

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, December 21, 2021, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault, and Brad Hoaglund.

Members Absent: Liz Strader.

Also present: Chris Johnson, Bill Nary, Joe Dodson, Alan Tiefenbach, Tracy Basterrechea, Kris Blume and Dean Willis.

ROLL-CALL ATTENDANCE

<input type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglund	<input checked="" type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is December 21st, 2021, at 6:00 o'clock p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item is the Pledge of Allegiance. If you would all, please, rise and join us in the Pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: The next item up this evening will be our community invocation by Brother David Rice of the Church of Jesus Christ of Latter-Day Saints. Right at the podium if you wouldn't mind. If you would all join us in the community invocation or take this as a moment of silence and reflection.

Rice: Our Heavenly Father, we are grateful to be gathered tonight. We are grateful for this Christmas season for the opportunity it gives us to remember and celebrate the birth of our Savior Jesus Christ. We are grateful for those who serve the community, for those who serve the City Council, for our staff and assistants. We are especially grateful for our first responders, to those who put themselves at risk to assist members of the community in their greatest need. We ask thy blessings upon them. We asked thy blessings upon the proceedings this night, that harmony and peace may prevail, that we will have peace on earth and goodwill to men. We ask thee to bless those who deliberate tonight that

they will do so with sound judgment, that they will put the needs of the community ahead of their own. We ask these blessings in the name of him we celebrate, Jesus Christ, amen.

ADOPTION OF AGENDA

Simison: Thank you. Next item is the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: There are no changes to the agenda this evening, so I move that we adopt the agenda as published.

Hoaglund: Second the motion.

Simison: I have a motion and a second to adopt the agenda as published. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is adopted.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, do we have anyone signed up under public forum?

Johnson: Mr. Mayor, we do. Some I believe may be here for a later application, but I will call them all, but first is Jerry Mortensen.

Simison: Thank you. Mr. Mortensen, you can be recognized for three minutes.

Mortensen: My name is Jerry Mortensen. I live at 4045 East Green Meadow Drive, Meridian. 83646. Thank you for giving me a few minutes to highlight a problem I have -- I have run into in trying to connect our home into the City of Meridian. We have lived in our home for -- since 1973 when we moved here. Our home is located just outside of the east -- northeast entrance of the Kleiner Park. The first home outside the park. Recently we have been advised that our septic system is failing and -- and so I have talked with a number of people as to the steps I should take and the logical solution after talking to them and talking to the central district health was to annex -- try to annex into the Meridian city and connect to the water and the sewer there. Meridian city has stubbed off a main line for the sewer and the water and are in manholes just about 30 feet from our property line and during the pre-application meeting with Alan we -- and other department heads we were advised of the requirements and the fees that pertain to it. That's what I wanted to discuss for just -- for just a minute. We were advised that -- and the part that's a problem for me is that we have to -- or instructed that the rules are that

we have to -- to extend the main water and sewer way beyond where we would need to have it. We also need to be responsible for sidewalks and for streetlights and as I have looked at it and talked to others, it seems that it's pointed towards a builder or a developer, someone who is going to develop a number of hookups and, therefore, be able to recoup some of that expense. We are not a builder, we are not a developer, just a private homeowner that would like to -- would like to hook up to the -- to the water. Where it's situated we would be able to -- by reversing the direction of our plumbing be able to -- in a straight line right to the manholes, which would be a fairly simple process. Still be expensive, but still a fairly easy process to connect. I understand the fees and -- to annex. I understand the fees to hook up for the water and the -- and the sewer. It's just the problem of trying to do all that development that I -- it's just not feasible -- feasible for us. In talking in the pre-application meeting and talking to several that were there -- are my three minutes up?

Simison: Your three minutes are up. So, I think the best thing is -- is probably to submit your information, so Council can review it at this point in time.

Mortensen: Okay. I just had notes. I just -- is this what you are talking about or do I need more --

Simison: Yeah. And I think we probably understand the situation that you are referring to --

Mortensen: Okay.

Simison: -- and we can follow up more directly with staff as appropriate if there is --

Mortensen: Appreciate that very much.

Simison: -- conversations we -- we want to have.

Mortensen: We are anxious -- we have been in the community of Meridian for a long time with my office -- I used to have an office building over at 540 West Cherry Lane for years. I was -- I was there and -- we have had an office here since 1973. So, this is our community. We are trying hard -- and I tried a number of years ago, but it wasn't -- they said that it wasn't possible and so I -- who do I hand this to?

Simison: Yeah.

Bernt: Mr. Mayor? Would it -- would it be okay if we -- if we advised the clerk to give Mr. Miles his contact information, so he can contact the --

Simison: Yeah. It's really more of a conversation -- I think it's a conversation that we will need to have separately, because what we are really talking about is changing our annexation standards --

Bernt: Right.

Simison: -- and that's a conversation that we can -- again, we are not supposed to go into details up here right now, but --

Bernt: With no details, but I just wanted to -- I don't want to talk about details, but maybe just put him --

Simison: It sounds like he's had conversation with our Planning staff already, so we should have all of his contact information.

Bernt: Okay. Perfect.

Simison: Mr. Clerk, did we have anybody else sign up?

Johnson: Perhaps, Mr. Mayor. I show Jeff De Forrest talking BTW Apartments. I think that is related to another application. Brian Chris the same. And, then, Kristen Jensen. Is Kristen here and is this related to an application tonight? Perfect.

Simison: All right. So, we have made it through all the public forum items this evening.

ACTION ITEMS

- 1. Public Hearing for UDC Text Amendment - Collector Street Setbacks in Residential Districts and Landscape Buffers Along Streets (ZOA-2021-0003) by Brighton Development, Inc.**

- A. Request: Request to Amend the text of the City's Unified Development Code (UDC) pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffer along Streets Standards in Chapter 3

Simison: So, with that we will move on to Action Items this evening and the first item is a public hearing for UDC text amendment -- amendment. Collector Street setbacks in residential districts, landscape buffers along streets. So, is that our intention to open this public hearing this evening and, then, continue? So, with that I will open the public hearing for ZOA-2021-0003 and turn this over to Joe for staff comments.

Dodson: Thank you, Mr. Mayor. I'm covering real quick for my boss instead of the other way around for once, so -- just the applicant couldn't make it tonight to make their presentation. That's as simple as it is. So, they just requested to go to the January hearing -- January 11th hearing, so that they could be present.

Simison: Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we continue this item, which is ZOA-2021-0003 to January 11th, 2022.

Hoaglund: Second the motion.

Simison: I have a motion and a second to continue this public hearing to January 11th, 2022. Is there any discussion? If not, all in favor signify by saying aye? Opposed nay? The ayes have it and the item is continued.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

2. Public Hearing for Alpha Development R-15 MDA (H-2021-0094) by Alpha Development Group, Located at Parcel S0427438410, on the North Side of W. McMillan Rd. Between N. San Vito Way and N. Vicenza Way, Near the Northwest Corner of N. Ten Mile Rd. and W. McMillan Rd.

- A. Request: A Development Agreement Modification to remove the subject parcel from the boundary of the existing Development Agreement (Summerwood Subdivision, H-2019-0001, Inst. #2019-055407) for the purpose of creating a new Development Agreement consistent with a new concept plan and proposal for a multi-family development on 16.6 acres of land in the R-15 zoning district.

Simison: Next up is public hearing for Alpha Development, R-15, MDA, H-2020-0094. We will open this public hearing with staff comments and let Joe talk about this one that he knows about.

Dodson: Thank you, Mr. Mayor. This one, yeah, I know a little bit more about this one. As noted, this is for Alpha Development, which is the developer on this. R-15 is in reference to the existing zoning. The application before you tonight is a development agreement modification to remove the subject parcel from the boundary of the existing DA, which is Summerwood Subdivision from 2019, for the purpose of creating a new DA consistent with a new concept plan that consists of multi-family development. The site consists of 16.6 acres of land, zoned R-15 and it's located near the northwest corner of Ten Mile and McMillan. It's directly behind -- to the west of Walmart right there on the corner. The site had, in 2008, a comp plan map amendment to change the property to mixed use community from medium density residential. In 2019 there was a DA to remove this area from a larger area, which I believe was part of the Volterra and Vicenza Subdivisions to the south and west respectively. So, now the R-15 piece and the C-C, L-O, and the C-G is all part of the existing development agreement. So, this DA mod, again, is to remove this 16.6 acres from that DA and enter into a new one. There was also in -- last year we did a property boundary adjustment to adjust the property line in line with the existing zoning. The north property boundary of this R-15 actually used to extend further

north. So, we moved that to match up with the zoning, so we wouldn't have to split zoning on a property. As noted this property is part of a mixed use community future land use designation. It is part of a larger MUC area that encompasses area to the north and even a little bit on the southwest corner of Ten Mile and McMillan. So, here and, then, all this. It's the brown with the polka dots. The current concept plan depicts a large scale business park consisting of a private hospital or some other large employer, large and small scale retail professional and personal services, restaurants, and specific to this property an area of assisted living facilities with supportive medical offices. So, again, this DA and concept plan encompasses that whole mixed use community area on the north side of McMillan. The assisted living has been argued about with the applicant -- not this specific applicant, with the previous property owner many many months and where that comes from, although it's not specifically listed in the DA, is some of the original narratives all the way back to 2008 and this DA concept plan is just kind of carried away through all the different applications since then. As we all know that area has not been developed. There is no large retailer. There is no hospital. In fact, the hospital that could have gone here is probably going to go on further north in another project with a different project that we have already approved. Because of that the applicant and the former property owner does not believe that this specific R-15 site could develop with the -- sorry. With the assisted living community. Staff does agree with that finding because of the existing -- I guess circumstances. Without that large retailer or employer assisted living in this area would be kind of a standalone use and we do not find that it -- it's been sitting like this for well over a decade with the zoning in place ready for this type of use. The applicant -- well, for the new concept plan, which is here, the applicant depicts two types of multi-family buildings, a townhome style on the west half, which would be on the bottom. North is to the left side of the screen. Townhome style on the west half and more traditional apartment buildings on the east side and the reason why I know that is because in our pre-application meeting they submitted elevations that showed this. They did not submit elevations with this MDA, but in the pre-app I have seen those, as well as you can kind of tell by the building footprint these are definitely different styles of buildings. In addition, the applicant has oriented a majority of the townhome style buildings along the west boundary and they face north and south, rather than east and west. And they also placed a drive aisle directly along the west boundary to provide a transition from Bridgetower, which is on the west side of San Vito Way. This helps reduce building massing along the street and it also creates a larger physical separation. The renderings of the site plan, I -- like I said, the buildings were facing the other direction and they were closer to the property line. It is my understanding the applicant had at least two neighborhood meetings and redesigned or made some modifications to the site plan in response to some of the discussions had at those neighborhood meetings. Staff does appreciate how they have created a more physical separation. They are going to maintain the existing sidewalk in San Vito Way, as well as orient the buildings in such a way that helps with building massing where you see the end of buildings, rather than not one giant wall facade of apartment buildings. In general the design shown on the concept plan does depict a transition of density, building massing, and overall intensity of the proposed multi-family use from the west to the east towards the hard commercial corner of Ten Mile and McMillan, with Walmart being there. The apartment style units on the east half of the site are shown framing some centralized open space and amenities, such as sports courts,

and to their south an apparent clubhouse and pool are shown along the McMillan Road. There are several other -- several other areas of open space shown throughout the site that appear to meet the minimum standards for qualified open space. But to be clear, this is just for a development agreement modification tonight. The future conditional use permit will be required because of the zoning and the proposed use. So, some of these specific details, meaning the amount of parking spaces, the amount of qualified open space, the number of units are not known and they are not solid -- they are not solidified right now with this application. In the narrative they discussed building at the maximum amount of density, which would be 15 units to the acre, which is associated with the underlying future land use designation of mixed use community and not the zoning. R-15 zoning has nothing to do with density. The submitted plan does show each drive aisle as well, with sidewalks that connect within the entire site and out to the adjacent collector streets. In terms of pedestrian facilities within a multi-family development, the submitted concept plan shows a robust pedestrian network that would offer ample connectivity to and through the site and to commercial uses to the east and potential future commercial uses to the north. It is important to note that the green space at the very north end of the site, which is on the concept plan in my staff report, all this area here was shown as green space and there was no property line depicted, which I called out in my staff report as being concerning, because we -- I couldn't tell where the property line was. The applicant sent this in response that does show the property line, which staff has confirmed that this is accurate. This green space is not part of the open space, it is currently zoned C-C and owned by somebody else. With this green space here staff does anticipate ample connectivity there, which would be great to future commercial uses. The applicant, again, provided this in response to my concerns, which I do appreciate. The applicant will also need to coordinate the driveway connection with the adjacent property owner to San Vito Way. As you can tell this does not exist or is not proposed on their site plan -- or on their site, so they would have to coordinate that. Staff does want this connection to line up with this one, so that there is easier access to the elementary school further to the west. That's Planning 101. You want easy access to and from schools. There were -- there are three public streets abutting the subject site, on the west, south, and east boundaries, which is rather odd. McMillan on the south side is an arterial street and you have San Vito on the west, which is a collector and Vicenza Way on the east, which is also a collector street. Therefore, access to McMillan is restricted and access to Vicenza and San Vito are very heavily monitored. They have proposed all their connections in line with existing curb cuts, which is going to be required by ACHD and also matches all of staff's -- I should say UDC or development code requirements. They did not -- Vicenza Way and San Vito Way are collector streets that do not currently connect north of the site. As you can see there is noted as future road here. This applicant is not required to extend those roads, because those roads do -- the future road network, which are shown on the master street map, is not located on this property. Vicenza Way currently only provides access to the Walmart property that has accesses to Ten Mile through some shared drive aisles, specifically on their north side, which would be this one here, but relatively a straight shot out to Ten Mile. The San Vito Way is the main access point from McMillan to Bridgetower Subdivision, which is west of the subject site. Because of the existing conditions the applicant depicts two access points to the -- to Vicenza and one access point to San Vito Way. Overall these connections point -- connection points and the

internal drive aisles shown on the concept plan show adequate circulation for the site and, again, align with any future ACHD policies. I would like to note ACHD doesn't comment on MDAs, so that's why we have not had -- received any ACHD comments. The two north access points, one to each adjacent collector street, provide a connection that should help capture nearby vehicle trips to and from the commercial area at the northwest corner of McMillan and Ten Mile by minimizing the need to access McMillan and this is important because McMillan is relatively a strange corridor, meaning that it is not going to be widened specifically in this area as far as I'm aware, because of the existing irrigation facility on the south side, as well as the big power lines on the south side, all those easements that encumber McMillan. But that being said, if we can capture vehicle trips from Bridgetower and including future multi-family uses and commercial to access the commercial uses on Ten Mile or get to Ten Mile without using McMillan, that helps the overall traffic flow in the area. Because this is part of a mixed use area that is not yet developed and the site is already zoned for residential uses, staff does support the applicant's request to enter into a new DA consistent with this development plan. Staff does not anticipate the existing DA concept plan is attainable in its scope or its use as noted. Furthermore, staff finds that the required mixed use policies will be met in the future as commercial areas in the vicinity develop and provide connectivity between uses and sites. When I wrote my outline this morning there was only one public -- one piece of public testimony and that was from the previous owner and the existing owner to the north, who noted support of the application, which tells me that he is probably more than willing to work with them on the driveway connection to San Vito, which is appreciated. Following that I did receive -- copied on two other additional pieces of public testimony that cited pretty typical comments about multi-family, you know, concern with traffic, school overcrowding, which is very very apparent to all of us at this point, as well as some livability issues and wanting the buildings to be no more than two stories. I will say that with the requirements of open space, parking, and any of the other development criteria, I do not anticipate them getting 249 units, which would be the maximum allowed. Granted, as I noted before, a future conditional use permit will determine that. I added a specific condition or DA provision in my staff report that requires at least 25 percent qualified open space, which is probably more than what they would by code and that is, again, to help mitigate some of the concerns of -- of the unit count as one and, two, the livability of this area. I understand that the Bridgetower folks and residents there are concerned about people utilizing their park space. I understand that came up in a previous application. If we can provide ample open space and amenities in this project that should help minimize that tremendously. Part of that DA provision inclusion was from the applicant proposing 30 percent in their narrative, which was not specific to qualified or unqualified. I assume that if I made them do 30 percent qualified they would never be able to meet it and we would be back here again asking to modify that. So, I did some calculations in my staff report. I won't get into that, but I think 25 percent is attainable and very livable for the community. So, with that I will stand for any questions.

Simison: Thank you, Joe. Council, any questions?

Borton: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Councilman Borton.

Borton: Thank you, Mayor. Joe, what mechanism does the city have for that property to the north that's already zoned and annexed to ensure that that connection that you reference is the --

Dodson: You are talking this San Vito connection?

Borton: Correct.

Dodson: In this DA -- in the MDA I have required that they work with that applicant to get that connection. With the adjacent property owner I don't have anything in place. I guess technically we don't have a specific mechanism yet from his side of it. My understanding is I have met with Mr. McCollum multiple times and we are probably going to start kicking -- kicking the tires on this property to the north here soon and at that point when that redevelops or some new plan gets put into place we will very likely be requiring this connection as well. I have very good faith that this applicant will work with that and they do have a DA provision required to do that.

Borton: Follow up, Mr. Mayor?

Simison: Councilman Borton.

Borton: That property to the north has a DA provision requiring it to --

Dodson: No. This project will.

Borton: Okay. What's -- but what's the procedural mechanism? I'm thinking of the worst case scenario. Is there some process or application that C-C property to the north --

Dodson: To require it, no, we do not have a procedural path.

Borton: So --

Dodson: We -- they will have to revise the staff report -- or I should say the concept plan slightly to move that access point if they want another -- which we would require another access point to San Vito if they can't get that one for overall circulation and fire requirements, but we do not have a mechanism to require that other property owner to be a part of that, no.

Borton: Okay. Thanks.

Dodson: You're welcome.

Simison: Council Woman Perreault.

Perreault: Thank you, Mr. Mayor. So, Joe, I wanted to understand -- so, this is -- this is -- the overall original or existing DA, how many acres is that? Did you say it was 55?

Dodson: I muted myself. Wow. Council Woman Perreault, I believe in total it's closer to 80 acres I believe from my last project that I did on this site. The remaining area of commercial is give or take 55, because some of the zoning is right of way, so --

Perreault: So, I anticipate that -- and that includes the -- the Walmart property, too. So, I anticipate that all of the -- the acreage that exists farther away from the arterials will not want to develop into commercial. So, I guess I'm just -- and I will also ask this question to the applicant, but are we going to be looking at this entire 80 acres as the mixed use area and are the different owners and applications going to have to meet the ratios required in the mixed use category? In other words, if they build residential here is that going to limit the other property owners to the north from building residential as well, because they are not meeting the ratios for mixed use as a whole?

Dodson: Great question, Council Woman Perreault. First, the 80 acres -- or I believe it's 76 to be specific, does not include the Walmart area. It is actually this --

Perreault: Oh.

Dodson: -- 16.6 and, then, the remaining C-C and L-O and C-G to the north. So, exclude this little square here. I don't know what that acreage is. But the 80 or 77 is all this. Secondly, this property is already zoned R-15, so we -- they are going -- they are already allowed, technically, to do some type of residential use. Our mixed use community does not have a minimum commercial ratio, which I have my own personal feelings about, but that's not one of the things and our Comprehensive Plan has a minimum residential component, which I believe is 40 percent in mixed use community. I anticipate that not all of that area will be commercial. Yes, I do anticipate that the remaining area to the north, which will be another DA modification before you at some point, but this specific R-15 area it's already zoned for residential, so some residential use should go here, because we are not dealing with the rezone tonight. It's just a matter of whether that's going to match this concept plan, which I just don't see feasible. Even if I took out the use these look like some form of multi-family anyways. The reason why staff, myself, and my supervisors have determined that a development agreement modification is required, rather than just saying, hey, it's multi-family and multi-family go ahead and do a CUP and move on, is because of the narrative that was part of that. So, again, I have -- I have gone around and around with legal, as well as the other property owner, about why DA mod is necessary and I think we have threaded the needle appropriately in order to require that, but residential uses should go on this property.

Simison: Council, any additional questions for staff? Okay. Then is the applicant here, like to come forward? State your name and address for the record and be recognized for 15 minutes.

Holt: Dustin Holt. Salt Lake City, Utah. Mr. Mayor and Council Members, thank you very much for your time this evening. Traveling quite a bit in -- in what I do, I appreciate the time that it takes for you to serve your community, even though I'm not a member of your community. Alpha Development Group, just very quickly, is a joint venture between my company dbURBAN and the Ball Ventures family -- Ball family out of Idaho Falls that you are familiar with. We are extremely excited about this property. We are extremely excited about the opportunity of this property. I want to thank Joe and Mr. Parsons both for their time on this. I think Joe mentioned it. Initially there was conversations about whether or not a DA modification was even necessary for us to go through this process. In our meeting with the neighbors we actually learned and understood that they very much wanted it to be a part of that process. So, this process for us has been ongoing for about seven or eight months. We started with initial conversations with Bill Parsons and the property owner. Mr. McCollum was a -- was a difficult property owner. He has a tremendous vision for this property, for this area. As you know he put cobblestones down at -- at Bridgetower when others probably wouldn't have. So, I appreciate that he sent a letter in support and we have a wonderful communication. We went through a process with him -- I'm going to call it an interviewing process. There were multiple groups that were vying for this property with him or from him and in going through that process I think we learned -- we earned his trust and his respect that we will bring forth a tremendous project to this community and to the greater community and to Bridgetower itself. We acquired this property back in July. Shortly after that -- and I don't know -- oh, Joe, thank you. The mouse is squirrely. Might take forever to click through here. You guys know where the property is. The Bridgetower master plan. So, we -- we met with -- we brought a concept plan to Joe and Bill in September. That's this plan here. We showed a couple of these different orientations of roadways and access points. They were quick to correct us on making certain that we hit several drive aisles. Again, we understand this is not part of the CUP or the design review process right now, but we tried to make certain everyone understands the intent of what we are trying to do and we are willing to put this into our DA modification. So, we -- we showed this plan to Planning staff, they had a handful of comments that -- that we, then, took back, presented to the community, the neighborhood on October 25th. We presented this plan. Again, multiple points of ingress-egress on the Vicenza, as well as San Vito. You can see on the -- on the bottom of the screen here some of those townhome units facing San Vito. From an urban planning perspective we -- we like that, our planners liked it, but, admittedly we were working in a little bit of a vacuum, so we got -- we got comments back from the neighbor -- or the neighborhood. At that meeting we -- we heard several things. So, we heard -- I will actually click down here. So, we heard that they did not want this community to be part of the Bridgetower master planned community. They did not want our residents utilizing the amenities provided by the master plan. So, part of the intent of this is to remove this community from that master plan and provide the amenities as Joe has pointed out on this site for residents of this community. So, we started with that as a -- as a really big no no that we heard from the neighborhood. Second, we heard that the fence along this southern or western property south on the screen, they want -- it's a fence that exists. They did not want units up against that fence and so we oriented the units and changed the orientation on that -- on that western property line to be respectful that. In addition, in working with Fire, we needed a 26 foot fire separation road around here and so we added

that, which creates an even greater buffer along that western property. And, then, along McMillan they -- there were concerns about a three story under the zone and also inside of the mixed use it permits up to a 40 foot height. That really in our role is three stories, but there were concerns about that 40 feet or three stories up against McMillan and so we, as you can see in this image, agreed to move the amenities, the clubhouse, the leasing office, the coffee shop, cafe, some of that up along McMillan and move the -- the building -- the three story building a little bit further inland. We went through a couple of the pros and cons that we saw. So, in updating this it did provide less open space. This one got us down to about 30 percent. I know there is a qualified and an unqualified. For the record if we are planning a 4,000 square foot area of sod with a -- with a bench and a spot for a dog wastebasket, we will do that, even though the qualified needs it to be 5,000 square feet. So, we will either increase it to 5,000 or we will do it anyway. But that's part of -- in working with Joe that's part of the qualified, nonqualified ratios where we are looking at, compared to the city ordinance. But we show the -- excuse me. We showed the residents that in doing that we lost overall space. We went from multiple clubhouse and multiple pool areas to one larger clubhouse, one larger fitness facility, pool facility. We turned our backs to some -- what we feel are basic urban design principles along San Vito. Traffic was -- was a concern. We wanted units facing that as natural traffic calming measures. We understand the concern and we are okay with that concern. So, we presented this concept plan on the 15th and, really, with -- with a slight confirmation or verification of the -- of the site boundaries, this is what is proposed to be part of the -- the DA. So, our DA modification -- again we want to remove ourselves from that existing DA modification, allow our open space and our amenities to service this portion of the community. We want to include this concept plan and we are in agreement that we will -- we will develop substantially in compliance with this or a plan as approved through the CUP and the design review. We understand that those are forthcoming steps in this process. I think that the -- the last maybe comment for me to make is in discussion with Fire this road out to San Vito is not necessary from Fire's perspective. From a planner's perspective -- and I agree with Joe from kind of Planning 101, instead of forcing residents out on to McMillan and all the way back up and around and in through a loop, I think it is something that should be integrated. We have had conversations with Mr. McCollum about this. He is in -- in favor of it. I am confident, as Joe is, that we can work that out. We are willing to say that's a condition of our development agreement modification. That -- that being said, we have submitted an initial traffic study to ACHD and we are awaiting their -- their formal approval, formal feedback. We are initially hearing that probably a right-in and a -- or not a right-in, a decel and an acceleration lane along McMillan will be required and then -- because it can only occur on the north side it will be required to be on our property, which in the -- in the staff report we have said that we would adhere to and make any mitigations required by ACHD. So, we have -- we have read the staff report. We are in agreement with its findings, its recommendation, and respectfully this evening we would request your -- your approval as well. Thank you for your time. Happy to answer any specific questions.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Holt, question if you may indulge me. Mr. Holt, appreciate you kind of providing some flavor in addition to staff's presentation. I guess my only question for you thus far is -- has it always been envisioned for you and your team to do high density multi-family or were there any other concepts that you guys tossed around before you landed on this?

Holt: No, not ours. So, in our conversations with Mr. McCollum multi-family -- some -- some type of medium and higher density transition from commercial to the west to the single family was something that was envisioned. I think that there was a conversation about some of the assisted living potential when the hotel -- or hospital was -- was planned for being here. For -- for us residential is the product type that -- that we do and we look at. We are in agreement that a variety of product is something that is necessary. It's needed. Different housing stock for the area allows for a lot of variation as well and that's something that we are comfortable with.

Cavener: Okay. Thank you.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: I did want to clarify my point about residential uses should be here. I saw Mr. Cavener's face to that and I recognize that the appropriate responses are appropriate here because of the existing zoning. Should or should not is subjective and I'm not here to design anybody's project. I don't get paid enough. None of us do and that's fine. That's just not our -- that's just not our -- our purview being a city planner and I'm trying to help the development community, as well as help the residents build a better Meridian.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Joe, first for saying that I appreciate your clarification on that. Mr. Holt, maybe an additional question while I have got you here. My assumption is that there aren't any plans to market this to a specific age demo. You are looking to attract anyone and everyone in Meridian that needs this type of a housing product.

Holt: Correct.

Cavener: Okay. Thank you.

Holt: We do have plans through the -- the flats, as well as the townhomes, to have everything from a studio to a three bed. So, the townhome is a three bed, two and a half

bath, two car garage and, then, the -- the flats would be able to provide something of a smaller scale.

Cavener: Thank you.

Simison: Council, any additional questions? All right. Thank you much. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, I believe so. On the sign-up nobody marked they wanted to testify, so I will just call them, because I think some intended to. First Christian Jensen.

Simison: As your name is called if you would like to testify, please, come forward and state your name and address for the record and you will be recognized for three minutes and if there is anybody online that would like to provide testimony, please, indicate in advance by using the raise your hand feature on Zoom.

Jensen: Mr. Mayor, Council, my name is Christian Jensen. I actually live on 3833 Daphne Street, so I'm in the first loop that -- as you enter Bridgetower West and out my backyard I would look into this neighborhood. So, I appreciate the changes that were made and the -- I think the developer has been very open in conversation with us. I think the biggest concern that I would like to bring up is traffic. I don't see parking on here and I know it was said that there is work to be done to figure out what that is, but the two access points to McMillan are pretty busy as it is. That is the -- one of the only ways to get into Walmart from our way is on that street behind on the east side of this development and it's quite busy as it is. There is also a lot of semis that park there that -- as they are waiting, so I think the traffic and congestion -- to put a facility like this in I would like to suggest that a more substantial decision made on access to McMillan -- or, excuse me, to Ten Mile is made, so that there is a more significant exit point to a bigger street, because I don't believe that McMillan is big enough to handle this and the -- the additional traffic through the neighborhood with all the kids running around I think would be potentially dangerous. The other point that I would like to make if I could -- it was mentioned earlier by the Council Woman on the screen about the north piece of property and I was a part of the Zoom call last January when we spoke about that. A different developer was trying to do work here and they wanted to -- a developer wanted to do housing on the north side and this Council made a very clear point that we are not changing the zoning there, because we don't need more housing, we need more jobs and we need to stop people from driving away from the neighborhoods to work. So, I just want to remind the Council of a -- of a pretty salient point that was made then, so that we don't create too much housing density on this property.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I remember that. I don't think it got to us. I think it was -- I think he removed it before he got to us. I think that that conversation happened at Planning and Zoning.

Jensen: Yeah. You are right. I agree that it was moved. I just wanted to remind, because the question was asked what if we put more housing there and I think it was even said -- and I would guess that we will. I just wanted to remind the Council that you guys had decided that that was probably not something that we wanted to go forward with.

Simison: I think what -- Planning and Zoning is not Council, though.

Jensen: Pardon me?

Simison: Council never heard that conversation.

Jensen: Oh.

Simison: It was the body below.

Jensen: Oh, I'm sorry.

Simison: That's why --

Jensen: I don't -- okay.

Hoaglund: Mr. Mayor?

Simison: Yes, Councilman Hoaglund.

Hoaglund: Question, Mr. Jensen. I want to make sure I understand your comment about the access to Ten Mile and so on this map -- we use that. So, are you saying a more robust connection to that northern part that goes on the north side of Walmart to be able to connect to --

Jensen: Right. Joe, I think -- is your name? Would you mind putting the -- the map up that was the whole piece? I could point it out better there.

Hoaglund: Okay. Thank you.

Jensen: It was the black and white where you were showing the 80 acres or the 72 acres. Apologize.

Hoaglund: No. It's all right.

Jensen: Okay. So -- so, you can see that the only -- the only road where that -- really where the arrow is pointing, that's where the -- about where the road is that goes from behind the Walmart out to McMillan and the traffic on there, especially in seasons like right now, it's very congested. But I believe that Ten Mile is the best avenue to get traffic out of that -- out of that development to the rest of Meridian and if we are -- if this would develop without having that secured, then, we would be relying on two very small roads

to lead onto another small road, which is McMillan, and I believe the traffic congestion would be -- if not very congested, potentially dangerous.

Hoaglund: Okay. Mr. Mayor, follow up.

Simison: Councilman Hoaglund.

Hoaglund: Thank you, Mr. Jensen. And what I'm wondering -- you know, they show in the other slide that we had up coming through their development it looked like you would have to come through their development and connect into that road. But in the future looks like there is a future road. That's marked. I guess for now we talked about something more robust, is that what you are talking about through their development or --

Jensen: A road through their development is of no consequence to me. It's their ability to get out of their development. So, they have got three exits, which is fine, but the development -- the exit on the -- I guess it would be the northwest side that comes into Bridgetower West, that road is only two lanes. It's already pretty congested. There is lots of kids running up and down the street and so to have the amount of occupants that would have cars using that as a thoroughfare out would be I think dangerous for the kids running around our neighborhood and, then, for those that are just trying to exit to go to work, if everyone had to go through those to going south and to get on McMillan and get out, I don't think would be sufficient. So, what I would say is to approve a concept plan like this I would ask that whomever would require a more significant exit that goes to Ten Mile for the reasons I mentioned.

Hoaglund: I see. Great. Thank you.

Jensen: Thank you.

Johnson: Mr. Mayor on Zoom is Patricia B.

Simison: Do we have anybody else in the room who is --

Johnson: We do. She's had her hand up since 6:00 o'clock. So, switching back and forth.

Simison: All right.

Fritschle: Am I free to speak?

Simison: Yep. If you could state your name and address for the record.

Fritschle: My name is Patricia Fritschle, actually. F-r-i-t-s-c-h-l-e. And my address is 5524 North Botticelli Avenue in Meridian. I'm a resident of Bridgetower West. I appreciate the changes that the developer of this has made and as has been stated we are aware

that this is going to be developed. However, everyone in this subdivision was believing it was going to be something else, as opposed to what is being provided to us now and when you look around this neighborhood and what is being developed, it is nothing but residential and while I appreciate the fact that we are in a need for housing, I don't believe our area is a need for this kind of density and I really don't believe that this development meshes with what our existing development is and, yeah, I'm just -- when this was developed this was discussed with us at one of the neighborhood meetings it also was not open for anybody just to be able to qualify and rent, it was stated to us that it would be an extremely high end project that would require people who are more of a transitional phase where they are building a home, coming here and renting while that house is being developed and they had an expectation of maybe about 15 months, maybe a little bit longer with the townhomes, but it was not just an open -- 20 college students can rent one unit and have those additional cars to take up for their traffic and parking and space and that's all I have to say. I appreciate your time. Thank you.

Simison: Thank you. Council, any questions? Okay.

Johnson: And, Mr. Mayor, these I do not know if they want to testify, but I will call them.
Curtis Dabb. Thank you, sir. John Wycoff.

Simison: If you would like to testify just come -- when your name is called just come forward.

Wycoff: Hi, My name is John Wycoff. 5099 North Bolsena Avenue. Just there is going to be a lot of changes that have gone on in this place. I had purchased a house next to a very wide open area, a house set back from my property and, yes, I knew there was going to be growth in this area. The last time there was nothing going on in there, then, the house gets wiped out. Find out it's been purchased by some event -- some company, which was nowhere near the name of what we are dealing with within the area right now. But, then, it became Bridgetower West. I think what we are dealing with here is an expansion of this area that's going to go above and beyond what this is right now. We have water that is just nonexistent sometimes in the summer, where we have been allocated only specific days on which to pull water from the system and, then, only to find out that it doesn't work on the days that you are working. The person that's developed this property in this area is doing so at minimal cost to him in order to expand his budget. The HOA my belief is will continue so long as any property in that area has his name on it. Meaning for years I have been there and we still don't have an HOA where I get to contribute to what that property area does. So, I would hope that you would consider -- I know you want to have what's best for your city and helping it, but if it's not benefiting us and the people that are paying the property taxes in that area, it's -- it's a disservice to us. Okay? I really like Meridian. I chose this of all the places in the United States to move to, because at that time you were the number one state -- number one city in the United States to go to. But yet what I'm seeing right now is you are crowding. And also it reminded me a lot of Irvine where I live near. They did a fantastic job down -- they did a fantastic job down there and I kind of pictured it doing the same thing, especially when you had areas that were using Irvine locations. Subdivisions. So, that's really -- you

know, be cautious, because the water is being restricted now. Couple that with the last meeting they were talking about cutting into the park. When a person has an HOA control they can do a lot of stuff that the owners in that area really don't want to have happen, because they get to control the HOA. So, that's really -- there is going to be expansion within this area. I understand it. I'm not that naive. But that's all I --

Simison: Council, any questions?

Hoaglund: Mr. Mayor? Mr. Wycoff.

Simison: Councilman Hoaglund.

Hoaglund: I want to make sure I understand, because I think I heard staff say if the DA is modified, development agreement, that they would not be part of the Bridgetower West Subdivision. So, they would be excluded and, then, your -- your subdivision, then, would have, you know, control over your particular areas. There wouldn't be sharing of any parks or playgrounds or what have you. Is -- that's -- that's what you would like to see?

Wycoff: I kind of hear that happening, but when -- when Mike controls the HOA and he's selling supposedly to Ball Ventures, which is I know a very good company, but I sense there is a lot of control there, still, even with what's going to be happening and so that really concerns me as a resident of that area. So, you know, he -- he gets to control the HOA. If you want to sell off a piece of property to somebody or take some -- you can do that. It's an LLC. So, not a whole lot there.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: So, you would like to make sure there is a clean break between that development and your subdivision?

Wycoff: Definitely would want that at least as a minimum.

Hoaglund: Okay.

Wycoff: And, then, you know, water expense -- there is -- we are just really -- you will probably hear it from other people, but that HOA -- I love the area. I bought in that area. A lot of areas I could have chosen from. I wanted to go there just because of the streets, the park, the pool, but I didn't know that that pool was going to be a service for 500 houses in the area. Everybody stands up in the pool, because you can't swim in the summertime. Literally. I mean -- and you are getting hit by kids jumping in and when you are into there. So, you know, just -- I would ask that you think of the citizens of the City of Meridian and the residents of that HOA before you would really do anything to just say let's expand and go with it and -- but I understand. You got to put in those sorts of buildings, because the law now you can't just not have it, because you don't want it. So, thank you.

Hoaglund: Thank you.

Johnson: Mr. Mayor, Robin Moore. Okay. And, then, Eric Waite.

Waite: Good evening, Council. Thank you for allowing me to speak. I'm a homeowner in Bridgetower West. My concerns are not personal.

Simison: Can you state your name and address, please, for the record.

Waite: My name is Eric Waite. W-a-i-f-t-e. My concerns are not personal. My concerns are truly about traffic. I believe that the project that's proposed to us tonight should be denied until the developer finds a way to expand the entrance from Ten Mile, McMillan, to five lanes, dedicating one lane only to turn into Walmart where the heavy traffic goes. Allowing two lanes going each way to make it easy access for emergency vehicles. If they have to pull over there would be room to do that. I propose that five lanes should end at the terminate -- at the entrance point -- it would be the north end -- no. The east end. I'm sorry. Now I'm backwards. Sorry about that. Going down McMillan it would be the entrance going into the right. Five lanes down to that point and, then, reduce to four lanes minimum to San Vito and I think that the development that's coming in that is west of McMillan, the whole western part of -- of Meridian is developing like crazy. We all see it everywhere we go and I think that the developer needs to help us plan for future or the expansion of the traffic that's going to happen. With this proposed 249 units there will be at least 500 cars added to our traffic pattern that's already there and there may be even more than that as some families might have three cars or what have you. But, in any event, there is no way for an emergency vehicle to access McMillan Road going west with one lane going in and one lane for turning to Walmart. Other than that it's -- I think the developer can find ways to pass that cost on, either through tax assessments or through added percentage of the rent dedicated to the cost of that road expansion and that's my feeling, that project should be denied.

Simison: Thank you. Council, any questions? Thank you.

Waite: Okay. Thank you.

Johnson: Mr. Mayor, next is Chris Williams.

Williams: Good evening. Can you guys hear me?

Simison: Yes, we can. State your name and address for the record, please.

Williams: Chris Williams. 4476 North Girasolo Avenue, Meridian. 83646.

Simison: Hold on one second, Chris. Okay. Go ahead.

Williams: Okay. Do you need me to restate my address or are we good?

Simison: Nope. We got -- we got it. It was just trying to make sure the buzzer wasn't going to go off on your testimony.

Williams: No worries. I don't think I will take all two minutes. Number one, I am against this proposed development for a few different reasons. I am in the Bridgetower West community and, believe it or not, I'm not actually as close to some of these residents are. It's not in my backyard. It's not in my front yard. I am over on the south side of McMillan. So, I'm further away from it. However, with children that are in school there is a few concerns that I have. Number one, at the beginning staff reported, you know, that there wasn't very -- very much public comment, which kind of surprised me based upon some of the conversations we have had locally with the Bridgetower West residents here, but the brand new elementary school in Bridgetower West, it's -- we are in its second year and it's already almost at capacity and we want to go ahead and add in all this extra housing, you know, right there. Traffic. I'm not going to beat that up. We are aware of that. Again, staff and Council -- I shouldn't say you guys tonight, but in the past we have heard -- we are aware that that's an issue. Great. If we are aware that it's an issue, why are we continuing to recommend expanding and not doing something about these issues and, then, talking about growth? So, I would ask that, you know, the Council Members, you know, consider that before considering approval. Parking. Again, I know earlier staff -- that I was listening, you know, that parking, you know, shouldn't be an issue. That's a lot of units and I know they think they won't get that many units, but that is a concern. Sometimes some of that stuff overflows and, again, it's not going to affect me, my house is further away, but I like our community and I don't want it to -- you know, traffic to overflow out on the main streets. Next concern that I do have is that apartments -- you know, we say, hey, we need housing and I agree we do need housing. We know Meridian. You know the growth that we have. But looking around at some of the recent apartment developments and rentals in the area, but particular apartment developments, there is actually quite a -- quite a bit of vacancy available. The apartments aren't busting at the seams. You know, earlier today I called around to just a few in this area just to make sure my data was correct and still current. There is quite a bit of availability. So, I don't really think that we need that. Another -- I don't mind having a neighborhood there, but I don't think that we need that high density growth there. Again, you know, you look around the area, it's single family homes, it's not townhomes, it's not condos, it's not apartments. So, you know, I just ask for smart growth. And, lastly, I just want to wrap this up by saying that, again, with the meetings that we have had to kind of local in our area amongst the residents here, there has been a lot of concerns. Unfortunately, the fact that we are doing this meeting three, four days before Christmas did affect a lot of people from showing up and commenting, even though they could have done it ahead of time. I understand that. But a lot of people that I talked to they are not even aware that they can call or send in an e-mail with their comments. So, those -- again, I just ask you to either consider a redesign -- have the developer consider a redesign or deny it altogether for now and come back with a better plan.

Simison: Thank you. Council, any questions? Okay. Thank you very much, Mr. Williams.

Johnson: Mr. Mayor, next is Dan Buffham.

Buffham: Hello. Can you hear me?

Simison: Yep. We can. If you would state your name and address for the record.

Buffham: Yep. My name is Dan Buffham. I am -- I live at 3554 West Balducci Street and that's here in Meridian in the Bridgetower West neighborhood. My home is actually on the corner. It's a keystone lot that is the north -- northwest or northeast, actually, corner of that across the street. My first concern is, to reiterate, traffic. I have cameras in my backyard and I record accidents at that intersection at least, if not weekly, every other week by -- whether people turning around out of Walmart or the big rigs coming out of there, being parking in there. I don't care how you slice it that just does not look like enough, you know, parking for the density of that -- that neighborhood that they are putting in and if I -- if it's not clear I'm fundamentally opposed to this, as well as, you know, even, you know, the -- you know, separating it from our Bridgetower community, you know, one half of me says, you know, where the HOA is that's a loss of revenue and -- and control of what goes on over there and whether they are, you know, using our resources of the four parks that were supposed to be here, of which we only have two. The -- there is no way to expand McMillan. You can't make it into a four lane. You can't do anything about it. You could put a merge lane in there, but that puts -- that recesses back this development, but it's still not going to happen. Then, you know, if they put a stoplight, that -- you know, my third of an acre, you know, almost a million dollar home. The density is -- is really what gets me going here, because the developer -- the owner of -- the developer of Bridgetower West already wants to put tons of smaller built homes that was denied as the first gentleman was speaking talked about, my first neighbor there. They want to put smaller homes -- you know, barely 1,400 square feet and that was what I was told the absolute minimum this place is going to be. They are on top of each other. That was denied. It doesn't mean they are not coming back and they are going to try and do the same thing. From there you got water problems. I want to reiterate what the other gentleman said that we got notices from our HOA that we are only allowed to water our lawns, you know, the second year in a row, third year in a row -- I have lived here for almost three years now -- every -- every summer -- every other day at a specific time and all that and, you know, even if these guys are on a separate water resource, the water's got to come from someplace and we clearly do not have it today. I can -- you know, brown lawns, you know, in my home and, yes, we are in a drought, but not that much of a drought. So, the water wasn't planned well here at all and --

Simison: Mr. Buffham, if you can, please, wrap up your comments.

Buffham: That's it. And the other thing is is they were telling us they were higher end apartments and townhomes. I just don't see it, even though they -- I like the improvement they have done, I just don't think it's what we need here. They are already building on the north side of us and -- and -- you know. And now they are going to do the west side of it and for -- where are you going to put the people? Where are you going to put the cars? Where are the kids going to go to school? That's it. Thank you for your time.

Simison: Okay. Thank you. Council, any questions? Okay.

Johnson: Mr. Mayor, next is Janice.

Borchard: Good evening.

Simison: Good evening.

Borchard: I just want to thank you very much for listening to us. Some of the main concerns that a lot of us have --

Simison: Janice, if you can state your --

Borchard: Janice Borchard. B-o-r-c-h-a-r-d.

Simison: And your address, Janice.

Borchard: 5466 North Botticelli, Meridian. 83646.

Simison: Thank you.

Borchard: So, with some of the concerns, Brad and Dustin, the two gentlemen from Alpha that have made the presentation, have really been very good about listening to our concerns, turning the building so we don't have three stories looking, you know, into our, you know, backyard so to speak. The main concern really truly is traffic, because we have been paying attention to the fact that McMillan is not going to get widened, but everything to the west of us is -- is high density. You have apartments. R-15. You have Prescott Ridge, the hospital with all of the high density around that dumping down into -- onto McMillan. You have that Jamestown or James Place, whatever, senior community going in at the corner Black Cat and McMillan and other R-15 going in on that corner. McMillan right now is virtually impossible to get out onto that and the road to the north of Walmart -- I would encourage you guys to take a look at that, because that's really just a service road. That is where the semis go and the reason why I'm familiar with that is I go out of Bridgetower West and the southern road to go into Walmart is blocked because they have done an expansion to the south, so you can only go into the Walmart subdivision on the north side. Well, that's already really impacted and it's barely a two lane, very narrow road with a divider down the middle. So, I would really really encourage -- if you are expecting, you know, two, three, four hundred cars to exit onto Ten Mile via this road, it's already extremely impacted with the traffic just coming into that retail complex there on the corner. So, I really would like you to take -- you know, please think about that as far as improvements made there and I don't know if this is -- this is kind of part two. Our concern -- a lot of people's concern is the elevation and I don't know if that will be addressed at another meeting, but some of the initial pictures that we saw were for -- on some of the apartments that we are seeing out on Franklin or anymore urban business industrial area and we would like to see something that is a little more of the modern farmhouse or goes -- and not just -- is not a white square cube and I did address that with them and I don't know how they are going to, you know, come back with this and we would like to see along San Vito perhaps some more trees, a little bit more of a -- you

know, evergreen buffer. So, these are the things that the people in the neighborhood -- we all knew it was R-15 when we moved in here and we just really appreciate, again, Brad Investments in working with us on making this the nicest, most complimentary complex and thank you for letting me testify about the traffic.

Simison: Thank you, Janice. Council, any questions? Okay. Thank you.

Johnson: Mr. Mayor, that was all that signed up.

Simison: If there is anybody else in the room that would like to provide testimony on this item if you would like to come forward at this time to do so or anybody else online that would like to provide testimony use the raise your hand feature. Seeing no one else, the applicant could come forward for final remarks. Be recognized for ten minutes.

Holt: Unless you guys have a lot of questions for me I won't take ten minutes. I certainly appreciate neighbors coming out. I appreciate that their -- their passion for the neighborhood. I have appreciated that they have come to two or three different meetings in person and virtually with us. I think you -- you heard from Janice at least -- and a couple others that we have responded to what -- what I think are actionable items. We look at items that we -- we have control over. Some of those actionable items -- open space, the exterior cladding materiality, some of that we certainly know that that's a next step in this process going through the CUP and the design review and working through those. Parking is something that -- that you heard multiple times. The site plan isn't up here. Under the larger buildings, the first floor is parking. What you don't see in some of the surface area is because it's -- it's carports to comply with your zoning ordinance requirement for covered parking and, then, as I mentioned, all the townhomes themselves have garages on a first floor as well. So, we have been through the -- we have been through the code, we have been through the ordinance. Preliminarily we are in excess of the parking required for this ordinance, but, again, recognizing that -- that that will ebb and flow a little bit as we finalize the site plan. The very first gentleman, Mr. -- Mr. Jensen I think specifically mentioned a rezone request, which was a down zone, which I talked at nauseum with Mr. McCollum about and that -- that was an attempt at -- at taking advantage of very hot market and changing to residential and downzoning property from commercial and other uses to a different use. As I think you have heard from Joe and myself, this is a use that is inside of the current R-15 zone and it's a use that's inside of the current master plan anticipation. So, as far as the mixed use component, mix of commercial, residential, restaurant, hopefully medical office and other things that will come to the north. I think traffic as you heard was the biggest one. This -- this plan with the 250 units with the anticipated demographics of those users has been shared in a memo to ACHD. We are awaiting ACHD's formal review and approval and, again, recognize and as part of the DA modification will adhere to any mitigating measures. I hope it's not five lanes through Walmart, but we will adhere to mitigating measures that ACHD has in association with this project. At a minimum, like I said, we are hearing it's probably an acceleration lane and a deceleration lane on the north side of McMillan on our property that we would be not only responsible to give the property right of way, but also make those improvements and that's something that we are -- we are willing to do

So, sincerely appreciate your time this evening. We -- again I have read staff's report, the conditions, their recommendation, and would respectfully request your approval this evening. Thank you.

Simison: Thank you. Council, additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Holt, I don't expect you to watch City Council meetings on a weekly basis here in Meridian, but last week Council had a -- a single family residential application before us that would have had students that have attended the same schools that the project that you have brought before us would also send and Council really wrestled with that project because of the amount of students that -- that would go to the area schools and Council didn't make a decision, we have continued it for a few weeks, but I guess the question exists last week that kind of exists this week is, you know, how does your project help to enhance or support our need for -- for school space for our students in Meridian? I'm struggling with that particular piece and, obviously, a -- a senior or an age focused community, which was kind of previously presented I think helps towards that and I'm struggling to find the nexus about how this also helps.

Holt: Sure. And I appreciate that, Council Member. So, a couple things. As far as direct implication accommodating a school or trailers, obviously, we can't do on the site. So, a couple others. Generally inside of our demographic we are 1.7 residents per unit. So, if you were to -- if you were to compare this to 50 or 60 -- and we had this conversation in the neighborhood -- in the neighborhood meeting. If you were to compare this to 50, 60, 70 single family homes right now that are running 3.2 to 3.5 with two -- one and 1.2 to 1.5 of those being children, we are generally half of that. So, our -- our direct impact to schools is directly roughly half of what a single family home would be of a proportionate size and scale. Second just overall timing. So, that's one thing that we talked through. For us to go through and make this, you know, 60, 65 million investment we understand we have got multiple months and multiple steps and phases ahead of us. So, finishing the CUP, finishing the design review process, then, actually finalizing construction drawings. I would love to tell you that I will break ground a year from now, I think that is unrealistic. I think it's a year to 15 months from now, depending on how much snow you do or don't get in -- in winter of '22. It's probably spring of 2023. This is a two year 20, 22 month construction duration. So, one of the things that I'm looking at is I'm two and a half, three years out from now before I put an individual in that school -- occupying a home and putting an individual in that school. Secondarily with that 1.7 residents if there is a child we tend to be on a younger age and many of them are pre-K or younger or kindergarten and first grade. So, as we have looked at what first and -- kindergarten, first and second grade occupancies are right now, by the time we move -- they move up there would be capacity in the school. What I don't know is -- is everything else that is -- is planned or could come in to -- to fill into that school. But those are a couple of points that

we have absolutely looked at and that we, unfortunately, address all the time with -- with what we do.

Cavener: All right. Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To dovetail on that, though, you would agree that -- that this use might be less intense in generating students than single family residential, but it's more intense than what's originally in the concept plan with assisted living and a senior community.

Holt: So, the assisted living pieces is -- is a building out on the corner. I have not seen any senior housing component as part of that master plan.

Borton: Okay. And what -- and you can describe or maybe Joe can describe that -- the existing concept plan or the parcels within this project area.

Dodson: Right.

Borton: They look like little pods.

Dodson: Very -- Councilman Borton -- and maybe you don't understand what he's referring to. The DA, not the overall master plan of the area, but the -- on the east side of Ten Mile there are -- there is a 55 and older community that was approved and still not under construction for some reason, but that's there. But assisted living not in this area. But intensity, yes, this would be more intense than an assisted living community, but, again, I -- I don't know how viable that is, it's not my purview, but I do understand the analysis has been provided by the applicant, as well as the property owner --

Holt: Council Member Borton, you are -- you are correct. On the -- on the hard corner of this 16 acres in the -- in the current DA --

Borton: Right.

Holt: -- it was anticipated that there could be an assisted living facility. All the pods behind it are -- according to Mr. McCollum are multi-family, either high or medium density uses. So, recognizing that the assisted living facility is really something that should be adjacent to a hospital or in close proximity to a hospital, that is not something that -- that we believe. So, otherwise -- and I think it's part of the reason Mr. McCollum sent his -- his letter in support. We are -- we are doing something that he -- with the exception of the assisted living building -- big building on the corner, we are doing something that was anticipated as part of this greater 80 acre mixed use.

Borton: Okay. And maybe some of the disconnect was those -- what's depicted here in the existing concept plan and those pods, there is no connection to that being a senior community housing adjacent to this assisted facility. Those were regular multi-family --

Dodson: Councilman Borton, that --

Borton: -- four-plexes?

Dodson: It's difficult to say. I had to go back and read the narrative from 2008 in order to find that and -- which is a -- it's a mess, because this is very difficult to decipher all the different moving pieces that have come through these applications. When Summerwood Subdivision had this DA and the DA modification in 2019, there was -- the Bridgetower developer and owner Mr. McCollum did not have any necessary plan for this area. So, he agreed that, hey, we will just carry over this site plan from 2008. This one right here that's in the existing DA, but it was not what he anticipated to do, he just said -- we require a concept plan when we do DA mods and comp plan map amendments. So, we carried it over at that time. That narrative about the assisted living and some senior housing or any kind of multi-family was kind of in there and kind of not and, then, again, this is why we have -- it's been difficult to get this through as a DA modification, because I can understand the applicant's perspective of pushing back and saying that this is not specifically written in the 2019 DA and I -- I can understand that perspective, but because this concept plan is there we tied it back to the 2008 narrative that did describe this area with assisted living on the corner, which is why that lake is there. In addition to some form of multi-family, potentially senior housing in that area. There is -- there is like two sentences in the DA -- or the 2008 narrative that talks about this. So, that's where this all is based from and what has caused a lot of this hoopla.

Borton: Okay. Thank you for that, Joe. Mr. Mayor?

Simison: Councilman Borton.

Borton: That's the reason for the question was just trying to understand is the change in this DA application going to provide a more intense residential use than otherwise originally required or intended. So, was it originally in '08 to be a less intense perhaps senior component community, adjusted to assisted living or not, and it sounds like perhaps maybe not as much?

Holt: In '08 I can't speak to it. The 2019 modification is clear that it's mixed use and it's the R-15 residential zone and nothing specific to a specific use -- specific product type. I think that's where -- our conversations with Mike are -- this 80 acres that you are seeing on the screen here is intended to have a variety of mixes, a variety of uses, with a range of residential product, commercial, retail and otherwise.

Borton: I'm just talking about the -- in the red box only though. That's the --

Holt: Sure. I -- I don't -- in 2008, yes, I think there was a plan that this was assisted living and a different housing product when the -- when the hospital was planned to be there. Completely different use. Completely different. 2019 that modification changes it just to underlying R-15 zone and it amends with not a defined plan. The narrative about assisted living and other product types is not part of that narrative. As I understand it from Mike.

Borton: Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Just for clarification, are we modifying a 2008 development agreement or a 2019 development agreement?

Dodson: Technically a 2019 development agreement.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Joe, regarding traffic and the expansion of McMillan, I have heard lots of things, you know, right turn lane, acceleration lane. What is the plan for McMillan west of Ten Mile? In that first half mile are there going to be turn lanes? Are there going to be four lanes, five lanes? What -- what is their future plan by ACHD?

Dodson: Great question, Councilman Hoaglund. I'm glad you brought up the transportation side of it. I have just looked on their integrated five year work plan, they don't have anything noted for McMillan. Not in -- not even labeled as future. Again, I believe that's because of the constrained nature of it with the irrigation -- irrigation facility on the south side, especially in this first half mile from McMillan west to about that Jamestown Ranch project. However, in the previous application that we had before P&Z, without this residential, just the addition of potential residential on the north side and those rezones, they were going to require -- I believe it was on San Vito, a right-hand turn lane westbound and an eastbound left-hand turn lane on McMillan. I would assume that at least that will be required with the future TIS, as well as something on Vicenza Way as well. More so at this point, because two access points are going on Vicenza -- probably more on Vicenza than San Vito. ACHD could require additional widening for McMillan in front of this property. I don't know their purview on what they could require off site. I would anticipate not much and, then, in terms of access to Ten Mile, again, we cannot require that they do off-site improvements, especially on Walmart's property for that connection to Ten Mile. I do believe that people would utilize -- I mean I would. If I lived to Bridgetower I would definitely cut through this site to get to Walmart and not go to McMillan, because it is difficult. I understand that. So, I did analyze that in my report as well that this layout should capture some of those trips. But in terms of integrated five year work plan, I do not anticipate ACHD widening McMillan.

Johnson: Mr. Mayor, Kristy Inselman is online with her hand up.

Simison: Okay. Why don't we go to ACHD and hear from them. Kristy, go ahead.

Inselman: Mr. Mayor, City Council Members, thank you. Yeah. So, with regards to McMillan Road -- so, in this -- both in the CIP and in the master street map that we develop in coordination with the cities, McMillan will be restricted to a three lane roadway in the future, unless that changes with the city. But it's that -- that's currently the extent of what that roadway would become. Staff is correct that there can be some on-site mitigations that would be required. Obviously, a future development application and full review by our staff would vet out what improvements potentially could be, but likely it's just -- we cannot require the -- the off-site improvement with regards to going through the Walmart site, because that's a separate development that's already been completed. So, we don't have the authority to require those off-site improvements like that. We can ask sometimes and the city can ask, but we can't -- we can't require those. So, yeah, if you talked to ACHD likely there is potentially some -- you know, maybe a right-turn lane -- right-turn lane in or a decel lane and acceleration lane, but, yes, future McMillan is three lanes as identified in the master street map.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Kristy, this is Councilman Hoaglund. Thank you -- thank you for that explanation. In the future land use map that we are looking at right now that's on the screen -- I hope you can see it. It looks like there is planned a residential collector that says new going north of San Vito -- yeah. San Vito Way and, then, coming and connecting into Ten Mile and oftentimes those collectors -- I'm trying to recall would that be a light there at that half mile point -- although there is a light farther down at the Costco intersection, but is that kind of a future plan that actually to access Ten Mile might be the best way, instead of going out McMillan, but, of course, we don't know how long that -- that takes to have that property develop.

Inselman: Mr. Mayor, Council Member Hoaglund, thank you for the question. So, yes, I do see that. We do have future plans for the collector roadway to continue north and at some point connect over to Ten Mile Road. Whether that connection would be signalized or not, that's a lot of what a traffic impact study would dictate to us as to whether there would be a need. We typically on our arterial roadway systems we do have mid mile collectors if the volume dictates the need for one of those and I think -- it's hard to tell on the map. That may be around the point where it would be a mid mile collector. So, it's likely that there -- we would have one there given the constraints to McMillan, but, again, that's -- that's a future -- that's a future answer. I hope that answers.

Hoaglund: Yeah. Mayor and Kristy, I understand. Thank you.

Inselman: Uh-huh.

Simison: Council, any additional questions?

Perreault: Mr. Mayor? Mr. Mayor?

Simison: Is that -- oh, Council Woman Perreault.

Perreault: Thank you. I do have a question for the applicant. So, was there consideration made of -- of putting in townhomes, duplexes, a little lower density, still -- still, obviously, denser than single family, but did you analyze that at all in terms of your cost to construct and -- and your return on your investment?

Holt: Council Woman Perreault, thank you. We -- we did not and -- and that's something that we can look at. So, part of the reason that we did not is in our initial meeting with Mr. Parsons and -- and Mr. Dodson we looked at a variety of -- a need for a variety of housing stock opportunities. So, variety of product, variety of range of unit size, to hit a variety of price points and to accommodate a variety of individuals. But I think to -- to Joe's -- Joe's point, finalizing a -- again we have -- we have read -- we have read the report, we are in agreement with the report, we are willing to accept the report and with that is the 25 percent, which I think is ten percent over the current zoning requirement, if my memory is right on open space. So, to -- to Joe -- or Mr. Dodson's point, I think that there will be some further refinement. It will probably require introduction of some more product type. We looked at it -- we looked at it from an urban scale; right? So, not only intensity, but density. What is the most dense use? It's Walmart today and over the next five days. And, then, it's Walmart in any other given period of time frame. So, that intensity and that -- that density or intensity on the corner and, then, fanning out and what is the lowest density is the single family that's directly to the west of us. So, for us it's -- it's looking at urban planning and looking at the intensity and the density from that intersection and, then, fanning outward and so a three story flat product is more intense and more dense than a townhome product blended across this site and that's where we end up with the 15 units to the acre.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yeah. I understand what you are saying. Within -- within the development itself you are wanting to provide -- or the mixed use concept is to provide a variety of housing in addition to providing a variety for that entire area geographically. I would argue that -- and -- and -- and I -- and I understand -- I understand the R-15. I understand the future land use map. I would argue, though, that we actually really have a shortage of townhome type of products in this area and in Meridian in general. We have approved a lot of -- of multi-family three story projects in the last couple of years. A lot. But we really don't have a lot of that in between type of housing product not for purchase and not for rent and there is a huge demand for it and so I'm just -- that's the reason I'm asking about whether you actually analyzed that or not.

Holt: I appreciate that and Dan Parolek calls that the missing middle and I think you are exactly right and so for us making certain that we are providing a product that does hit that missing middle was something we absolutely wanted to do and, then, hit that -- that cross width. So, I -- with this -- with approval I take that with Joe and -- and go back and assess what that can look like and how it could look.

Perreault: Mr. Mayor, I do have one more question.

Simison: Council Woman Perreault.

Perreault: I'm sorry. Just looking at this concept plan -- I realize that that will come back -- you know, this isn't the final plan, this is just a concept plan. It does get tied to the DA, but I want to understand where the parking is on the -- the apartment buildings. Is it on the bottom floor? I'm not seeing -- I'm seeing a small amount of parking around the tennis courts.

Holt: Yeah. Thank you, Joe. Right there. So, under every one of the buildings on the first floor is parking and, then, you are seeing surface parking around some of the amenity space and, then, the -- the white is carport and we are exploring a variety of solar and other things, but all of that is carport and, then, surface parking and, then, again, the -- the townhomes have a garage on the first level.

Perreault: Okay. Thank you.

Simison: Council, any additional questions, comments for the applicant at this time? Okay. Thank you.

Holt: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I think -- we haven't closed the public hearing. I'm going to motion to close the public hearing on R-15 -- or, excuse me, H-2021-0094.

Cavener: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Hopefully we don't reopen it, but this one might not necessitate reopening it. So, for discussion I thought the -- that question that the applicant and Joe helped answer provided a little more clarity I guess to the record, which wasn't crystal clear. But it's a -- it's an R-15 zoned property; right? It's already entitled for some residential uses, it's just a kind of the method and manner we are going to provide residential uses here. I think the explanation was sound. I think staff did a good job in vetting the application and -- and the applicant working with the neighbors to try and create some harmony with those uses and the way that's been done I'm supportive of. I think it's been well done and well explained. So, I will be in favor of this application.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I land on -- on kind of the opposite side of the coin. This request before us to me, while somewhat in line with, you know, a change of at least the -- the intensity of the use, the amount of students generated from this project is I think one less than what the Aviator Springs project last week generated. I see the nexus between the two. So, I'm not in favor of the request before us tonight for -- tried to kind of walk through to find a less intense use to maybe give me some comfort around it. The fact of the matter is the previous -- while, again, from 2008 project associated with this piece of dirt wouldn't have generated a lot of student impact and this one will and I'm -- I'm -- I'm sensitive to the impact on the area schools and don't see an immediate need to support this request tonight.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: This is a tough one, because the applicant's technically -- technically within -- you know, trying to work within the R-15 designation -- would have to say I'm leaning more towards agreeing with Councilman Cavener. I -- I think that, you know, we -- the -- the DA from so long ago and I -- I thought I heard Joe say that the concept plan that he's been showing on the screen is from 2019, but that -- that may be incorrect. I just -- so much has changed, even just in the last two years, and I just have a lot of concern, actually, about putting residential in this location in general, because I think that the residential will likely build out to the north of this and -- and I'm really hesitant to not leave this area open for a nonresidential use and I know that right now that's not currently how we have it -- you know, our mixed use classification is -- is not that specific. But I just -- we have had several discussions over the last few years about critical space on our arterials for nonresidential uses near -- near important corners and in my opinion this is one of those and I feel like that -- that there would be -- now, I understand that this property has been sitting for a long time. However, it's been sitting with the current DA that shows a residential use and if there was a DA modification proposed that showed a

nonresidential use, I don't know how that would change whether or not there would be, you know, tenants for this property. But I -- I just am not in favor of residential here in this location. I would like to see it further up north and I know this -- that that has nothing to do with this applicant, but as far as the DA modification goes, I don't -- I'm not in favor of changing it. Perhaps residential if it was a lower density, but in general I just -- I don't see that being a great location for this corner and I am welcome -- I mean I'm -- I'm open to any thoughts that might be shared or any other information that could be shared with me that -- that might cause me to think differently about it, but that's where I'm at at this moment.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a titch of context. For me the unique feature is that it is entitled property and if this application didn't come forward the applicant could build multi-family here tomorrow and have -- it's not -- it's not encumbered with senior only, so I think it already has, for better or for worse, the potential impact on schools, so that was a different characteristic which made me comfortable proceeding today. So, it's entitled property.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Councilman Borton brings up a very critical point I think is the fact that this use is already allowed within this zoning and it's just a matter of the type of density. You would have, you know, some sort of commercial entity over here, whether it's a -- you know, assisted living or what have you and maybe there would be a fewer less residential units, which I understand. The conundrum I'm trying to unwind is the fact that McMillan is not going to be widened and there are entitlements to the west of this property as we know going out The Fields district that is going to send traffic down McMillan and it's going to make it worse and there is nothing we can do about it. Those are decisions made long ago. So, to me are we allowing -- if we allow this use to come in, they are providing some access here north of Walmart to allow a relief to get to Ten Mile and, eventually, as this develops -- you know, commercial follows rooftops -- having that road exit out to Ten Mile farther down and, hopefully, have a signal to that to allow that access. So, that's -- that's what I'm weighing here is the fact that development will help push that road to be done sooner and -- and allow West Bridgetower to not have to use McMillan, but come out what we call a backway, but where I live not that far away from here we do that, we take the back roads and try to get out a little closer to where we want to go going in the right direction or -- or get to a signal. So, that's just the way it is now. So, that's -- I think that helps start a solution for -- for the traffic loads that will exist on McMillan. It sounds like forever. It sounds like the applicant will have to mitigate, you know, exit and entrance on their property, which is just -- certainly doable and necessary and -- and, Councilman Borton, we are -- this -- this is entitled property, so we are affecting very little of it that -- that we could -- we would have control over that would impact schools and certainly traffic.

So, I'm inclined to -- to support this and, hopefully, allowing mitigation of traffic by alternate uses of that -- the property, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: A question for Councilman Hoaglund. So, if I'm looking at this concept plan correctly, so we allow residents of Bridgetower West to access the -- the Walmart area and off to Ten Mile -- if this little section that's not on the current property in question is connected -- and we don't have any idea when or if that will happen in the near future.

Hoaglund: Mr. Mayor, Council Woman Perreault, yeah, that's correct. That -- that is something that they are going to have to work out and make sure there is that access point there so -- and I think it was Mr. Jensen -- I can't recall now -- when I questioned him to make -- and he wanted that access point to the east bigger to make sure that that was allowed, if I understood him correctly. But -- you know. And that's -- that's part of the site, too. If people want to use that, that's going to be a -- yeah. Yeah. Right. Down here -- down to the northwest corner we have to make sure where it's in the red triangle that that easement is allowed, because I assume that's what it would be and, then, I think going to the east, the exit to the Walmart, that would be larger. But that -- that draws traffic through their -- through their development, which is something that I think you have to look at the design and the CUP and say do we do something a little different or does the developer come along and do a connection out here? I -- I don't know what that plan is. We can't force them to do something that's not on their property, but I think we have to help -- if this goes in there has to be some mitigation for that traffic load there on -- on McMillan, which is just going to get worse.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: In response to that, I -- I'm not overly concerned with them having an access point to San Vito, because we will require that. Where that placement is is kind of more the question. We originally -- if I had my planning way they would have another connection to San Vito in line with the other connection on the west side, but in response to the residents the applicant removed that. I understand those concerns. I understand that. But some connection to San Vito needs to occur for overall traffic flow, as well as the issue specifically discuss of getting to Walmart and, then, Ten Mile through another avenue. I -- if they need to modify the site plan, if by some reason McCollum doesn't let this happen, they will just have to meet offset requirements and have another connection probably near the northwest corner of the site still and they will just adjust the driveway. I do not anticipate why they would not want a connection to San Vito, so I don't have -- I don't have a specific DA provision that says they shall connect to San Vito in some way, but it does discuss that they will make this connection happen and work with the adjacent property owner. So, if the Council -- it's in your purview to say if that doesn't happen that

period, one, a connection will happen to San Vito, you are more than welcome to add that. And, then, generally in response to the density I do agree with what Mr. Borton has said with -- I wouldn't say they are entitled to do multi-family, so much as saying they can do a conditional use permit, yes, and if they match the site plan better then they could still do that at 15 units to the acre without -- you know, well, I think they could propose it at 15 units to the acre per the future land use designation. So, would it be this site plan? No. If it fit the other one that would be a little wonky with the way they have it designed, but technically they could. So, I -- that's, again, why it's more of the nexus of why staff has supported the development agreement modification as well.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I guess it's my turn. Get ready.

Simison: So, you are abstaining and leaving it up to me?

Bernt: I don't know. Certainly. Just relax. It's early. So, I -- I agree with Councilman Borton and other fellow Council Members this evening. Each has information and has discussed, you know, opinions that I agree with and some I don't agree with, but at the end of the day this -- this property's entitled. It's going to be R-15 unless the developer wants to, you know, propose a different development agreement to make this into a -- like a curling facility or a pickleball court or a huge trout pond with huge brown trout. Other than that it's going to be R-15. So, I -- the one -- all kidding aside, I think that -- you know, that there has been a lot of thought involved with it from making, you know, the transition from commercial from Walmart over -- you know, westward to the residential subdivision. I like the layout. The only issue is -- is the density for me, being very familiar with this area, it's just -- it's just a bad spot and I know what's going to happen, I just wish it was less dense. Council Woman Perreault mentioned earlier about townhomes and -- and I have said this a million times, the last thing you want is Council Members, you know, designing this project on the dias and I'm not certainly going to do that and maybe giving direction, maybe a little bit, but I lean not being in favor -- maybe opening up the public hearing and maybe continuing this so you can work on the density. This evening I probably -- as proposed I probably wouldn't be in favor. I wish it to be less -- less dense. Just -- there is so much going on in this area of our town. Directly to the east there is a really big multi-use, you know, apartment complex. It's really big. There is other entitled properties that's going to be multi-use that's nearby. I can understand why the residents are unhappy with what the -- you know, with the traffic issues that are occurring in this area. So, that's where I stand at the moment.

Perreault: Mr. Mayor?

Bernt: That's two weeks in a row, Mayor, that I have made a joke about a trout pond.

Simison: A ways away from fishing season. Council Woman Perreault.

Perreault: Thank you. I -- I appreciate Council Member Bernt's thought process on this and I would be comfortable with the public hearing opening again and allowing the applicant additional time to adjust the density. I can live with that.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Honestly, the question is -- we just need to decide right now whether this is going to be continued or whether we -- it's the purview of this Council to make a motion right now and to decide what we want to do with it.

Dodson: Mr. Mayor?

Bernt: I would like to hear what fellow Council Members have to say about that.

Simison: Yeah. Well, I will entertain two motions.

Dodson: Mr. Mayor? No. Joe.

Simison: Yes, Joe.

Dodson: I can't make a motion, but --

Simison: I know you can't. That's why --

Dodson: Yep.

Simison: I was going towards two motions from Council. I didn't even make my comments. But go ahead, Joe.

Dodson: Thank you, sir. I just wanted to -- I have heard density a lot and I completely understand schools, transportation -- got it. A hundred percent. Planning perspective, completely get that. And personal perspective of the residents. Understand. Council's purview is to limit -- you can add a DA provision that limits the density. I understand the issue, because I have the same issue from when I write these DA provisions of what is the number? What is the appropriate number? Do you -- 170? I don't know. Just random numbers don't make sense. I get that. But you do have the purview to limit density based upon the existing uses, both to the east and to the west, perhaps it's a specific dwelling unit per acre range that they can work with. We have done this on other projects. That way it gives staff and the applicant flexibility in that. I'm assuming they would prefer that over a denial, obviously. Continuance. Understood. You would still see that. I assume that it would be very same site plan, just now some of the buildings are two story or they have less of the internal apartments and maybe more townhomes. I don't know exactly. But if that's what Council determines that they want, perhaps that mitigates the need for

a continuance unless it's your purview. I just wanted to remind you that you have the power to limit the density.

Simison: And that's -- that's the question I was going to ask, essentially, is what's -- the process for this property to develop is either a CUP or a DA. Which one does Council feel most -- is most appropriate for where this is in the process to -- to affect the potential development of this parcel? And, unfortunately, McMillan is never -- it's not going to be -- it's going to be the last road in Meridian that is probably ever widened or improved, because of the extreme cost to do so. So, a CUP would probably slow the process down beyond the three years we talked about, because they would have to run that through, but what project you are going to get through that process --

Dodson: And Mr. Mayor?

Simison: -- that you would want.

Dodson: They will still have to do a CUP regardless of this DA mod. It's just you can --

Simison: I take that back then.

Dodson: -- help dictate the density and the potential impacts that that could have. Absolutely.

Simison: So, those are --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, I really appreciate you pointing that out. I just -- I would be a lot more comfortable seeing the concept plan that they -- that they put together after they make their changes, since it's going to get attached to the DA. I don't -- I don't -- I mean is there going to be a point at which we can see that concept plan when they make adjustments or -- or if we were to just limit their -- the density with a vote this evening, we would not have that opportunity; is that correct?

Dodson: Council Woman Perreault, that is correct. Yes. If you wanted to see the concept plan come through again before you make another decision, then -- then, yes, you would have to continue it.

Perreault: Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You know, I'm okay with opening up the public hearing and continuing this for the applicant to work on this. I mean I think -- I mean it's going to -- it's going to be R-15. I mean there is just no way of getting around it. There is just nothing we can do, you know. I get the homeowners' concerns, I get it, but I would be in favor of continuing this to let the developer, you know, look at it, see if they can lessen the density and that would -- I'm okay with doing that, if my fellow Council Members are open to that idea.

Cavener: Is that a motion?

Simison: Yeah. We need a --

Cavener: I second it.

Simison: I have a motion and a second to reopen the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is reopened.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Do you want to hear the applicant's perspective on what you have been discussing to see if there is any interest from the applicant in regards to the density?

Holt: Thank you, Mr. Mayor and Council Members. I -- I know that density is -- density is a concern. Density done wrong scares me. Density done wrong scares me immensely. Density done correctly does not scare me. We had -- we had this conversation with the neighborhood community in a couple of our meetings. To try and take this -- and the four big buildings that you see on the north side have a bigger hindrance to views, to opportunities for pedestrian connectivity to those thoroughfares, which is why we changed that product type on the -- on the west side of this site. My legal counsel is -- is texting me and under a -- under a CUP, conditional use permit, if we meet the conditions that are required, then, the -- it's -- it's a process that's approved. So, under that CUP process, which as long as we adhere to all of the conditions therein, we can get 15 units to the acre, which is why we are saying we know we have to go through that process. So, what I don't want to do right now, without my land planners and other people who are a hell of a lot smarter than me, is say I'm going to agree to X. What we wanted to do is say we want to know that what we are trying to accomplish meets the intent of what it is. The zone's there. We want to get ourselves out of the master -- the Bridgetower master plan, which is what we heard from the neighbors, and we are still going to go through the design review and CUP process to make certain that we are addressing the 25 percent open space and the other things that -- that staff has done. So, I think inherently -- Joe said at the beginning -- I think he's right -- there is going to be an impact to the density. What -- what I don't know is what that is and what I don't want to say is it's X; right? I just don't know. Confucius said if you ask a group to design a horse you will get a camel and that's what I don't want to do right now, without much smarter people with me. So, I think what we are saying is we know that's a step that we are going to have to go through. We know that's a process that we are going to have to go through. This isn't a rezone request. We

are not trying to get more density. We are not trying to do any of that. We are trying to say get us out of Bridgetower, let us work through the CUP and work through the design review process with staff to come up with something that meets all the criteria, has great connectivity, both from a pedestrian perspective, as well as a vehicular perspective. I'm confident, as Joe has said, that Mike -- Mr. McCollum will work with us on that and, if not, we can accommodate it somewhere else. I can tell you in my meetings with the neighbors we removed the one a little bit further south, because they did not like that and they said if we have to have one we want it at the far northwest corner of the site. So, keeping it at the northwest corner would allow me to do what I committed to do and keeping it within -- if Mike won't work with us, keeping it within a distance that still meets your stacking and queuing is something that, in and of itself, is going to change this site plan. So, I don't know if that answers your -- your question, but this is a -- this is a process we know we have got to go through and answer and we are comfortable with providing more open space than the zone currently requires and other things, which I know will have some further impact on -- on this site plan and as well as other things that I have heard tonight. So, is there any -- any specific questions?

Simison: I can produce less trips?

Holt: So, to me producing less trips is providing ample opportunities here; right? So, ample opportunities inside of our clubhouse for a coffee shop, a little cafe, something that individuals can walk through, we -- we showed the neighbors that we did not -- so, again, part of this -- I designed this project initially in a silo. We, then, went to some of the neighbors and got some input and now we are getting even more neighbors in a bigger -- a bigger band. I would love to have pedestrian connection points and I think Joe would as well through the fence that goes along that -- that property. The neighbors have made it clear that they don't want that. They do not want pedestrian connectivity through this. They are -- they are fine going back out onto the McMillan. Why? I'm not sure. To me that pedestrian connectivity -- that vehicular connectivity east and west through this site lessens trips, to your point, Mr. Mayor. If somebody can drive through to Walmart or walk through to Walmart or walk in -- inside of my R project, once they have come they are not leaving to the -- to the greater area to go recreate, they are recreating right here. They are not leaving to go grab a coffee in the morning, they are grabbing it right here. Those are opportunities that I can control. Those are actionable items that I can do right here that I think make this site more porous that I would love to work on with planning staff in a final CUP.

Simison: So, Council, you have heard from the applicant.

Bernt: Mr. Mayor?

Holt: I need water.

Simison: Councilman Bernt.

Holt: Thank you.

Bernt: So, Mr. Mayor, question -- one more question for the applicant. Are you wanting to -- what is -- what are you wanting us to -- I mean do you want to continue this, so you can make this less dense or do you want us to close the public hearing and vote on it?

Holt: I'm -- I'm open to a continuance to review this and to work through it more. If you have got any other thoughts of what you -- what you want to see I'm open to understanding that better. Again, I'm going to go through the CUP process to me one way or the other, so -- so, part of it is getting the Council's thought, instead of just going to the Commission. It was how does the Council look at this? Do a DA mod, it's a CUP for me either way. So, working through those conditional use requirements for that permit I have got to go through either way.

Dodson: Mr. Mayor, I just want to be very clear real quick. I agree with everything that Mr. Holt has said, except for -- that they are allowed to get 15 units to the acre. I think that there are other parameters. Both the Council and the Commission can limit density period, regardless of dimensional standards and the future land use map. So, I just want to make that clear that that is in our purview to do that based upon these issues as discussed, the trip generation, school impact.

Bernt: And, Joe, what would be those options? I'm not quite sure exactly, you know, what that density would look like that you are speaking about.

Dodson: Yes. Exactly. How arbitrary is it? I understand that. And I don't -- I don't have the brains to tell you what a magic number is. I don't know who -- who does. This is where Planning staff does work with the applicant and we work through this. But if 15 units to the acre -- if 249 units are too much, what is an appropriate number that Council finds is -- is -- can be met here; right?

Simison: Somewhere between eight and 15.

Dodson: The range is six to 15, so -- agreed. Yeah. There is -- there is quite a range with the future land use map. So, 15 is at the high end. Again, other projects we have said, sorry, you are -- you have to do eight to 12 or, hey, you are 12 to 15. You know, if we want density in an area that is definitely within your purview. I just don't want it to be assumed that we are going to go through the CUP process and if they meet parking and open space that they automatically get 15 units acre, because that's not always the case. The Commission could turn around and have the same exact conversation, which I anticipate they will, and could limit it even further than Council does. That is their purview, because it's a conditional use.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Knowing our Commission I anticipate they actually would be more conservative than Council will. I can't speak for them, but having served on the

Commission myself prior and knowing how they view things, I -- I -- I guess I'm stating this right now to the applicant that the Commission could very well be more conservative than we are, because I feel like I'm hearing from the applicant that they are not seeing an opportunity with us continuing this and I think there is an incredible opportunity, because they need to say, well, I'm going to go ahead and do a CUP either way, I'm kind of like, well, why didn't you just do one in the first place I mean -- and not do a DA modification. I understand the purpose is to remove this section of property from the existing DA and that's the whole reason, but -- but when it comes to the CUP, if you don't want an opportunity to look at the density of this and you want to just take it to the Commission, I feel like you would be bypassing a very good opportunity, but -- but that's -- if that's what we are hearing from the applicant, then, that's what we will do. Just being very candid.

Holt: No. I appreciate that. And I don't think that's what you are -- you are hearing from me, at least I hope that's not what you are hearing from me. I think it's a process that we understand we are going through either way, so any -- any further direction that -- that the Council can give me -- give us I'm happy to take it back. What I didn't want to do was design on the fly right now.

Bernt: Right. Exactly. Do you mind if we continue to -- will February 1st be a good date for it? Do you need it to be sooner or later? Did you have a -- a date that you prefer?

Holt: That -- that's probably fine.

Bernt: Okay.

Holt: That's a month of time for --

Dodson: I will be somewhere -- yeah. Here, probably.

Bernt: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I want to say one more thing about it. The applicant's asking for kind of what our expectations are with this. First of all, we have already shared that we would like to see some different density, whether that's a change of actual housing product or however the applicant wants to do that. For me I know this area exceptionally well also. Getting around here is complicated. Maybe in five years when that collector street goes in on Ten Mile and there is a light or maybe when -- you know, when just -- just even getting through the Walmart parking lot is a nightmare and, then, if you are -- if you have people turning left from -- you can't turn left from -- is it Vicenza that -- however you say that street name that runs to the west of Walmart. Can't turn left there. So, you have to turn left off of San Vito and it is really not easy to get around here right now and, then, adding all these additional -- these additional units is not -- it's not just about the level of traffic on McMillan

-- that's a part of it, but physically getting around this whole section, getting through the Walmart parking lot, making left and right-hand turns, it's complicated and I would like to really hear what ACHD has to say before I -- you know, before I make a decision on this. That was another reason why I'm in favor of continuing, so you can get that information back from them.

Holt: They told me that's four months, so I hope we can do it before then.

Dodson: Mr. Mayor? I was going to say regarding the TIS, they weren't even required to technically submit it yet, because it's not -- ACHD will not make comment on the MDA, but with the future CUP with -- once they are over a hundred units, which, obviously, we are going to get more than a hundred units here, that that's going to happen.

Simison: With that do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we continue this application, H-2021-0094 to February 1st.

Simison: Do I have a second?

Cavener: Second.

Simison: I have a motion and a second to continue this until February 1st. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and this item is continued until February 1st.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Council, we will go ahead and take a ten minute recess and we will reconvene at -- actually, take a 12 minute recess and reconvene at 8:20.

(Recess: 8:08 p.m. to 8:21 p.m.)

3. Public Hearing for Black Cat Industrial Project (H-2021-0064) by Will Goede of Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd. and Parcel S1216131860.

- A. Request: Annexation of 130.19 acres of land with R-15 and I-L zoning districts

Simison: All right. Council, we will go ahead and come back from recess at 8:21. And for the record Council Woman Perreault has left us for the evening. Next up is a public

hearing for Black Cat Industrial Project, H-2021-0064. We will open this public hearing with staff comments.

Tiefenbach: Good evening, Mayor, Members of the Council. Alan Tiefenbach, associate planner with the City of Meridian. This is a proposal for annexation of 130 acres with the I-L and R-15 zone districts. The site consists of, like I said, about 130 acres of land. It's presently unincorporated. It's located on the west side of South Black Cat Road, directly adjacent I-84. There is also a very small one acre piece, which I'm circling here. This piece I will talk about shortly is why it would be eligible for annexation. So, this is the five year plan for ACHD. The -- the -- what I'm showing here -- so, Black Cat Road is to be widened to five lanes between 2036 and 2040 and West Franklin Road would be in the design to be widened to five lanes starting in 2026, but none of this is on the ACHD five year work plan. Okay. Again -- so, the applicant proposes to annex and rezone just a little short of an acre of property to the east as R-15. They also propose to annex 129 acres of property to the west as I-L. The applicant proposes to annex 2.96 property, again, in order to meet the contiguity requirement. Staff has met with the applicant numerous times about this project. Staff's expressed concerns, including the lack of compliance with the Ten Mile plan in both use and design. Existing and proposed impacts on the surrounding roads. Probability of load jobs and whether or not the timing is right for a development of two million square feet of commercial when there is other properties on the east side of North Black Cat that have not even built out yet and much of it on the east side has not even been annexed. The Ten Mile plan is to ensure that land use and transportation planning are integrated. It says that -- in the Ten Mile plan it says the city knows this is one of the last remaining large contiguous areas of highly visible, easy accessible and development -- developed land -- developable land within the City of Meridian. The Ten Mile interchange is intended to look, feel, and function differently and it's supposed to not empty out at 5:00 p.m., it's supposed to be more of a 24 hour type situation. Here is the Ten Mile plan land use. The -- okay. Let me see if I can point here. So, the one acre parcel that you see here, this is -- this is designated for medium density residential. Approximately one third of the 129 acre property to the west is recommended for low density employment. That's what you see in this blight -- this blight -- in this blue. To the east of this and to the -- or sorry. To the west and to the south this area is recommended for mixed employment. So, low density employment is to provide low rise office and specialized employment uses. It should provide a variety of flexible sites for professional office and similar businesses. Buildings in these areas range between one and three stories, have total floor area of 5,000 to 150,000 square feet and the plan talks about these types of uses being corporate and business offices, research facilities and laboratories. Mixed employment is an area to encourage a diversity of compatible land uses. It may include office, research and specialized employment, light industrial, which would include manufacturing and employing -- employment and assembly and other miscellaneous uses. It's to provide a variety of flexible sites for local start-up businesses, but it would also accommodate a wide variety of employers. All the professional uses along with the restaurant and retail uses you see right at Ten Mile and I-84 is an example of mixed employment and what was intended for in this plan. So, what the applicant proposes is seven buildings ranging in size between 6,800 and 33,000 square feet -- that's what you see here -- directly adjacent to the west side of the South Black Cat Road.

And there is also a proposal to donate a fire station, which you can see up at the top right. It also proposes nine very large buildings ranging in size between 131,000 and just short of 300,000 square feet, to a total of just short of two million square feet. The concept plan shows multiple loading bays on all of these buildings. That's what you can see here. And it also shows a wide collector street, which I will talk about shortly, running through here. Applicant requests to rezone this whole area two I-L. So, the applicant's narrative states that this Black Cat business center would provide in demand manufacturing, heavier office build out, flex industrial and accessory retail warehousing and distribution. It mentions that the mixed employment designation in the Ten Mile plan does list light industrial as one of the appropriate uses and their narrative notes that the City of Meridian has less than a one percent vacancy rate for industrial business uses. So, staff believes that M-E zoning is more appropriate in this location than I-L. I want to mention that the Ten Mile plan does mention that light industrial is one of the appropriate uses, but if you -- but -- but the light industrial zone district and what is the definition of light industrial are two different things. The definition of light industrial talks about manufacturing and assembly. The UDC defines light industrial as a use engaged in the manufacture, processing, fabrication and assembly, dot, dot, dot, of finished products or parts. These definitions are very different, like I said, from what would be allowed in the light industrial zone district and I will talk about that. And to the west the Ten Mile plan west of this has a very large area that is set aside for industrial uses that are specifically the type of uses that the applicant is proposing. Here is a slide sort of comparing the two zone districts what I'm showing you here is on the left there is -- there is numerous types of permitted uses and there is much more here than just office. It allows flex space, healthcare, light industrial, which is manufacturing and assembly and what's important to mention is that warehousing and distribution is a use that is allowed by conditional use. So, in the M-E you could do warehousing and distribution, the difference is in the I-L zone district that is a principally permitted use. So, in mixed -- in use -- so -- and I keep focusing on -- on -- on distribution and warehousing, because it is staff's understanding that this is primarily what the applicant wants to do on this particular property and it's important to notice, again, that this is not just office uses, that M-E -- that M-E allows. But staff does have concerns with zoning this to I-L, because by right it would allow warehousing and distribution with no limit without having to go through another public hearing. It would also allow things like self storage. Real quickly I will just talk a little bit about the jobs-housing balance, but here is a couple of tables. It shows that the existing jobs to housing ratio in this area is .2 and just to give some -- some context on that, the perfect job housing balance would be one and that would be one job to one house. The intended jobs of the Ten Mile plan are supposed to be somewhere in the ballpark of 20,000 jobs. Now, this is intended to promote that -- to promote that reverse commute. So, people in Meridian actually going west into the center versus everybody that lives in Meridian all going in on Franklin and Ten Mile to get into Boise. So, this is sort of a breakdown that we have to kind of give a general ballpark of the types of jobs per acre that you see in these kinds of uses. So, retail has the most. If you see down at the bottom self storage typically provides one job per facility -- facility, if that. The -- the two at the bottom here, warehousing and self storage, would be primarily what would be allowed by right if this was zoned to I-L. But, again, if it was M-E this could be allowed, but it would be allowed under conditional use through the Planning Commission. So, Franklin Road presently is two lanes with no

curb, gutter, or sidewalk and narrows to one lane west of South Black Cat Road. Black Cat Road is presently two lanes with no curb, gutter, or sidewalk. Black Cat Road is to be widened to five lanes between 2036 and 2040 and the design for Franklin is supposed to -- the design is supposed to happen in approximately 2026. Although the immediate area is mostly undeveloped, there has been a significant amount of development in this vicinity, which has already been built, has been approved or is in the development and applicant stage and this is -- I have listed the numbers, but we are talking about 330 single family lots, 248 apartments in Baraya Subdivision, large amount of development at The 10 at Meridian, Vanguard Village, Ten Mile Crossing. ACHD in a staff report for the 10 at Meridian project found that the network at and around the Ten Mile-Franklin intersection and the I-84 interchange was already failing and lacks sufficient storage capacity, meaning that when there was a light it didn't have the storage for the traffic that was already stacking there. A 2020 COMPASS freight study that was done and some congestion maps that were done showed the Franklin-Garrity intersection -- so, if you were to turn left and go on Franklin towards where the Amazon facility is, that -- that interchange is also experiencing extreme delays. Staff believes this issue may be made worse by the large slow moving vehicles within -- that would -- that would come from this kind of project if it was a distribution and warehousing. Staff is -- is not convinced that even -- that this is the time, that we might be premature in -- in this sort of proposal at this time. That said, staff does believe that the -- that the traffic impacts should be analyzed with this annexation. We haven't seen that happen. The Ten Mile plan is designed for growing road network, streets, walkability and architecture. Collectors in this street have a section, it talks about being narrowed or slow traffic, multi-modal with on-street parking, wide sidewalks and buildings. There is also design standards about traditional neighborhood design and variation. The concept plan that we have here reflects wide -- sorry. The concept plan that we have here shows that there is a wide -- 60 foot wide collector. Buildings maintain large setbacks. The larger buildings do not contain the ground floor transparency that are talked about in the plan do not address the public realm. The applicant states that due to security and visibility issues that industrial uses don't lend themselves to having that kind of ground floor transparency that are -- that are discussed in the Ten Mile plan. They have mentioned that as an alternative they propose enhanced glazing at the corner entries. Staff does believe that there could be some design revisions that could be done, but it's our position that really given the use we don't think that this could be designed into the kind of concept that the Ten Mile plan designates for here. What this comes down to really is the Council should decide whether warehousing and distribution is appropriate in this location as a primary use and whether the existing and future infrastructure could support that freight traffic. So, the applicant proposes to annex an area with I-L, where M-E zoning would be more consistent with the plan. The applicant proposes to annex about a one acre piece of property with R-15 to achieve -- to achieve the contiguity to be eligible for annexation. There is a potential for significant loss of high employment generating activity, monotonous architecture and building massive street design, which is not consistent with the plan. In addition, the traffic impacts of nearly two million square feet of new commercial on the local network have already been -- have not been analyzed and there has already been proven that there is major traffic and infrastructure issues at the critical intersections in this issue -- in this area. Staff believes that this is fringe development and most infrastructure

improvements are still years away. We believe that a development of this size in this location is premature. Staff finds that the annexation is not in the best interest of the city. The Planning Commission heard this case on November 18th and recommended denial. Concerns expressed included lack of conformity with the plan. The concerns that the one acre parcel was involved only to make this eligible for annexation and Planning Commission had concerns that this was premature due to the lack of infrastructure, how long it's going to be for improvements and the existing traffic along Ten Mile and Franklin and with that this concludes my presentation.

Simison: Thank you, Alan. Council, any questions for staff? Okay. Would the applicant like to come forward?

Hoaglund: Sorry, Mr. Mayor?

Simison: I'm sorry.

Hoaglund: I'm sorry.

Simison: Councilman Hoaglund.

Hoaglund: Alan, can we go back to the future land use map? I wanted to take a look at that. I had a question there. So, this is in mixed employment. We got the yellow box there and, then, we have low density employment. Can you tell me a little bit -- low density employment, is that what I-L would be?

Tiefenbach: No. If we are talking about purely -- well, if we are talking about I-L zone district, then, some of the uses allowed an I-L would be designated in low density residential -- or low density employment, but the office and warehousing, the self storage uses, the outdoor contractor's yard, those kinds of things would be in the general industrial, which is what you see to the west here. Again, I think it's -- it is confusing that the -- the definition of what light industrial is and what the I-L zone allows are two different things. The plan speaks about light industrial being manufacturing and assembly.

Hoaglund: Okay. Follow-up, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And the last item when you were talking about the -- the roads and just the truck traffic and different things like that, even if this was proposed in M-E, it doesn't sound like it would pass muster.

Tiefenbach: So -- so, we are talking multiple issues. Leaving aside the use issue, staff believes this is a very big development that is premature, regardless if it was zoned to M-E or not.

Hoaglund: Okay. Thank you.

Simison: Council, any additional questions? Okay. Applicant please come forward.

Nelson: Good evening, Mayor and Members of the Council. Deborah Nelson. 601 West Bannock Street in Boise. On behalf of the applicant. The development team has worked hard here with the city for some time. We are disappointed we couldn't get staff's support here, but we appreciate all of the time and effort they took to meet with us on many occasions and to work through these issues. As Alan has explained, we just have a fundamental difference of opinion about appropriate use here. They have asked for an office park similar to El Dorado or Silverstone and we are asking for more of an industrial flex park. We did provide a written response to address many of the detailed comments from staff. Our key takeaways for this evening -- excuse me. Get back to the beginning. There we are. Key takeaways for the Council from this presentation are outlined here. I will briefly address the first point, that the Ten Mile plan calls for flexibility and the use is allowed in the mixed employment area and that this project is consistent with the plan. Then Tim Wolff with AT Industrial will follow me and explain why light industrial is needed in this location and how this project will help Meridian keep jobs and create new jobs. We have made many changes to address staff concerns. On the left is our initial concept, on the right is our current plan. We changed the majority of the buildings to be single loaded and pulled them up to the street. We have rotated buildings to shield views of loading docks from the streets. We enhanced the entrance, added a central amenity area and a landscape buffer along Black Cat. At significant expense we have purchased and incorporated the two outlier parcels along Black Cat. We divided the Black Cat frontage buildings into smaller flex incubator spaces. We added walking paths throughout and we proposed a fire station in the northwest corner. This rendering shows the flex incubator spaces along Black Cat Road. This provides a nice transition to the commercial and residential land uses to the east. Here you can also see that new outdoor amenity space. Our application requests I-L zoning. The Ten Mile plan zoning compatibility matrix specifically identifies I-L as one of the compatible zones within mixed employment areas. It is also a compatible zone with the low density area and, Council Member Hoaglund, you asked about that corner. It's allowed within either one. Here the majority designation is appropriate to use. Consistent with that plan and our initial meeting, staff initially told the applicant that I-L would be an appropriate zone for this property. Staff later indicated that the M-E zone is preferred here and as described by Alan this evening. Both zones are appropriate under the Ten Mile plan for mixed employment areas. The M-E zone works fine for office, for commercial, but the I-L zone is needed for an industrial business park that has to accommodate a variety of light industrial uses, including warehouse and distribution. Tenants simply will not risk having to get a conditional use permit and they need that flexibility to accommodate their evolving businesses. Based on your code, the purpose of the I-L district is to provide for convenient employment centers of light manufacturing, research and development, warehousing and distribution. All of these uses go together and they must be allowed for a modern industrial business park to work. Also to address staff's concerns about self storage, we do not have any proposed self storage uses here. And this site is exactly where industrial should be located, along 84, near the new 16-84 interchange. The Ten Mile plan specifically states that it intends to provide for industrial opportunities and consideration of future improvements to Highway 16. This is exactly one of those opportunities. The state has expedited and funded the

adjacent 16-84 interchange to be completed within two to four years as a priority project. Planning and Zoning Commissioner Yearsley talked about this key location and his support for the project at our hearing, saying that this whole stretch along 84 is appropriate for industrial uses. The Ten Mile plan calls for uses and mixed employment area to provide a variety of flexible sites for smaller start-up businesses, as well as sites for large national or regional enterprises. Consistent with that direction our project can accommodate up to 106 different tenants as shown. The buildings are divisible. They can be configured down to a number of different unit sizes, as small as 2,500 square feet. Also within the mixed employment area the plan anticipates that buildings can range up to a million square feet. Our plan is currently showing buildings that range up to approximately 350,000 square feet, well within those guidelines. Our general building design is also consistent with the plan. On the left this image is straight out of the plan. On the right is our building elevation. Like other developments have done in the Ten Mile area and as Alan noted, there is some flexibility for these types of design revisions. We do ask for flexibility on a couple of the specific design elements to fit this use. We meet the vast majority of them, but there is two that we ask for your direction to staff as they create findings here. Twenty percent windows across the front of all buildings isn't practical for all light industrial uses. We do meet this on the flex buildings. On the larger buildings we request 15 percent on average. Second request relates to the maximum 30 percent parking in front. This doesn't provide enough parking for our employees on the interior double-loaded buildings, where we will need some parking along the frontage. We can meet 30 percent on average across the site. With that I will turn it over to Tim. Thank you.

Wolff: Hi. Tim Wolff. 675 Sun Valley Road, Ketchum. Thank you for your time and service. I know you guys are here late and -- and doing this in service to the community. So, we appreciate it. And I have got a lot to cover, so I'm going to read a few of the notes. As Deb explained, we believe that this project is compliant with the Ten Mile plan. I want to zoom in a little bit on -- and look at some of the market trends, Meridian as a whole, and, then, talk about jobs last. Our second key takeaway point here is that light industrial zoning on this site is best for Meridian. We know that all of you care about what's best for Meridian. We know staff does. We know that the Planning and Zoning Commission also does and we respect that. But we honestly believe that light industrial zoning is what's best for this site and we are going to present some data and research, both national and local, to show you how. So, what's happening in the United States since the adoption of the specific plan 14 years ago. Office space has -- per employee has declined by 50 percent. So, it takes half as much space now to house the same employees as it did when the plan was adopted and that, combined with reduction in demand for office, has led to office demand being one-eighth today in the United States what it was when this plan was adopted in terms of total square footage. On the other hand, industrial demand is materially increasing. National demand since the plan was adopted is up 200 percent. E-commerce sales are up 300 percent and every square foot of commerce that is driven from the retail channel to the industrial channel requires three square feet of industrial space. On top of that there is some supply chain disruptions that are occurring that are also enhancing demand, one being more inventory being required to be held by businesses, local and national, and more manufacturing being local. So, what's

happened here since the adoption of this specific plan, similar things, although as you can see by the chart the difference is more pronounced here in this valley. Why is that? Despite substantial growth here in the Treasure Valley, office absorption is flat to declining. So, you have had massive growth here, but no growth in office demand. Local demand for industrial is up 300 percent greater than it was in 2007 versus 200 percent nationally. So, that's 50 percent greater local demand here than there has been nationally. So, how does Meridian stack up versus others, both local and regional? Meridian has six million feet of industrial space, .04 percent vacancy rate. So, there is 2,400 square feet of vacant space in Meridian right now for industrial. There is effectively nowhere for tenants to go, whether they are local or coming from somewhere else. On the other hand, Meridian has three and a half million square feet of office at a current vacancy rate of 14 percent, where a stable office market is a five percent vacant office market. So, there is no real industrial vacancy currently. How does Meridian stack up against its peers? We measure that by the industrial square footage per capita. Meridian is at 46.7. The Treasure Valley, which includes Meridian, is at 64.9. So, Meridian is 34 percent -- or 30, 40 percent below the Treasure Valley in terms of its industrial space and the Treasure Valley itself is behind all of its peers. It's roughly 25 percent below Spokane, 30 percent behind Salt Lake and, you know, roughly the same as Spokane or Portland. So, it -- today if you were to take a look at Meridian versus the Treasure Valley, they would need to add two and a half million square feet today just to be equal to the Treasure Valley's industrial and the Treasure Valley is behind and this has material implications both for businesses and the central services in your community. Does Meridian have industrial land available? As you can see our site here relative there to the two other sites that -- that have -- that are zoned for industrial. This is showing Meridian's future land use map. There are two other locations that are designated for industrial and those have not been developed. But neither of these are ready for development due to lack of infrastructure. Our site is directly adjacent to the industrial designated land on the freeway and can be currently served by infrastructure. That seems logical that if Meridian were going to put industrial somewhere it would be adjacent to where it's going to go in the distant future when infrastructure is available there. Is there a shortage of office land in Meridian? This is a -- this map shows -- we just pulled the properties that are currently on the market as zoned and available land for development for office and there is roughly a 73 year supply of office land at current absorption rates. There is 2.2 years of available office that's existing and available for lease, 3.2 years that's in planning or in process, and according this map another 415 acres, which is 67 years of office supply. So, there is plenty of -- plenty of room for office to go in Meridian. So, the last point here is really about -- I think what would all of you care about, which is jobs and what kind of jobs will be brought -- could be brought to Meridian. So, what's going on with existing businesses in Meridian as they grow? Without more industrial Meridian will lose existing businesses and will lose their employees. We spoke with 11 existing businesses that are industrial tenants currently representing almost 15 percent of the total square footage that's occupied here, 800,000 feet, 1,200 employees, a hundred percent of them are growing, some of them very fast. We know you received some letters about this as it related to this project. All of them want to stay in Meridian. All of them have nowhere to go for growth. Two are leaving or have recently left Meridian as a result of this condition. Two of the largest have leased space outside of Meridian for their current growth and have nowhere to go in Meridian for their future

growth. One of those is a local business that has decided that they are going to actively seek to find their -- to move their headquarters outside of Meridian, since they don't have anywhere to go. This is existing businesses. What kind of new businesses could we attract here? We wanted to show a couple of examples of tenants that we are currently working with, so that you can see. So, we are working with a prominent regional company and Frito Lay. This is their building size requirements. As you can see both of these have expansion needs. So, they need flexible space, not just one building, but a building that -- where they could have the ability to move from one building to another if they needed to grow. The amount of jobs is material for both of these employers. The percentage of warehouse we felt was important to show, because one of the comments is about not wanting warehouse in these locations. These things all go together, manufacturing, warehouse and other things. And the wages are strong for these employers. How many jobs are industrial tenants actually bringing to the market. The COMPASS report suggested 620 jobs on this site, which is 5.3 jobs per acre. Alan's presentation suggested eight jobs per acre and that office provides about 15 jobs per acre. Here is what our actual experience in this valley is and our company has done 25 percent of the leases for new space for '21 and '22 and so we are delivering 20 jobs per acre, which would imply 2,000 jobs created on this site. So, lastly, how does that compare to the specific area plan goal.

Bernt: Mr. Wolff -- Mr. Wolff, can you repeat that one more time? There was that noise that interrupted us and I didn't quite get it.

Wolff: Yeah. So, our actual experience in leases that we have executed or have in process -- and this is a quarter of the leases for 2021 and 2022, production in the whole Treasure Valley is that we are delivering 20 jobs per acre. So, it's three times what -- four times what the COMPASS report suggests, almost three times what staff's presentation suggests and it implies 2,000 jobs created on this site and so what -- how does that compare to this specific area plan goal? Our project is less than ten percent of the job producing land in the specific area -- specific area plan and we expect it to produce more than ten percent of the jobs. So, we feel like we are more than contributing our fair share of jobs for a critically needed asset class in the second largest city in Idaho. The last thing we really had was just a question for staff and this -- you know, you guys spend all day every day on this and so, of course, you are thinking about your community, you think about it more than I do, you think about it more than anyone does. It goes without saying asking the question, but it's really one of how do you want to -- how do you really want your community to grow and serve the needs of its growing community as it changes, because we are in a different world than we were when the specific plan was adopted.

Simison: Thank you. Council, any questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Wolff, you mentioned in your presentation that this project and maybe past developments that you guys have done -- maybe in our state, I don't know, other places I know that you guys have developed and, you know, built project -- did projects throughout the nation, but walk me through how your developments bring 20 jobs per acre, compared to what COMPASS or our staff is saying.

Wolff: Sure. So, we are -- we have a tenant -- we are delivering a building in Caldwell this week, actually, that's 265,000 feet, as a manufacturing tenant. It's going to be 275 jobs for the 265,000 feet and that's on 16 acres. So, it's about 16 or 17 jobs per acre. As I mentioned, we are working with a large regional tenant now that has a 300,000 foot requirement we are negotiating the lease for. They have selected -- they would have probably selected this site had it been available, but it's 450 jobs and 300,000 square feet. So, it's about 25 jobs per acre. And across -- as I mentioned, across -- and we are happy to go through if you want more detail -- each of the tenants that we have brought to the valley and it's a combination of all different things in these industrial zones and I can say, you know, we have a close relationship with Amazon. We have done a number of projects with them. We told them there is no way we are allowing them to be on this site. It's just not the kind of use that -- we own projects forever and we are one of the few developers that does and our interest is in developing projects that are for the best interest of the community in producing good jobs and that's what we have done a good job of since we have been in the Treasure Valley so far.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Wolff, thank you for your presentation. Always interested in the job creation numbers. They are important and industrial type of areas are certainly important and I just want you to kind of walk me through how you would compare warehousing distribution, which, you know, has been talked about for this site -- this has been characterized as warehousing and distribution -- versus manufacturing and assembly.

Wolff: So, they all go together. So, Frito Lay is a perfect example, who, you know, obviously, a credit tenant. Their requirement is about 60 percent warehouse and just as a -- as a result of -- there are not very many businesses that have manufacturing without distribution; right? And so you make something and, then, you distribute it and, you know, Frito Lay's requirement is about a 60 percent distribution requirement and they are actually -- their employee count is lower than the other example that we showed you, the large regional tenant, and they also had about a 60 percent warehousing requirement. So, it's just the way the industrial space has evolved specifically as a result of e-commerce has brought a lot more inventory closer to home, a lot more manufacturing closer to home and a lot more distribution closer to home and it all just blends together. So, it's -- it's almost impossible to segregate those things out, unfortunately, and it's -- as was mentioned by Deb earlier, it's -- it's one of those things where you just can't have -- a attendant isn't going to go into a situation where they are required to have a conditional use permit in order to have the use in the first place, they will just go to another town.

They will go to Boise or they will go to Caldwell, one. Two, if their use changes at all and they have to go back for another conditional use permit, their -- their lenders aren't going to allow it. It's -- it puts a real -- it puts businesses in a really tough place to not have the flexibility to use the designations that their business naturally uses.

Hoaglund: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Wolff, either question for you or Ms. Nelson. One, I applaud the -- the written response or rebuttal from -- from the staff report, especially getting that early. On a big application like this it helps us to kind of see both sides of this issue. So, I appreciate you doing that. One area that I thought that was lacking, though, was about the roadway infrastructure. You know, the staff touched on it in their staff report. We had an application or a change with us last week for a project that's on Ten Mile and the report that comes back from ACHD says that's -- that's an F and I know our staff report says that it's better than E for yours and that doesn't bring me a whole lot of comfort and so recognizing that I would anticipate a high roadway usage from this development, I have real concerns about the impact for our existing residents, particularly those that are going to choose Black Cat, as opposed to Ten Mile, because of how -- other challenges related to the current Ten Mile infrastructure.

Wolff: Yeah. That's a very good, very important question and --

Nelson: Mr. Mayor, Council Member Cavener, appreciate the question. We did think that there would be some additional time during the presentation and assumed you may have questions, so thank you for the question and opportunity. It's very hard to fit this in in 15 minutes. We -- we have thought about the -- the traffic and we are actually excited about this site, because of the improvements that are planned around it and so this area is growing, the road network is growing with it, and in particular the Highway 16 interchange that we did touch on is really going to change a lot of the traffic patterns in this area and really help a lot of the traffic patterns. We expect our trips are going to go towards the Highway 16 interchange. In fact, our traffic engineer's estimates is that our trips will only be four percent of the Ten Mile-Franklin intersection and so we will actually have very little that direction and so of -- of the trips that are in that intersection we will be four percent of them. So, we -- we will have distribution both ways, undoubtedly, but we know that the roadways are building out. The widening of Franklin is also planned within two to four years. That may be expedited or done as part of the interchange improvements. So, a lot of this is happening. We think that's going to be very timely for this project. And you want to add --

Wolff: Well, it might be worth -- so we had another slide that was prepared around traffic that it just might be worth seeing. So, this is from our traffic engineer, but just -- to put in context what does industrial produce in traffic relative to all the other uses? So, if -- in my

mind I'm thinking, okay, if I want to create jobs in a community and traffic is a huge issue, how do I do so with the least impact and -- and what we -- what we had him do is take the exact same site area, take office, shopping centers, residential -- like you are, obviously, approving residential and struggling to do so, we heard earlier tonight. You know, residential produces two and a half times the traffic that this use does. So, this is the least intensive use that you can put on a piece of property relative to all the other uses and it's the best way to produce jobs with the least amount of traffic.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Side note. I love this slide. It articulates a principle we deal with in other applications that try to convert property from commercial to residential and it literally has a decrease in traffic impact, but --

Wolff: Yeah.

Borton: -- it's counter-intuitive I think, but --

Wolff: Yeah.

Borton: -- it's a great slide. I think you had -- might have had another slide -- well, let me ask you this question. You made a comment about where the industrial truck traffic would go and I think you had said you anticipate the majority of it to go east towards McDermott and -- but you had a slide here, so when you made that comment I envisioned perhaps taking that collector to be collector east towards McDermott, but --

Wolff: I think we have got a slide for that.

Borton: I think you went past it. It was the -- this is the one that made me think of it.

Wolff: Yeah. There it is right there.

Borton: So, if that's the case, is the -- when you say that do you mean that you anticipate that all this truck traffic, which is low in volume, but high intensity, would go east on that collector to McDermott to somehow -- to access the Highway 16 interchange? Because there is no ability to get on it there.

Felker: Yes. So, we pulled the plan for Highway 16 and at the interchange there is direct access to 16. So, obviously, that's planned in the next two to three years and, then, on top of that the -- the widening of -- of Franklin is planned between 2026 and 2030. Can you see the interchanges that are planned as 16 goes north? That's an initial phase.

Borton: I'm not tracking that at all.

Felker: Sorry. Shane Felker, one of the applicants from Ketchum.

Borton: This -- Mr. Mayor?

Simison: Councilman Borton.

Borton: I apologize, I'm kind of lost on this one in relation to the red dotted interchange map and to see --

Wolff: Yeah. I think it's easier to see on that.

Felker: So, if you extend Franklin out to 16, Franklin has direct access onto 16 and, yeah, we anticipate traffic will move west from our project to that interchange for a majority of the traffic.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Follow ups on that. Is that -- that's still ACHD; correct?

Wolff: Correct.

Borton: And the interchange. So, there was comments indirectly by ACHD at P&Z that referenced, among other things, there is just no funding or plans to provide anything to connect to Highway 16. So, ACHD says that's not happening. At least that's what the comment was at --

Simison: We have Kristy on the line who can answer the question.

Borton: Okay. That would be one -- one of the things to clarify and ACHD can do that, but that comment caught my eye.

Simison: Kristy, if you would like to make a comment related to that.

Inselman: Mr. Mayor, Council Members, thank you for the opportunity to talk. So, when we talk about funding, we -- we will identify through our five year work plan the first two years are tied directly to our budget and so that's when we say something is funded is those first two years. We identify need and in our capital improvement plan we identify what a cost would be to improve that system, what the anticipated widening improvements would be and that ties into the impact fees that we charge for development. To say that something is not funded just means in the integrated five year work plan we don't have that project planned or fully funded is all that means. That doesn't mean it will never be funded. Does that answer the question?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Technically it does, but I took the comments to mean something more blunt and different, that while -- I didn't take the comments as though it's technically not yet funded, I read it to be -- and it wasn't perhaps the Commission as a whole, but the comment from one Commissioner. It read as though this isn't even in the ballpark, like -- it just seems very very distant that amongst the 5,000 different things that ACHD has to fund with limited revenues, this one is number 5,000. It just sort of had that feel to it. So, I didn't know if you got that same sense in discussions with ACHD, but it made me think any comments about traffic going east, how that would actually work. In prep for this application it really -- I assumed that the reality was traffic is going to go right to Black Cat and all this truck traffic, low in volume, high in intensity, for better, for worse, would go there and perhaps that's still appropriate, but it seemed like the reality is this is all going to Black Cat for the foreseeable.

Inselman: Mr. Mayor, Council Member -- I'm sorry, I'm having a hard time seeing who --

Borton: It's Joe.

Inselman: -- that question. Joe. So, was your question specifically regarding the collector roadway system or the arterial system?

Borton: It was -- Mr. Mayor, if I can respond. It was the arterial and it was just -- it was just a comment made at P&Z --

Inselman: Okay.

Borton: -- that sparked the question that it made it seem like it was very remote, so -- your explanation helps. I appreciate it.

Inselman: Yeah. And decisions on which roadways are going to be widened at which time frame -- I mean we definitely utilize the capital improvement plan, which gives a forecasted need, so those aren't build years, so when we -- in our CIP when we say like 2036 to 2040, that is a forecasted need based on land use and anticipated development in the area.

Borton: Okay.

Inselman: Now, obviously, if development increases in a specific area, if we see more development in an area that we weren't anticipating, obviously, that can accelerate projects and can accelerate the need to widen those roadways in the vicinity of a project, but it's -- you know, it's kind of like the chicken and the egg kind of thing.

Borton: Okay. Thanks.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think maybe what Mr. Borton was talking about -- and I don't mean to speak for him, but when -- because I have heard that -- the same analysis that 16 is going to be built anywhere from three to five years. You know, I have heard the same thing, so -- but I guess what Mr. Borton maybe is saying is does ACHD agree that they have the resources to be able to make that happen on there end; is that what you are saying? In that time frame that's being discussed, you know? I guess, Kristy, if you could maybe provide just -- if that's doable, if that's something that's on your five year work plan, if that's in the foreseeable future, if you agree --

Inselman: Mr. Mayor, Council Members, I -- I wish to give a clearer answer as to when we may anticipate being able to fund the entire improvements out to Highway 16 for that connection. We -- we just don't know at this point in time. In the five year work plan, no, we don't have that planned. But that is something we update annually and if additional funding comes in -- the problem typically with our projects in getting them accelerated sooner is right of way acquisition and design of a project. So, if we -- it typically takes us about a year for a project to be designed and depending on the corridor, one to two years for right of way acquisition. So, at the most accelerated, the soonest a construction would begin on a project, if we started design today, would be three years from now, typically. So, I -- the likelihood of us accelerating to match Highway 16 -- that's probably what you may have heard in a previous meeting, is probably unlikely -- unlikely at this time, if that helps clarify, but, yeah, with their accelerated time line it's generally time frame to get things designed, right of way acquired and, then, available funding to get all of that done.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Borton: My recollection of that discussion was the fact that Highway 16 was coming on, the state decided to do it, they are going to fund it and it was a surprise to everybody and it was a surprise to me and that ACHD looked at it and said that's going to be about 34 million dollars and they have no funding available for that and the comment was to -- the state should be chipping in to help us out on that, because just dropping this on us and say, well, you guys pay for the connection and I think that's the concern is where do you get this money, do you pull it from other projects that are much needed? Is it coming from impact fees? How much is coming in and there is -- we know all the areas that need infrastructure expansion and to drop that in and say, yeah, this is brand new, I think that's the concern is -- is this really going to get funded from a local perspective tying into the state and that's -- that's a big need, so --

Nelson: Mr. Mayor, if we could offer some comments on that as well. I appreciate those questions and really appreciate Kristy being here to comment on it to have a formal response from ACHD. You know, because Commissioner Goldthorpe was testifying in his personal capacity. He made that very clear in his remarks that he was making a neighbor comment, but, obviously, generated some questions about what he said and so

appreciate Kristy being here to answer them and it's consistent with what's in the ACHD report, right, that notes that in the CIP, the five lane widening of Franklin is there and as Kristy noted it's not yet in the -- in the five year work plan, which really is just a budget forecast for two years. Council Member Hoaglund, as you noted this was pretty quick for the state to prioritize this interchange. You know, as everyone knows they have been going back and forth on do we start from the south, do we start from the north and the south one, I think to Meridian and Nampa's benefit. It's exciting. And ACHD is going to take a little time to respond to that. Our expectation -- and I think, you know, our -- in speaking with traffic engineers about it, that is that it will expedite that -- that improvement and the budgeting, but, nonetheless, it is in the CIP and that's what they commented on in the ACHD report here as well.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To kind of tie this together, then, so talk about transportation and years and whatnot, if this project was approved what is the timeline that you would be expecting to put this together?

Wolff: That's another great question. We don't know. You know, if -- if it were approved today we would, you know, technically wouldn't get approved for sometime after today and it's going to take design time and, then, construction time. So, the first building couldn't be delivered until late '23 or early '24. What I can say is that -- so, we are building a million square feet in Caldwell right now and we are building it one building at a time. We are pretty conservative about the way we go about things. This is nine larger industrial buildings, plus some smaller frontage buildings that buffer. So, it's going to take time. I mean it's -- if I had to guess the fastest it would be five years, six years and the longest is as long as we are all going to be here.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I think this is a case where time is your friend. Speed -- doing something quick is not necessarily a friend, so --

Bernt: Mr. Mayor, speaking on the topic of transportation, I certainly don't want to --

Simison: Councilman Bernt.

Bernt: Sorry. I see Mr. Mayor.

Simison: You're good. I just wanted -- so Dean had it on the record who was talking.

Bernt: Oh, yeah. Got it. So, I'm not in trouble.

Simison: That's the only reason I do that is so the record knows.

Bernt: I thought I was in trouble. All right. So, you know, reading in the -- in -- in our packet -- I know that the transportation study by ACHD is required at this point of the application process. It comes in the future. However, I would really like to know the impacts of this development being that there isn't any anticipated -- we talk about anticipated improvements on Black Cat and Franklin, you know, some of the -- you know, numbers are, you know, 2036 to 2040. I agree with you, Deb, it's going to happen sooner than that, but like when is like the different question, so -- but when you are dealing -- my concern is this. I mean when you are dealing with over two million square feet of industrial space -- I get that the industrial impact is much different than office or, you know, retail or -- or anything residential, but that's a -- it's a big project. I -- what are your thoughts on, you know, finding out what -- you know, from ACHD, the governing body of our roads, what they feel about what the impact would be in their opinion on -- with this project?

Nelson: I will start, Mr. Mayor, Council Member Bernt. I mean no development can happen here until the TIS is on record or reviewed by ACHD; right? I mean every condition requires that, so -- and we are going to do whatever is required. So, whatever improvements or mitigation are required will be done. So, I think that -- I think that answers the simple question of, okay, well, what might be needed, but is there a turn lane needed or something we have to provide it to accommodate it. I think the larger network build out is really more -- the larger conversation we had, you know, probably addresses more of the substance of your concerns, that this is a great opportunity to take advantage of the expanding roadway network around us. Your Ten Mile plan calls for industrial development to be located next to Highway 16. It's very opportune that the state has expedited that interchange to allow this to happen now and, then, I think the slide that -- that Tim pulled up a few minutes ago really talking about the uses, you guys in your plan already called for a level of intensity on this site. You have already planned for it. And so in response the roadway network, everything is building out around it, we have sewer, we have water, everything is ready for this site and you have planned for a level of intensity that ranges up from what we are providing from a trip generation standpoint. So, we are the lowest possibility. Residential we showed just for comparison, because it's come up in your conversations. We can't do residential there. Office, commercial, industrial -- we are significantly lower than those, six to eight times less. So, for the planned level of intensity we are going to be well within what was, you know, contemplated for this area in the larger scheme. So, hopefully, that gives you some comfort as you think about -- and, then, of course, we have to do whatever specific improvements are required. We can't build here until ACHD approves the TIS.

Simison: Council, any additional questions for the applicant at this time?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Yeah. Just one. There is reference in the staff report about the Ten Mile plan and the residential component just east of Black Cat and, then, this was planned mixed employment and light employment, I believe. This property. And, then, to the west is where it has its industrial designation and it was referenced in the staff report and -- about the intent for some discussion of transition of those types of uses. So, is that consideration -- that concern of -- should we not be concerned about that? Is that principle that at least it seemed to try to promote a transition to keep what appears to be really an industrial use not adjacent to what's going to be a residential use across Black Cat directly to the east. This principle seems to conflict with what was planned, that easier transition. So, just curious your comments on that concern.

Nelson: Mr. Mayor, Council Member Borton, I actually think this is that transitional use. You have got our flex design right along with the smaller spaces right along Black Cat with this significant frontage improvements, the enhanced entry, the park area, that creates a significant buffer. Then keep in mind that we are proposing only light industrial uses. Further to our west where you have got the industrial designation in your plan, I think staff is going to be more likely to support both heavy and light industrial are contemplated in your plan there. So, we really are providing that transition already to the commercial and residential. And one of the comments that Commissioner Yearsley made at the -- the P&Z that I'm sure you have read the minutes was about how nice it is to bring that light industrial -- the jobs closer to residents to decrease traffic. So, we hope we are meeting that transition really with this use.

Wolff: And we also tried to provide a relatively significant amount of landscape buffer in addition to the smaller building sizes and turning the buildings on end, so that the faces of the buildings weren't facing Black Cat and there will be -- you know, there will be a light here at Black Cat as well, in addition to whatever improvements happen to the west. So, we were trying to accomplish the transition that you are talking about.

Borton: Mr. Mayor, a follow-up question to that.

Simison: Councilman Borton.

Borton: That ties into something you said, Deb, at the start of your presentation. If you had requested a mixed employment zone, this type of use would be a conditional permit and you -- I wrote it down, you had said this type of tenants -- or these tenants aren't willing to take the risk that comes with a CUP, which I sort of understand, but what is it that generally happens in CUP to this type of use that makes it no longer viable for this light industrial warehouse user? I mean what's -- what's the risk? What kind of condition kills this viability?

Nelson: I -- I will start and, then, Tim I'm sure has industry specific experience with this, but it's not the risk of the conditions, it's -- I mean it's partly that, but it's really just the -- the time and risk getting it at all. The speed to market and the risk of that happening as a whole. But also, of course, the conditions of what might happen there. Maybe they can't do their use, maybe they can't do their use all the way, it's -- it's a -- it's something

that just isn't -- I think the other point -- and Tim can address this better -- is that it disrupts their ability to get financing, either at the beginning or if they already have financing to come back and change the use when they have financing in place.

Wolff: Just an anecdote. So, the maddening thing about this asset class, you know, if you have an office -- if you have an office need, you -- you plan for it, you spent years playing and, then, you go find an office space and you take time TI's, I don't know why and it's -- it's maddening, but in this asset class these tenants usually don't decide they need a new space until about four months before they have to move in and -- and so -- and that's why you see a lot of spec industrial development, because tenants decide quickly to move in and that's why in a normal market -- and this isn't a normal market here right now, you don't see a lot of spec development, you see a lot of -- or you don't see a lot of build to suit development, you see a lot of spec development, because they just don't take the time to think far enough advance for what their needs are, because, generally, what happens is this use type is -- it's a utility use, it's not -- you don't have -- it's not like an office where you are going to move, because a nicer office gets built down the road. Once you are here the retention rate in this asset class is the highest of any type of commercial real state. They stay and the only reason they leave is because they have outgrown their space, the business has changed, or they have gone out of business and so when they hit that wall and say, geez, we are out of space, like the letter from Scentsy, they have grown 200 percent -- or they have grown a hundred percent in two years, they just ran out of space and they have nowhere to go and so it's -- It's one of those things where they -- they don't have often the time to go through a process that's more than -- can I be there, yes or no, we need to sign a lease now, we need to move in now.

Simison: Council, any additional questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: One last thing for me and, then, I will sit back and -- and listen, but my question now relates to like infrastructure and before Alan mentioned leap frog development and Deb is very keenly aware of leap frog development in Meridian. She's been involved in projects in the past when we have had these discussions and so could you comment on -- or do you have a response to Alan's concern about leap frog development?

Nelson: Mr. Mayor, Council Member Bernt, thanks for the question and opportunity to share some information. Can't cover it all. We -- we -- we, obviously, disagree with that characterization. I think -- I think maybe the first point is that this area is within your Ten Mile plan. The city took care to specially plan out this entire area and -- and has called for the type of development you want to happen here and we are within that area and we are helping to build it out. East of Black Cat is quickly building out and the parcels that are not built out yet are developer owned and in various stages of planning or applications and so this slide helps illustrate that, that this area is very quickly changing, which, again,

with roadway improvements it's just a great time and opportunity for building out the plan and the job expectations that you guys have within your plans.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I was lying when I told you I didn't have anymore question.

Simison: I knew you were.

Bernt: So -- so, how do you plan on getting -- because I heard -- and I think I read in the packet -- and quote me if I'm wrong, but I believe it's said that it's like 300 and some odd feet from where this service is stopped and from where your property is, how do you -- how do we plan on getting services to where your property is now? Is that something you guys are going to pay for?

Nelson: Mr. Mayor, Council Member Bernt, yeah, 340 feet, it's in Black Cat Road, it's right by the side, we will just extend it. It's not readily available, as your Public Works staff has agreed.

Simison: Council, additional questions? Okay. Thank you very much.

Nelson: Thank you all.

Simison: Mr. Clerk, I will turn this over to you.

Johnson: Thank you, Mr. Mayor. We have Drew Eggers signed up to testify.

Eggers: Thank you very much. Drew Eggers. 2256 North Waggle Place, Meridian, Idaho. Mr. Mayor, would it be all right for me to hand these out to the Council Members?

Simison: Yes. If you want to just give them to the clerk, he will do that for you.

Bernt: Mr. Eggers, is this the letter that you sent to us earlier?

Eggers: Yeah. I just wanted to make sure you had it. It was sent via e-mail and it should be in your packet. My family is the owners of 95 -- 95 -- 955 South Black Cat Road. I come from a multi-generational Idaho farm -- farming family. My father bought this farm in 1950. My grandfather purchased the farm across the street in 1922, which later sold to Pastor Steve Moore of the Ten Mile Christian Church. As a resident and growing up here in Meridian I have been an active member of the church community, served as the director for North Northwest Farm Credit Association. Currently serve as Chairman of the Meridian Maintenance Cemetery District and a voting member of Food Producers of Idaho. I have raised my children here. One of my daughters is superintendent of the Catholic School System in Idaho and my other daughter is a broadcaster for Channel 7,

meteorologist from Boise and they are -- they are here tonight with me, hiding behind their mask. I remember many years ago when the city first prepared the Ten Mile plan, I never complained about the plan and I thought it's -- the mixed employment would be a good fit for the use -- uses next to the freeway. We supported the plan. I thought the mixed employment would be a good fit -- oh, I'm sorry. We supported the city and supported its vision for the area from the beginning and we are pleased to see the area built out. Now, my property is eligible for annexation and has access to city utilities. We selected Sawtooth Development Group and AT Industrial to develop the property, because I knew they would bring quality development and businesses to the area. I am excited about their plans and proud to have my property be part of the needed industrial business park area. Meridian needs these kinds of jobs, so our kids and their kids don't have to leave Meridian to find work. I was disappointed by the staff's lack of support for this project. This seems to be exactly the type of project that was planned here by the freeway and the Highway 16 and exactly what our city needs. Mr. Mayor and Council, I ask you to approve this project. Any questions?

Simison: Thank you, Mr. Eggers. Council, any questions?

Hoaglun: Mr. Mayor, I have one for Mr. Eggers.

Simison: Councilman Hoaglun.

Hoaglun: Mr. Eggers, why can't I smell mint on this paper? I mean -- for those of you who don't know, they grew high quality mint for --

Eggers: Councilman Hoaglun, I apologize for not having mint. It's a valuable product and I didn't want to throw it away.

Bernt: Got to make some money. I love it. Respect that.

Eggers: Yeah. Thank you. Are there other questions?

Simison: No. Nice to see you again, Drew.

Eggers: Thank you very much.

Johnson: Mr. Mayor, next is Terry -- and I believe the last name starts with an N. State your name and address for the record.

Nyborg: My penmanship is not obviously very good. Terry Nyborg. 5160 Westview Drive, Meridian. So, I'm a neighbor that lives right above the project and I also own the property at 1245 South Black Cat, which is just the other side of the freeway and my concerns are simply timing and -- I don't object to the project as much as I object to when Black Cat might be improved, because the roads to the west that everybody's kind of emphasized, there isn't -- they don't own the property, those dotted lines are maybes in my mind, as a local resident and the same with the one going to Franklin. During the initial meeting of

the neighbors, the comment was made that traffic won't go south on Black Cat. It will all go north. Well, I don't think that's probably too accurate. The other concern I have is with the pit that's there, Wright Construction and the asphalt plant, all the material is hauled in to that pit and back out. It's not a producing pit. They are in the backfill process. The truck traffic on South Black Cat Road is significant. The sight line is not very good from Vaquero Road or from the driveway -- from my driveway on 1245 South Black Cat. If you look to the north cars go out of sight below the hill. There is a -- there is a blank spot there. They didn't extend that out far enough. I assume that's right where the intersection is that they are talking about lighting. That would improve it if it was lit. If it was a stop there. But my concern is just traffic on Black Cat and the timing. If ACHD were further down the road with any of those improvements it would be a better project. That's all I have to say. Thanks.

Simison: Thank you. Council, any questions? Councilman Hoaglund.

Hoaglund: Mr. Mayor. Real quick, Mr. Nyborg. Do you happen to know how long that backfill project is going to take for them to conclude by chance?

Nyborg: When are they going to extend Overland? I don't know. It's a huge pit.

Hoaglund: Yeah.

Nyborg: I mean they have been backfilling now for five or six years and they have got maybe 15 acres of, what, 70 -- 60, 70, 80? I don't know.

Hoaglund: Okay.

Nyborg: I think it's a long range project and how long is Wright Construction going to be there hauling the raw material in and the finished product out? I don't know the answers to those.

Hoaglund: Thank you.

Nyborg: Thanks.

Simison: Council, any additional questions? Okay. Thank you.

Johnson: Mr. Mayor, it's not so much penmanship as my vision, but Chris P. I didn't want to get it wrong.

Pearson: Good evening. Chris Pearson. Live at 10445 West Sultana Lane in Boise, Idaho. As mentioned, Chris Pearson. I'm a commercial real estate broker with TOK Commercial in Boise. Sitting here tonight I'm reminded why I chose brokerage as a career versus development, but that's a little bit of a joke if you didn't pick up on that. I appreciate the opportunity to briefly discuss the current commercial real estate market and more specifically the industrial market. I have been a commercial real estate broker and an

industrial specialist for 34 years, of which 17 have been spent here in the -- in the Treasure Valley. In 2021 I have been involved in the sales and leasing of just over one million square feet of industrial space in the valley and over the years I have assisted numerous companies locate within Meridian, most notably Insurance Auto Auctions, Cintas Corporation, and HD Fowler. Quick snapshot, not to be redundant with Tim's remarks, City of Meridian has approximately six million square feet of industrial space with a vacancy rate of .004. I guess my comment there in 34 years I have never seen a city the size of Meridian with a vacancy rate probably less than one percent, less than .004 is amazing. It may be not -- maybe not healthy. Twenty-six thousand square feet of vacant space in our current market, that might be absorbed in two weeks; right? So, there is just a dearth of space currently in -- in Meridian and the entire Treasure Valley suffers -- not to that degree, but we are probably about 1.24 percent vacancy in the industrial market right now. I'm not that creative, but really there simply isn't an argument I could find for this being really positive for the City of Meridian right now. As a real estate professional I'm definitely in favor of well planned smart growth, but we are close to facing a no growth or an extremely limited growth situation as relates to industrial development, not only Meridian, in the valley. I probably have no less than 15 requirements right now from national, regional and local tenants looking to expand in the Treasure Valley that I cannot fulfill, because there is no space and, to be honest, it's not a healthy situation. I understand you have received letters from Scentsy and Northwest Fulfillment, two good sized companies in Meridian, and they have stated that they have current and future space requirements and they would definitely prefer to be in Meridian versus other parts of the valley. Earlier this year Scentsy and Northwest Fulfillment actually got into a bidding situation on a listing I had on 40,000 square feet in the Idaho Food Bank building over on Commercial. Scentsy won and Northwest Fulfillment now leases 100,000 square feet in Boise. My time is short. I think also to Tim's point, the types of uses that occupy industrial buildings, manufacturing, service companies, technology companies, among others and the job creation and the salaries that they pay I think are significant versus potentially office, retail type uses in the valley. Locational of Black Cat business center is optimal for industrial users, because of visibility --

Simison: If you can wrap up your testimony, please.

Pearson: -- and proximity. So, no, I appreciate your time and consideration and maybe I have a bias, but definitely in favor of seeing some industrial product built in -- in the valley. Thank you.

Simison: Council, any questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Sir, would you care to elaborate -- elaborate, excuse me, why -- on the jobs -- like do you concur with Mr. Wolff?

Pearson: Yeah. I appreciate the question. I ran at the time. So, I was involved -- I represented a company Azack Corporation, publicly traded company, and earlier this year they leased the former Shopko distribution building in Boise. That building consisted of 355,000 square feet. Obviously, formerly a distribution building. Azack, they are involved in building materials out of recycled material is basically their -- their business model and at capacity they will employ between 250 to 300 people in that facility, which is 355,000 square feet. Over the weekend I looked at their job postings and they have 13 positions currently available, including recruiting coordinator, cost accountant, and production supervisor. So, my point is that many companies that occupy industrial buildings do provide significant job creation and pay salaries I believe well beyond median income levels and that's just one example.

Simison: Council, any additional questions? Okay. Thank you.

Pearson: All right. Thank you.

Johnson: Mr. Mayor, that was everyone that indicated they wished to speak.

Simison: If you -- yeah. Go ahead and come forward. If anybody else would like to provide testimony, either online, use the raise your hand feature and I will bring you in and if there is anybody else that would like to come up after, then, feel free. Yes. If you can state -- speak into the mic and state your name and address for the record, please.

Kaddas: My name is Corinne Kraft Kaddas. I live at 395 South Black Cat Road. Obviously I'm the little house that's on one of these pictures along here. I just wanted to say that when we first moved into this house 11 years ago there wasn't much going on around the situation, but, then, obviously, we heard about the Ten Mile project. So, of course, we knew at some point somebody was going to come and knock on our door. Anyway, as it is this company Sawtooth Development came knocking on our door and what I have seen since they have come is they have jumped through many loops for you guys. You have wanted them to do all sorts of things. They have changed directions of everything like that. Plus also it was meant to be industrial anyway. So, I don't understand what your problem is. I know you say you want mixed economy is it? Mixed economy. But, again, you have got to think there has been 500 houses just going in on that little area there right now. Just imagine those people being able to walk just across the road to be able to go and have those jobs over there. So, to me I don't see why you wouldn't pass this project. You know, for me personally I think it's been well planned out. They have shown you everything that they possibly could to make it seem like it would be a really good project and so that's my statement is I think that this project should go forward, because it's definitely needed here in Meridian and these guys, obviously, I have took the time to really plan it out for you guys. Anyway, that's me. Done.

Simison: Thank you. Council, any questions?

Kaddas: I hope not, because I have not gotten any answers.

Simison: Thank you.

Kaddas: All right. Is that it? Thank you.

Bottles: Mark Bottles. 839 South Bridgeway Place, Eagle, Idaho. Mayor and -- I wanted to address, Councilman Borton, your question on transition. The neighbors to the east of this are two -- there is four property owners, three of which are owned by Blackrock Homes and Corey Barton. CBH. I have been in contact with them about what was going on here and how they would transition with this and -- and just numerous sit-down meetings and they liked what was there that -- what Sawtooth had planned there. So, I just wanted to address that. And the other thing I would like to bring up as well. One thing -- we have Silverstone Business Park and -- and as you know there has been a transition there that it's taken a long time to build out that business park and some of that's turned into apartments over the years and one of the biggest users in there is UPS and they probably might have one of the highest wages in there, even though they are delivering to our homes, that they are parking trucks inside of -- what was at one time going to be office buildings and it's -- it's Chris Pearson, he's more of an expert in the leasing side than I am, but things are transitioning there. I get calls all the time through people through the economic development in Meridian and they are national tenants looking for land to where the economy -- e-commerce is going. Tech companies, TSheets, those people, as they are incubating and building their businesses. They are looking for this type of product that you see and so, anyway, I just wanted to address that, so -- any questions?

Simison: Council, any questions?

Bernt: Mr. Mayor, you have -- Mark, good to see you, man. What my question to you is is -- is T-Sheets. You have said TSheets and so you think that this would be a good product, like -- I didn't know TSheets were involved with distribution warehouse.

Bottles: No, they are not, but when they got started Matt Rissell, some of you may know him, local businessman, started -- he went to Ron Van Aucker was the first person he went to and said I need to go into industrial space and what he did -- he took a warehouse space like that and literally took doors -- unused doors, turned them on sawhorses and built a company that now into it has some of the highest paying jobs in our valley and we went from -- and he needed transition -- he couldn't go into a normal office building, because he needed space to grow and to really scale and in that business, that technology business is tough. You know, the food brokerage business is the same way here. We have a very -- we have been involved with Lamb Weston and other starts -- Treasure Valley Sales and Marketing that was in Meridian and actually ended up moving -- just recently moving back into Eagle, but there has been a lot of companies coming and saying we need this and we don't have that space and that space that's to our west -- as you know, the sewer line and trunk line and that is a major project that has to happen. The Fields District is a great area, but it's -- it's not even close to being ready and doesn't even have the road or infrastructure to get to the freeway and that and so, again, I think those are two good areas, but when I bring those up to the tenants, even to our other

developers -- sorry, guys, but some of your competitor developers, Adler and them, they are like I can't go there right now. I'm not even close to going there. And so they would like to go there, but I'm just saying some of those tenants are coming and, again, I'm more on the land side, as you guys know, dealing with selling to -- whether it's residential, industrial, or apartments and that, but just a little bit of what we are seeing out there. But, yeah, places like TSheets, that's how they -- a lot of those small tech firms that's how they grow, so -- and they need a developer that's going to work with them to expand kind of accordion style. Anything else?

Simison: Any additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mark, appreciate you sitting through our meeting tonight and appreciate you chatting with us. I guess I'm looking to you as a subject matter expert. There is many elements of this project that I find very attractive and appealing for our community. My hurdles have been largely about the timing and particularly related to the transportation infrastructure, the roadway infrastructure. How critical is that for -- I mean as you are attracting businesses and out there marketing, I mean I'm sure the question is how are the roadways? What's -- what's traffic like? And -- and what's the response from your clients when we are saying, well, it's -- it's not the worst, but it's -- but up right next to it.

Bottles: Yeah. No. It's a great question. Just being here -- I'm not a traffic engineer. I'm far from it. I'm not a planner. But if you are going to have an industrial in this type of incubator space -- I mean you do have a brand new interchange, you are going to have another one coming soon, you are not going to probably get a better interchange in the valley in my opinion that's going to be ready for it. I mean we have trucks in the middle of Meridian right now, which, you know, back in the day that was the right thing. It -- Eagle and Fairview, I mean when I moved here I think it became a four way stop and, then, the shopping center went in and we had an industrial distribution center next to Blue Cross, which, honestly, those tracks are going right -- you know, right, you know, through there. But when I look at it from a planning standpoint, it is the right area to have it. It's got -- even with the current plan that's in place with the developers working on their TIS study, I think we are in a great situation. I have been very involved with the state with ITD on the condemning of the right of way and trying to get 16 built and I mean, as you know at the state level they have got funding and they are moving fast. I mean the condemnation already to Franklin now has occurred and I'm working with eight other property owners with the state to get those properties condemned to get that built through. I mean I want to see it, the valley wants to see that open up, even in Fields District in this whole area. So, I think the timing is great for development like this. It's going to take time for them to get building, but working with, you know, the traffic and stuff I think, you know, with the current interchange that's already in place, you know, I do think it's a good place to be. I know that wasn't analytical for you, but I'm not good at that. All right.

Simison: Council, any additional questions? Oh, we probably shouldn't -- Mr. Nary, when we lose a member from up here we technically have lost our quorum to my knowledge or are we okay?

Nary: It's okay. He hasn't left the meeting.

Simison: Okay. He's still -- I just don't want to do something we weren't supposed to in our process. Okay. Is there anybody else that would like to provide testimony on this item at this time? Come up.

Earley: Mayor, Members of the Council, I have never done this before. I speak to a camera, so this makes me wicked nervous. My name is Bri Earley. My address is 5021 West Shirdale Drive. I was Miss Meridian 2003 and I don't say that because I'm looking to get back in the business of ribbon cutting, but it just gives you an idea that I'm a woman of a certain age and it seems funny that in my 30s -- in my 20s -- in my teens I was able to turn around and say I remember when my cousin's played soccer in that field that's now The Village or I remember when there was no stoplight in Kuna, Idaho, where I went to school. This valley is changing and it's changing rapidly. In -- as a person who is in the business of forecasting, the high yesterday was 50, my forecast was for 38. Sometimes we can't see these things coming. The growth that has happened in this valley within -- since 2003 -- so, the last 14 years -- the last ten years -- the last five years -- the last three years has absolutely blown my mind. My point that I want to make right now is that while staff has done an amazing job in saying maybe this is premature, maybe it's not time for this, the Ten Mile plan, as I understand it, was made in 2007 and at that time we were thinking will they come? Will they come here? What will our valley look like? Ten Mile hadn't even been expanded at that point. Boy, did they come and it was probably beyond what our forecast was. So, I just would love to see this city get ahead of it. I see a lot of people coming in. I see a lot of houses coming in and being built. So, to say no to job creation would -- would be something that I would find really disappointing. So -- I love the city.

Simison: Thank you, Bri. Council, any questions? Thank you. Is there anybody else that would like to provide testimony at this time? We are going to go ahead, before we ask the applicant to come up, we will take a ten minute recess. I want to get Joe back in the room, so he can hear the final comments. Those will -- hopefully, it will just take ten minutes. We will reconvene at 10:00 o'clock.

(Recess: 9:51 p.m. to 10:00 p.m.)

Simison: Okay. We will go ahead and come back from recess and we will ask the applicant to come forward for final comments.

Nelson: Mr. Mayor, Members of the Council, thanks for your questions and comments this evening. I want to address one of the comments from the neighbor and also some additional comments from the Council there. One of the neighbors asked when is Black Cat going to be improved. We will be widening and improving a significant portion of

Black Cat with our development along our frontage and as you could see from the slide we showed about the developer-owned properties around Black Cat, there is going to be significant development around there where other developers are going to be doing the same along their frontage. We will do whatever is required by the -- the TIS and ACHD and those conditions and we expect, based on information from our traffic engineer, that that's going to involve widening Black Cat to about three lanes there and so it is going to be significantly improved. Council Member Cavener, you made a comment about, you know, just that the timing of the improvements here and we have talked a great deal about that. I think maybe an additional point to consider as you are thinking about the impact of the Highway 16 here that's coming in as a matter of timing, all of that just was recently quickly expedited and the amount of investment that is now present coming from the state is significant. The phase two section of which the Franklin interchange there at McDermott and 16 all is involved is over half of this and the expenditures budgeted there are 150 million for construction, 115 million for right of way, and those costs are only going up. So, we are talking about a significant influx of state investment here. Franklin connection to that is part of that planned improvement, so the connection with Franklin will be done with that. Undoubtedly, we expect that that means that ACHD is going to expedite their funding for the rest of the widening of Franklin, but even if they didn't it is already planned within the CIP beginning in the two to four year window, which is going to be appropriate and consistent with this project's build out. We are providing, as we showed, the -- the best use for this property from a traffic standpoint as you are considering, that because it's the lowest traffic impact you can have on this property based on your Ten Mile plan and get the job creation that you were looking for. As we have walked through the project that we are proposing it is consistent with your Ten Mile plan and what's called for in this area. Industrial uses are needed here. There has been a lot of data presented about that. Limited sites in your city can serve industrial and none of them are available now. You do have a lot of land available and a lot of sites available for office -- that more of that isn't needed. It is valuable, you do need office, we are not saying that office isn't valuable and that it doesn't have great job creation, it's just that you have a lot of opportunities for that. It doesn't need to be in this limited location where industrial does need to be. This project will help Meridian keep jobs. You can see from the testimony you have heard tonight and also the written testimony you received based on the vacancy rate, based on businesses needing space now and not finding it, that businesses have to look elsewhere to find that space. This project will also attract jobs. You heard data about the experience that reflects a quarter of all of the industrial leasing in the valley for the last two years -- had an average job per acre rate of 20 jobs per acre. Even if it were less than that we are far ahead of the estimates that you have received and consistent with the job creation goals in your Ten Mile plan. You don't have to create all 20,000 jobs in one location, you have a lot of job creating space and the space that we are utilizing for industrial space is consistent with and proportionately keeps you on track with your goal there. It doesn't take away from it. And, of course, given the vacancy rate it's always good to keep in mind that empty office space does not create any jobs and so you do really have to take it into context of where the demand is as well. When you have industrial users and tenants that are actively needing space and looking for space, then, industrial buildings bring those jobs. Other places can -- can source the -- the office around and inside your city as it exists now. So, for all of these reasons we ask for your

approval. We understand that you don't have a staff report before you with findings and conditions and so we ask for your direction to the staff to work with the applicant to put together findings and conditions that are appropriate, consistent with the plans and consistent with the design elements. We have asked for accommodation for the use and unless Tim has additional comments, we just stand for any further questions you may have.

Simison: Thank you. Council, anything additional for the applicant at this time?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I went back to the phasing -- phasing plan, Deb -- and I asked about that earlier, because I couldn't remember -- I knew there was a lag and -- and it shows phase one complete three to five years, phase to five to eight and -- and I think that -- that's helpful to the project from the standpoint of, you know, Highway 16 and -- and road funding, but, you know, one of the concerns here is that Franklin Road heading west and, you know, that -- that really needs to be done. It has to be tied in. That will make this and everything else going west successful and what can this project do to help ACHD facilitate that expansion going west of Franklin Road? Is there anything that can be done there?

Nelson: Mr. Mayor, Council Member Hoaglun, you know, visiting with our traffic engineer, who has now completed their study, they anticipate that there is not going to be a concern based on the timing of our build out of the capacity and the plan widening of Franklin. They do not foresee problems in that location for accommodating our capacity. So, we feel that that will be addressed through the TIS and ACHD's review of it. Now, that said we feel that the increasing development in this area and the investment and the interchange is going to expedite improvements in this area. You know, there is -- there is development to our north that is now going to be inexorable. They are also interested. There is a letter in the record from them supporting this project. As development increases around there I think everyone is going to create that additional demand for the CIP and the -- and the funding for Franklin to be expedited. As I said, though, even if it's not, the timing that's planned in the CIP is sufficient to accommodate our trips and that's how it's playing out in the analysis and the traffic impact study as well.

Hoaglun: Thank you.

Simison: Deb, I think you are a very good lawyer and you use very good words. Our -- we understand the our. Your impact. But I think one of the things that's really lost in this is when that connection is made to that location it's not just going to be your people accessing, it is going to be the entire area. It's going to be the entire valley that's going to use Franklin as an off -- and the entire road infrastructure is going to become strained and I think that's one of the underlying things it sounds really good, like, hey, this is going to be here for us. It's going to be there for everybody and one of the things that we have been really successful at seeing in Meridian is when we see a problem, the development

community can come up and find ways to help alleviate that before it becomes exasperated by their own development and so that's I think really the question is we understand your trips may not generate, but there is also the argument to say that having the office in this location is even better, because what better place to have 50,000 trips for property than a place that's going to be right there with a great interchange to access for those 50,000 trips. They only have to go a mile, you know, from that location and they can take the interstate. So, short term, long term, you know -- and that's what we are in this for. We are in this for the long term, but there are short-term issues and, then, there are long-term issues related to all of us. So, kind of piggybacking on what Councilman Hoaglund mentioned is are there things that this development could do to help alleviate the -- our issues, not just your trip generation issues to this area, where, you know, if ACHD re-diverts the resources to this area for these needs, they are taking them away from other parts of Meridian that have a need. That is in the -- that is funded, that is other parts of the committee are waiting for and we have made -- Council has made, you know, decisions based upon, yeah, let's approve that, because those roads are going to be improved, because they were in the plan at some point in time and I think that one of the things when we start talking about our growth priority areas, we understand we can't grow everywhere. We can ask our -- we can't ask ACHD to build roads everywhere. They don't have the capability to do that. So, I'm piggybacking on what I was hoping Councilman Hoaglund would kind of get at, what can this project do to help with those off-site needs that are going to be there in this area where there really are not a lot of other opportunities for those improvements in the short term?

Nelson: Mr. Mayor, great question, and I think Kristy touched on this and we need to emphasize it as well and as you guys know well, the -- the way that development pays for its proportionate share of impacts off site where you don't have control of the right of way and the roadways yourself and it would pay impact fees and those impact fees are used to fund these off-site improvements and so we will certainly do every off-site improvement that's required of the development, but in addition to that we are responsible to pay impact fees to carry our proportionate load of those offside impacts and we do appreciate -- we are certainly not the only users of these major roadways. Franklin is a significant arterial for commerce in this area. The connection to the interchange is exactly why this site is so attractive for this use. So, we need it along with everyone else and the -- the opportunity that's created by the interchange to bring in that funding that will help with the connections there, we believe is going to help change the traffic patterns, help pull it away from Ten Mile and improve those traffic flows. So, we, obviously, don't control that, that's the state. That's not our contribution. But we are excited that -- to have the timing align with that and, you know, finally, we appreciate that, yes, office -- office certainly is a great use. It doesn't need to be in this location. The closer it is to the interstate, sure, it has a shorter connection there, but office uses aren't dependent upon that same kind of interchange transportation access as your Comprehensive Plan and plan -- and Ten Mile plan note is so important for industrial and our jobs are valuable in this location and can't go in other locations and yet the traffic that's generated by this site is going to be so much less. Six times -- more than six times less than office on the same location for the same acres. So, significant less impacts on Franklin to add to all the surrounding areas.

Simison: Just to go back and touch on it, we do have development that will do reimbursement agreements with -- with ACHD where they will go and put in off-site improvements working with them to get those done in advance of when they otherwise would have been done. That's really I think the question is whether or not this project would be willing to consider working with ACHD on those types of options.

Nelson: I think I -- I will let the developer speak -- if I say something out of turn, but I think they are ready to look at that TIS and work with ACHD about whatever needs to be done there.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And I guess to follow up and feedback on your comments is the fact that, you know, you look at that intersection and for years that intersection stood out, because it's just -- it's fully built out way in advance of what they knew was coming. So, that was done in advance and now we get to take advantage of that. So, it would be nice to have that -- we are moving ahead of -- of the need and -- which is rare. It doesn't happen very often. So, if you could work with ACHD on some ways -- you know, they don't have a STARS program like the state does that we expanded Eagle Road and Chinden and whatnot, but ways that we can keep ahead to some degree just -- just because we hear so much from residents about the traffic and their -- the pain it is and it's never in advance and so just helping take care of those things, it would go a long ways in something like this, so -- anyway, something I hope would encourage you to --

Nelson: Appreciate those comments.

Simison: Council, any additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Deb, there hasn't been really any conversation about the proposed location for the -- the fire station in lieu of impact fees and I'm just curious -- again, I think fire seems supportive of the location, but if our needs change, then, what -- what becomes contemplated for that piece of dirt? The city I guess owns it and, then, we would turn around and do something with it and -- I'm not -- this is not -- I think this would be the first time that I'm aware of that the city has taken possession of land in lieu of impact fees since I have been on the Council and so I'm just -- it's -- it's a little different, a little left of center for me and I'm just hoping maybe you can walk us through kind of the why behind that and why you think that makes the most sense for our city.

Nelson: Mr. Mayor, Council Member Cavener, yes, I think this came out of discussions between the applicant and Fire and Fire was supportive of that location, looked at the

location, thought that that would be useful for them in the future. The applicant was willing to provide that location to them. Your -- your city code does provide for impact fee credit for land. I think there is still a fair amount of work to be done to work through, you know, what that might look like between Fire and the city and as a whole and the applicant to see if that might go forward. If -- if it can work out I think it's a great location. It seems like everybody was on board with it and so I think we are just down to the -- the process of logistics about whether or not that agreement can be put in place for impact fee credit. I can't speak to Fire's use of it or -- I just know that from the discussions that the applicant had with Fire that they were supportive of the location.

Simison: Council, any additional questions? Okay. Thank you.

Nelson: Thank you very much.

Simison: Council, I think we will keep this one open.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think, you know, my -- my greatest concerns are, obviously, the transportation issue, the roads, and it looks like the applicant is willing to -- to have ACHD do a TIS just to verify and look and whatever comes of that in the future with some type of an agreement by the applicant with ACHD I think makes sense and so my other question or concern has to do with the jobs and it's not like I don't trust the information that's been given by the applicant at all, it's just a really important part of Meridian and it has such a huge -- it has the potential of either being really bad or like excellent, like top notch, and so I sort of want to punt to Tori and have her come up and just -- I just -- I just want to -- she's our economic development manager and she's -- and I trust her opinion. I just would like her to -- to speak about the jobs and I don't mean to put you on the spot, Tori, but if you could provide some clarity with that I would really appreciate it.

Cleary: Certainly, Mr. Mayor, Councilman Bernt, Members of the Council, so I like to look at the long game and no one has mentioned the comp plan this evening and the comp plan and the future land use map strike a housing to jobs balance throughout the community and so that is -- you know, in particular this area is planned for mixed employment and low density employment and so those are the job numbers that the comp plan looks at citywide, with the assumption that this area is going to provide X number of jobs and other area is going to provide a different number of jobs. So, I think it's important to consider that. Comp plan, you know, was adopted in -- two years ago, December 2019, following many many months of significant public engagement and our long range planners -- all our planners kind of looked at that essential balance in the community. Let's see. If I could just provide something to -- about Ten Mile interchange specific area plan, just something for comparative purposes. Ten Mile, when it was developed out at 50 acres, Ten Mile Crossing, and this was before the Saltzer Surgery Center. There were about 3,700 jobs out there, so that's about 70 jobs per acre. Just as a comparison for

you to consider. I know a lot of the conversation is centered around traffic impacts. As an example, the Amazon facility in Nampa is about 2.5 million square feet on four stories, so they have got a 675,000 square foot footprint. So, this, essentially, would be kind of four -- almost four of those, three and a half of those spread out on a single footprint and it's, you know, obviously, too early for a TIS, but their TIS estimated 7,000 vehicle trips per day for that Amazon facility. I totally agree with everything Mr. Wolff had to say about the market data. It's certainly accurate. I know the Mayor and I hear it when we go out on our business visits. Industrial businesses are challenged in finding space in Meridian. Manufacturing uses are essential to our community. Advanced manufacturing is one of our four target industries that we look for. Advanced manufacturing pays higher -- higher wages typically than other jobs and also it has significantly greater multipliers in the community, both jobs and revenue slash income multipliers and then -- so, let's see. Our strategic plan calls for increasing family wage jobs. That enabled employees of Meridian businesses to work and live in Meridian. The concept plan -- and this is really my only concern. The concept plan suggests that uses that are not only lower in the number of jobs, but also those jobs are typically lower in wages when you look across the manufacturing industrial type users. Let's see. And I think -- does that address your questions? Are there any others?

Bernt: I don't know what I was looking for, really, in particular. I just wanted to hear what your opinion was.

Cleary: Okay.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Tori, since you are up here I guess a very simple question that I hope comes with a simple answer. Does this application enhance or detract Meridian's economic viability?

Cleary: Councilman Cavener, Members of the Council, that's a tough question. I don't know that I can answer that. Like I say, I'm looking at the long game for that jobs to housing balance and, then, looking at our citywide strategic plan with a goal to increase family wage jobs.

Cavener: Okay. Thank you.

Hoaglund: Mr. Mayor.

Simison: Councilman Hoaglund.

Hoaglund: Try a different approach, Tori. Industrial is important to our community. I mean -- and that's something that, you know, when we hear manufacturing and assembly I get excited, because we are Americans, we build stuff and we build it better than anybody

else, you know, that's -- that's who we are and -- and -- and we do need those areas that -- that we have people being able to -- to make things to and, of course, then, it comes with storing things and shipping things and all that component that -- that comes with that. Right now in our community can you tell me what do we have on -- in the horizon, excluding this, that we are putting into place more industrial?

Cleary: Let's see. Mr. Mayor, Councilman Hoaglund, Adler is building some spec, but, typically, that is full before it's completed. A lot of their -- with -- well, with the exception of their Amazon facility and FedEx, a lot of their newer projects -- JST Manufacturing over on Lanark and I know of three other users that are coming in -- are higher level -- higher level paying jobs and a higher number of jobs than say a distribution or warehousing facility.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. And Tori -- and it's not an I gotcha question or anything like that, I'm just trying to think -- okay, what do we have and I think Mr. Wolff -- it sounds like his assessment is about, you know -- yeah, there is not much spec, it's the decide late and we need it now and get it done and you have got a tenant to sign right away, so that -- that happens and I guess -- I guess where I struggle -- I'm thinking, okay, we got a fish on the line, we got this big industrial fish, you know, do we throw it back and wait for something even bigger? That's -- that's the hard part, you know. So, what -- what -- what do we do?

Cleary: Yeah. Mr. Mayor, Councilman Hoaglund, yeah, you know, we do have to consider -- consider that opportunity cost. You know, if we let this go and the market shifts again in five years, are we going to be left with, you know, an undeveloped site and with as inconsistent as the market has been, I don't think anyone -- anyone would have foreseen the vacancy rates that we are seeing today in industrial.

Simison: Any additional questions for Tori?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: The public hearing is still open, we are just -- I take it at our discussion, deliberation -- yeah. Keep it up. Okay. All right. Mr. Mayor, I will give you my thoughts on this. I think there is a -- kind of a confluence of circumstances where there is a lot of good data about the demand of -- for this type of use, an industrial use, lack of vacancy and there seems to be an immediacy for anything like this to be filled, which that principle, which is supported by data, somewhat contradicts what we are confronted with for infrastructure improvements, specifically transportation. So, we hear -- it sounds like every element would say this would develop as fast as possible, be utilized and filled as

fast as possible, the demand is there, which is fantastic. I don't doubt that at all. But that contradicts what we are confronted with with the ability to provide the full transportation network that it needs, at least arguably. So, that's my hesitancy with the project. Initially I thought the staff's and Planning and Zoning's direction to be consistent with -- with the comp plan and the mixed employment designation made sense. I think I saw to -- come up, that's what Tori was hinting at maybe. But the long game of this area had perhaps this type of use to the east of it, this being the mixed employment and the more industrial use. Connects to McDermott, now perhaps connects to Highway 16 and -- and that seemed to be the long-term plan for this area to build out. So, I thought that made sense. I thought -- I would have expected this to be a mixed employment application for -- or request for that type of zone, understanding that a CUP might be requested for this type of use and in light of the demand for this type of use I didn't think that would be a hurdle, but that was interesting comments in the record and today about the -- the strings on financing and how industrial users migrate quickly, so that was very helpful for me. I think the hurdle that I can't yet get over from what I have heard is the roadway network at Black Cat and Franklin in particular -- and I'm not as positive about the acceleration of funding. Quite frankly, I just don't feel comfortable that absent some -- some type of latecomers agreement cooperative that advances this immediately, that you are going to have any on ramp to Highway 16 in the immediate future. I just -- I don't -- the Mayor's comments about you are going to pull it from somewhere else that we have planned to approve or we have approved -- planned for that roadway network, this may be one of those ones where when we talk about the discipline to say it's just not ready -- I don't know. I don't think it is for me at least. I just think that roadway network concern -- honestly, I cannot get over. I think the use is great. The zoning I wrestle with back and forth, but the timing was just not there in my eyes. So, I didn't hear anything that resolved that concern. So, I think it's a -- it's a really good, well done project that's too early for this location.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To kind of -- along the same vein as Councilman Borton, you know, is this the type of thing where we need -- have -- for the applicant to have discussions with ACHD before we can really make a decision on this, because there are lots of elements about this that I -- that I like and, you know, what gives me pause is that connection and having that ability to when -- I heard that 34 million dollars -- and, of course, they meant every connection that -- for that Highway 16 that's within ACHD's jurisdiction, from Chinden to -- to the freeway, but taking it away from other projects to do that hurts and finding a way to expand Franklin, make that connection I think is -- is critical for -- for the success of that -- that area for what's being planned and -- and I know Ms. Nelson is right, there is impact fees, they pay into that, it goes forward, but it makes it more difficult when those -- when timing is not in place for other projects and what I mean by that -- I have often thought when -- when I was on Council before we bought that 77 acres -- and I have shared this before -- when we bought Discovery Park and I remember thinking 20 years from now, you know, that will be a great thing. People won't remember who bought the land, but we got it for a great deal, saved taxpayers a bunch of money, there will be a

regional park out there and come back on Council and ten years later and phase one is already done and it's like, wow, that moved quick and I think something like this, if approved, will spur everything else quickly. But if -- again, if the roads aren't in place that's just -- it stops everything and -- and I think it was actually excellent testimony came from a meteorologist of all things, Bri talked about the fact that forecasting and looking ahead we aren't always accurate. That 20 year timeline I was way off on and I think the Highway 16 is going to do some things that might make us off on the timing and need for things sooner, as opposed to later, but that also includes the infrastructure to have that in place. So, that's the part I'm trying to -- how can we get to that to make everything else come and -- come together? So, that's one -- you know, I -- and I know the TIS and that work with ACHD is, what, six months, you know, I would take, whatnot, if -- from what I have heard from a previous application, but I don't know if that's the way to get there, do we -- do we approach it that way? That's just kind of my conundrum I have right now.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think to dovetail off of that, too, we have seen this year high priority roadway projects by ACHD be delayed because of their funding issues and while Kent Goldthorpe, speaking as a citizen, provided a lot of context, it falls in line with what we heard in our joint meeting with the highway district, which is they are not quite sure how they are going to be able to afford all of these connections with the current five -- integrated five year work plan. So, those to me create really really big questions and I just -- Council Member Borton, I -- I pinged in on a word you said, which is -- is the discipline. I really want this project and -- and, honestly, I think the location makes a lot of sense and 20 years from now it will have been the right location with its proximity to I-84 and Highway 16. But, Brad, you -- you touched on it. Highway 16 could change how we look at land use in that area. It's going to change traffic patterns. Am I -- the bulb of my crystal ball is burnt out, so I don't -- I don't know how to look at the future with that. So, that's -- those are the things that are causing me a lot of caution, which is why so many of my questions for the applicant was about their plans and suggestions and ways to impact it. So, for me without having some solid grounding on those questions, it -- it would be very very challenging tonight for me to be in favor of this annexation.

Simison: Councilman Bernt.

Bernt: Thank you, Mr. Mayor. I don't know if I have a whole lot to add. My Council Members -- my fellow amigos up here have really laid out specifically what I think as well. But to add on to this, I think this is a great project. I mean, honestly, I think that the landscape of how we are doing business -- not only regionally, but as a -- as a -- as a country, you know, even in the world, really, is turning toward e-commerce. I had breakfast this morning with a gentleman who, you know, has an e-commerce business and has developed and built numerous e-commerce jobs, businesses, has sold businesses and currently has one that's e-commerce that deals with hunting items and -- and, honestly, I think it's where it's going, at least in the near future and I don't see it

changing. I just feel like e-commerce is -- you know, you look at the office vacancy that tells you that's where it's going and so I think Mr. Wolff and his partners and his team have provided a great project. I just would like to know more about the transportation aspect of it and what that looks like. This is just too big of a project for me to have more of an opinion than that, to be honest with you, and so -- and I know that, you know, this -- this project, you know, if it were -- if there was favor in this project I think Deb would tell the team that this was -- would be continued anyways, because of findings and conclusions and so, yeah, I mean those are my thoughts. I don't know if I provided any clarity. Probably didn't, but --

Simison: I think you did from that standpoint. You know. And just -- just my two cents. My concern with this has always been about timing and infrastructure. Am I one hundred percent convinced the type of use here compared to what is -- is appropriate? No, but transition into some industrial. Absolutely. But if Council decides that industrial was the right choice for this entire property, I think that's a -- you know, that's where you need to go to figure out if that's appropriate or not. But timing is important and infrastructure is definitely important in my view and I think that's the underlying -- you have all said it. That's the -- that's the question and the only answer is -- is there a path forward to get that addressed or answered? It's not just the TIS. I mean the TIS is going to tell you what their immediate impact is, but it's really the bigger impacts that we are going to see for this area, because the point that was made, the property to the north goes next, the property to the west goes next and before long they are all -- everything in that area, because of the demand, potentially is there. So, with that I assume you want to hear back from the applicant on their next -- on what they would like to see happen at this point in time and go from there.

Nelson: Mr. Mayor, Members of the Council, thanks for your input. You know, we appreciate the comments and certainly appreciate the support for the use here. I know that that's after some careful consideration given where we have come from the staff report and so I guess we feel that we can work through the -- the transportation issues. We feel like we can address the timing issues -- or at least get you to a better place to have the information you need to make that decision and so I guess we would ask for a continuance until ACHD has an opportunity to review the TIS, which we are very close on. So, that's -- that's what we would ask, since that is the -- the issue that's holding this up. We would like the transportation agency to weigh in, the expert here, and provide you that information, so that you can feel comfortable with the timing and supportive -- and supportive of the use here.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just question, then, Deb. Timing wise what are we looking at? What's your estimation? Any -- any idea?

Nelson: Mr. Mayor, Council Member Hoaglund, so the TIS is effectively done, will be submitted within a couple of weeks to ACHD and so, then, we are just on their review timing, which could be a couple of months. So, I would say we are, you know, probably not on a date certain, but getting back to staff to request a hearing date for the continuance.

Simison: And, Deb, I'm only speaking for myself, who may or may not be involved in a voting situation -- that goes beyond the TIS. It's what can be done to look at the road network improvements that are needed out in the area. The TIS will say one thing, but it's still -- it's the bigger -- bigger picture is -- and that's my sense. I may not even be involved in a future decision on this based on how this plays out, but my two cents.

Nelson: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Deb, I think that's it, too. That's sort of how I understood it, that ACHD is going to say we have no funding for Franklin and -- and the interchange -- or the connection to McDermott. It might happen quick, it might not. We don't know. So, my -- my fear is whenever we continue it on the big issues they will say, as they probably have to say, we don't know. There is just nothing there yet. I think the Mayor's comment of -- is there some mechanism to accelerate it and provide some certainty, I guess that's my fear that if there is -- if there is a continuance to allow ACHD to provide comment on the big infrastructure issues, I don't know how they can provide a response that answers that. Maybe they can. We will see. Give them a chance.

Nelson: Mr. Mayor, Council Member Borton, you know, we appreciate those comments and certainly topics we will explore and try to come armed with all the information you are seeking and -- and also recognize that, you know, part of this is looking to the transportation agency to, hopefully, the -- the facts and that analysis through the TIS and their review will help provide information that's helpful on the capacities to help answer those questions and on the timing.

Simison: And just one small piece as well, you know, the connection is in Canyon County. I don't know how much interaction there is. I don't know if Canyon county received this application at all, but I know it's only a quarter mile to where Highway 16 is going to connect. I don't know how much -- how relevant that is as well to the conversation, but, unfortunately, ACHD's jurisdiction stops right there. So, even that -- their plans for their side of the county line.

Nelson: Thank you, Mayor. We will certainly come armed with that information, too, and look at the state scope of that interchange area and see what's involved there.

Simison: Okay.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I need a date, Deb. So, we are looking March?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think we could just -- we can -- we can just continue this --

Bernt: Without a date.

Cavener: -- to a future date and the applicant can work with staff to get it noticed and, then, go back on our agenda once some of the questions that are out there have been --

Bernt: Right.

Cavener: -- answered.

Bernt: Yeah. Okay.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, the only thing is if you do it that way does the applicant need to pay fees or does the Council the city to pay the fees? The notice fees.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: And, Bill, you know, I thought if we just continue it to a date to be determined, would -- I mean there is nothing new, it's just coming back with more information from a partner agency that -- but --

Nary: Mr. Mayor, Members of the Council, Council Member Hoaglun, technically there is no way for the public to know when that is always, so we would have to provide some level of notice --

Simison: Yeah. Can we just pick a date and, then, if we have to continue it again at that point in time we can choose that. So, probably a couple months minimum.

Nelson: Mr. Mayor and -- maybe Chris could look at a date in March. I don't have the calendar in front of me -- to see -- if we can pick one I would appreciate that. You know, we will just adjust it if we need to.

Bernt: First date in March is the -- is the 1st and, then, the next one is the 8th.

Simison: I would avoid the 8th.

Nelson: The 1st --

Simison: -- for anybody considering National League of Cities.

Bernt: Okay.

Nelson: March -- March 1st, we will go with that, and we will follow up as needed.

Simison: Do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue the public hearing for Black Cat Industrial Project, H-2021-0064, to March 1st, 2022.

Cavener: Second.

Simison: I have a motion and a second to continue this item until March 1st, 2022. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the item is continued. Have a good evening, everybody.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ORDINANCES [Action Item]

- 4. Ordinance No. 21-1959: An Ordinance (H-2020-0060 and H-2021-0050) Horse Meadows) for Rezone of a Parcel of Real Property Situated Within a Portion of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) and Within a Portion of the Northwest Quarter (NW ¼) of Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 5.33 Acres of Land From R-4 (Medium Low Residential) Zoning District to R-8 (Medium Density Residential) Zoning District in the Meridian City Code; Providing That Copies of This Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required**

by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

Simison: Or stick around for the ordinances. Next item up on the agenda is Ordinance No. -- Item 4, Ordinance No. 21-1959. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to H-2020-0060 and H-2021-0050, Horse Meadows, for rezone of a parcel of real property situated within a portion of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) and within a portion of the Northwest Quarter (NW ¼) of Section 10, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 5.33 acres of land from R-4 (Medium Low Residential) Zoning District to R-8 (Medium Density Residential) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? If not, do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move we approve Ordinance No. 21-1959 with suspension of rules.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 21-1959 under suspension of the rules. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the ordinance is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics? Or if not do I have a motion to adjourn?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: This is our last -- point of privilege, Mr. Mayor? This is our meeting -- last meeting before -- before the -- before the Christmas holiday and just wanted to wish Council,

Mayor, staff, our citizens and -- that are listening and who pay attention to these long meetings, a Merry -- a Merry Christmas and I hope that you all are -- find yourselves with family and you have a very blessed Merry Christmas. So, thank you so much and be safe. Thank you.

Simison: Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

Simison: I have a motion to adjourn. All in favor signify by saying aye. Opposed nay. The ayes have it. We are adjourned.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 10:48 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK