

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve Resolution No. 21-2291, a resolution of the Mayor and City Council of the City of Meridian appointing John Keller to the Meridian Historical Preservation Commission and Kayleigh Philippe to the Meridian Solid Waste Commission and providing an effective date.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Resolution No. 21-2291. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the resolution is agreed to.

MOTION CARRIED: ALL AYES.

Simison: John, would you like to make any comments to Council?

Keller: Hello. I'm really happy to serve my community.

Simison: Well, thank you. We are excited to have you serving as well. Appreciate you being here this evening to see this appointment made.

Keller: Yes.

Bernt: Thanks, John.

ACTION ITEMS

2. Public Hearing for McFadden Property (H-2021-0048) by Doug Tamura, Located at 104 W. Cherry Ln.

Simison: All right. Next item up is our Action Items this evening, which is public hearings. First item up is a public hearing for McFadden Property, H-2021-0048. I will open this public hearing with staff comments.

Tiefenbach: Good evening, Mayor, Members of the Council. Alan Tiefenbach, associate planner. Okay. So, this first one is called the McFadden property annexation and rezoning. This property consists of 17 -- not quite 18 acres of land. It's zoned RUT in the county. It's located at the northwest corner of North Meridian Road and West Cherry. You probably know this property by the horses that are on the property. The property is bordered by L-O and R-8 to the north. West Cherry Lane and OT to the south. Commercial across North Meridian Road and R-8 to the west. The Comprehensive Plan recommends this property for mixed use community. It's kind of an interesting case here, so I'm going to go through a little bit of detail about this. So, again, this is an annexation

and zoning of not -- not quite 18 acres of land with the C-C business district zoning district. The main purpose of this and why we are seeking the annexation is to ensure that this can be included as part of the Northern Gateway Urban Renewal Plan, which is currently being developed by the Meridian Development Corporation. As I said, the future land use map designates this property for mixed use community. The main purpose of that is to allocate areas where community services and uses and dwellings are integrated into the urban fabric. The applicant submitted a conceptual plan as part of this application. That's what you see on the right. I turned it -- because I work better with north being up. Probably you do, too. So, on the left there is an aerial. On the right is what's being proposed. This is very conceptual and, again, I'm going to talk about this. The reason why we are doing this at this time is merely to get this property incorporated into the urban renewal district. If we don't do it at this time, then, we won't be able to bring this property in later. The plan that you see here shows three buildings oriented to the West Cherry Lane, North Meridian Road, which if you can see my pointer I'm talking about these three buildings here. Parking is along the sides and to the back, which is what our design standards talk about. There is -- if you look up north of those there is five more buildings running along North Meridian Road and, then, there is a phase two, which you see that large blank square, basically, for the future and the applicant has envisioned commercial, office, retail, hotel, multi-family uses in the future for this. The applicant's narrative suggests that their intent is to develop the buildings shown along the corner there first with uses including gas station and a convenience store, perhaps some retail and office and, then, the hotel and the other uses at a later phase. The applicant has proposed that before any specific uses would be constructed within the next phase, C-C, the -- what you see there as phase two, that there would be a development agreement modification that would be approved and this would include a conceptual plan. I'm going to talk about this in detail again as I talk about the DA and the conditions of approval that I believe the applicant is amenable to. So, staff does support a limited amount of commercial occurring in the short term at the southeast corner based on the concept plan that's been submitted. We did have concerns about build out of all of the buildings along North Meridian Road without really a detailed concept plan. Based on the concept plan that was submitted staff recommended allowing the development of the first three commercial buildings. So, that would be what you would see here, if you can see my pointer. That would be along the West Cherry Lane frontage and, then, south of the existing access there is an access that's here now from Meridian. A development agreement -- and that's submitted by the applicant and detailed concept plans that are consistent with the mixed use community designation of the comp plan would be required prior to any additional development. Staff has received one letter of support from the Meridian Development Corporation. We did have one person show up and testify at the Planning Commission. It was the church directly to the west. It was really just concerns about what would the height of the buildings be, what kind of uses would be occurring there and as we explained that's at a later phase, so we don't really know at this point. It would be something that would be figured out and approved by the Council at a later time. So, our recommendations -- there would be a development agreement and I'm going to run through what staff's recommendations are and I have listed them here. So, with the first phase of development the applicant may develop up to three commercial buildings along -- along the West Cherry Lane frontage and south of the existing access at North Meridian Road.

That's what I showed you on the concept plan, those first three buildings on the corner. The applicant shall submit a plan illustrating how pedestrian connections in the first phase will tie to future phases of the development. That's because we want to make sure that the whole thing eventually ties together like mixed use community. So, the applicant at least needs to show us how the circulation is going to tie in with the first phase, so that we make sure that it's planned correctly. The applicant shall coordinate with the city and MDC on the design of an entry feature at the southeast corner near the intersection with the first certificate of zoning compliance. Again, we want to make sure that as this -- the first part is built that it's built taking into account that there has to be some kind of identity feature. That's what the Comprehensive Plan talks about. That's what the North Gateway area talks about. So, something that identifies this as a different place. The applicant shall install the buffers along West Cherry Lane and North Meridian Road with any other future phases of development. So, beyond the first phase, those first three buildings, the developer shall submit -- let's see. Oops. I moved -- with any future phases of the future development the applicant would have to submit for a development agreement modification and there is certain things that we are recommending that would be the minimum that would be part of this development agreement. It would be a detailed concept plan for the entire development. They would submit the general layout and configuration of the buildings, circulation plan for both motorized and nonmotorized, so pedestrian trails and pathways and open space and amenity plan and conceptual building elevations. There would be a requirement for the future development of the site to comply with the design concepts that's being established by the new Northern Gateway District. Again, that hasn't even been finished yet, so we don't know exactly what the design concepts are going to be, which is why we are hoping -- we are wanting them to work with MDC as this comes together. There would be a requirement for building footprints to be limited to 30,000 square foot or a 60,000 square foot for a grocery store, unless it's very vertically integrated. That is what the Comprehensive Plan talks about in that area for a mixed use community. The development would need to contain at least three types of land uses. Again, that is what is designated mixed use community. However, if they do vertically integrated buildings, meaning retail or commercial of some sort on the bottom and residential on the top, that would count as one of those uses and residential uses should contain -- contain a minimum of 20 percent of the development. So, we wouldn't want the entire thing to build out, for instance, as multi-family, but there does need to be a residential component in order for it to be the mixed use community designated by the plan. And the gross densities would need to be between six to 15 dwelling units per acre and, again, that is what is listed actually in the Comprehensive Plan. At the September 16th, 2021, meeting the PC recommended approval. My understanding with recent discussions that the -- the applicant is amenable to all the conditions. So, again, what we are doing is we are just basically bringing this in kind of as a blank slate. We are letting the applicant develop just the first three buildings. As they develop those first three buildings there is a few things they will need to account for. Where are the connections going to be. Where is that identity feature going to be. They will have to put in the landscape buffers. Anything else beyond those three buildings they will have to do a complete development plan that would come to you as a development agreement modification that would -- again, pathway plan, architecture, and all that stuff. With that I will conclude my presentation.

Simison: Thank you, Alan. Council, questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Thank you. Appreciate the presentation. One question. Are you wanting 20 percent of the first phase to be residential given the fact that second phase will be almost entirely residential?

Tiefenbach: No, sir. And I'm sorry if I wasn't real clear about that. That would be with the second phase of development that at least 20 percent of it would have to be residential. The first phase would be one hundred percent commercial, the three buildings.

Bernt: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Alan. So, the staff report mentioned a couple of times that there is a desire to have kind of civic areas, plaza areas. Unless I'm missing something, I don't really see a focus on that in this -- in this bubble plan here and also not really sure what -- there is a little rectangular area with some lines across it on the south part of the drawing that's just to the east of the C-store. What is that for?

Tiefenbach: Thank you, Council Person. If I understand correctly, you are asking about plazas and you are asking about the -- part of the -- I believe that's a gas pump. What you see in there is a square with the rectangular lines. Okay. So, basically, if you look at those three buildings there at the corner -- erase all those other buildings to the north. Those -- anything that we see in the future -- the only thing that we are talking about tonight is that entrance there on North Meridian and those three buildings to the south. That is the reason why we have said with the first phase of development the applicant needs to take into account the identity feature and that they need to give us a plan to show how the circulation is going to start here, so once these first three buildings are constructed for any other development that would happen they are going to have to give us one of the -- one of the things that's required that we are recommending with the development agreement would be an open space amenity and trails plan. So, they would have to show with future development beyond those first three buildings where all the plazas, the pathways, and, again, except that the first phase would -- would have to show some sort of pedestrian connection to show how it's going to begin.

Perreault: Mr. Mayor, a follow up.

Simison: Council Woman Perreault.

Perreault: So, in other words, there is not going to be a specific requirement for any of those civic plaza types of gathering spaces in the first phase. So, the second phase is in -- could come in a very -- could be ten years out, 15, 20 years out or, you know -- and -- and we don't know when those -- when those other requirements are going to be met in the second phase or is the intention that this would all be developed during -- at minimum during the -- the time period that the URD is -- is -- you know, before the URD deadline, the Northern Gateway deadline, or can you kind of give us some understanding? Because it -- it seems really -- I guess it's just -- it just doesn't seem very solid as to how the rest of it's going to play out.

Tiefenbach: Understood, which is why -- why we are recommending so many details. It might be one of the things I might want to have Tori Cleary talk about. My understanding is that an urban renewal plan goes for 25 years. I believe that the applicant has every interest in wanting to be able to get the benefits that comes along with tax increment financing and the other things like that involved with an urban renewal district. In this particular phase, yes, you would just see those first three commercial buildings. I'm not sure what the timing is for the rest of that development to begin. The original idea was that we were just going to try to just bring this whole parcel in as a blank slate with a development agreement that says nothing can happen here until you do a development agreement modification and the reason for that is if we don't get this into their urban renewal plan now it won't happen. That's -- it's a lost opportunity, because there is a percentage on how much they can incorporate and this is bigger than they are allowed to do. So, I don't know what the timing is on the second part, but the first three buildings was sort of staff's agreement that, okay, if you work with us we will work with you and we will let you develop those first three buildings, as long as they are not obstructing the way that we would like to see it built out in the future. That was a very long winded answer to your question and it is complicated, so I apologize.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I mean I'm -- I'm a bit uncomfortable just out the gate that, you know, we are just seeing a piece of the development and it's really important -- I know with Ten Mile we had a lot of design guidelines and kind of the bigger vision. It just doesn't seem like the execution we usually would pursue with an urban renewal district. So, my question is can we satisfy the urban renewal requirements with just an annotation, not approve the concept plan and, then, approve a full concept plan at a later date? Would that still legally meet the requirement for the URD?

Tiefenbach: I think I'm going to look at Bill Nary or Victoria on that one. That's going over my paygrade.

Nary: Mr. Mayor, Members of the Council, yes, from -- from one standpoint, yes, just annexing the property. When we met with Mr. Tamara and his Council, is his concern on his being able to market the property. That completely blank slate really ties his hands

on moving forward in any type of way and so the compromise we came to in that meeting was this kind of gets the property in the plan, part of the urban renewal district, a little bit of development up front, with some conceptual ideas of what could be the rest. As you will notice that label on that C-C is hotel, multi-family, office, retail. So, it really was intended to be a very much of a blank slate to move forward, but to give him the comfort and ability to market his property versus just no designation of anything and so that's kind of what the purpose was, was to give a -- kind of very basic building block with some ability to develop a portion, get it into the urban renewal so that we can include it, because it's kind of now or never and if we don't do it now it can't ever be part of it. So, that was the reason for it.

Tiefenbach: And if I can add, Council Person, I would, again, defer to the applicant, but I believe this was the minimum that he would agree to and -- and move forward with the annexation and the rezoning. There was a discussion about whether he even needed to do this now, but it was -- the city believed that was in our best interest because of this large property and that we are working on the Urban Gateway -- the North Gateway Plan, it would be a good time to get this incorporated. But, again, this was pretty much the minimum that -- I think that we could agree to in order for him to move forward with this.

Strader: Yeah. I mean I -- I would say, though, at the same time, right, isn't there a significant incentive to be part of the URD for a property owner, considering the huge amount of public infrastructure investment that's going to go into it? But I guess my question would be what is the drop dead absolute latest deadline for annexation for this to work?

Tiefenbach: Tori, I don't know if you can answer that question or not. She's coming up here.

Cleary: Good evening, Mr. Mayor, Members of the Council, Council Woman Strader. The annexation would need to be complete before the final reading of the ordinance, which I believe is scheduled for the first week in December. And, Mr. Mayor, if I could maybe address a couple of the other questions and comments. The URD -- the life of the URD is 20 years. Certainly economic development and MDC are supportive of the future development of this site. However, we understand that the land use entitlement processes fall within the purview -- a different purview, purview of the Council. It's been estimated that future development of this could, let's see, generate about three million dollars over the life of the -- over the life of the district, that 20 years. I will say there is nothing set in stone at all about reimbursement for public infrastructure. That would be -- that would come later on. That's up to an owner participation agreement between the applicant and MDC.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Victoria. Yeah. I guess, you know, I'm just -- I'm curious -- well, maybe

I will reserve my comment for later after everybody else has a chance to dig in a little bit. But I would just -- it makes me really nervous to kind of go at this piecemeal. I know we have this timeline. I guess I'm just wondering if -- if the applicant and planning staff and everybody really worked hand in hand and we pushed it up until like whatever the latest deadline is in December, if we can get a full concept plan. But I'm going to listen and I'm trying to be open minded, but it just makes me so nervous to commit -- especially like a C-store and a gas station and I just don't know if that's what we are ultimately envisioning for this important location.

Simison: And I guess I will piggyback off of that just a little bit, you know, and this can be for the staff or the applicant. I mean just in conversations I have had -- not about this development, but generally about the benefits of having a hotel in our downtown, which this potentially is identified as a hotel site. Nothing guaranteed. But having that closer to the corner seems to be the more appropriate place to put a tower and/or hotel that might be closer to the other redevelopment opportunities of the -- the other corners or instead closer to the downtown, as compared to back further in the property. Was that discussed at all in terms of like -- I mean even conceptual layout fully, that's -- that would be my two -- two cents is you would want to feather it -- feather from the corner higher uses to lesser uses further back into the property towards the existing residential or other uses.

Tiefenbach: Mr. Mayor, Members of the Council, yes, that had been discussed. Part of our hesitation was getting too far into this is that they are still working on the North Gateway Plan and that's going to have pretty specific requirement -- requirements for this and design. I'm a little reluctant to get too into the weeds with this without actually having the applicant talk a little bit about what their plans are, because I don't want to answer on behalf of -- I'm pretty sure he will do a better job of answering some of these intent questions. Our -- our part here was tried to agree to a minimum of something that he could do to get some entitlements in place, at the same time get this annexed into the property with some promises that nothing else could happen without a full blown plan, which is, again, why you see some minimum requirements for the trails and how it has to be organized and beyond that -- yeah. So -- so, I might want to defer to the applicant for some more the details on the timing and what's going to develop there and why he is asking to do what he is going to do.

Simison: Council, any additional questions for staff? Okay. Then I will ask the applicant to, please, come forward and state your name and address for the record and be recognized for 15 minutes.

Tamura: Mr. Mayor, Members of the Council, my name is Doug Tamura. 732 Santa Paula in Boise, Idaho. I'm the owner of the McFadden property. This spring I was pleasantly surprised when Ashley contacted me about potentially being a part of their Northern Gateway Urban Renewal District. So, tonight I'm here requesting annexation and zoning, so that we can qualify for the district. One of the things that we have here is it's a large project. My main background is -- we all -- we did -- we developed Fairview Lakes. That was a 26 acre project, but it's been a -- you know, ten or 12 year project for us to do that. We just finished doing the corner of Franklin and Locust Grove where Gensco is at. Cope

Automotive. And, then, we own East Gate Shopping Center across from Timberline High School and so we took an old 100,000 square foot shopping center and totally remodeled it. We are just completing a Chipotle on the corner that and the other thing that we do is we develop retirement centers. So, The Grace at Fairview Lakes and, then, we have got one in Nampa and the retirement centers next to Bishop Kelly are projects that I own and designed, so -- on this one, like I told Bill, it's difficult for us to go ahead and market this project until we have some kind of zoning that we could represent to future users. We have been contacted by C-store and that's why I showed a C-store and I know that the previous person that had it under contract had been talking to Jackson's. So, you know, our preference would be to have Jackson's do kind of a state of the art project there, you know, but I haven't talked to them, because we don't have zoning. I have been contacted by a couple of the different drugstores. We developed a Walgreens at the corner of Apple and Park Center, so I have got a relationship with them. But, again, without zoning we haven't done anything. We own a Starbucks. We just finished -- we are just completing a Chipotle. So, those are -- I know there would be great tenants that would want to be in this potentially location, because it's such a strong going-to-work location. You know -- you know, I think our -- our biggest thing is we want to take our time and make sure that we do this right. In regards to the hotel, one of the things that I would mention to, you know, all the members that I work with is I could see having something like a Residence Inn that's on Capitol Boulevard right now, something that's multi-story that really anchors that project and I could see that as a backdrop behind the single level commercial that we do on Fairview. But our thought is on a ten acre portion that is future is we think it's a combination of everything, office, retail, commercial and probably the majority of that would be multi-family. But we want to kind of create a whole community when we do the ten acres, so we have got kind of a smaller, you know, user friendly perimeter that's going to provide services, but the density of the project will be the ten acres that I show as future and, you know, trying to come up with some kind of concept here between, you know, now and, you know, November is not going to happen on ten acres. You know -- you know, one of the things I talked to staff about was, you know, we may come back in for a higher zone just so that we could put more vertically integrated, you know, opportunities here. But our goal is to do something really -- you know, because we know that we have got a great location and these locations -- and especially with the growth that Meridian is going through, doesn't come along very often. I'm an architect and so my passion is making sure that, you know, it -- it relates to, you know, who we are I guess, so -- but timing wise, you know, I would want to be able to take our time. I know that from talking with Ashley and Tori that I think our initial one is about a five year window for us to spend the money on developing infrastructure for this property. I don't know -- you know, I'm not real familiar with urban renewal. So, I have never done a project in urban renewal. So, I'm kind of new at this game. So, any questions?

Simison: Thank you. Council, questions?

Borton: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Councilman Borton.

Borton: Excuse me. Doug, what we have had -- it doesn't happen very often. Okay. Am I on? So, what we customarily do in a situation like this, which doesn't happen very often, when there is an annexation we have to zone it somehow -- to some zone and we do a holding zone, like an R-2, and the purpose of the R-2 is basically to provide a zone with the understanding that as soon as the complete development plan and all of the things you are describing get ironed out by whoever the ultimate end user might be or buyer might be, that there is a rezone application, a DA, a plat and all of that comes with that once it's determined and that affords you the flexibility and your potential buyers the flexibility to do whatever the Northern Gateway district is going to try and promote without tying your hands necessarily. The challenge -- the really big challenge going this route is giving it a C-C zone. I had the same concerns that Liz had when I was -- was prepping this, is that you are -- the city is locked into forever having a gas station and a Walgreens or Rite-Aid on the corner of this extremely prominent, extremely rare, extremely popular and desirable part of the city. I -- no doubt this will and can be extremely beautiful once master planned, but to give it a C-C zone and even allowing those three buildings on the south, you cannot unring the bell and that's a real big concern and you can accomplish -- I think you can accomplish everything you want to accomplish with a different zone that holds it and collaborating with the urban renewal district and the city in a full master plan for the entire area. What the Mayor speaks very well might be the most desirable component of it, but that's -- I'm telling you this to kind of gauge your reaction. It's tradeoffs, but I think the tradeoff of giving it a C-C zone and cementing those three southern uses is a huge drawback in light of a less permanent solution that solves the urban renewal opportunity, which truly is an opportunity. It provides this property a huge resource to utilize, where appropriate, urban renewal funds to provide some improvements, public improvements, that otherwise wouldn't be available for this end user. So, that's some of the hesitancy that I saw coming into it with the zone requested and the desire to have those two or three southern uses. So, what's your reaction to that and are you open to having a different solution, which could happen real quick, with a different zone?

Tamura: You know, we had -- Council Member Borton, we had those discussions and we had several meetings of, you know, how we ended up where we ended up with. So, what we just -- what we decided as owners is that as long as we met the comp plan of what the goal is -- what the city was trying to accomplish, we though, well, we must at least put that zone in place, if that's what the goal of the comp plan is and, then, particularly where we can tie it to a DA, development agreement, that beyond these, you know, three -- three quarter parcels we would have to bring in detailed concept of everything that we do in the future, you know, and so -- but I told them -- I said if we went in for an R-2 it doesn't do me much -- much more good than what I have right now. You know, I wouldn't be in the urban renewal district, but I have got no desire to be annexed in if all I'm going to have is R-2, because I can't go out and represent anything to anyone, because, you know, we still have the -- you know, we still have to go through zoning.

Borton: But -- but -- Mr. Mayor, if I can just go back and forth. But the tradeoff is you don't

have anything now necessarily. I mean there really isn't. If the expression from the city to the ultimate --

Tamura: So, we have got a -- potentially we have staff's approval to build those three parcels on the corner.

Borton: And I guess by when I say not anything, meaning the larger scale project; right? The northern 14 acres you wouldn't necessarily have and there would be a lot of DA conditions that would require you to come back and modify the DA to address things that try to answer all the unknowns that we have got concerns about now.

Tamura: I don't have -- I don't have a problem with a future DA, because the other thing I told staff is that I think that Meridian is right on the edge of maturing that I'm starting to see those kind of medium high density housing going in -- starting in downtown and I look at what happened on Myrtle and Boise of what's happened in that whole urban core and that's all happened within the last five years. I mean it was -- it looked like what this property did, more or less just empty parking lots and that's all changed and so I think that as -- as Meridian ages here in the next, you know, two to five years, I think there is going to be a huge change of what the downtown core of Meridian is going to look like. Well, I don't have a problem of -- of coming back in with a design development agreement of dealing with that, because, you know, one of the things I requested with staff is I actually wanted a higher zone, so that we can have more vertically integrated potential future development. But, again, I don't have a problem with a development agreement that will come back in. When we did Fairview Lakes every building on there was a development agreement. We must have come back in a dozen times and made changes, because, you know, the market -- and particularly Meridian being kind of the heart of this valley is -- is really, you know, seeing the changes and the pressures of growth and I think that what we see now downtown Meridian is not -- is only -- you know, it's only the tip of the iceberg of what Meridian is going to look like in the future. But, you know, if I can't -- if I can't at least get to C-Z zone, then, I will probably just pull my application and we will just sit and wait.

Borton: Okay. And a final comment, Mr. Mayor?

Simison: Councilman Borton.

Borton: It's -- it's the unknowns. For example, if -- if this entire parcel is best developed with perhaps C-G, like you described and I saw some of those notes in the application, or perhaps with a large hotel that's up on the corner, that's feathered, there is some of those opportunities that long term might be best for the site that you described and what we see was -- was the Myrtle area was planned that way. If we lock in the C-C zone and the uses on the three southern, a lot of those opportunities go away. And I understand that's the tradeoff, but that's just some of the concern, that we wouldn't have those long-term opportunities.

Tamura: Council Member Borton, one of the things that, again, I discussed with staff is

our intention is as -- like I said, as this site matures and as we have more demand for vertically integrated, our plan is is that at some point in time we may come back and request a C-G zone for a majority of this site, so --

Borton: Thank you.

Tamura: And, you know, even with the three -- three pads that will get approved with the original C-C, it doesn't eliminate the opportunity that, you know, we may try to put a hotel on the corner. I just know that of the people that have contacted me since I have owned this property of people that are out there and so that's why it showed, because that's what I know. I know that we could place those three things there. Is that the best for this location? I don't know, because I -- you know, like I said, I think we have got a real keystone of this downtown urban renewal district.

Borton: So, that brings up one more question. To that point are you -- is it your -- are you open to the idea that if it was zoned to C-C that the uses on the southern portion could be removed, you wouldn't have a concept plan that would tie you to anything, all of that would be part of a DA modification to determine how the C-C zone would be utilized.

Tamura: That would be fine with me, too. Well -- and, again, when I talk with staff -- you know, our original application is that we proposed a development agreement on everything, so that was -- that was their kind of compromise of me -- because my original application was C-G for the full 18 acres and they said, well, that seemed pretty aggressive and so I said, well, how about if we do the C-C and, then, they said, well, we will give you the three on the southern -- but that -- that came from staff, because I told them -- I said I would agree to a full DA on everything if we need to.

Borton: Appreciate that. Thank you.

Tamura: Anymore questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: First of all, I agree with my -- my fellow Council Members. I have the same concerns and I would be much more comfortable having a DA on everything from the outset for a variety of reasons already mentioned. So, I just wanted to put that out there. Doug, good to see you. You probably don't remember me. I was many years working with Hopkins Financial before Fairview Lakes was developed and all through that time period. I was there almost ten years. So, good to see you. It's been a while. So, just -- I just wanted to understand -- just clarify -- it sounds to me like you -- that this concept plan was based on contacts and communications you have already had with potentially interested parties for this location. Perhaps rather than -- what might be best big picture for -- for Meridian, which is understandable, because, you know, I realize that you don't have anything set yet, because you don't have it annexed or zoned, so can you just give

us some more clarification on -- the design to me seems broken up. It doesn't -- the multiple entrances on the Meridian side, I didn't -- I read through ACHD's report. I didn't see a requirement for three entrances. I just want to understand a little bit more about that before I specifically say that I'm not comfortable with approving this. I realize it is a concept plan, but along the lines of -- of the conversation that we are already having, having concerns about the placement -- even of the three properties that are -- or excuse me -- the three concepts for that southern portion and -- and so I basically just wanted to understand what the placement and what the intentions are, because it just -- it seems all very odd to me. You don't have access to a gas station -- you don't have access off of Cherry Lane to a gas station, which is where you want the access; right? Right next to the gas station, because that's where everybody's turning in and out. So, I just -- can you give me some more details on that?

Tamura: Council Member Perreault, so we just finished two years ago negotiating with the highway district over those curb cuts on Meridian Road and so that is something that we were able to work out with them, because I -- I know that part of the success of projects is access and so the other access that we have on Cherry Lane is something that doesn't exist now, but was promised to me that if -- as long as we lined it up with the street across the way that we could get a full access there and so the three accesses that we have shown on Meridian Road was what the highway district gave us. I know that staff's concern was that we may have too much access, but I think depending on the density of what the project is and how many people are going to be coming and going, we -- we said that we would be willing to go ahead and do traffic studies as we develop the overall project to see how traffic circulation worked. What I showed there is what we have existing. So, when they redid Meridian Road those three access points that are shown on my site plan are what exists today. The access point on Cherry Lane is something that would be moved to accommodate a full access. So, where the horses are at and the corral is at only a right-in, right-out, but I know that it's important for us to have a full access off of Cherry Lane. In regards to the sketch that I drew up, you know, since I'm an architect I could visualize -- you know. And since we did Fairview Lakes I could visualize what kind of potential users would be there and the concern that staff had when I was negotiating on trying to get a zone was that it would be difficult for Council to make a ruling on commercial zoning without some kind of concept plan and so I knew that what I showed on this drawing would potentially work for us, because from my experience of working on Fairview Lakes, you know, we have got a far superior location on Meridian Road. So, as far as, you know, family dining, coffee, you know, those kinds of uses that we can cluster along there and create -- you know, create some kind of pedestrian friendly, you know, frontage on Meridian Road, I know that's something that we can create and, then, our thought was is to do some kind of vertically integrated large development that would support all those smaller out pads, you know, around the perimeter in a large, you know, planned community and probably a two phase, one where there would be one south of the ditch and one north of the ditch and potentially use the ditch as -- kind of a center amenity to our whole development. But, again, those are -- you know, they are huge projects. You know, it's -- you know, that second phase is ten acres and, you know, if you look at some of the projects that are being developed in downtown Boise, those are acre and a half, two acre projects. So, you can imagine what kind of communities that

we could develop on this property, so -- you know. And I guess I will throw this -- this option out. You know, knowing that we are at kind of the zero hour on this annexation, is that I wouldn't have a problem of making a DA requirement on everything that we did. You know, I don't -- you know, I had mentioned that to staff when we originally did our thing. But, then, I was hoping for a C-G zone that we could do higher density things. But, you know, knowing that I have got the ability to always come back for a rezone on that -- the ten acre portion in the future and if their concerns are what we do on the three in the front, the reason I -- that I showed what I showed is, you know, we developed a Walgreens, so we know what a Walgreens footprint is. We have been -- we have -- we have got an offer on a table right now for a C-store. So, you know, I know that if I wanted to take a C-store I have got one in hand and -- and we have developed both a Starbucks and a Chipotle. That would be great on this location. I know that Starbucks is right down the street, but I have got a really good relationship with Starbucks and I think this would make a great Starbucks location, so -- you know. So, what I did was I just went with what I knew to paint you guys that picture that, hey, we are not asking for a blank slate and this is what could happen. You know, once I had the zoning in place is -- are there other players that are going to come out? I probably get a phone call a week right now of different people and they said are you interested and I say, well, you know, we are going through the entitlement process right now and, you know, I will find out, hopefully, tonight, you know, if it's going to stay a pasture or if we are going to move ahead. So, you know, I -- it's been an interesting couple of months, because, you know, staff has been great to work with and -- and I think we came up with a good compromise and that's why we are here tonight. But I hear what you are saying, because my intention was I asked for the whole thing to be C-G, so we could do as big and as great a development as we could, so --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Doug, I -- I'm really excited about this project. I think that when you talk about a Walgreens or a Starbucks or, you know, some of the other things you talk about, I think that it's going to be much bigger, much greater than what you have even thought about.

Tamura: I agree, too.

Bernt: And so I think that you own a piece of property in the heart of our city and I think that you are going to -- you are going to be able to do whatever the heck you want to do on that property and, hopefully, it's going to be really big and it's going to be really awesome, because I mean you are the -- the gateway. Your property literally is the gateway into downtown and so I would hope that anything that you develop in this property is something that's spectacular and I know that as a developer and as a -- as an architect I know that you are the right guy to make that happen. I need you -- we need you to sort of strike a deal tonight with -- and I -- in the four years I have been sitting in the seat I don't think I have ever negotiated over the pulpit. I don't remember a time. But we are sort of under the gun as far as a time frame is concerned. Would you be willing

to acquiesce and -- and allow this to be zoned C-C and, then, without a concept plan and then -- and, then, allow our staff in the next week to come up with a development agreement that could be agreed upon and voted upon next -- next Tuesday?

Tamura: You know, I -- my -- my original -- my original submittal was C-G and, then, I compromised down to the C-C. But part of the original submittal was a full development agreement on everything. So, if we could -- you know. And I guess -- well -- and I could -- I could always do a Zoom meeting, but we leave for -- I spend my -- my falls and springs in Hawaii.

Bernt: I bet you do.

Tamura: So --

Bernt: Can I come?

Tamura: We fly out tomorrow. But, like I said, the original submittal -- and my intent was do a DA on everything. So, I don't -- if that's a -- if that's a compromise that we could settle on tonight and, then, you know, push my C-C zoning through and just make that one change, I would be willing to do that.

Bernt: Can you specify what you are just -- what you are asking of us?

Tamura: That everything that we submit will be -- will be resubmitted as a development agreement and I will go through both Planning and Zoning and City Council as far as the detail of what we are going to develop on every -- every building that we do. So, it will eliminate the ability for us to develop these -- these three locations until we come back in. So, all we are going to do is really get a C-C zone and annexed and, then, future development agreements on anything that we submit.

Simison: Alan, I see you had your hand up. If you can answer another question for me. Is there a reason why we couldn't do the same thing with C-G? Is that not --

Tiefenbach: We had some concerns with C-G, mostly because of the height that would be allowed on the entire site. Sixty-five feet would be allowed for the entire site and although we do think that there are some areas that probably would allow some greater heights, we were nervous about entitling the entire site until we knew. Secondly, there was a couple of uses that we weren't really hot on there that would be allowed under C-C, like car dealerships and those kinds of things. C-C was -- C-C allowed all the uses that he wanted to do, the only difference was it didn't allow -- he wanted to go up to 65 feet high, but you could do C-C with -- and, then, allow a conditional use to go higher. So, it would allow -- it would allow the height that you wanted to go through with additional review, but it wouldn't entitle the entire site for that height and if I can add -- I had my hand up. If -- if we are going to go that route I would prefer the following week, so we would have enough time to do this. Next Tuesday probably would be very difficult for us. So, the 26th would be better.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, so intention was probably to have this ready by the 26th with the findings and the development agreement on the same night, because that timing will fit MDC's need as well, because they have kind of an A and B option of moving forward with this property and to be fair to Mr. Tamura, that is exactly what he asked for. When we met he wanted the C-G, eliminate any uses out of that C-G that we know we didn't want and, then, he would come back with a DA modification for future uses. Our concern, as Alan said, was, one, it's hard to -- it's hard to eliminate things and not miss something. That happens occasionally. The C-C would meet all the needs he generally wanted to do, but the height allowance, but there was the CUP option for that. So, that's kind of where we landed. To be fair to him, it was staff asking for some general idea what would be there, because the Council in the past has preferred a general overview of what would be there. Buildings. Footprint size. You know, general types of uses. So, that's why he brought up the -- the C-store, gas station, those types of uses. Not that we asked for those specific uses, but he just -- the staff asked for something to show you. We -- I think we would be fine with no specific uses identified, but the C-C really -- as Alan said, sort of does the work for us and Mr. Tamura could live with that to allow him the marketing in the beginning of the process of development of a site plan. So, that was kind of where we landed. So, he did ask for just a kind of an open zoning and we were concerned that it was a little too open. But the C-C kind of fit that bill a little bit better than C-G without trying to figure out every use of C-G that we would want to take out. Did I get that right, Alan? If I -- if I misstated that, please, correct me.

Tiefenbach: No, that was -- that was correct. It's a lot easier for the city to work with what the applicant -- where the better ideas of the areas of higher heights was through the conditional use process than title -- than through the -- entitle the entire site for 65 feet high. In fact, the church to the west had concerns about the height of the buildings. So, we absolutely think that it should be higher and vertical there, we just weren't okay with a blank check. We thought it would be better to keep it limited and, then, allow where it's appropriate and, again, we didn't want to have some of the entitled uses of C-G there. There -- there is -- there are a few uses that would have been troubling.

Bernt: Mr. Mayor?

Strader: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Mayor, I think I'm okay with that. I think that allowing that zoning to be C-C with the thought process along -- you know, especially at that corner, allowing Doug, you know, the possibility of maybe putting something there that has a little bit of height to it, I think you are far enough away from residential that I don't think that that would be a big deal. I don't know what that looks like, but certainly give him the -- you know, the potential

of having that happen. I appreciate, Doug, you being open to the idea of, you know, working with us and working with MDC and -- and their partners to get this process rolling. I know that it was -- like you said a surprise and so I appreciate you willing to be open minded about this.

Tamura: You know, the -- the two things that I promised to the neighborhood is the church reached out to us about -- they are going to develop a park on the north end of their property and so instead of provide -- you know, give -- one of the things that staff talked about was providing access to the northern part of the church property. Well, he would rather have that buffered, so I told him that we will make sure and buffer his. The -- the three other people -- or couples that showed up at my neighborhood meeting were the three residential units that are contiguous on the very northwest corner and so, again, you know, on my site plan I showed where we would, you know, limit the height of development in that corner to two story. But, again, since we are going to have to come in for development agreements we can address all those kinds of things as it goes along, so -- but it's interesting, because it's almost like a full circle, because what we originally -- or what I originally submitted in my concept was exactly what you are talking about, because the one thing that I could see the difference between the C-C and the C-G was the limit on height and I told them of all the things that we needed, we needed to have that potential that we could have, you know, in certain locations that that height that we could do something nice, so I appreciate the support.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Quick question for Legal. It's sort of zoning light doing it this way. Very unusual. So, if we -- if we were to proceed with C-C on the entire parcel without any concept plan -- and maybe this is yet to be refined, but what would be the conditions of the approval -- we talked about requiring a DA for any and all parcels, but if it's zoned -- annexed and zoned, there is entitled uses, what prevents them from pulling a permit to build a -- a C-store on the corner anyway? Even without a concept plan?

Nary: Mr. Members, Member of the Council, Council Member Borton -- and we can certainly include, if Doug is willing, to put in there that they can't even pull a building permit without a concept plan. We could put in the development agreement that no building permits will be issued either until the concept plan is approved for -- for at least that parcel. Maybe not the entire site, but at least that parcel is going to have to be approved prior to building permits.

Borton: That's what it sounds like. It sounds like we are talking about having the zoning, but no actual entitled right to construct anything until that future concept plan is brought, presented, approved, so it would be a -- those -- that's an example of a condition in the DA.

Nary: That would be my intent. That's what I thought was --

Borton: Okay.

Tiefenbach: And this -- Alan Tiefenbach. If I can add onto Mr. Nary. If we were going to go that route, basically C-C, you can't do anything else, I don't even think we need to work on the conditions of approval for the development agreement. That would be something we would work out with the DA that's required with the concept plan. But there would be no conditions. You would be zoning it to C-C with the condition that a concept plan and full development agreement would be required with any development. That would give staff and the applicant time to craft where we are going.

Simison: I think we are all in the same place.

Bernt: Yeah. Mr. Mayor, I think that that's even better for you, Doug.

Tamura: Yeah.

Bernt: I mean like this -- I mean if I were in your shoes I would want exactly what we are trying to give you personally.

Tamura: Well -- and it's interesting, because that's why -- that's what I originally submitted is -- you know. And I represented to the neighborhood that all our developments would have a DA requirement that we did have -- you know, they would have another shot at us before we build anything, so --

Bernt: I think we are good.

Perreault: Mr. Mayor?

Tamura: I think as a compromise staff had come up with the three approvals on the corner. You know, I thought, well, I'm going to take those if I can get them, but, you know, who knows -- you know, like I said, I haven't reached out to any -- I have talked to the C-store and that's -- but that's it.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Doug, thank you. We -- we don't often have applicants just so willingly volunteering for DAs. But we like them, because we feel like they are the most effective tool that we can to develop well. So, I wanted to actually ask a question to staff. During the Comprehensive Plan process I remember I was having discussions -- there was an element of that about transportation. One of the conversations that was had with a -- sort of a transportation concept that we did was that this corner would be a great location as a transportation hub in Meridian and there was some surveys and studies that were done about, you know, where -- where it would be good for us to have some future transportation accesses. Was any of that looked at or reviewed in -- in -- you know, as

part of this application? I know it was just conceptual. I know it was -- it was something that was suggested to the city for this site. There wasn't anything that was, you know, specifically approved by the city that says this is what we are -- that we are planning on having transportation access on this site, but I would really like to make sure that that is something that we discuss or is reviewed or -- if -- if my fellow Council Members believe that that needs to happen. But it -- it said in this information during the comp plan that this was the best location for us to potentially have transportation access and I don't want to overlook that as we talk about what's going to go into this corner.

Tiefenbach: Council Person --

Perreault: And -- oh, yes. Go ahead.

Tiefenbach: My apologies. Council Person Perreault, Members of the Council, Mr. Mayor, you are -- you are right on the nose. The destination downtown plan actually recommends Cherry -- this as a transportation hub. It does talk about looking at transit shelters, those kinds of things. If you dig into the staff report more -- I didn't put it in my exact conditions of approval, but if you look in the transportation part of my staff report it does talk about that future developments would look at these transportation options. We certainly -- we wanted to wait and see what was going to happen with ACHD, what was going to happen with the North Gateway plan. But, yes, we are very aware that this could be a transportation -- would probably be the transportation hub in the area, particularly Cherry and Meridian. So, yes, we are very aware of that. We do know that that is one of the things that are being planned for.

Perreault: Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: Alan, when you say that's being planned for, what do you mean? Because that isn't something that's incorporated in this initial concept plan by the applicant.

Tiefenbach: The applicant would have -- so, if we are going forward with the option that I'm hearing discussed with being C-C and, then, a DA and a concept plan for anything in the future, they would have to address potential transit stops. The original staff report talks about that. The conditions talk about motorized and nonmotorized options. Again, we -- we did discuss the transit corner. When I said being planned -- because, you know, I don't know where ACHD is going, but it is identified in our destination downtown plan as being a transit corridor.

Perreault: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks. I just have a couple questions for Mr. Tamura. I appreciate it. So, I guess for the group -- and I'm not sure who wants to respond, but would the intention, then, be that the DA will be submitted in the future at the time that a detailed concept plan would be ready and would your intention be to master plan the whole development or would you be taking individual buildings through? I have a bias towards seeing kind of a more holistic kind of master plan for the whole area.

Tamura: Council Member Strader -- and Jessica can probably testify from when we worked on Fairview Lakes. I must have changed that concept half a dozen different times. So, you know, sometimes, you know, we had townhouses where the retirement center was at. We had apartments approved where the office park is at. I mean it was a constant moving -- you know. But I think that's just the nature of real estate and potentially close in, great located real estate is really starting to change a lot now. So, what that picture is going to look like in the next two to five years, you know, it's hard to tell and it's hard to master plan a full 18 acre development. I mean it's unrealistic for me to -- to tell you that we would be able to do that. You know, our goal is to make it as nice and as dense as we can.

Strader: Yeah. I guess I'm trying to think this through. So, you know, you get the zoning and, then, you would be able to market the property. It would be subject to a DA and a concept plan. I'm not sure how detailed it would need to be. But I think -- you know, your concept plan could change, but I -- I guess my guidance would just be that it would be better to show how the whole development would be integrated together, because that's one of the concerns I had. Like I just wanted to make sure that -- well, I -- yeah. I'm just -- I guess -- so, if you -- if you can explain kind of what you are envisioning. Do you have kind of a phase one outlined in the concept plan that -- that comes in the future, with a phase two to come or would you be trying to work on one -- you know, kind of one holistic plan or what would that look like?

Tamura: You know, like I said, you know, a typical downtown BCOT block in Boise is two acres. So, to look at a full one acre development in downtown Boise is a huge project. This is 18 acres. So, it's potentially -- you know, it's -- it's all of downtown Boise in one shot. So, you know, trying to think about how to masterplan downtown Boise -- you know, I can't promise that. I don't have that kind of vision and I don't -- and I know I don't have that kind of money.

Strader: Would you be okay with waiting to provide that future concept plan until the Northern Gateway design guidelines and plan are prepared by MDC?

Tamura: I will work in conjunction with them. You know, I -- you know, I want to stay the quarterback of my project.

Strader: Sure.

Tamura: But, you know, I work real well with, you know, all different groups, you know, and I want to have the neighbors involved, too, so that, you know, we do the right thing

for them, too, so --

Strader: Thanks. I appreciate that. When we -- you know, I think -- the only other example I have is the Ten Mile Urban Renewal District and they had a really detailed plan there and that -- it didn't tell all the future uses for that huge development, but it had a lot of guidelines and that made it so that we knew it would be cohesive and so that's -- that's why I'm asking that question, because I think if you had that guidance, then, we could all get really comfortable that it would be cohesive as it comes together. It sounds like that's possible.

Tamura: Yeah. Well, like I said, it's -- you know, I haven't -- I haven't put the thought process to develop 18 acres yet, so -- you know, we are just trying to -- like I said, my request is annexation and zoning to get us into the urban renewal district and so it's been a full-time job from this spring until right now to get to where we are at, so that's -- that's all I'm trying to get done right now.

Nary: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Mr. Nary.

Nary: Yeah. Mr. Mayor, Members of the Council, one of the things I guess that -- I don't know if this helps your conversation or not. If we are able to get an agreement with Mr. Tamura -- and I have worked with Mr. Tamura for a long time as well -- that it will be part of the -- it can, then, be part of the urban renewal district, which means the urban renewal agency will also be reviewing these types of applications and what fits and what makes sense and he is going to work with them to help design what it was going to fit this area to fit his needs as well. If it's not part of the urban renewal district, then, you are sort of working side by side, but not cohesively, because now it doesn't have to meet the urban renewal guidelines, it meets the city's guidelines and now the city is the only gatekeeper on what happens there. Not that that's bad and that's a problem, but if it's part of a renewal, again, there is -- there is already a built-in connectivity between the guidelines, the standards, the requirements and you have another entity that's also going to review those and comment and provide you feedback on how this fits or doesn't. Because the questions that I think most of you are asking is even if we grant this today and we limit it to building permits and approvals based on a future concept plan, the Council will have to have a reason to simply just say no, but when -- say it's not Mr. Tamura and someone else comes in with a C-store and a drugstore and a coffee shop on the corner, the Council is going to ask the same question. How is that going to integrate with anything else that goes there, just like you are asking tonight. And that's what you are looking for to approve that next step and with it being part of the urban renewal district you will also have the urban renewal district saying that won't fit what we are intending to try to make the entire area. This, the property across the street, the property to the south, the properties to the west. So, it all works cohesively together. Whereas without doing it that way you are really going to be a one off every time trying to figure out -- the city constantly being on

the lookout to make sure it kind of fits. But it doesn't have to actually fit. So, I don't know if that helps or hurts, but it's trying to connect the dots a little bit better for both Mr. Tamura, the city, and MDC.

Simison: Council, is it all right if we at least see if we have people signed up from the public to testify and at least get to them, if they would still like to testify, based on where we are at, before -- if we need final stuff from the applicant. Okay. All right.

Johnson: Mr. Mayor, first is Ashley Squyres.

Squyres: Can you hear me?

Simison: Yes, we can. If you could state your name and address for the record.

Squyres: Absolutely. Thank you, Mr. Mayor, Members of the Council. Ashley Squyres. I am the administrator for Meridian Development Corporation. My address is 104 East Fairview Avenue, No. 239, here in Meridian and just wanted to clarify a couple of different items for you this evening. First of all, we talked about a drop -- a drop dead date. That is October -- excuse me, I'm getting over a virus. That date is October 31st. We have to have a signed development agreement by that period of time in order to move forward with either what is known as Option A or Option B with a specific plan. Excuse me again. That is really an important deadline for us. If I don't have a signed development agreement by October 31 we will move forward with Option B that does not include this property. We do not have the time in order to be able to get through the process as needed through the City Council and the hearings for the resolution in order to have that accomplished by the end of the year. If something should go awry with Option A with the property being in. Excuse me again. So, timing is absolutely critical. I also wanted just to clarify -- there was a comment made by staff regarding design standards. I'm not quite sure what he meant by that. There are no design standards that will be included into the specific plan for the Northern Gateway. What the Northern Gateway plan will state is what the type of projects we will be doing and that's more in the infrastructure realm. As we have talked about in the past, the legislature has limited the capabilities of urban renewal agencies in district -- new districts. So, basically, we have to be very specific in terms of projects. So, we are focusing on transportation projects. We are focusing on water, sewer infrastructure projects. But we are not delineating land uses. We are -- we are pointing to the Comprehensive Plan for that and we are not creating design standards as a part of this as well. Excuse me. So, I just wanted to make those two points this evening for you and I'm happy to answer any questions you have. I just wanted to say thank you to Mr. Tamura. He has been a very willing participant throughout this process. I know that there was some back and forth as to what was the correct process and what did we need for this evening. However, you know, I think we can get there. I think what Council Member Bernt suggested is a win-win for everybody. We certainly want this to be a part of the district. I think as Tori mentioned, it's about three million dollars that this project is estimated to generate over the life cycle of 20 years. Not 25 years. Twenty years. And so, you know, we think that this will be a hallmark for the entrance into downtown and so we would love to be a part of that if we possibly can. So, with that I am happy to stand

for questions.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Ashley, I don't want to prolong this, because I understand you are under the weather. I appreciate you being with us tonight. I appreciate your comment about this Northern Gateway being kind of a hallmark for Meridian and I think that's where maybe at least some of my concern is coming, is that when we are thinking about this piece of land and the Northern Gateway, I guess for me the thought of C-stores, coffee shops, chain restaurants aren't what come top of mind. But I like all of those, I think they have a place in our community, I guess it's not what I initially envisioned for this. Is that in line with what MDC was envisioning for this area?

Squyres: Mr. Mayor, Council Member Cavener, again, we are not getting into the specifics in terms of vision in terms of uses. What we are looking for is, you know, a variety of projects, how those will help support, you know, creating enough increment to be able to complete the list of infrastructure projects that we see a very real need for in downtown Meridian to allow for the continued growth and redevelopment. We do see a great opportunity, but we haven't said, as an agency, this is -- this is the exact type of project we want to see. We, again, will adhere to what the Comprehensive Plan says and if the applicant is able to demonstrate how they meet the intention of the Comprehensive Plan, which was very well vetted and thought out, then, I think MDC will certainly support that that -- that type of project. We do envision working very closely with Mr. Tamura on future -- on this project and future design and how this will all work together. But, again, I -- we are not -- we are not the agency to take a role in terms of dictating uses. That's -- that's not our purview at this time.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, maybe just to help me -- and I'm, you know, still learning. I'm just like everybody. Lifelong learner here. But when we had the Ten Mile Plan, you know, I know there was a Ten Mile Specific Area Plan and there were really specific design guidelines -- I think that we all like loved. Was that something driven outside of the MDC process and so because our planning staff -- I see Jessica nodding. She would know. So, it was because our planning staff had specifically made an area plan, that's how we got those kind of specific guidelines. I just want to understand how this is going to be different than Ten Mile.

Squyres: Mr. Mayor, Council Member Strader, Ten Mile has a specific area plan, which is a planning document. It is its own mini comprehensive plan for that area. That is not

one and the same as the Ten Mile Urban Renewal District. Those are two very different documents. The Urban Renewal District document outlines the type of projects, such as water, sewer, transportation, infrastructure that will be accomplished with that. But it does not talk about uses, it does not talk about land use in any way. It just talks about the infrastructure side of things and the potential for reimbursement with MDC. The specific plan is a planning document that I believe the city took on -- I'm going to say the late -- mid to late 2000s. It's all kind of a blur at this point. But that -- those are just very two different planning documents. What we have for downtown that does not go as far on the north side of Fairview is Destination Downtown and so one of the things that we would like to do moving forward, if the Northern Gateway Plan should be adopted, is that we need to take a hard look at Destination Downtown, because that document is almost 12 years old at this time and I think there are some refinements and some revisions that need to be taken into account. In addition, we need to take in the property with the Northern Gateway that was not included in the original document and that talks a little bit more about the look and feel, what we would have expectations for and that was ultimately adopted by the City Council into your comp -- as a reference into your Comprehensive Plan. I hope that answered your question.

Strader: Yeah, it did. I appreciate you walking us through the history there. That makes sense. I recall that the Comprehensive Plan had like specific area plans. That makes more sense. So, I guess would you envision that the Destination Downtown document would be updated to include this new district and would that, then, provide like design guidance at least two properties or -- what I kind of am getting at is if -- there is a difference I think -- if your intention is to expand the Destination Downtown and some of the guidance there, that would provide a really cohesive feel. I think if that didn't happen for some reason I'm just worried it could be kind of a disjointed area.

Squyres: Mr. Mayor, Council Member Strader -- and that's a very tough point in question. The concern I have a saying, yes, that we should wait until Destination Downtown is updated is that that's going to take -- that's going to be quite the process. Again, it's almost a 12 year plan. There will need to be -- first of all, I need to get my agency board members on board to say yes to updating it and, then, that's probably at least a year and a half to two year effort if we do it right. So, I don't want to hold Mr. Tamura up based on the fact that we might update this document. What I would rather is that we all work together to come together with a project that we would all be very proud of and can support and I know that that's Mr. -- excuse me -- Mr. Tamura's intention as well. So, I hope that answered your question.

Simison: And, Ashley, if I could just piggyback on that. I think with the Destination Downtown you really have two different aspects. You have the walkable downtown elements, then, you have the auto-oriented elements. You know, what's in the urban renewal district is you get off the interstate until you get down to the split corridor and I think that really part of the conversation long term is what -- what does this intersection area look like and what are the expectations. We have three potential areas that could redevelop or may never redevelop and how do you apply something even in the short term for that long-term vision. So, it is a bigger question. But there are different standards

even within the downtown -- Destination Downtown document for different parts of the area and this -- I don't know that this is really the same that you are talking about when you look at Main and Pine or Meridian and Pine, as compared to when you will get Franklin and Meridian as an example. All right. Any further questions for Ashley? Okay. Thank you.

Squyres: Thank you.

Simison: Do we have anyone else signed up?

Johnson: Mr. Mayor, only other person signed in. They didn't check that they wanted to testify.

Simison: Okay. Then we will just go -- is there anybody else in the audience that would like to provide testimony on this item or anybody online that would like to provide testimony? You can use the raise your hand feature at the bottom of the screen. Okay. Seeing no one who would like to provide testimony, would the applicant like to come up with any final comments?

Tamura: Doug Tamura. Boise, Idaho. Hey, I'm not real sure where we are heading, but I think the more control the city can, you know, have on this project, I'm more than willing to give that support, so -- you know, I would like to be part of this urban renewal district and I would like to see it move ahead, but at the same time I think we are only willing to do that with some -- some type of commercial zoning that we could go out and try to market future tenants -- users. So, yeah, I appreciate your help. Thank you.

Simison: Thank you. Council, any additional questions?

Bernt: Thanks, Doug. I appreciate you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I agree with Councilman Bernt. I appreciate you, too. We -- we love it when we hear applicants say that they want to work with the neighbors, that they really have their best interest of the city at heart. We just appreciate that. I mean more than we can say, because it's not that there aren't other applicants that -- that don't, we just really appreciate it being verbalized. Just one more question for you about how this might come to be. Are you hearing from the folks that are calling you that freestanding individual buildings are what is desired by the commercial community and is that why it was designed this way?

Simison: Mr. Tamura, I think that was a question for yourself if you wouldn't mind.

Perreault: Yeah. Sorry about that.

Tamura: Could you repeat that question?

Perreault: Absolutely. Yeah. The -- the parties that have been interested in this -- in this property and they mainly have been companies who want individual freestanding buildings that they can own and that's the interest that you are receiving and that's why the original concept plan was designed this way?

Tamura: Yeah. It was kind of a chicken or the egg. What staff was concerned about, if we gave them -- if we gave City Council too much of a blank palette that it was going to be hard to make any kind of ruling and -- and since I'm an architect and a lot of these users, we have developed already and we knew they -- they had contacted us, it was easy for us to put together the site plan to show how that could be developed. But if the city's goal and my goal is a higher and better use, then, I'm more than willing to go ahead and, you know, rethink about it and, you know, like I said, hopefully once we have zoning in place that, again, my phone's going to ring with different players. So, that's -- that's what I'm hoping.

Perreault: Okay. Great. Thank you.

Tamura: So -- yeah. So, I'm -- I'm not married -- I just showed that because I knew that's something that we could do if they wanted -- if they wanted a picture of what we could put there, I know I could put that there.

Perreault: And we appreciate that, because that typically is what -- the staff is not wrong. That's typically what we do prefer is to get an idea of what the applicant's intended future plans are, but this is just such a unique location, unique property, I think we are moving forward with it a little bit differently.

Tamura: Yeah. You know -- you know, is a C-store the highest and best use for that intersection? Well, I know I have a bird in the hand right now, but at the same time there has got to be higher and better users, so -- anymore questions? Thank you.

Simison: So, how do you get to where you think you have heard and you want to go?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: We will find out. I move that we close the public hearing on item H-2021-0048.

Hoaglund: Second the motion.

Simison: I have a motion and 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.

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Here is where I think that I hear us all headed is -- and, Doug, I appreciate your comments and -- and the cooperation with staff and the direction that's got us to where we are at. We would continue this item for two weeks -- one week? Two weeks?

Nary: Mr. Mayor, Members of the Council, I can't prepare -- Alan can't prepare the findings and I can't prepare a development agreement without an approval. So, if you continue it two weeks and, then, approve it you will miss the deadline. So, if you want to approve it tonight with the conditions that you will get the findings and the DA in two weeks, we can have that.

Borton: So -- and maybe it's just a different way of getting there. I thought if -- I was going to continue the thought with assuming it would be approved in two weeks that you could have everything ready, assuming the approval is going to happen and the findings and the DA would all be on the same day.

Nary: Mr. Mayor, I mean -- I guess we could do that. It would be -- it works either way, because the reality is if you grant approval tonight contingent upon the findings and the DA that comes back in two weeks, we are going to ask Mr. Tamura to sign that DA before he comes back to you on the 26th. If the Council still doesn't like it you are not going to approve it and so we haven't normally done it that way, but I don't know that the law prohibits us from doing it that way. I think you can approve them all together. If that's your preference we can do it, as long as that's the direction. Prepare the findings, prepare the development agreement, and do all of it at once -- I don't think it's not allowed. I think we can do that if that's your preference.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I think the manner in which you get there are probably planning and legal, you will tell us. So, I will say what I think we all -- what we might want to do and, then, you can say we ought to do that in a week and, then, the next one in two weeks. So, it sounds like the concept would be we would go forward, approve the -- the annexation, zone it C-C, the entire parcel. Doug's comments with regards to providing the city that type of control, we would have the DA that goes with this annexation include provisions that capture that intent. Things such as, you know, no building permits without a concept plan. The mixed use community designation that this property has in the -- in the future land use map, that those principles of encouraging a more global concept plan for the area as a whole, candidly discouraging C-stores and gas stations from our discussion today. However you believe that can best be captured in a DA that would be signed concurrent with the annexation that retains that discretion for the Council at a future date, to address a DA modification and a concept plan if and when it's ready to come forward. So, if that's

the way we go, would that best be served by doing the whole caboodle on the -- in two weeks or break in one week and, then, another?

Nary: Mr. Mayor, Members of the Councilor, unless Planning has a concern, I don't have a concern in doing them all together. I think our normal concern is is that we are completely decided if we are going to approve it, we do all the work and, then, none of it gets approved.

Tiefenbach: My preference would be to have the two weeks to have ample time to get this right and not be scrambling and, then, doing the whole thing together as --

Borton: Right. No.

Nary: It doesn't have to be.

Simison: We do it all on the 26th. Everything.

Borton: So, here is what's key, Mr. Mayor. For that to happen is the -- the principles I just described, you would need to know those, because what will happen in two weeks it would be a signed DA. I mean it's ready, fire, aim --

Nary: Yes.

Borton: -- to a certain extent. So, if Council has any other principles to capture in the DA this is the time to say it, so Legal and Planning can incorporate it. Because Doug would have a copy of it and have it signed before it comes back. So, a little backwards. Now is the one and only time to address that content, so -- that's what I -- that's what I heard us all describe to you make that magic happen to retain that control and --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: A little guidance maybe. Something I just thought of that I have never seen us do before, but what if we were to, you know, do what we just discussed, maybe continue it until next week and the week after, just so that we can maybe do a follow-up discussion in case there are any questions -- any concerns that staff or Legal might have that they can be addressed at that time and, then, continue it again for another week and, then, just get it all done. I know it's a lot of work, but we are trying to -- trying to think outside the box to be --

Nary: Mr. Mayor, Members of the Council, I guess -- so, the deadline for the 26th is next Tuesday afternoon, too. So, technically, we are going to miss the deadline if we do it that way. We -- we can prepare -- I'm pretty clear where you are. I think Alan's pretty clear where you are. Your other backstop, if your concern might be -- I think was expressed earlier -- that, again, if it's not Mr. Tamura it's someone else, comes in possession of this

property for whatever reason and they come back and they decide they want to build a C-store and a coffee shop in the corner and the Council at that time says that's not what we want. You can always de-annex it. Say if you don't want to follow the plan that we have, we are just going to de-annex it and so you still have safeguards in code and in the agreement that gives you the ability to control what happens. But we will build in those conditions that the development -- that development agreement modifications are needed for all parcels in the -- on the plan. All building permits need to be approved by Council. Before building permits can be issued those site plans have to be approved by Council as a DA mod or a CUP if it's a height -- a height variance. So, I think we -- I think that's what I have heard. I think I'm comfortable crafting a DA for that. I think -- if Alan's comfortable with crafting findings from that, I don't know that we need to bring it back next week, because I don't know that that's really going to gain us anything. But if -- as long as you are comfortable and Alan's comfortable, I think I can make a DA like that.

Simison: And maybe I'm oversimplifying it. I thought it was going to be like a one line DA that thou shalt not redevelop -- thou shalt not develop until a new development agreement is done.

Nary: Yeah. We get paid by the word, so it's a couple of more words than that, but it's generally the concept.

Simison: That's, essentially, where I thought it --

Tiefenbach: That's kind of where I was landing. I was trying to figure out -- I'm hearing what the intent is, but my understanding was you can't do anything without a concept plan and a DA modification at a later date.

Simison: It doesn't seem to be overly complex.

Tiefenbach: That's -- that's where I was leaning. I didn't know how detailed you wanted to get, but it was basically you got your zoning, but if you want to do anything else you are going to come in front of Council with a full concept plan and a DA mod with all the conditions of approval.

Nary: Right. And, Mr. Mayor, Members of the Council, I think the only slight variation of what we had done previously is adding building permits for it as well. So, it isn't just the concept plan, but even building permits to build anything are all going to be tied to the same thing.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just -- you know, we have closed the public hearing and I guess if by a shake of the head is the applicant -- does that -- is that direction he thought will work as well. Except for we have to reopen the public hearing to have you speak, so -- Mr. Mayor, I

move that we reopen the public hearing on Item H-2021-0048.

Cavener: Second.

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 same. The ayes have it.

MOTION CARRIED: ALL AYES.

Tamura: Mr. Mayor, Members of Council, Doug Tamura. You know, I guess my only concern -- and I might be able to squeeze it -- is the advertising part if we don't get this approved tonight. I'm assuming I would have to re-advertise for the next -- oh, so that will be waived? Oh. Okay. Yeah. No, then, whatever you guys decide is fine with me. Like -- like Alan had commented, I think it would be better to have everything on one plate that you guys can review, instead of doing it in two steps, you know. Yeah. I think that would be the best. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing on 2021-0048.

Cavener: Second.

Simison: I have a motion and 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: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move that we continue H-2021-0048 for two weeks for us to be able to review the findings and the DA or a mega global decision that encapsulates all that's been discussed today.

Johnson: Mr. Nary, do you need to open the public hearing if you are continuing it? No? Okay. My apologies.

Simison: Do I have a second?

Hoaglund: Second the motion.

Simison: I have a motion and a second. Is there discussion on the motion?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just want to make sure I'm like fully tracking. So, the idea would be in two weeks at that time it will -- the signed DA will be at that time. Any future development needs to include a DA modification and a concept plan to be approved by City Council in its full discretion. So, not like loose design -- like not like loose guidelines, but just full stop, full discretion.

Simison: That's the intention. You will have to read the document to see if you agree with it, though.

Strader: I got it. Thank you.

Borton: Yeah. That's it. The concept plan that's on the screen is not part of it.

Strader: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: To our City Clerk's point, though, since we closed the public hearing now we vote and in two weeks there will not be a public hearing; correct?

Simison: There will not be public comments.

Hoaglund: Public comment. Okay.

Simison: Unless you reopen the public hearing at that point in time, which you would be allowed to do if you so chose.

Hoaglund: Okay.

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

MOTION CARRIED: ALL AYES.

Simison: Okay. Council, why don't we go ahead and take a five minute break, if that works for everybody. So, we will stand in recess until 7:45.