Meeting of the Meridian Planning and Zoning Commission of August 1, 2024, was called to order at 6:00 p.m. by Chairman Maria Lorcher.

Members Present: , Commissioner Maria Lorcher, Commissioner Patrick Grace, Commissioner Enrique Rivera. Commissioner Jared Smith and Commissioner Brian Garrett.

Members Absent: Commissioner Andrew Seal and Commissioner Matthew Sandoval.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons and Dean Willis.

ROLL-CALL ATTENDANCE

X Brian Garrett	X Andrew Seal
Matthew Sandoval	X Patrick Grace
X Enrique Rivera	X Jared Smith
X	Maria Lorcher - Chairman

Lorcher: Okay. Good evening. Welcome to Planning and Zoning Commission meeting for August 1st, 2024. At this time I would like to call the meeting to order. The Commissioners who are present for this meeting are in City Hall and nobody is on Zoom tonight. We have our staff from the city attorney's and the city clerk's office, as well as -- as well as the planning department -- 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 to 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@meridiancity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch this on the city's YouTube streaming channel. You can access it at meridiancity.org/live. With that let's begin roll call. Madam Clerk.

ADOPTION OF AGENDA

Lorcher: Okay. The first item on the agenda is the adoption of the agenda. Angels Home Childcare, File No. H-2024-0017, will be open for the sole purpose of continuing the application. So, if there is anybody here tonight to testify for that application we will not be taking public testimony this evening and it is proposed to be continued on August 15th. Can I get a motion to adopt tonight's agenda?

Smith: So moved.

Grace: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of July 18, 2024 Planning and Zoning Commission Meeting

2. Findings of Fact, Conclusions of Law for The Bruery (H-2024-0013) by Ball Ventures Ahlquist (BVA), located at 1184 S. Silverstone Way

Lorcher: Next is the Consent Agenda. We have two items on the Consent Agenda. To approve the minutes of the July 18th Planning and Zoning meeting and the facts and findings and conclusions of law for The Bruery. Can I get a motion to accept the Consent Agenda as presented?

Smith: So moved.

Grace: Second.

Lorcher: It's been moved and seconded to adopt the Consent Agenda. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Lorcher: 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 and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff's comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called only once during public testimony. The clerk will call the names individually of those who have signed up on our website in advance to testify. You can come to the microphones in Chambers or you will be unmuted in Zoom. Please state your name and address for the record. 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 you have established that you are speaking on the behalf of a larger group, like an HOA, where others from that group will be allowed to speak on your behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite anybody else in Chambers who wish -- who may wish to testify. If you wish to speak on a topic you may come forward in Chambers or if on Zoom raise hand button 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, such as a computer and a phone, please, be sure to mute those extra devices so we don't experience feedback and we can hear you clearly. When you are finished the Commission -- if the Commission doesn't have any questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak and, please, remember we will not call on you a second time. After all the testimony has been heard 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 for the Commissioners and the Commissioners will have the opportunity to discuss and hopefully be able to make a final decision or recommendation to City Council as needed.

ACTION ITEMS

3. Public Hearing for TMW (H-2024-0018) by Adler Industrial, located at 1085 S. Ten Mile Rd.

A. Request: Conditional Use Permit for warehouse/distribution uses on 15.97 acres of land in the M-E zoning district.

Lorcher: Okay. With that I would like to open the public hearing for Item No. H-2024-0018, conditional use -- conditional use permit for warehouse and distribution for TMW by Adler and we will begin with the staff report.

Parsons: Thank you, Madam Chair, Members of the Commission. Presenting this project on behalf of Ms. Allen tonight. So, the -- the one and only item on the agenda this evening is the Ten Mile West conditional use permit. The applicant is here to talk with you about establishing a warehouse/distribution use on this particular property. The property consists of 15.97 acres of land, currently zoned ME in the city and it's located on the north side of I-84 in between South Black Cat and South Ten Mile Roads. You can see here the red arrow is highlighting the 16 -- 15.97 or 16 acres of ME zoning here. In 2021 the applicant was here -- a different developer, obviously, but the developer was in front of you with a rezone, a conditional use permit, a subdivision and a DA modification that showed some light industrial uses on this portion of the site. That DA is currently governing the development of this site, but recently Council did approve a DA mod to allow this applicant to move forward with some conceptual warehouse uses on it, consistent with the original DA. I think that the only reason why they modified the DA was just to get further clarification with Council and, then, also allow them to make some modifications to their building designs and also allow commencement of this property before a plat is recorded. So, that was really the topic of conversation for City Council and they agreed with what the applicant presented to them two or three weeks ago, if I'm not mistaken. And, then, we also have a concurrent final plat that staff is processing. So, at some point this property will be subdivided. There will be public street -- public and private streets provided to this development providing access to the site as well. So, you can see here on this particular slide this is the conceptual development plan that was presented -- original application back in 2021

and, then, carry forward in their new DA modification recently. You can see here what area is being subject to the conditional use request. The top area -- when the applicant went before City Council they did define which uses would be in certain sections of this particular development and that's why you see those two front buildings grayed out, because they anticipate more flex or ancillary retail to support the other mix of residential and commercial uses that will come online at a future date. So, again, the up -- the site plan here shows warehouse uses between 28,500 square feet and 120,730 square feet, which is consistent with what is desired in the Ten Mile Interchange Specific Area Plan. One other clarification for the record this evening, as well as this particular CUP is going to govern the entire 15.97 acres. Typically it is more geared towards a building or a tenant space. Because this is conceptually approved in a development agreement and in our code we define -- we have a very specific definition for the term abandoned, we wanted to work with the applicant to come up with some condition of approval that would run with the development of this land and not necessarily a specific tenant space. So, to state it in a simpler way, if there is an existing distribution or warehouse use operating in any one of these tenant space -within the boundary of this acreage a CUP will make -- will remain active and valid, it won't expire, which, again, I think staff is amenable to that condition. We have worked with our city attorney's office and they were comfortable with that language as well. So, I think we are on solid ground there moving forward. As I mentioned to you, this plan is consistent with what's in the development agreement, with all the different moving pieces, timing for improvements could happen either with a certificate of zoning compliance or the final plat application. We have captured that in our conditions of approval as well, but just want to highlight some of the improvements that will -- that will be required with this development. So, you can see here access to this development will be provided along the north boundary here, which is a future collector road that is currently under construction and, then, as part of the final plat application the applicant has -- or is in the process of submitting a private street application, which will provide access along the east boundary and you see that better in the landscape plan or the graphic to the right. So, this will be a private street that provides access not only to this site, but also the property to the east that -- that is held by a different owner and, then, as part of our recommendation and conditions of approval -- and this is similar to the same condition that we gave Farm Store in development to the west -- on the west side of this site, we wanted both of these properties to have cross-access together so that we can minimize accesses to the collector and so the applicant's agreed to that condition as well. So, they will continue -- both of those developers will work on their access plan as they come to the city and submitted their certificate of zoning compliances to us for review. One of the items that we brought up in the staff report was parking. So, if we -- if you saw that in our staff report we noted that based on the square footage that I presented tonight the site is -- or could be deficient approximately 93 stalls. Again, nothing is set in concrete. We don't have anything to really tell you what the actual parking ratio is, except for what you see this evening. It could change in It could increase. It could decrease. But what's important for the the future. Commission to note is buildings can shrink, they can -- they have enough room -- it's an undeveloped site, so they can either meet the parking requirements of the code, which is -- I believe we have called it out as 568 based on the square footage that they need

or because there is adjacent development around them and they have a good relationship with that developer, they can always seek alternative compliance to either reduce the parking or share parking with adjacent commercial development. So, again, there is options here. We just don't know which way the applicant will go at this time, but, again, they are in agreement with either complying or going through that alternative compliance route to meet the parking requirements. Landscaping for the site at least along the interstate, along the collector road and the private street, we are looking at 50 feet along the interstate. That will include a ten foot multi-use pathway that will be required to be constructed with the development of the site, either with the first certificate of zoning compliance or the final plat. We have -- in the Ten Mile Specific Plan we have very specific street sections or cross-sections for streets and how they should look, so they are going to put in detached parkways, detached ten foot multi-use pathway and, then, some more landscaping on the south side of that ten foot sidewalk along that roadway and, then, along the private streets we require ten feet. We treat them like a local street. So, you can see here the applicant's given you some graphic representation of how that can look and even -- I had a chance to watch the City Council hearing and I know the applicant was there testifying that they are willing to add additional trees along the buffer to help screen some of the -- they got relief from some of the design standards in the plan, but they also agreed to put in more trees to help screen that -- or at least as a way to try to mitigate or for that relief to those design standards. That's why you see the dense trees along Interstate I-84. So, I'm going to go to the conceptual renderings, because it's easier to see than the one dimensional elevations, but these were the conceptual elevations that were brought up at the City Council hearing and as part of this application. As I mentioned to you, Council did grant them some relief from the Ten Mile Specific Area Plan guidelines. Staff will verify those requirements with a future design review application once they have actual users are constructed on the site. Looking at the public record before coming to tonight's hearing it looks like we did not receive any public testimony on this application. We did receive written testimony -- or written notification from the applicant that they are in agreement with all conditions in the staff report. So, with that staff finds that this is consistent with the plan, meets UDC requirements, provided they can meet the parking requirements and staff is recommending approval. I will stand for any questions.

Lorcher: Commissioners, do we have any questions for staff at this time? Would the applicant like to come forward? Please state your name and address for the record.

Goede: My name is Will Goede with Adler Industrial. My address is 8665 West Emerald Street in Boise, Idaho.

Lorcher: Okay. Thank you.

Goede: Does it matter which one of these I use?

Lorcher: No. They both work.

Goede: All right Thanks, Bill. Thank you, Commissioners, for your time. A quick background to Adler Industrial. We are the largest industrial developer in the Treasure Valley. We own or manage about 3.8 million square feet of industrial space. About a third of that space is in Meridian across 20 buildings that we have here. We have got six more buildings that are either under construction or in permitting or designed here in Meridian and another 160 acres to get to develop here. So, you may be seeing more of me. Really appreciate the partnership with Meridian. We love the -- love the city, love the location. The center of the valley is an incredible opportunity for industrial and distribution and manufacturing and all the uses that go along with that. A few of the projects that we have under construction right now. We are finishing the Tesla Sales Center, just a little bit northeast of this -- this, project, the Ten Mile West project on Franklin just east of Ten Mile. That should be finished in the next month or so. We have got two more building -- two more flex industrial buildings that are under construction at Ten Mile Crossing. We call them Team X1 and Team X2. And, then, we actually just signed a lease with a contractor for a 20,000 square foot office. It's also going to have 30,000 square feet of industrial space on the back just on the north side of Franklin. So, we have guite a few projects going just a little bit northwest of this one. So, Bill did a good job of giving the project background, but maybe just a little bit more about the different developers involved here and how we are all working together, because it is the -- the Ten Mile plan creates a great mix of uses, but it takes a lot of collaboration with all the different developers of the different asset classes to -- to make it happen. On this one in particular I think that -- I think that, you know, three of the -- in my opinion the best developers for the job are actually working together really collaboratively to make it happen. So, you can see in the site plan here that Adler has the 20 acres on the -- in the southwest portion of the site of the mixed employment zone and -- and that's what we are developing. BVA has the 55 acres to the -- on the southeastern portion of the site. That's a combo of some mixed employment, some commercial and some high density employment. And, then, Corey Barton is developing the residential 40 acres to the north. We are working closely with Cory Barton and with BVA to ensure a cohesive development and a natural progression from the commercial uses there at Ten Mile on the east side of the project and the industrial uses that are over on the west side of the project at Black Cat. Again, Bill mentioned this. A little additional background. So, on the left-hand side here you see the original DA site plan and on the right-hand side you see our current site plan that is very much in line with the -- the original DA site plan with significant landscape buffers around the site. Like Bill mentioned, we applied for a DA amendment seeking a few minor changes that I presented to Council a couple weeks ago and Council unanimously approved. They were supportive of the project and its compatibility with surrounding uses. The approved amendment includes some minor changes to building design, project phasing and it also included a limitation to warehouse and flex use. It's shown in green on this graphic and that limitation was really included in the DA amendment to pave the way for this CUP and to ensure that -- ensure that no job creation potential was lost across the mixed employment area. So, that's the background for the project. Now, moving on to this -- the actual application here. Just like Bill showed, the -- this application is for -- to allow warehouse and distribution in the area shown in orange on this picture. It doesn't include the two buildings on the north-hand side of the project and that's because the

flex use is -- we wanted to use the smaller flex use buildings as a buffer to the residential to the north and respect that -- those buildings. Warehouse and distribution is an allowed use in the mixed employment zone with a CUP. The CUP is in line with our existing DA. The existing DA specifically lists distribution and light manufacturing as examples of the intended uses for this mixed employment zone. Like Bill mentioned, it's also in line with the Ten Mile Specific Area Plan, which encourages a diversity of land uses in the ME zone and encourages flexibility for both small and large national enterprises. The CUP really ensures that we can accommodate both. So, now I'm going to attempt to explain the practical reason why we really actually want the CUP for the development. So, the real reason that we want the CUP is because we want to make sure that businesses can grow without having to move -- without having to move to a different park or move to a different city, we want them to able to grow where they are at. Essentially when a tenant moves in we want them to stay forever. That's our goal as a landlord and we are not -- I mean we develop, but, then, we also own. We are property managers. We are fully integrated. So, we want the tenant to stay for as long as possible. So, to make this happen we need to have the flexibility that this CUP provides to be able to allow the tenants to grow. Let me explain why. So, industrial businesses are made up of a combination of different uses. Typically they have an office component, sometimes a light manufacturing component and, then, storage and distribution are the main functions. So, as those businesses grow the different -- the different areas of their business can grow, but they can grow at different rates. So, often -- and maybe I will explain the graphic here. If I get a lease -- a tenant that wants a space and they want 30 percent office and 70 percent warehouse space and they -they come to me and that fits perfectly within the flex use that is allowed in mixed employment, so I sign that lease, they move in, business is good, they come to me a couple years later and say, hey, we want to expand, we need more storage and distribution, so we can move more product or -- and our business can grow. Well, the problem is what we see in our experience is typically they don't need to grow their office, they just need to grow their ability to store and move product and so you can see the graphic on the right here, what started out as a 30 percent, 70 percent split, which is allowed with this flex use in mixed employment, all of a sudden now they need more product space and they are out of -- they are out of compliance with the flex use. They only have 20 percent office, now they have 80 percent warehouse, which isn't allowed. This CUP would allow that and would allow them the ability to grow. In case you think that that might be a rare circumstance, just in the last year we have had multiple cases of this. One was a business that's in Meridian at a different one of our buildings. They sell auto racing safety gear and they also provide alterations for this gear. So, helmets, racing suits, gloves, things like that. So, they are -- they have a small office. They have a small -- I call light manufacturing where they -- they provide alterations for the suits. And, then, they have storage and distribution space. And they came to us, they want to expand warehouse and distribution -- the warehouse and distribution area. They don't need to expand their office or their manufacturing areas. So, again, if they were at this park that wouldn't be allowed without this CUP. We have another -- just in the last couple of months in Boise we have a Gelato Manufacturing facility that's almost the exact same thing. Business is growing, which is great and they are growing and they need more space for their -- for their product -- for their ingredients for -- so, that they can produce more. They don't need to expand their -- their manufacturing area, because when they built that they already planned for being able to scale, because that's the expensive part to build. The storage and warehouses is not expensive to build. So, people take what they need and, then, they want to grow from there. So, to sum up, we are requesting warehousing and distribution so that businesses can grow without having to move, with staying in the park, staying in Meridian. The warehouse and distribute -- distribution use is in line with the existing DA. It's in line with the Ten Mile Plan and it's compatible with adjacent uses. We appreciate staff's support. We are in agreement with all staff conditions and agency comments. We will definitely work through the -- the parking issue with CZC and I have got no doubt that we can -- we can work through that issue. And do you have any questions for me?

Lorcher: Commissioners, do you have any questions for the applicant?

Grace: Madam Chair?

Lorcher: Yes.

Grace: Thank you for that. I have a couple of questions. I -- I expect they are pretty easy though, so -- what do you -- or what kinds of -- like examples of what kinds of uses or tenants or kinds of activities usually go on in light industrial? Do you have any --

Goede: Yeah. It can be a range from -- like the few that I mentioned, which was Gelato Manufacturing, auto racing gear sales, which would mostly be storage and distribution of product. I mean across our portfolio we have a range of manufacturing. I think JST is one of our tenants in -- they make microchips. That is in Meridian. We have Frito Lay in Boise, who is moving chips -- you know, storing and distributing chips to the valley. So, a combination of things.

Grace: Yeah. And I think, yeah, what you are -- and I didn't ask the question very artfully, so I apologize. So, it sounds like it's activities that employ people potentially, you know, groups of, you know, significant amount of people, so --

Goede: Yes.

Grace: Yeah. That's what I was -- I should have asked that question probably is what I was --

Goede: Yeah. The manufacturing uses tend to be much higher employment.. Distribution uses are -- I mean there is still definitely employees there. I forget how many Frito Lay has, but I mean 50. Less. So, the -- the reason that the DA amendment included the limitation on flex and warehouse and the other portion of mixed employment is just to make sure that the -- even though warehouse could be potentially slightly less jobs per square foot, that there still is the overall mix of jobs that Council was looking for. Meridian Planning & Zoning Commission August 1, 2024 Page 9 of 12

Grace: Last question. On the north side of that map that we saw, that potentially is going to border residential by Cory Barton, those two buildings, do you have any idea or did I miss it or just get clarity on what your -- what you might be thinking for those two?

Goede: So, by not applying for a CUP there that means that we couldn't do warehouse and distribution. It means that what is allowed is flex or light manufacturing. So, a flex use requires 30 percent office. So, that could be -- a 30 percent office or showroom. So, that could be like, you know, a tile sales and distributor, they could have a front of house showroom to show off their countertops and tile and have an office component and, then, some storage in the back where they store their countertop slabs. It's just one example. But leaving those buildings as flex requires a higher office-showroom built out, which means that they are much more -- they are just more public facing. They are borderline retail'ish buildings at that point.

Grace: A softer transition into the --

Goede: Absolutely.

Grace: Okay. Thanks so much.

Goede: Yeah. And that was from working with staff and making sure that we were respecting, like I said, the balance of -- of different uses that are all kind of coming together here at this Meridian 118 -- or now we call it Ten Mile West area.

Grace: Okay. Thank you.

Lorcher: Any other questions for the applicant from Commissioners?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Thank you. Just out of curiosity, do you have -- have you considered that -- that parking compliance, those different options? Do you have any idea -- obviously not binding or committing to anything, but do you have an idea of what your intentions might be to --

Goede: I mean I think that -- I think to be honest that -- that I -- I missed that when we did the site plan. Industrial areas typically require one per 2,000 square feet -- one parking space per 2,000 square feet. The mix employment zone requires one per 500, which is like a commercial or retail requirement. So, I missed it on our site plan and Sonya brought it up. I mean I think there is -- Bill outlined a couple of options, which could be -- to work with BVA for some sort of alternative compliance. Obviously what -- what BVA does in their offices tend to have a huge sea of parking out front, because they are -- they are multi-story. Or we can shrink the buildings to make some room for more parking. But I'm confident we can work with staff to define a solution there.

Meridian Planning & Zoning Commission August 1, 2024 Page 10 of 12

Smith: Thank you.

Lorcher: Any other questions? Okay. Thank you very much.

Goede: Thank you.

Lorcher: Madam Clerk, do we have anybody for public testimony?

Lomeli: Thank you, Madam Chair. No one has signed up.

Lorcher: Anyone in Chambers? Do you have any -- do you have anything else to add before we close the public testimony? All right. Can I get a motion to close the public hearing, please?

Grace: So moved.

Smith: Second.

Lorcher: At this time it has been moved and seconded to close the public hearing. All those in favor say aye. Any opposed? All right. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Any comments about this application?

Grace: Madam Chair, I like that, you know, it brings jobs. I like that it's consistent with the original DA. The applicant seems willing to work with all the conditions that have been imposed. The parking, you know, hopefully that gets worked out. That -- that could be interesting and makes sense. You know, I like that it backs up to the highway and that's a buffer to residential and more, you know, recreational and home use type -- type things. So, I think it's a good fit there.

Lorcher: Commissioner Grace, I agree with that. To be a buffer along I-84 -- especially since they were amenable to add more landscaping along that freeway. I lived along the freeway at Black Cat at Vaquero. We had a view lot up there and there was no way to stop that freeway noise. You think you get used to it, but you never do. And so that the Cory Barton -- that's being good -- a good neighbor for Corey Barton's apartments a little bit further down to just kind of create a sound buffer there as well and as we go west towards Black Cat and, obviously, Highway 16 interchange, the -- the scope of what's already happening into the city is that's becoming light industrial, so this kind of fits in. Commissioners, any other comments? A motion?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: After considering all staff, applicant -- or staff and applicant testimony I move to approve File No. H-2024-0018 as presented in the staff report with no modifications.

Grace: Second.

Lorcher: It's been -- it's been moved and seconded to approve File No. H-2024-0018. All those in favor say aye. Any opposed? All right. Thank you. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

4. Public Hearing for The Angels Home Childcare (H-2024-0017) by Desange Muhawenimana, located at 167 W. Indian Rocks St.

A. Request: Conditional Use Permit for an in-home daycare for 6-12 children in the R-4 zoning district.

Lorcher: We have one more item on the agenda. We are going to open it for public hearing to secure a date for continuance. So, can I get a motion to open the public hearing for the Angels Home Childcare, File No. H-2024-0017.

Smith: So moved.

Rivera: Second.

Lorcher: It's been moved and seconded to open the public hearing. Madam Clerk, do we have a date that the applicant is interested in to continuing their application?

Lomeli: Thank you, Madam Chair. We -- I do believe August 15th.

Lorcher: Okay. It has been moved -- or wait. I guess we need a -- what do we need? We need a motion to approve the continuance.

Grace: So moved.

Rivera; Second.

Lorcher: It's been moved and seconded to continue File No. H-2024-0017 to the date of August 15th. Is that okay? Okay. All those in favor say aye. Any opposed? All right. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: And we have one more motion for the evening.

Grace: Madam Chair, move to adjourn.

Meridian Planning & Zoning Commission August 1, 2024 Page 12 of 12

Smith: And I will second.

Lorcher: It's been moved and seconded to adjourn. All those in favor say aye. Any opposed? All right. We are good to go. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 6:39 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

MARIA LORCHER - CHAIRMAN

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK