of Fact, Conclusions of Law for The Vault (H-2021-0017) by Joshua Evarts, Located at 140 E. Idaho Ave.**

Seal: Next item on the agenda is the Consent Agenda. We have multiple items on the Consent Agenda. We have the approval of the minutes from our May 6th, 2021, Planning and Zoning meeting, Findings of Fact and Conclusion of Law for the Gem Creek North Fourplex, H-2021-0018; Mountain America Credit Union Drive-Through, H-2021-0019 and The Oasis, H-2020-0004. Oh. And The Vault, H-2021-0017. Can I get a motion to accept the Consent Agenda as presented?

Wheeler: So moved.

Yearsley: Second.

Seal: It has been moved and seconded to adopt the Consent Agenda. All in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

Seal: At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After

staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The clerk will call the names individually of those who have signed up on our website in advance to testify. You will, then, be unmuted in Zoom or you can come to the microphone in chambers. You will need to state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on the screen and our Clerk will run the presentation. If we establish that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed in advance have spoken we will invite any others who wish -- may wish to testify. If you wish to speak on the topic you may come forward in chambers or if on Zoom press the raise hand button in the Zoom app. Or if you are listening on a phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, a computer and a phone, for example, please, be sure to mute those extra devices, so we do not experience feedback and we can hear you clearly. When you are finished, if the Commission does not have questions for you, you will return to your seat in chambers or be muted on Zoom and you will no longer have the ability to speak and, please, remember we will not call on you a second time. After all testimony has been heard by the applicant -- the applicant will be given another ten minutes to come back and respond. When the applicant is finished responding to questions and concerns, we will close the public hearing and Commissioners will have the opportunity to discuss and, hopefully, be able to make a final decision or recommendations to City Council as needed.

## **ACTION ITEMS**

- 6. Public Hearing for Prevail North Subdivision (H-2021-0021) by Schultz Development, LLC, Located at 5150 S. Meridian Rd.**
  - A. Request: Annexation and Zoning of 5.63 acres of land with an R-8 zoning district.
  - B. Request: A Preliminary Plat consisting of 19 single-family residential lots and 4 common lots on 5.25 acres of land.

Seal: At this time I would like to open the public hearing for Prevail North Subdivision, H-2021-0021. We will begin with the staff report.

Dodson: Thank you, Mr. Chair. Can everybody hear me all right?

Seal: We can, Joe. Go ahead.

Dodson: Perfect. Thank you, guys. As noted, the first item on the Action Items for tonight is Prevail North Subdivision. It is a request for annexation and zoning and a preliminary plat. The site consists of 5.6 acres of land, currently zoned C-2 in the county and is

located at 5150 South Meridian, which is approximately a quarter mile south of Amity. I will go ahead and share my screen now. To the north is R-4 zoning and an undeveloped city property. There is also -- it's kind of a weird triangle shape that you can kind of see. It's actually a county dispatch tower, which is also north of the subject site. To the east is R-8 zoning and undeveloped land. To the south is R-8 zoning and the Prevail Subdivision, which was approved under the Percy name a couple of years ago. To the west is Meridian Road and further west of that is RUT or some additional R-4 zoning. There is no history with the city on this property until now. The future land use designation out here is medium density residential, which allows three to eight dwelling units per acre. This map here -- I don't know if I have presented it to Commission before, but I use it for Council, but I just wanted to give you guys a bigger overview of the site and what's around it and any improvements that might be there. Currently there aren't any, except for the Amity and -- I believe that's Locust Grove intersection in 2023. As noted, the subject site is 5.63 acres that's being annexed, but the plat is 5.25 acres. It's between multiple parcels -- parcels that are already annexed into the city and the site -- the north is a city-owned property reserved for a future well site and only -- that site currently only has access to Meridian Road. To the south is the 113 lot Prevail Subdivision, which was approved in 2019. It is zoned R-8 and has a future access to Meridian Road via a collector street, which will be constructed along the boundary here. That is both -- that would be this phase -- or I should say Prevail North and the regular Prevail. That would be their only access out to Meridian Road, other than an emergency access. The applicant for this application is the same as that for Prevail, making Prevail North a continuation of that subdivision. Consistent with the future land use designation of medium density residential, the applicant is proposing a density of 3.3 -- .4 acres -- sorry -- 3.4 units per acre. Because this is an extension of the Prevail Subdivision, the applicant is aligning the proposed lots of this phase, Prevail North, with those of the lots to the south to ensure compatible -- compatibility in lot sizes. Furthermore, due to the constraints of the site being deep, but relatively narrow, and having a waterway along the north boundary, the applicant is only proposing homes along the south side of the site. The proposed use is detached single family, with an average lot size of 6,677 square feet and a minimum lot size of 5,362 square feet. The use is permitted within the R-8 zoning district by right. The project is proposed as one phase, but will, essentially, be phase three of the Prevail Subdivision to the south. The revised plat is proposed as 18 building lots and three common lots on 5.25 acres and appears to meet all UDC dimensional standards for the requested zoning district. The applicant has submitted conceptual elevations of the proposed detached single family. Detached single family does not require design review, but the elevations depict a majority of two story homes with two -- two car garages and varying home styles that are noted as traditional, craftsmen, and contemporary. The elevations depict differing layouts of the same field materials of lap siding and stone and varying roof profiles, which overall offer an array of potential home facades. The subject site contains a large section of the Carlson Lateral, which you can see here, and this. The site plan shown before you now has the original position, which would be all this topography here, and, then, the new location here. The proposed location. It is an irrigation lateral that is maintained by the Boise Project Board of Control. The applicant is proposing to both reroute and pipe this lateral consistent with desires of the city engineer for the purpose of benefiting both this applicant and the city-owned property

bordering the site on the north. On further discussions with Boise Project Board of Control and in coordination with Public Works, the applicant is proposing to pipe the entire segment of the lateral on both properties from Meridian Road, which would be the culvert here, almost all the way to the eastern property boundary. Piping this lateral will allow for more buildable area of the subject site and will help fix some of the topography issues for the city-owned property to the north and allow for easier maintenance by Boise Project Board of Control. Staff supports the piping of this irrigation lateral and the proposed plan complies with city code. The proposed public streets are proposed as 33 foot street sections with attached and detached five foot sidewalks, allowing for on-street parking where no driveways exist, including the entire north side of the new east-west street, minus the bulb out, which is right in the center. Attached sidewalks are proposed along the new street, except for along the north where a detached sidewalk and parkway is proposed. Access is proposed via extension of Keyport Avenue, which is currently stubbed to the southern property boundary in Prevail No. 2. The submitted plans show Keyport extending into the site and, then, heading both east and west as shown as Liberator Street and ends in permanent cul-de-sacs at both ends of the site, which is in alignment with ACHD policy. Liberator Street is approximately 908 feet in length from the center of the western cul-de-sac to the east property line. Although the length of the street from east to west is greater than 750 feet in length when you measure it that way, South Keyport intersects this street approximately halfway, which breaks up the block length so there are no code issues with the proposed block length. In addition, UDC 11-6-C3, which is our subdivision design standards, notes that a dead end street cannot be greater than 500 feet in length with an intersecting street or by requesting Council waiver. Because South Keyport Avenue intersects Liberator Street as shown, neither the west, nor the east cul-de-sac is greater than 500 feet when measured from the nearest edge of right of way as code notes. It is -- therefore, it does not require any waiver by Council. It is admittedly an unusual road design, but staff does consider it to be the most efficient design for livability and access when considering the site constraints of the irrigation facility along the -- almost the entire northern boundary and the overall topography throughout the site. Furthermore, there are no homes fronting along the north side of the proposal of the street, which -- which further mitigates any staff concern regarding the length on the north side of the proposed street. The applicant is also proposing two sub streets to the adjacent properties, one to the north property out of the west cul-de-sac, and one to the east out of the east cul-de-sac. The original plat proposed both of these stub streets in the east quarter, which was basically one here and, then, a stub street to the east. But following conversations with Public Works the applicant moved the stub street that is proposed to the north to be out of the west cul-de-sac, which would help with future plans for the city well site and also help mitigate some of the topography issues, because there is a lot of topography on the city site in this quadrant over here. Staff supports the overall road layout and the stub street locations as proposed on the revised preliminary plat. Though there is potential for topography to complicate the future road -- future road extension to the east, staff highly recommends maintaining the stub street to the east for added future connectivity through the Brighton parcel. This recommendation is based both in code and from recommendations of the Meridian Fire Department for better neighborhood connectivity and emergency response access when properties to the southeast develop and, frankly, even as the city property develops to the

north. With a revised landscape plan received following publication of the staff report, their proposed landscaping complies with all UDC requirements and, therefore, staff will strike some of the conditions of approval noted in the staff report following the hearing tonight. This includes landscaping within the common open space lot within the proposed parkway and the landscaping along Meridian Road. Along Meridian Road the applicant is required to construct a ten foot multi-use pathway within the street buffer and construct noise abatement, which requires a berm combination that is at least ten feet in height and -- ten feet in height above the centerline elevation of Meridian Road. The proposed landscape plan shows the multi-use pathway, adequate landscaping, and the required berm allowing noise abatement, therefore complying with all of the code requirements. As noted, the subject site is greater than five acres in size, requiring at least ten percent qualified open space and one amenity. The applicant is continuing the segment of the multi-use pathway as noted and that is going to be within the landscape buffer along Meridian Road and qualifies as a required amenity. Because this plat would be an extension of the already approved Prevail to the south, the applicant has indicated these future residents will be able to use the other amenities and open space within that subdivision. The closest amenity to this phase is an open site with a playground that is south of Keyport Avenue, which for reference this is Keyport and, then, you have the micro path and, then, you have the tot lot with more open space. That is the closest amenity to the proposed subdivision. The minimum amount of qualified open space that should be provided is .53 acres based on the plat size of 5.25 acres. For the revised landscape plan, the numbers discussed within the staff report are not accurate. The applicant is proposing approximately 1.15 acres of overall open space, which is approximately 22 percent, but .74 acres of that area is actually qualifying open space, which is approximately 14 percent. The change that occurred is this fencing along the irrigation. So, now per code and the irrigation district we need to fence off the irrigation easement, which makes that area nonqualifying. That -- that's why the numbers do not match and I will make those adjustments in my staff report following the Commission hearing. Despite being less than previously throughout the proposed -- previously thought -- the proposed open space still exceeds the minimum requirements and staff is still in support of the proposed open space and open space landscaping. There was no written testimony and I made this slide for you guys, just to have a quick little overview. Staff does recommend approval of the requested project with the conditions of approval noted in the staff report. After that I will stand for any questions you may have. Thank you.

Seal: Thank you, Joe. Would the applicant like to come forward.

Schultz: Good evening, Commissioners.

Seal: Go ahead and state your name and address for the record.

Schultz: Matt Schultz. 8421 South Ten Mile. Glad to be here instead of on a Zoom meeting. Kind of flipped a coin and decided to come down and be social. So, good to be here after all that time. It's been a while. So, yeah, this is an interesting -- interesting piece of property. It's a little sliver of property north of the Prevail Subdivision, which we

are -- we just recorded phase one and we are getting ready to pave phase two pretty soon and it's moving right along and got the berm -- not quite landscaped, but built along Meridian Road and we originally looked at this piece a couple of years ago, because it was pretty obvious why not buy it when it was for sale and, to be honest with you, it didn't make sense given the -- the constrained geometry, the topography. There is about 20 feet of fall from the -- from the north in -- down to the lower end of Prevail, so it drops about ten feet from the city property down to the Prevail North and another ten feet down to Prevail. So, if you can picture there is a third dimension in here as well -- as well as the extensive piping and single loaded lots on one side of the road. It didn't make much sense. Well, about six months ago it was still for sale and we thought, well, maybe it makes sense now with things escalated as they have and what that does is, obviously, it's -- it's a positive enterprise we think right now to move forward on it, but also lets us control -- I was a little bit scared of who was going to build in there potentially if it would have sold in that year that we didn't buy it and who was going to build there and if I would have to come down and protest them and if they were going to do something quirky or whatever, but this kind of solves that problem as well. We know what's going to go there. It fits in and it's going to be in our HOA and we are going to share the -- the PI system and just -- just be one big happy subdivision and kind of clean up what is kind of an odd challenge piece and really clean up that property in line with the city property. We will put in the full fence. We are going to pipe the whole length in exchange for shifting a little bit of that easement onto the city property. We are going to put it right on the property line, the pipe itself. Boise Project Board of Control wants 25 feet either side, flat and graveled, and that's why that fence moved 25 feet into ours and I just sent the Public Works an e-mail tonight that we would like to deed them that extra 25 feet that -- that's shown as that -- that tan area there to the city, because we have no use out of it and if they could park on it or drive on it. It's just an option, you know. Don't have to, but they could, you know. So, that tan area there could -- could be usable by the city later, because it's on the other side of our fence that we don't care about anymore. So, it fits because we have made it fit. We have got the proper bermage, which is an extension along Meridian Road. ITD actually -- the right of way pops out an extra 20 feet from the south end of Prevail to the north, because there used to be a slope down to the fields and they had the right of way out there to catch the slope. Well, we ended up filling it up 15 feet and putting a berm and taking away the need for the extra right away, but ITD wasn't giving it back. In fact, our sidewalk have to wow out, you know, an extra 20 feet to stay out of that right of way. But we are going to landscape the whole thing all the way to the borrow ditch and so in front of this Prevail North there is actually going to be 30 -- I just looked at it tonight and it's not accurately shown. It's actually more I think that's shown here even. I think it's like an extra 30 feet in front of it. So, it will be 55 feet of buffer from our fence of grass and shrubs and trees, 30 feet within the right of way that we don't think ever will be taken away and, then, 25 feet behind it with the ten foot pathway. So, we think it works. Appreciate Joseph's very thorough staff report. We have worked with staff, we have worked with ACHD to get these details finalized for you tonight from what we submitted and we think this reflects a -- an accurate representation of what we are going to build. It's tight, there is a lot of fill, there is a lot of piping, but as an engineer -- or an ex-engineer it's -- it's just good to clean these things up instead of having this awkward little sliver piece that people think they can put a mini storage on it, because that's what it got approved for originally.

So, they can still keep thinking that, but it's access challenged, because you can't get access to it from Meridian Road any longer and so we have provided that down on the south end of Prevail and that road is now in. We are getting ready to put in a turn bay out in the median to -- to make it a left-in only and a right-in, right-out down there at that intersection, so -- and there is that emergency access you can see in phase two going out to Meridian Road just south of the site. That provides a secondary access until Brighton's world continues to develop to the east and connect over to Locust Grove and Lake Hazel and all that. It's the only access you -- we are the first people in and have the only access at the mid mile right now. So, with that I will stand for any questions and I don't think we have anybody protesting us tonight. So, hopefully it goes pretty quick. Thanks.

Seal: Thank you. Are there any questions for the applicant or staff?

Cassinelli: Mr. Chair, this is Bill. I don't know if you can hear me and if I have got a bunch of background noise or not.

Seal: Go ahead, Bill.

Cassinelli: Matt, what -- what's the fence material that's on top of the berm?

Schultz: It's just -- it's a -- it's a Simtech -- about three times the cost of vinyl. It is plasticky, but it's a -- it's a -- it's filled -- it's filled with foam and it has some -- some noise reduction capability, but the berm that we have that that sits on provides a lot of noise reduction as well. But it's a Simtech composite fence is what it is.

Cassinelli: Okay. So, it does -- it's got a lot more sound than -- sound deadening than a -- than a vinyl fence or something?

Schultz: It does. In fact, I was out there before we built the berm and it's quite loud off Meridian Road, as you can imagine.

Cassinelli: Yeah.

Schultz: When the berm and the fence went in -- I mean, obviously, you could still hear that -- that white noise, but it's -- it was a huge reduction on site in terms of blocking that noise.

Cassinelli: Thank you.

Schultz: Yeah.

Seal: Commissioner Lorcher.

Lorcher: The only question I had was if the lateral -- irrigation lateral is going to be behind your fence why did you discuss to pipe it in?



Schultz: Good question. It's very large and it's on the -- on the top of a hill above us, so every once in a while if it's large and not on top of a hill we will ask for a waiver to not pip it, you just have to leave the easement. In this case it kind of meanders across our site in its existing condition and we wanted to straighten it out, so we could actually -- you could kind of see it in the contours there and we want to straighten it out so we could actually get our road in and some other things. So, in order to do that and to make it safe. It's 48 inches. It's quite large and quite expensive, but it's -- it needs to be done up on top of that hill.

Lorcher: Thank you.

Seal: Any other questions? Okay. At this time we will take public testimony. Madam Clerk, do we have anybody signed up?

Weatherly: Mr. Chair, we do not.

Seal: Anybody on Zoom would like to raise their hand or anybody in chambers would like to come forward? Okay. Seeing none, would the applicant like to come back and close or are we good? Okay. Good -- good move. At this time can I get a motion to close the public hearing for Item No. H-2021-0021, Prevail North Subdivision.

Lorcher: Motion.

Yearsley: Second.

Seal: It's been moved and seconded to close the public hearing on Item No. H-2021-0021. All those in favor say aye. Any opposed? Okay. Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Seal: Okay. Who wants to start us off?

Cassinelli: Mr. Chair, this is Bill.

Seal: Go ahead, Commissioner Cassinelli.

Cassinelli: Thank you. I have got a question and then -- well, I will do my comments first and, then, a question. Comments are I would say perfect -- perfect -- perfect application of a fill that are always difficult to do and, you know, I -- I couldn't have asked for it done better. Like the applicant was saying, we could have had a mini storage or something else that would have brought a lot of opposition to it, but I think this is the perfect use of -- of that little sliver. So, I'm definitely in favor of the project. I do have a -- I do have a question maybe towards staff and that is in a situation where the lateral is piped and the road -- the stub street to the north that would eventually go over that, is there -- is there an additional cost to putting in that road over a piped lateral, unlike a -- I mean if it's open it has to be bridged, which would be a cost to somebody down the road to finish that stub

street. But in this situation are there any kind of issues with putting in a street over a piped lateral?

Dodson: Commissioner Cassinelli, Members of the Commission, I honestly do not know the answer to that. You should ask Matt, he probably would know better than me. My assumption is there might be some kind of additional cost, but that will be incurred by the city and, frankly, the city's getting a deal out of how much piping this applicant is doing already. So, it's -- not to mention that site -- the city site is not going to get developed for probably quite some time. At least five years from what I understand. So, all those costs would be incurred at a later date. But I -- I assume there will be some additional cost on the standard road over no irrigation lateral.

Cassinelli: Okay. Thank you.

Dodson: You are welcome, sir.

Yearsley: Mr. Chair?

Seal: Go ahead.

Yearsley: So, for -- just to help you answer your question, Bill, more than likely they are going to have an appropriate cover over that pipe, so they wouldn't have any issue building a road over that pipe for the future stub out to this city's property. So, I don't see that being an issue. I have to echo Commissioner Cassinelli's comments. When I first looked at the property it looked kind of weird, you know, the way it was laid out, but as you put it with the rest of the subdivision it actually fits really well. So, I think they have done a great job with this and how -- and making that -- not a weird, but just a different size lot to fit in that space and so I think they have done a great job and I don't see any issues with it.

Wheeler: Mr. Chair?

Seal: Go ahead, Commissioner Wheeler.

Wheeler: Joe, I have got a question for -- for staff here. I'm just trying to make sure that the piping is -- is -- the whole canal is being put underground clear from Meridian Road and back underneath the -- or toward the property line of this and moving forward; is that right?

Dodson: Is that Commissioner Wheeler?

Wheeler: Yes.

Dodson: Got you. Thank you. Good to meet you virtually, sir. It -- my understanding is that that is true, because there are some irrigation facilities over here already and that's where it's going to end and, then, they are going to pipe it all the way to the culvert in

Meridian Road. It -- right now you can see it kind of goes along this road anyways, this route when it bends down to the thing, so it's -- it's going to go to there. That's where we have -- the city and say Public Works and the applicant decided that's the best place for it.

Wheeler: Okay. Thank you.

Dodson: You are welcome.

Seal: Would anybody like to take a stab at a motion on this?

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2021-0021 as presented in the staff report for the hearing date of May 20th, 2019 -- or 2021 with no modification.

Wheeler: I second.

Seal: It's been moved and seconded to approve Item No. H-2021-0021 with no modifications. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**7. Public Hearing for Gem Prep South (H-2021-0020) by Paradigm Design, Located Approximately 1/8 of a Mile East of S. Locust Grove Rd., on the South Side of E. Lake Hazel Rd.**

- A. Request: Conditional Use Permit for an educational institution on 5.95 acres of land in the C-C zoning district that proposes direct access via a collector street and where there is not a safe, separate pedestrian and bikeway access between the neighborhood and the school site.

Seal: Okay. Now, we will open the public hearing for Item No. H-2021-0020, Gem Prep South. We will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you tonight is a request for a conditional use permit. This site consists of 5.95 acres of land. It's zoned C-C and is located approximately an eighth of a mile east of the South Locust Grove and East Lake Hazel Road intersection on the south side of Lake Hazel. The Comprehensive Plan future land use map designation is mixed use community. A conditional use permit is requested for an education institution in the C-C zoning district that proposes direct access via collector street and where there is not as safe, separate

pedestrian and bike way access between the neighborhood and the school site. Specifically the specific use standards for education institutions require conditional use permit in those instances. A kindergarten through 12th grade college preparatory charter school is proposed. Future residential neighborhood are planned to the north and south. A 77 acres city park, Discovery Park, is located directly to the east. The school is open to public streets on all sides and access is proposed via adjacent local and collector streets on the west and southeast boundaries. No access is proposed via Lake Hazel, an arterial street, along the north boundary. Striped crosswalks, signage, and school zone flashing signage, along with a crossing guard, is proposed for the safety of students walking and biking to the school. If you can see my cursor there, there are the crossing sections here. The parent pick up area is located on the north side of the building. The bus pick up and drop off area is located on the south side of the building, which will prevent vehicle conflicts. A minimum of 113 off-street parking spaces are required to be provided. A total of 118 spaces are proposed in excess of the minimum UDC standards. A ten foot wide multi-use pathway is proposed along the northern boundary of the site along Lake Hazel Road. The Williams natural gas pipeline bisects this site within a 75 foot wide easement. Conceptual building elevations were submitted as shown, consisting of a two story, 45,110 square foot structure that incorporates various colors of horizontal lap siding and metal panels and various trim colors. Final design is required to comply with the design standards in the architectural standards manual. Written testimony has been received from the applicant Bill Hadlock. He is in agreement with the conditions of approval in the staff report. Staff will stand for any questions.

Seal: Okay. Would the applicant -- applicant like to come forward?

Hadlock: Yes. Hello.

Seal: Hi, Bill. Go ahead and state your name and address for the record and you can go from there.

Hadlock: Okay. Sure. This is Bill Hadlock with Paradigm Design and my address is -- it's down in Phoenix, Arizona, 4250 Drinkwater Boulevard. So, yeah, I just -- it was a great presentation by Sonya and I appreciate all the help she has been and all the staff at the city. We have been working very closely for quite some time with ACHD, the city, but -- but also more importantly Brighton, who is doing the Apex development around the subdivision, and I guess with that what I would like to do is turn this over to -- we have the principal of the school that just kind of wanted to give you a little presentation. I think, Sonya, do we had that presentation? It's a little quick PowerPoint. Just to kind of go over Gem -- Gem schools for those that are not familiar with -- with them, if that would be okay. I think I sent that in.

Allen: Yes. Mr. Hadlock, you have the ability to share your screen and share your presentation on your end.

Hadlock: Oh. Oh. Okay. Let me -- boy, I thought you guys were going to share it. I apologize for -- for that. One second here, please.

Allen: If you are not able to get to it right away I can share it for you, I just -- you won't be able to control it on your end. So, if you can get to quickly, that's great. If not let me know.

Hadlock: Okay. I think I can get to it fairly quickly. So, let me -- all right. Oh. It seems to be -- okay. Yeah. Here it is. Right here. Okay. Can you see my screen now?

Seal: Yes, we can.

Hadlock: Okay. Great. So, let me introduce Stacey Walker. Stacey, are you -- are you on? She's the principal of the school.

Seal: Stacey, if you just want to give us your name and address and you can go ahead and speak. Thank you.

Walker: Thank you for sharing that for me. Good evening, Commissioners. Can you hear me okay?

Seal: Yes, we can. Thank you.

Walker: Okay. Perfect. So, my name is Stacey Walker and I will be the principal of Gem Prep Meridian South and so I was just going to share a couple minutes as an overview of our Gem schools. Currently I'm working in our online school and have -- was the founding principal of our Nampa location. So, I'm excited to move into our third Gem Prep school. Who we are. We are a free K through 12 charter school and our focus is college prep and our goal is to serve all students interested in a rigorous college prep program. So, our mission is to prepare students for success in college by providing a high quality personalized, relevant and rigorous education through exceptional teaching, innovative uses of technology, and partnerships with families. So, we have multiple schools and are a charter management organization and so our first goal was Gem Prep Online, which is currently K through 12 and is statewide and, then, we opened our first brick and mortar school, which was Gem Prep Pocatello, just kindergarten and first grade, and has grown to be K through ten and, then, followed by Nampa, Meridian and, then, we have Gem Prep Meridian North opening this August and, then, we are proposing the Gem Prep Meridian South opening following August of 2022, with both of those opening K through five, but, then, growing to be K through 12. Our school size overall will be about 582 students when we are fully grown. Our seventh grade is about 90 students and ninth through 12th grade is 120. So, our goal is to mimic the demographics of the West Ada School District and really promote all of the diversity in the district to go to our Gem Prep Meridian South location. Our elementary will be K through six, but we will be opening K five and focusing on that college prep model starting at the beginning by offering a full day kindergarten paid for by our school for all of the scholars that join us. We will focus on a student rotation model and providing excellent instruction for all of our students and as well as building on holistic competencies that will help them with success in college. Our secondary is our seventh through 12th grade. Bill, do you mind moving to the -- perfect. Thank you. And we have three types of classes that we begin offering in our

secondary model and we do in-person instruction, which is typical school instruction, but we also do something called a send and receive, where we can actually leverage some of our Gem Prep teachers to teach at some of our other Gem Prep schools across the state and, then, we also use some fully online learning and we do this to offer higher level classes for our students, high school level classes for our middle schoolers, and, then, dual credit classes for our high school students. So, our secondary model -- we continue to focus it on that graduate profile. We do create two graduation tracks for our students and so our goal is by the time they are in their sophomore year that they are choosing whether or not they want to receive their associate's degree or have at least 18 plus college credits. So, we believe that college really prepares our students to have success by getting that start in high school and it saves a lot of money for families and for students, but it also helps prepare them for all the independence that they will need to have in college. The other aspects that make us unique is that we will be a K through 12 school all on one campus and we have seen that our families really enjoy that. They enjoy having consistent messaging, having relationships and options for leadership for our older students to our younger students and now that I am a part of our online school with our K through 12, it's -- it's great to see the students grow through our school and we are celebrating graduation next week and are just really excited, the accomplishments that our graduating class has. We have almost 40 graduates with our online school this year and the average dual credits that they have is 26 dual credits. So, we are just really proud of the accomplishments and excited that our brick and mortar will be following suit with 12th graders soon. The following slide will -- is a proposed campus overview and so I know you guys just saw this a little bit closer, but this is in a screen of -- of looking at it from an aerial view as well. So, thank you for giving me a little time to share a little bit about Gem Prep and who we are and the Gem Prep Meridian South location.

Hadlock: Yeah. Thank you. So, yeah, that's -- that's kind of the presentation that we wanted to do. You know, again, we have been working with Sonya and the staff over time and we have looked at the conditions on the report and we are -- you know, we are very excited to move forward with the project. So, I don't really have a whole lot more to present. But, you know, obviously, here for any questions.

Seal: Okay. Thank you, Bill and Stacey. Are there any questions for the applicant or staff?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley.

Yearsley: So, are they not proposing any potential crossing across Lake Hazel or is that not -- had they decided not to do any of that or what's the plan for that? And I guess, Bill, if you want to answer that question.

Hadlock: Sure. Sure. I just pull the site plan up. So, right now, no, we don't have that plan. We have been working with Brighton and the new roundabout that's looking to go up there, so there will be that connectivity as that project moves forward, but -- but as of

right now, no, we are totally planning our crosswalks and -- and crossing guards and everything to the south where the main development is going to be as it moves forward and the development of reconstruction I should say of Lake Hazel happens, then, I'm sure those -- those plans and considerations will have to be made.

Yearsley: Okay. So, I also just assume, Bill, that most of the students are coming from not the local area, but just more of the surrounding area, so they will be picked up and dropped off by parents; correct?

Hadlock: Yeah. I think, you know, a good portion of them. Some of them are bused in. Some will be dropped off. But I mean, you know, the reason we really like this partnership with Brighton to come in and develop with these residential subdivisions is -- is, obviously, they hope to pull people in from within the subdivision. But, yeah, you are still going to get a lot of, you know, vehicular traffic, people dropping and picking up and as well as the bus traffic.

Yearsley: Okay. Thank you.

Lorcher: Mr. Chair?

Cassinelli: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: What is the precedent in the City of Meridian to have properties over the Williams natural gas line? Is that pretty prevalent in the city? Is that -- or would staff know?

Seal: More a question for -- for -- for Sonya or Bill or --

Hadlock: Yeah. Sure. Sure. So, we are working with the Williams pipeline -- as a matter of fact, we did this exact same thing on Compass, we did the whole -- we are the group that developed the Compass Charter School up there on -- of Black Cat and we had to deal with the same thing, going over this -- I believe it's the same pipeline, but it was actually the Williams pipeline and all. So, yeah, we have actually done it ourselves with -- on a school project and we are -- we are coordinating with them right now. We are in the process of -- they are in review of our drawings and we are working on our development agreement -- easement, I guess if you will, to do our construction. So, yeah, this is something that -- that is allowed and we have done in the past.

Lorcher: Thank you.

Cassinelli: Mr. Chair?

Seal: Go ahead, Commissioner Cassinelli.

Cassinelli: Yeah. This is kind of a follow on to Commissioner Yearsley's question. Bill, can you kind of go over the -- the pick up and drop off situation there? Maybe you can get a screen up there to -- of that area and kind of --

Hadlock: Sure.

Cassinelli: -- and I guess how many cars, you know, will that -- will that fit and that kind of thing? And so I'm just thinking as far as the access in and out on that.

Hadlock: Sure. So -- I don't know if -- can someone open up the site plan? I don't have that in front of me. Maybe the report that Sonya had.

Seal: Can you bring that up, Sonya?

Allen: Yes.

Seal: Thank you.

Hadlock: So, we have really got this broken into two pods and one of the things we really like about doing this is we don't like our bus traffic and our, you know, vehicular traffic to commingle, so down in the lower left-hand corner you will see there is the -- is where the bus -- buses will come in -- right there and to stage along the sidewalk. I believe there is four buses that will drop students off and, then, pick them up. That back area there as well is a parking area for the staff. So, that's what that is right there. And, then, up along -- coming on of the other -- up on the north -- across the north pod, if you will, it's a double lane stacking, which, then, up in the corner will be -- I don't have control, but I call it in the -- just before it -- they make the swing down and turn in front of the school -- yeah, go down a little bit -- a little bit further down. Yeah. Right there. There will be a controller that will take it from a two lane down to a one lane to bring in single lane of drop and pick for students and, then, they -- the north lane there would be the bypass. So, once you have either dropped or picked up you can go around them. So, obviously, it's administered during drop off and pick up times. The queuing lengths are -- I don't remember off the top of my head, but I want to say they are like 1,500 feet. So, we can get a lot of cars in there and, you know, we have -- we have presented all that with ACHD to make sure that we are not providing any sort of backups onto the public roads. So, does that answer your question?

Cassinelli: It did. Thank you. And, then, I -- on that one road that -- where -- where the driveway comes in there is a -- there is a bend there in that road. Was that an issue -- was that a current concern of ACHD as far as visibility there with -- with people coming back out and especially making a left-hand turn?

Hadlock: Are you talking about on the north pod or the car traffic?

Cassinelli: Correct. Yes.



Hadlock: Yes. No. We have not heard any of that from ACHD. No, they -- no. The -- we have actually been working on this for some time with Brighton and as part of their overall development they are putting those driveways in, so I know through their whole process of getting these roads approved the horizontal deflection of the roadways and the driveways and all have gone through, you know, substantial amount of review and design with -- between their group and -- and ACHD. So, I have not heard anything, no.

Cassinelli: So, there were no concerns there on that traffic on that corner, that being a blind corner or anything?

Hadlock: No. No. There were no -- we got our clear vision triangles up in there, so people can see, but, no, there were not.

Cassinelli: Okay. Thank you.

Seal: Quick question on the buses. Will they be kept on site or is that something you contract with like Brown Bus Company or something along those lines?

Hadlock: Right. I'm pretty sure it's -- it's contracted. Josh is with Gem. Josh, are you on right now? I don't want to speak out of turn. I don't believe they are being kept on -- but I don't want to speak out of turn there, so -- Josh might have to raise his hand. He's part of our group. He is the development officer for Gem.

Seal: We are moving you over, Josh. You want to go ahead and unmute and state your name and address for the record and go ahead and tell us what --

Femreite: Josh Femreite. 40 Ramsay Court in Pullman, Washington. 99163. So, yeah, the -- the buses, they could be on or off. We do contract with Brown Bus and we have a combo of both types of contracts with them. If we have room to safely store them out of the way we would allow them to store on site. Otherwise, they have storage in their bus -- bus lot for the bus storage.

Seal: Okay. Thank you. Are there any other questions for the applicant or staff?

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I have a question about the parking area that's on the -- I believe it's the north side, right where the -- the -- it would be the student or the parent parking or the loop would be for the drop off. It looks like there is 30 parking spaces in there; is that correct?

Hadlock: Yeah. It could be. First, the north pod, that -- that sits in the -- right due north of the school?

Wheeler: Yes.

Hadlock: Yes.

Wheeler: And there is only one in and out of there; is that correct? Out of that 30 parking spaces?

Hadlock: Well -- oh, you are talking about the angled piece?

Wheeler: Yes. The angled piece there, yes.

Hadlock: Okay. Got it. There is. Correct. Yeah. That's -- that's correct.

Wheeler: Is there -- was there any concern with ACHD on that with the access or is there any issue with maybe just putting a right-out on the -- on the -- at the side that's the closest to the entrance and exit?

Hadlock: No, we didn't -- we did not have any concern with ACHD on that, but that we -- that we know of. We talked a lot about that -- that -- that pod in particular is going to be more of a staff parking. So, you know, overflow. There is some in the back there I had mentioned by the buses, but the remainder of the staff will be up in that -- kind of the corner. So, they will be kind of, you know, coming in and out at times when the parents are not coming in or leaving, you know, dropping and picking. So, I don't -- I don't see any concerns with that. So, I think that should function -- function fine.

Wheeler: Thank you.

Hadlock: Thank you.

Seal: Any further questions? Okay. At this time we will take public testimony. Madam Clerk, anybody signed up?

Weatherly: Mr. Chair, no one is signed in.

Seal: Okay. If anybody on Zoom would like to raise their hand or if anybody in chambers would like to come forward or raise your hand so you can come forward. It looks like we have Mr. Wardle on here.

Weatherly: Mr. Wardle, one moment, please.

Seal: Jon, if you want to go ahead and unmute and give us your name and address for the record.

Wardle: Commissioner Seal, Thank you. Can you hear me?

Seal: Yes, sir. Go ahead.

Wardle: Great. Commissioner Seal and other Commissioners, my name is Jon Wardle. My business address is 2929 West Navigator Drive in Meridian, Idaho. 83642. I just wanted to echo the comments that Bill has made tonight and we also are supportive of this project. We feel like it is -- it's very good for the community. I did want to state that the project has been reviewed by ACHD, they have analyzed the entrance points into this and looked as well at the locations where cars will be coming in, staging, stacking, that type of thing. We have also looked and worked with them on crossings -- safe crossings. I don't know that the -- this exhibit exactly shows all those which have been finalized, but ACHD has been very much in those details. One of the items I wanted just to comment on was Commissioner Yearsley asking about the crossing of Lake Hazel. On the site plan here you will see that there is a -- on the east side of what's called Bloomerang -- and Bloomerang is the road that goes across Lake Hazel to Lavender Heights -- there shows a wider ped ramp there and that is intended to connect to the north. It will be -- I don't know if the striping on that -- I would assume it would be striped as well, because it will be received on the north side as well, but that is in process. Brighton has been working with ACHD on a cooperative development agreement. We actually have nearly approved plans for the roundabout and Lake Hazel to this intersection and, then, a quarter mile to the other intersection and, then, an eighth mile north on Locust Grove, an eighth mile south on Locust Grove. So, these improvements will be done this year still. We were intending to start now, but the ACHD project moved up on Amity and Eagle Road and as soon as that opens up and, then, we would commence these improvements, so that the roadways would all be complete well ahead of the school being finished, which I believe is fall or late summer of next year. So, there has been a lot of back and forth with the highway district as it relates with -- to the roads here, access to the school pedestrian wise, and also the configuration of Lake Hazel and the other improvements that will occur out there. So, ultimately, it will be an urban road with the appropriate pedestrian crossings and we feel like this is a really good plan -- site plan and location for Gem Prep and we are excited for them to be part of the community.

Seal: Okay. Thank you very much. Anybody else that would like to come up and testify, if anybody would like to raise their hand on Zoom. Don't see anybody in chambers here. All right. At this time can I get a motion to close the public hearing for Gem Prep South, H-2021-0020?

Yearsley: So moved.

Lorcher: I will second.

Seal: It's been moved and seconded to close the public hearing on Item No. H-2021-0020, Gem Prep South. All those in favor say aye. Any opposed? Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Seal: Okay. Who would like to kick us off here?

Lorcher: Mr. Chair?

Cassinelli: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: The design seems like it's very manageable. It's -- when -- it's new to an area that hasn't been developed yet. I know on some of the other projects that we have seen, you know, crosswalks and crossing guards will be required for safety of the kids, but once the -- if there is subdivisions or other businesses that are going to be developed around it, it's going to come. So, I don't have any concerns with their safety plan of moving the kids, especially since the school seems to be more internal of the -- the parcel, as opposed to the edge and because this is not a boundary school, it's a charter school, most of the kids will probably be driven, as opposed to bused.

Seal: Commissioner Cassinelli, I think you wanted to chime in earlier. Go ahead. Bill, are you still there?

Cassinelli: Yeah. Can you hear me?

Seal: Yeah. Go ahead.

Cassinelli: Okay. Sorry. Yeah. I'm very supportive of charter schools in general, as some of you may know. The design of this -- I think it's -- it fits well. My concern was the traffic, particularly during drop off and pick up times in the morning, in the afternoon, and that corner, but, you know, it sounds like from testimony from the applicant, ACHD has looked at it and feel that there is -- you know, that the flow will be there. So, that would be my only concern. Otherwise, you know, it's a great fit and we are always talking about the overcrowding in schools. It's always an issue. So, anytime they can find a home for another 500 plus students it's a good thing.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I, too, am in support of this and I like the -- I like charter schools. I like seeing them come into the community. I like this plan a lot. It seems to have good flow. There is a lot of the lanes that will be queuing during the times for both pick ups and for drop offs. My only concern is that -- that access there that you could have at one time 30 vehicles exiting out the same exit and all taking that right-hand turn and coming out. It would be nice to see maybe a thought of maybe having just a right-out only towards the south end of that -- or to what would be the southeast section of that just for safety if that lane -- if that exit ever got blocked in some way -- in some fashion, if there was an accident or something happened there, but if it meets ACHD's requirements, then, that's good, but that's just something to think about.

Seal: Thank you. Commissioner Yearsley?

Yearsley: I -- I echo everybody else's. I think it's a good design, good layout, and I'm supportive of the project.

Seal: I'm right there with you, so I won't belabor the point. I think it looks like a good project. Always welcoming schools coming in and I mean the flow seems to work for me. I actually kind of like the parking lot off to the side. My son goes to Compass. They don't have that there. It would be -- and some of the parking gets a little strange there sometimes during pick up and drop off, so the parking lot outside of that flow seems to work a little better. In my mind anyway, as I'm envisioning it. If there is nothing else at this time I would like to get a motion.

Lorcher: I will give it a go.

Seal: Commissioner Lorcher, go ahead.

Lorcher: After considering all staff, applicant, and public testimony, I move to approve file H-2021-0020 as presented in the staff report for the hearing date of May 20th, 2021, with no modifications.

Seal: It's been -- oh. Do I have a second?

Yearsley: Second.

Seal: Now it's been moved and seconded to approve Item H-2021-0020 for Gem Prep South, with no modifications. All those in favor say aye. Any opposed? Motion carries. Thank you.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**8. Public Hearing for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.**

- A. Request: Annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

Seal: All right. So, now we will open Item No. H-2021-0025, The 10 at Meridian. We will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for annexation and zoning. This site consists of 40.3 acres of land. It's zoned RUT in Ada county and is located at 75 South Ten Mile Road at the southwest corner of West Franklin Road and South Ten Mile Road. The Comprehensive Plan future land use map designation is mixed use commercial in the Ten Mile Interchange Specific Area Plan. The applicant proposes to annex 40.3 acres of land with R-40, which is 13.04 acres and C-C zoning, which consists of 27.25 acres, consistent with the Comprehensive Plan. I have the site up there. A conceptual development plan was submitted as shown

that proposes a mix of offices, a financial establishment, retail pads, a grocery store, the vertically integrated residential, drive-through restaurants and multi-family residential, in accord with the associated mixed use commercial, high density residential, and mixed use residential future land use map designations for the property. A phasing plan was not submitted. However, the applicant states that three story flats and townhome style multi-family residential and clubhouse would develop in the first phase, along with the associated infrastructure. The four story high density multi-family would follow with the commercial last as tenants will commit. Access is proposed as shown on the concept development plan. ACHD supports the following accesses. Access A, full access. Access B, right-in, right-out only. Access C, right-out only. And Access D, right-in, right-out only. And Cobalt with a right-in, right-out, left-in only. Staff recommends access is restricted through the development agreement as supported by Ada County Highway District. Cobalt Drive is proposed to be extended to the west from Ten Mile Road. The eastern portion lies entirely on the subject property and includes a crossing across the Kennedy Lateral and stubs to the south to be extended entirely on the adjacent property to the south and to the west. The applicant requests Council approval of a waiver to UDC 11-3A-6B3 for portions of the Kennedy Lateral, which bisect this site to remain open and not be piped. Written testimony has been received from Cody Black, representing the property owner immediately to the south. He objects to the western portion of Cobalt Drive being located entirely on their property, leaving them responsible for its construction. He requests Cobalt be located entirely north of their property on the subject property. Wendy Shrief, JUB, the applicant, submitted written testimony. They are in agreement with the staff report provisions as included in the staff report. Staff is recommending approval with the requirement of a development agreement.

Seal: Thank you, Sonya. Would the applicant like to come forward -- applicants as they come forward.

Shrief: I'm Wendy Shrief and I'm a planner with JUB Engineers. My business address is 2760 West Excursion Lane in Meridian, Idaho. 83642. And it's so nice to be here in person and it's so nice to not have masks. It's a huge difference from six, nine months ago.

Seal: Absolutely.

Shrief: This is great. First I want to thank Sonya. She's been a really big part of helping to steer this project and making sure that we are really meeting the intent of the Comprehensive Plan for this area and the Ten Mile Interchange Specific Plan. So, Sonya has been integral. Bill helped a lot, but Sonya really helped a ton. They have been a huge resource and really have helped this project. We have got a team here tonight. I'm just going to talk a little bit about the Comprehensive Plan and, then, we have our architect is here and, then, we also have someone who is going to follow up with the conditions and talk a little bit about Cobalt. Hethe is here. So, we are requesting -- it's a pretty straightforward application tonight. We are just requesting annexation and zoning. We have 40 acres. We -- I think perfectly match up with what your Comprehensive Plan shows for the area. We have -- Sonya, if we can get the Comprehensive Plan up. Or

can I do it with the mouse? Get my PowerPoint? Let's see. So, I think this -- this shows the future land use map. We can go ahead and use this. The majority of this property has been designated for mixed use commercial. That's the 22 acres in the northeast of the property and in the southwest we have 11 acres designated for high density residential. So, this really dovetails with what we are showing. We have -- on the other side of the canal where we have our mixed use commercial we are showing different types of retail, commercial, and I think it will be a really -- potentially office space. A really great mixed use where we have a lot of pedestrian connections. Our architect is going to show you that later. But I think we have really really met the intent of what you want to see in this area where it's a true mixed use area. We are showing -- where your Comprehensive Plan shows high density residential, we are showing -- that's where we are going to have several different types of multi-family housing in that area, which I think also meets the intent of this plan. So, I'm going to have Lane get up. He is our architect and he is going to walk you through the concept plan, but I -- I think we really do meet the Comprehensive Plan and Sonya really kind of put our feet to the fire, we have gone through a couple of iterations and really reworked this plan with staff to make sure we meet what the city wants from this area, so -- thank you. Team member number two is going to be up.

Seal: Thank you. Come up and state your name and address for the record.

Borges: Good evening, Mr. Chairman, Members of the Commission. My name is Lane Borges. I'm representing Elk Ventures. My address 11500 Armor Court in Gold River, California. Happy and excited to be here tonight to present this project to you, which I think is an important one for the City of Meridian. The project as we are proposing has been heavily influenced by both the comp plan and the Ten Mile Specific Plan, with the particular goal to create a dynamic place in which people can live, work, shop and play, with an emphasis on managing pedestrian, bike and vehicular circulation. If I can -- let's see. I guess just click on this. Okay. The overall site plan consists of approximately 559 units of residential housing, horizontally and vertically integrated mixed use with four different kinds of housing stock. In addition, we have around the perimeter along Franklin Road -- see if I can get my cursor here to show you. Along Franklin and Ten Mile is approximately 150,000 square feet of single and multi-story office, retail, commercial and recreational uses that will support the residential components of the project, as well as the neighboring community. While we currently are unable to make any firm commitments to our commercial tenants because of the fact that we are still in the approval process, we are actively working and have active interest with grocery store, drugstore, coffee house, dental office, a bank and a couple of restaurants and we are hopeful that as we work our way through the approval process we will be able to make firm commitments with each of those and bring them and additional commercial tenants to the project when we begin construction. The commercial side, obviously, is a little different than the residential side. The residential side you build them and they will come and on the commercial side in today's economy it's kind of the other way around. They have to come first and, then, we build to suit their -- their particular needs. The project consists, as Sonya mentioned just briefly earlier, of five access points, two on Franklin, two on Ten Mile and one on Cobalt and we worked fairly extensively with both ACHD and

with the staff to workout some of the issues with all of the access points and with Cobalt Drive itself. The alignment of Cobalt Drive was a little bit of a challenge, because to the east we have an existing connection point on Ten Mile Road at the intersection and to the west the road -- which would typically occur, you know, splitting a property line, which would be the convention, isn't possible, because there is actually a development directly to the west of our property and if we were to build Cobalt Drive straddling the property line it would terminate into somebody's parking lot. So, we worked with ACHD to come up with a proposed alignment, which does have to, basically, connect to the south of our property line and what we -- what we attempted to do -- we looked at an option of curving the road south from Ten Mile along our property and, then, dipping it again in order to clear the boundary and make the proper connection, but the multiple curves in the road over a fairly short distance really wasn't a suitable engineering design for smooth and proper traffic flow. So, the next thing we took a look at was what's an equitable solution in terms of overall cost sharing and what we have is effectively about 37 percent of Cobalt Drive -- the square footage of it occurs on -- within our property, 63 percent on the property to the south. You might ask, well, why is there a differential there, why isn't it 50/50. We looked at it actually from more than just a square footage standpoint, we looked at it from what's the actual cost to construct, because we have some extenuating costs on the west side where we make the connection, the road has to be brought up, because the existing grade is significantly below Ten Mile and the fact that we have to build basically a bridge structure there in order to bring Cobalt Drive over the canal. That brings that portion of the roadway's construction cost basically into -- at a similar basis as the remaining portion that would eventually be built on the south side. So, in order to help promote the goal that we were trying to achieve of meeting the needs of the specific plan -- if I can get back to -- let's see now how do I -- there we go. Oops. This wheel is very sensitive. Okay. So, one of the elements of the plan that we tried to incorporate was the concept in the specific plan of kind of complete streets and when you look at the parameters and you look at the intent of a complete street in the specific plan, it's to help manage the circulation of vehicles, of bicycles, of pedestrians and although the concepts of the complete street were really dictated in the specific plan more for public roadways and public streets, we have kind of adopted them within our project, which is a series of basically private roadways, but we have duplicated the concept, so what you see in red here represents what we call our complete streets or our major roadways. We kind of call them like little mini main streets and so we have one that runs north-south and we have one that runs east-west and, then, we have the smaller connectors that provide access from those out to Franklin and Ten Mile. Each of those roadways is consistent with the design guidelines in the specific plan and that they provide for two way traffic. They provide for designated and separated bike lanes. They provide for parallel parking, as opposed to perpendicular parking. They provide for street trees along both sides of those roadways. So, what we are trying to emulate is the concept for a standard that was developed for public streets onto our private roadway system in order to create the effect that the specific plan envisions within our development itself. The other -- one of the other elements that's important in this specific plan is pedestrian connectivity and it might be a little hard to see from this, but, basically, all of the yellow lines on there represent pedestrian circulation in our project. So, the goal here is to, obviously, encourage people to move from the residential side to the recreational area, which is in the middle of the



project or to the commercial side. So, there is kind of a spider web network of pedestrian activity that will occur within the site to help promote connectivity from the commercial elements to the residential elements. I want to walk you just quickly through, because I know we don't have unlimited time here, some of the residential elements of the project, since we are able to fairly clearly define them at this point. The area highlighted here is our high density housing portion, three, four story buildings. These are the design images of the proposed architecture of those. You can see there is a variation in architectural elements and vocabulary, a term that we use. Varying materials. Massing and articulation to try to break down these fairly large buildings into something that's architecturally interesting. The second portion that's highlighted in this side is part of our -- what we call flats. These are three story residential buildings that are internally loaded so it's kind of like going into in a hotel or something like that where you access your apartment from a corridor inside. These have parking at the ground level, we call tuck under parking, and they face the street. So, this is a good depiction where you can see we have three buildings, which we designate A to the north and two to the south and one of our little mini main streets that passes in between those. So, this is a blow up just to give you an idea of how the idea of this complete street works. You can see that we have vehicular traffic. Just above that we have bike lanes. We have parallel parking. We have street trees and wide sidewalks. We, then, have landscape buffers and we have residential units that interface closely with the street. Each unit, although it is internal loaded, also has secondary access from the street through a small patio or a porch. So, these have connectivity directly from the public space, as well as internally. And, then, all of the parking is accessed from the rear of the building, which is also the parking area for the commercial components of the project. So, these are some architectural elevations of the three story flat buildings. Again, a lot of variation in design elements and materials, colors, and textures. This is the backside. Shows some of the parking garages. And, then, across the street is, basically, the same concept, just a slightly different shaped building. A linear, as opposed to an L-shaped. Same architectural style used on the flats buildings. Some of the outdoor public spaces. The last residential element that I will show you tonight are our townhomes. These are three story attached units that are three bedrooms with a garage. Again, the same concept along the street frontage. Their access is from the front or from the garage and this is the proposed architectural design. Backside of the townhomes. And, then, the last element I will share tonight is our recreation center. Our clubhouse that's kind of the hub for all of the residents here on the project. This building has a lot of the conventional amenities that you would see in a clubhouse gymnasium. A lot of interior meeting spaces, lounge areas, fitness center, a childcare center, a cafe. But in addition we also have on the second level an extensive work center, a co-working area where people who are now working from home don't necessarily have to spend all their working time doing it from their living room or their bedroom. We have private workspaces and group spaces on the second level. Probably about 5,000 square feet of that available for the residents of the community to use. We, of course, have an outdoor pool area, fire pits, pergolas, outdoor lounge seating, a children's pool separated from an adult's pool and that will wrap up my portion. I'm going to turn it over to Hethe Clark, who will speak for a little -- a little bit about the conditions of approval.

Seal: Okay. Hethe, you have about a minute.

Clark: So I better go fast.

Seal: Name and address real quick and use your best warranty talk.

Clark: I will do my best. Hethe Clark. 251 East Front Street in Boise, representing the applicant. Just briefly, you know, this property is squarely within the city's future plans for development. We are proposing high density mixed use at two principal arterials. It's the perfect location and you can see that Lane and the rest of the group has done a lot of work to make sure that this is appropriate for the city. It's putting high density housing, office, commercial right where we want it. This is the part where I usually stand up here and I show you guys a slide with my red lines of the conditions of approval and all the things that I want to have changed and tonight I don't have that slide, because we are in perfect agreement with the staff report. We are not asking for any changes there. The only point that I would raise that I think is probably going to come up tonight is this question of Cobalt and I would just make three points on that. First, the layout of Cobalt is consistent with the Ten Mile Interchange Specific Area Plan. In fact, it's consistent with the development agreement on the property to the south of our -- of our property. It's also consistent with ACHD's master street map. ACHD reviewed that layout and you will see in their action that they approved it. But beyond that it's fair. And Lane really hit that for you. The portion that is going to be built on our part of the property is going to require much more cost and expense. So, we are not just looking at this from, hey, the die is cast, we are looking at it from a -- from a fairness perspective and that's the reason that it was proposed the way it was. So, with that we would be happy to answer any questions.

Seal: Okay. Thank you. Are there any questions for applicant or staff? Commissioner Yearsley, go ahead.

Yearsley: Mr. Chair. On the townhome facilities, were those with -- is that just -- you know, are they apartments on multiple floors or is the townhome encompassing all three floors?

Borges: The townhome encompasses all three floors. On the ground level is the parking garage -- the garage and a office or bedroom. The second level is the living area, the kitchen, and the dining area and, then, the top level is two additional bedrooms.

Yearsley: Okay. But the other -- the other facilities were one room per floor type situation; is that correct?

Borges: Yes. The other buildings are -- the flats as we call them is -- they are three stories, there is multiple units, but they are on a single level within that floor. They don't extend up or down from -- from that level that they are on.

Yearsley: And, then, the -- the large multi -- like the four -- or the four story apartments --

Borges: Yes.

Yearsley: -- they actually also will share that one common -- what do you call it? The -- geez, I lost it. The clubhouse.

Borges: Yeah. Yes. All the units will share that. That's an approximately 19,000 square foot facility. So, it's fairly substantial facility in order to support the needs of all the residents and the project.

Yearsley: Yeah. It seems pretty large. But given the number of homes it will fill up fast I would imagine. Thank you.

Seal: Quick question for you. Is there any access to the roof or is there plans to put any access to the roof -- roof gardens, roof --

Borges: At this point that's something we have not discussed, no.

Seal: Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: In regard to Cobalt, looking at a map and knowing that Cobalt also extends to the east, I don't know if the applicant can address this, but is -- there is already a streetlight at Vanguard, but it would probably be too close to put a light so that you can continue across. Does it meet together or is it more like this where it's kind of staggered?

Clark: Mr. Chair, Commissioner Lorcher, I think that this map might illustrate your question. You know, at Cobalt we have the -- we have the -- obviously, the obligation to make those match up and so we expect that in the future that there may be some access control there that it would be right-in, right-out, left-in, but it does -- our -- our alignment matches up with Cobalt across the street at Ten Mile. Is that what your question was pointed to?

Lorcher: Thank you.

Seal: More questions? Okay. Thank you very much. At this time we will take public testimony. Madam Clerk?

Weatherly: Mr. Chair, first we have online Cody Black.

Seal: And, Cody, if you want to go ahead and unmute yourself, state your name and address for the record.

Black: My name is Cody Black. My address is 3432 West Bay Oak Street. And let me get my screen on here. Sorry. Can you guys see my screen?

Seal: I cannot.

Black: I think I'm getting closer.

Seal: We can see you now.

Black: Okay. I'm having a hard time sharing my screen here.

Weatherly: Cody, we can help you on this end. Give us just a minute.

Black: Okay. Thank you. I'm sorry, I haven't done this before. I thought it would just start once I went -- sorry, I don't know why I can't get this to go over.

Seal: That's okay. I think we are going to try and load it up on this end.

Weatherly: Cody, we had three slides from you; is that correct?

Black: Yeah. That will do just fine. I think the Ten Mile interchange site plan is fine, too. I had a couple other, but I think that will be fine to illustrate our concerns. So, I represent the southern property and our main concern is Cobalt. We are worried about -- I guess can you guys see the Ten Mile Interchange Plan or should I wait?

Seal: I would wait just a minute.

Black: Okay. Oh. Okay. Great.

Seal: There we go.

Black: Okay. Awesome. Thank you. Sorry. So, I think this probably looks familiar to everybody. So, these purple lines here are the collector roads that are -- that were stopped for the Ten Mile Interchange Plan and I work for the people who own this property right below. The thin grey lines are the parcel boundaries. So, we -- we have got concerns, I guess, with how much burden our property has as far as building the infrastructure for this Ten Mile Interchange Area. Cobalt, the way it's drawn with the Ten Mile plan, was originally designed to go through this northern parcel and like the applicant mentioned, the subdivision to the west of their development has made it so that Cobalt can't carry through. We understand that you can't have a road going straight into a parking lot. With that in mind, though, I think we would see it being more fair if there was some sort of accommodation for this road at least carrying further west on their property before it comes down and accommodating the burden that we already have with the other road systems that we are required to put in. If you go down to number two, please. Maybe I can do it. Slide two. Oh, thank you. So, here is kind of a map of all the different properties that are around here in the northern tenant, Meridian, and, then, all this white

is ours. We kind of -- I whited out some of the stuff we have, because it's conceptual. But these orange roads are all the collectors that are starting to be designed and going through a review and this big red one here is Vanguard, which connects to Ten Mile. So, we already have a lot of east-west connections here through our property and with Cobalt being mostly on our property we are just worried about the increased burden and also with it not being really in line with the Comprehensive Plan. We -- we would like it to be considered for denial and rejected until we could have it more accommodating for both parties. I also wanted to comment on the different maps that I have seen during this application process. I think there was two different maps. One map showed Cobalt struggling and last we spoke with ACHD regarding the matter that's the map that they see -- they had seen. They -- they hadn't seen the one with Cobalt just stubbing right it into our property and so I don't know for sure if they have reviewed the new map with Cobalt being solely on ours once it comes down from Ten Mile and that's -- I mean that's our main thing, I think following more of what the City of Meridian has as far as the Comprehensive Plan also benefits us, because Cobalt right now, the way it's designed, we only get the benefit of one side of the road as far as our development and it being pushed all the way down on our property line that's kind of -- what's happened here on Snow Canyon with Corey Barton in that roundabout that was supposed to be more north, everything's just slowly being pushed onto our property from each area and it's creating an increased burden for us. That's all.

Seal: Okay. Thank you. Does anybody have any questions for Mr. Black?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Yeah. Do you know why that roundabout was pushed so far south?

Black: Are you asking me?

Cassinelli: Yeah. Yeah. Or whoever has -- I guess whoever -- Brian, maybe you -- you know more, but -- on this, but if staff -- whoever may have an answer.

Black: From what I understand, if I can answer, Corey Barton had submitted for approval for that neighborhood and, then, the City of Meridian came up with the Comprehensive Plan and so there is kind of a timing issue I think with -- he got approved for it and, then, the City of Meridian designed their Comprehensive Plan and didn't include that in, at least that's how it's been explained to me.

Allen: Mr. Chair?

Seal: Sonya, go ahead.

Allen: If I may. So, to back up a little bit, the -- the collector streets shown on the master street map are conceptual, they are not a specific location, so there is one shown in this

conceptual location. If it were to go exactly as shown on the master street map it would stub into the Baraya Subdivision that he mentioned. There is a buildable lot that it would run directly into. So, the alignment of Cobalt needs to shift to the south. The question is is where. So, again, the -- the concept plan that was approved with the Janicek property, which is the property to the south that Cody's representing, did include a map that showed a conceptual location -- actually on the adjacent property, but there was a letter associated with that approval that was from our deputy planning director at the time that said that the location of this east-west collector street would be determined at the time a development application was submitted. So, that's where we are at tonight. It is under the Commission's purview whether -- where that lies. The other side of it is -- the eastern side of this street is entirely located on this property. So, it makes some sense, you know, for the -- the property -- or the western portion of it to be on the adjacent property, but it could also be located on the -- on the property line, so -- thank you.

Seal: Mr. Black, the Cobalt Drive is -- is that a road that your -- your -- the people that you represent, is that something that they are going to use for access to their business?

Black: It wasn't in the plan to, no. We weren't developing or designing our site plan based on Cobalt coming through our property at all.

Seal: Right. But knowing that it's going to be there will it be used?

Black: No. It still won't be. It doesn't really work -- fit with how we have designed and if we were further along I would have shown more of our site plan, but it's too preliminary I think to share. But it doesn't serve very much purpose or any purpose for us at all. It actually causes a little bit of issue I think with what our planners have told us for traffic and what we can do with the frontage along Ten Mile here. We are worried about who is going to be interested in it -- in putting stuff right on the front with a collector road so close to all that, especially with Vanguard being just -- just south of it.

Seal: Okay. Thank you. Is there anymore questions? All right. Thank you very much.

Weatherly: Mr. Chair, next in house we have Larry. No? Okay.

Seal: All right. If there is anybody else out there that would like to come up, please, raise your hand on Zoom or raise your hand in chambers. Okay. If the applicant would like to come back up and have closing remarks.

Clark: Members of the Commission, Hethe Clark. 251 East Front Street. So, it sounds like we are down to the one issue and, again, I would just reiterate that this location -- and as Sonya mentioned is in conformance with all of the planning, including all the maps that show Cobalt extending through, including on the Ten Mile Interchange Specific Area Plan. That is part of the planning for this area roadway network is for Cobalt to continue on through there. ACHD has reviewed and approved this map. The -- if you look at the ACHD action it specifically states that Cobalt would stub to the property to the south, not that it would straddle the line. So, ACHD is very clear on what the proposal is and has

approved it and, again, I would just emphasize the fairness question. This -- the remaining portion of Cobalt is flat ground, straight up road development, whereas the portion that we are going to be developing, that eastern more than a third, is going to require a box culvert, grading, fill, raising the elevation, all of that. So, we think what we have proposed is fair and so as we move forward we would ask for your recommendation of approval, including on the request to allow the Kennedy Lateral to remain open in -- in locations. That's something that Council has to approve, but I think that would be part of the recommendation tonight and, then, if there is a question about this -- the location of Cobalt, I think I would just ask the Commission to include that in the recommendation, but we think that what we have proposed is -- is something that's fair. With that I'm happy to answer any follow-up.

Seal: I will -- yeah, I will start with a question, just -- I mean if Planning and Zoning or Council would recommend more of a 50/50, is that something that you guys are prepared to accommodate?

Clark: Commissioner Seal, you know, we are, obviously, happy to continue the conversation. If there is, you know, a compelling reason to adjust that, you know, we are happy to consider that. As we said, we think that this is -- is a -- is a fair accommodation, but if the Planning and Zoning Commission disagrees, you know, we would ask you to include that in the recommendation and we will keep working on it between now and -- and the Commission -- or the City Council meeting.

Seal: Any questions?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead..

Cassinelli: Yeah. This is -- I don't know if Hethe can answer this or the applicant. I wanted to talk a little bit -- get a little bit more idea -- a better idea, I guess, of some of the commercial that's going in. We talked mainly about the residential portion and, then, Cobalt, but I would like to get -- he did mention there is talks with the grocery store and a drugstore, but I would like to get a little bit more idea of what the overall plan is, what -- you know, maybe some of the descriptions of the buildings, elevation -- heights of some of the buildings and how they are going to front Franklin and Ten Mile and that sort of thing.

Borges: Well, we have some information available, obviously, until we actually secure particular tenants, especially major anchors for some of the buildings. We don't have specific buildings already designed. The office buildings that are proposed currently located along Franklin are two story buildings. The retail buildings -- the smaller retail buildings that are along both Franklin and Ten Mile are single story buildings. The larger box buildings we expect from a massing perspective to be somewhere between one and two stories in appearance, but we have not yet developed specific elevations, although the architecture of the commercial buildings will clearly be reflective of the architecture

that you see in the residential buildings. So, same times -- so, the same type of detailing, same types of scale, same type of massing. We want everything to be compatible architecturally throughout the entire project.

Cassinelli: If I may ask another question, Mr. Chair?

Seal: Go ahead, Commissioner Cassinelli.

Cassinelli: Are there any other -- you have got the clubhouse for the residential, but what other kind of open space areas do you have? I don't -- can you touch some of that? And even within some of the commercial.

Borges: Yeah. Between some of the commercial buildings we have patios for either -- depending upon the ultimate use of the building, whether it's office or whether it's retail or commercial, for outdoor dining, we have widened -- like, for example, at our mixed use buildings where we have retail or service commercial on the first floor, we have like 18 to 20 foot sidewalks there. So, each of those buildings has the ability to have outdoor dining patios and still provide adequate circulation along the roadways. All of the residential buildings have common areas that are scattered throughout the project. The high density buildings usually have small patios and barbecue areas usually at each end of the building. So, throughout the project there are small areas that are interspersed. We do meet the requirements for the open space in terms of the large 50 by 100 square foot recreational spaces and those are all located over in the vicinity of the clubhouse and community center. But, otherwise, spaces are scattered throughout the project and they will, obviously, be developed in more detail as specific tenants and building designs get prepared as part of our design review applications moving forward.

Cassinelli: Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Is it relevant that we know what's happening on the south and why Mr. Black is objecting to the road? I mean he said it doesn't fit into the plan of what he was doing, but is the burden a financial burden or a physical burden? Is it because they feel -- Mr. Black feels that they have to be responsible for the road, as opposed to The 10? I guess I'm unclear of what the objection is to have access between these parcels compared to the Comprehensive Plan when The Ten Mile Interchange you are going to have mixed use development anyway; right?

Seal: Right. But I think the -- the financial burden of building that road and should it be completely on the southern property falls -- that portion of the road falls upon the -- the owner of that property when it -- when it becomes developed I guess.



Clark: Mr. Chair -- and maybe something to point to that and -- and circling back to your comment about 50/50, I think the way my -- I think the way I would prefer to have responded to that is the 50/50 really should be looked at in terms of overall costs, not linear feet, and we think that we have proposed something that is very close to 50/50 in terms of the overall cost. So, if that helps in terms of kind of evaluating and weighing those burdens. Again, we have the box culvert, we have the grade that needs to be increased, we have all the -- all the heavy lifting on the 37 percent that's on our side.

Lorcher: But your southern neighbor disagrees; is that right?

Clark: It sounds like he does. Yes.

Seal: All right. Thank you.

Yearsley: Mr. Chair, I have a question for Sonya. So, they are just asking for annexation and zoning. They still have to come back for a preliminary plat approval for what they are ultimately wanting to do; is that correct?

Allen: Chairman, Commissioner -- Commissioner Yearsley, that is correct. They have to come back with a subdivision application.

Yearsley: Okay. So, we get a chance to review what they are proposing. At this point what they are proposing is just conceptual.

Allen: Yes, it is.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: To -- to add on to Commissioner Yearsley, what we are voting on tonight is annexation, not really conceptual design; is that right? Based on your comment?

Seal: Annexation and zoning.

Lorcher: Okay.

Allen: But, Chairman and Commissioners, the -- the concept plan is associated with that annexation and it will be included in a development agreement. And since this is a topic of discussion and an issue, I would recommend that you nail down where that road is going to go.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Maybe before we close the -- the public hearing -- Sonya, what -- historically speaking when a -- when a road -- when this is an issue -- and I don't know if you -- if there is something you can pull up top of mind, but how is something like this typically dealt with in the -- in the city where -- you know, where a road is -- I mean is it usually split 50/50? Is it -- you know, in terms of cost, in terms of where the road lies? Because, you know, I mean half it on -- on one? I mean ideally if they can run it right down the middle of the property line, but that's -- that's -- we don't live in that world on this. What -- you know, historically what's your experience with -- with situations like this?

Allen: Chairman, Commissioner Cassinelli, typically -- it depends on the location and the situation and whether the road is needed for access to the property. Typically it is -- if it's needed for access it's typically put on the property line and the first one in does half plus 12 on the street.

Cassinelli: When you say half -- half plus 12 --

Allen: Half of the street plus another additional 12 feet.

Cassinelli: Okay.

Seal: More questions?

Yearsley: I just -- Sonya, will you bring up that slide that they -- Mr. Black brought up that showed his development as well -- kind of showed the overall roadway?

Allen: Yes. When I can find it. Just a moment.

Yearsley: If you -- if you look at this -- this drawing here, he's showing that road being half on their property and half on his, but you end up having two separate jogs in the roadway. I have to -- you know, the -- the -- the applicant is asking for -- you know, that they have to put in a box culvert and thinking that that's fair for their half of the road. I'm not quite sure. Box culverts aren't that expensive, in particular with -- you know, building a quarter mile of road. I don't know what the exact breakdown would be on the two. My looking at it is I think as a roadway having one swoop come in and, then, having a straight shot and not having a second jog for me personally looks a little bit better and having it all on the property to the south, so --

Allen: Mr. Chair, if I may. The applicant just pointed out a section in the ACHD report that said that they were in agreement with the proposed alignment of Cobalt, if that makes a difference to you. That is in the public record and the ACHD report.

Seal: Was that referring -- and I will chime in here. Is that -- which -- which -- which image are they -- which image are they using when they do that? Because one of their images shows that completely to the south and one of them shows it dissected and right down the middle, so --

Allen: That's a good point. I assume that they were going off of the concept plan submitted by the applicant. I'm not sure the reason for the discrepancy in the plan that they submitted back with the access. I can't explain that.

Seal: Okay. Because that has me somewhat confused, to be perfectly honest.

Allen: The recommendation, though, is -- should be based on this -- the plan that was submitted by the applicant.

Seal: Okay. Hethe, go ahead.

Clark: Thank you, Mr. Chair. And I will just point to page ten of the ACHD action. You know, it says that the applicant is proposed to extend Cobalt Drive from the existing approach on Ten Mile Road that aligns with Cobalt Drive on the east side of Ten Mile Road into the site to stub to the site south property line and, then, ACHD approved that proposal. So, ACHD is looking at the correct map and approved it with a stub to the south property line not straddling, not sharing.

Seal: Okay. So, I will play Devil's advocate a little bit here. So, they -- basically they want one -- one side to connect to the other side and where the jog goes in is completely up in the air.

Clark: Commissioner Seal, they have reviewed the layout that we have proposed and indicated that that is -- complies with the master street map and the Ten Mile Interchange Specific Area Plan. So, they reviewed our specific layout and approved it. They didn't -- there were no hypotheticals about where it could go left or right. They reviewed our -- our proposal and approved it.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I'm curious to know if the property to the south had submitted their proposal would ACHD approve it as well, because they didn't see any -- you know, point, counterpoint of where it should be. Do you know what I mean? Like they -- they saw yours, which was -- they are like, okay, this looks great, but did they know of any object -- they probably didn't know any of the objections of the property to the south of the time when they said this looks fine; correct?

Clark: Commissioner Seal, Commissioner Lorcher, I don't know what -- whether they looked at anything on the south, but, to be clear, the -- the way that this has essentially always worked is that ACHD only has an application that's in front of them and they rule only on that application that's in front of them. This application is there first. As you heard from the neighbor to the south, they don't have a design.

Lorcher: Okay.

Clark: So, that's very much like the property to the west of ours having the parking lot there that blocks Cobalt going there, that -- you know, we have to react to their site design. You know, we are -- we have proposed a design that is consistent with all of the mapping and, as I said, proposes an equitable split of the costs and so they reacted to that, they approved it, they said it's consistent with the master street map and the Ten Mile Interchange Specific Area Plan, which is a big mouthful and we got to come up with a better acronym.

Lorcher: Thank you.

Seal: Commissioner Wheeler, go ahead.

Wheeler: Thank you, Mr. Chair. Sonya, I have a question. I think in -- when you were giving the staff report you mentioned that the road Cobalt Drive has to move south in order for an alignment with the development over to the west. Did I hear that right?

Allen: Chairman, Commissioner Wheeler, at the southwest corner of this property, if the road was -- if Cobalt was to be entirely on this property it would stub into Baraya Subdivision into a buildable lot at the west boundary, so that would not work. At some point it has to go down --

Wheeler: Okay. And --

Allen: -- south.

Wheeler: -- and how far down are we going to -- to get to -- Commissioner Yearsley's point, is it going to have to make two in order to align with -- with it?

Allen: I'm not an engineer, I don't know.

Seal: Go ahead, Commissioner Yearsley.

Yearsley: If you look at the plan on the deal it shows that this plan showed it as half on the line, so you would end up having two jogs. If you put it all on his south property it wouldn't have a separate jog is what I was referring to.

Wheeler: Thank you, Commissioner Yearsley, that's what I was seeing, too, is that this looks like that -- what we are seeing here shows that it's shared equally between the two parcels, is that how I'm seeing that one?

Yearsley: Yeah. And this is Cody Black's --

Wheeler: Drawing?

Yearsley: -- drawing that he provided.

Allen: The problem with -- I can't tell from this drawing, but it appears that it would stub into that residential property to me --

Wheeler: Okay. Thank you, Sonya.

Allen: -- and not work.

Seal: Any further questions? All right. With that can we get a motion to close the public hearing for Item No. H-2021-0025, The 10 at Meridian?

Wheeler: So moved.

Cassinelli: Second.

Seal: It's been moved and seconded to close the public hearing on Item No. H-2021-0025 for The 10 at Meridian. All those in favor say aye. Any opposed? Okay. Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Seal: Would anybody like to -- I guess I haven't said too much, so I will lead off a little bit here. So, you know, it's the great debate. I -- I understand how it seems equitable when you have the property that has more cost to it. That said, the neighbor to the south didn't pick your lot, you did, and that's basically where you are at. That said, I find it hard to believe that they are going to build something in there that never uses Cobalt Road. So, I think, you know, them having to provide for the build out of that road is -- is more than fair. To me the only thing -- as far as the rest of it, I really like it. I like the way that it's laid out. I like the way that they have provided for foot traffic. There is -- there is a lot -- in my mind, especially on the corner that it's on, they have proposed extremely high capacity residential in there and we have nobody here to dispute that, which is probably the first time ever I have heard of that in Meridian, to be perfectly honest. So, there is a lot of good things that are going on in here. The only thing that really is -- you know, that we are really discussing here is that Cobalt Drive. So, you know, obviously, I'm not going to make a motion tonight. I think if we do move this along to City Council that we should have something in there that provides, you know, some thought as to what is truly equitable for that portion of the drive, whether it needs to be 50/50 -- I mean in looking at it I think that the road could slide a little bit further. You might have to give up a little bit of parking in order to move the buildings around a little bit to accommodate that. You know, obviously, I'm -- I'm talking, you know, as somebody that doesn't have to spend any money to make it show like that on a map, but at the same time, you know, we are still in kind of the conceptual planning portion of it, so -- and with that I will let the rest of Planning and Zoning Council to -- or Commission discuss what they would like to see in it.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: For me the -- I like the layout, too. I think it's really well thought out. You have transitional zones, good uses, on the transitions there throughout. I like the way that -- I do like the lateral staying exposed there, it makes it a little more of a green area. Also you got a pathway that's going around there. That's good. Good bike lane usage. Parallel parking. Just a lot of space in between. My -- my only thought is when it comes down to the Cobalt Drive, I'm more concerned with it lining up with the adjacent property and stubby in without having a couple little moves in there and I know that there is an expense definitely to get over that lateral, but to what the -- what chairman said here, you know, that's that lot and that's the issue that comes with it is just that expense to get over that lateral. So, yeah, I just -- I see that as a good -- a good use of everything. I'm one that likes to see roundabouts in some of these internal things, but -- but that's me on that.

Seal: Anybody else want to jump in here?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Yeah. I -- on Cobalt -- well, let's go back to the -- everything else I like about it. So, I'm in favor of the project. What -- if -- we didn't have any other people speaking out against this, other than the property owner to the south and what -- what -- you know, what -- what scares me about -- about this whole thing is Franklin and Ten Mile in that area is already a disaster. We can -- I will just thank ACHD for the lack of vision on -- on those roads and making them like everything else when the density at this corner was coming the way it was coming. So, it's -- but it is what it is. Overall the project is -- looks like a neat project. My added -- my thoughts on Cobalt Drive -- first of all, I like the other -- I like having less straightaway and another jog. I'm not a -- I'm not an engineer in that -- in that standpoint, but to me it seems like it would work for some traffic calming and, you know, the longer straighter road you get the faster people tend to drive on it. So, I like that -- the aspect if that -- you know, if that's workable to have jogs, which may help to solve some of this. The other comment I have, Mr. Chair, kind of -- it goes a little bit of what you have. I think if the -- I think if -- if the attorney representing the applicant here -- I think if the shoe were on the other foot they would have a -- a real different view of -- of what's equitable. I like -- and would be in favor of what Sonya pointed out as far as, you know, the first one is usually half plus 12 and I don't know, you know, if we can take that all the way to the edge of their western boundary or not, but they are the first ones in and -- and I think the road is -- to that point is -- is their responsibility at this point. So, I would be in favor of -- of going half plus 12 on it. I -- you know, I would -- again, I would like to see another jog, but if it's straight in my mind I think, you know, I would want to see us condition for -- for that half plus 12 to the western boundary.

Seal: Okay. Thanks, Bill. I had a quick question just on the open waterway segment of this. Just for comparison, how -- how much of the waterways are left open on the east property there of Ten Mile? I know there is actually a considerable amount over there,

but does it compare to this? And are we looking at -- I mean conceptually we are looking at the same kind of layout.

Allen: Chairman, Commissioners, as far as I know Brighton is the developer of the property east of Ten Mile and as far as I know they are planning to pipe it all.

Seal: Oh. I thought they were keeping some of that open.

Allen: I could be mistaken, but I don't believe so.

Seal: Okay.

Yearsley: I think -- I think the lateral to the -- to the north of this one is the one they were leaving open as part of their -- there is -- because there is another lateral to the northeast of this one that they left open as part of their initial design, I believe.

Lorcher: So far it looks open.

Yearsley: Yeah.

Lorcher: There is a few bridges over some of those laterals.

Yearsley: Yeah.

Allen: It is open along -- near the intersection I know.

Seal: Okay. Just trying to get a sense of -- I mean because there is a considerable amount of this that seems to be left open and so I just wanted to make sure that that's going to fit in -- blend in with what -- what else we have going on around there. I mean not that you want everything to look the same, but some of the look and feel of it is good, especially if it transfers -- you know, I kind of come back to that little path that we have through -- from Ten Mile to Linder, kind of wish all the paths would look like that, and it's an open waterway. It's beautiful, so -- just want to make sure that we have got something like that going on in here.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Is there going to be a requirement for fencing along that lateral? I'm being assumptive here, Sonya, or -- do you know?

Allen: Yes. Chairman, Commissioner Wheeler, there will be requirement for fencing in accord with UDC standards.

Wheeler: Thank you.

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

Yearsley: You know, I like the overall look and the layout. My -- my personal feeling is I think it's a little heavy on the -- the multi-family housing and not enough retail. I would like to see a little bit more retail. Maybe those apartments to the north to be retail situation, but -- but the overall look I think is looking fine. I actually like the way that Cobalt Drive looks now. I understand Commissioner Cassinelli's thought about having a second jog for traffic calming, but -- you know, which can be done, so -- I don't know. I don't -- I don't know if I have preference one way or the other.

Seal: Okay. At some point in time we have got to make a motion on this. So, we kind -- well, do we have some consensus on the Cobalt Drive portion of this? I mean we -- essentially, we need to make a recommendation to City Council as to what our thoughts are on it. So, I'm -- I'm a little bit torn on it. I mean I -- I like the way it flows, the way that it looks right there on the picture. That said I understand, you know, what seems equitable to the property owner to the south compared to the property owner or the applicant to the north -- so, I'm not quite sure where to land on that. But, luckily, I don't have to make the motion, so --

Cassinelli: Mr. -- Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Commissioner Yearsley brought up a great point. I like -- I like what he said about a little bit heavy on -- on the multi-family and I don't know -- just a thought for -- for him. If they knocked down maybe two of the three buildings to three story instead of four story, but on the -- on the -- on Cobalt can we -- I know sometimes there is -- there is not a lot of teeth to this, but is there a way that we can condition it to where it -- that they can only move forward on this when those two landowners are in agreement? And maybe either legal or staff can answer that.

Seal: Go -- go right ahead.

Baird: A theme of the presentation tonight is you -- you have to act on what's in front of you. You have this application. You don't have the application on the property to the south. You can't -- you can't force them to agree. You have to tell this applicant what you would like to see in your condition of approval.

Seal: Yeah. I tend to agree with that. That's -- I mean, essentially, we got to let Council know what we want to see with this. So, do we want to leave it as is in the application? Do we want them to, you know, extend that jog out, so it's literally, you know, half plus 12 or half or do we want to -- you know, do something completely different, so -- I mean those are, essentially, the three things that we can recommend up to City Council that I can see in front of us, so --



Lorcher: Mr. Chair?

Seal: Go ahead, Commissioner Lorcher.

Lorcher: Could we have something with the modification to say further review of Cobalt Drive to have an equitable space and cost between applicant and southern neighbor? Because that just --

Seal: Yes. But I think the dispute is -- for right now is what is equitable between the two neighbors. So, that's what we have to figure out. What do you think is equitable and from that -- and put that in the form of a motion and that's -- that's the task at hand.

Yearsley: Yeah. And -- and that's what -- like I said, that -- you know, I'm willing to make a motion, but I will make the motion that we leave it as is. So, the other motion would be to split Cobalt Drive -- you know, the centerline of the road be on the property line until it hits the end of their property and, then, jugs onto the other property would be the other motion, so -- I think those are kind of the two motions that we have in front of us.

Wheeler: Mr. Chair, if I -- if I'm tracking correctly, it's -- also there is two conditions that we want to put on. One was a required DA, if I remember correctly, and then --

Yearsley: That's already --

Seal: That's already --

Wheeler: That's already there. And, then, the one that the applicant was requesting was -- was stating that Kennedy Lateral to remain open. I think that was the other one.

Seal: Right. And that's for Council to decide, but if you have any recommendations on that that does need to go into the motion as well. I personally -- on the lateral being open I'm -- especially if it's fenced and made into, you know, something usable, walkable, I -- I actually prefer that personally, so --

Wheeler: I agree.

Seal: Nobody from the irrigation district is here to throw things at me, but that's just my preference.

Yearsley: So, Mr. Chair, I'm going to throw this out here.

Seal: Feel free.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of File No. H-2021-0026 as presented in the staff report for the hearing date of May 20th, 2021, with no modifications.

Seal: Do I have a second?

Wheeler: I will second.

Seal: It has been moved and seconded to approve Item No. H-2021-0025, The 10 at Meridian.

Yearsley: We may want to do roll call.

Seal: Yeah. With no modifications. All those in favor say aye. Opposed?

Cassinelli: Nay.

Seal: So, for the record that was Commissioner Cassinelli as the nay.

Cassinelli: That is correct.

Seal: All right. Motion carries.

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

Seal: Thank you very much. Okay. Can I get one more motion?

Yearsley: Mr. Chair, I move we adjourn.

Wheeler: Second.

Cassinelli: I will second that.

Seal: All right. It has been moved and seconded to adjourn. All those in favor say aye. Any opposed? All right. Motion carries. Thank you all very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:08 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
ANDREW SEAL - VICE-CHAIRMAN  
ATTEST:

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK