

Meridian Planning and Zoning Meeting

March 5, 2026.

Meeting of the Meridian Planning and Zoning Commission of March 5, 2026, was called to order at 6:00 p.m. by Chairman Maria Lorcher.

Members Present: Commissioner Maria Lorcher, Commissioner Jared Smith, Commissioner Matthew Sandoval, Commissioner Jessica Perreault and Commissioner Dom Gelsomino.

Members Absent: Commissioner Matt Stoll and Commissioner Brian Garrett.

Others Present: Tina Lomeli, Ali Breshears, Bill Parsons, Nick Napoli and Dean Willis.

ROLL-CALL ATTENDANCE

_____ Brian Garrett	___X___ Jessica Perrault
___X___ Matthew Sandoval	_____ Matthew Stoll
___X___ Dom Gelsomino	___X___ Jared Smith
_____ Maria Lorcher - Chairman	

Lorcher: Good evening. Welcome to the Planning and Zoning Commission meeting for March 5th, 2026. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and Zoom. Commissioner Perreault is running a little late and she will join us when she gets here. We also have staff from the city attorney's and the city's clerk's office, as well as the city's planning department. If you are joining us on Zoom this evening we can see that you are here. You may be able to -- you may observe the meeting, however, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note we cannot take questions until the public hearing portion of the meeting. If you have a process question during the meeting, please, e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch it streaming on the City's YouTube channel. You can access it at meridiancity.org/live. With that let us begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Lorcher: There are no changes tonight's agenda. Can I move -- can I get a motion to adopt tonight's agenda as presented?

Smith: So moved.

Gelsomino: Seconded.

Lorcher: It's been moved and seconded to accept tonight's agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the February 19, 2026 Planning and Zoning Commission Meeting**
- 2. Findings of Fact, Conclusions of Law for The Tee Box by Nicholas Brady and Samuel J. Brady Architects, located at 535 N. Locust Grove Rd.**

Lorcher: The next item on the agenda is the Consent Agenda. We will approve the minutes from the Planning and Zoning meeting from February 19th and facts -- findings of fact, findings of law for the Tee Box. Could I get a motion to accept the Consent Agenda as presented?

Gelsomino: So moved.

Smith: Second.

Lorcher: It's been moved and seconded to accept the Consent Agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Lorcher: At this time I would like to explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and our Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff's comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called only once during public testimony. The Clerk will call the names individually of those who have signed up on our website in advance to testify. You may come to the microphones here in Chambers or you will be unmuted on Zoom. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting, it will be displayed on the screen and our clerk will help you run the meeting. If you have established you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others in Chambers or on Zoom to testify. If you wish to speak on a topic you may come forward in Chambers or if on Zoom press the raise hand button or if you are only listening on a telephone please press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please be sure to mute

those extra devices so we don't experience feedback and we can hear you clearly. When you have finished if the Commission does not have questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. And, please, remember we will not call on you a second time. After all the testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the commissioners will have an opportunity to discuss and hopefully be able to make a final decision or recommendations to City Council.

ACTION ITEMS

- 3. Public Hearing continued from February 19, 2026 for Rolling Hills (H-2025-0040) by The Architects Office, located at 1560 Rolling Hill Dr. (Parcel #R7555000032), 1520 Rolling Hill Dr. (Parcel #R7555000041), 1480 Rolling Hill Dr. (Parcel #R7555000050), 4270 E. Overland Dr. (Parcel #R7555000015 and Parcel #R7555000025), 4240 E. Overland Rd. (Parcel #R7444000022**
 - A. Request: Annexation of 8.16 acres of land with the C-C zoning to construct 184 vertically integrated residential units and 18,226 sq.ft. of commercial space across four (4) buildings.

Lorcher: With that we will start with Item No. 3, H-2025-0040, Rolling Hill Subdivision -- Subdivision off of Overland Road for annexation and we will begin with the staff report.

Napoli: Good evening, Madam Chair, Members of the Commission. Next item on the agenda is the annexation request for Rolling Hills. The applicant requests annexation of 8.16 acres of land with the C-C zoning district to construct 184 vertically residential units and 18,226 square feet of commercial space spanning across four buildings. So, the site is generally located at the northeast corner of Overland Road and Rolling Hill Drive. And as shown on the screen the existing zonings for the six properties are R-1 in Ada county and the FLUM designation is mixed-use -- mixed-use regional. So, in 2023 an application was submitted for five of the subject six parcels with this application and the applicant was requesting annexation, a conditional use permit with that application, for a mixed -- a mix of vertically integrated residential units and multi-family. In total they proposed 154 dwelling units across 5.89 acres of land. That application was denied by City Council due to the creation of a county enclave, inadequate transition to surrounding areas, insufficient integration particularly with the property to the east. That layout also created a narrow, underutilized strip of land between the future road and the edge of the development. In addition, the City Council discussed vehicular connectivity and traffic as a large concern among several of the members. So, the new concept plan, the one that's in front of you today, as depicted on the screen, depicts four vertically integrated residential buildings, consisting of the 184 residential units and 18,226 square feet of commercial space. The applicant has indicated the commercial tenants are envisioned to be gyms, personal, professional services and offices. In

addition, during the review process to address comments from city staff the applicant did revise their plan to incorporate approximately 53,000 square feet of open space and amenities include a pickleball court, bocce ball court, playground, fire pit, pathways to barbecue areas and a pergola with outdoor seating, as well as a clubhouse. The number of parking stalls required was 272 spaces and the applicant did provide 332 stalls, exceeding the UDC standards and they also provided this exhibit showing which spaces will be different -- differentiating the parking stalls between residential, commercial users and a mix of both that could be used by either. So, the applicant submitted five building elevations, which do not meet the city's architectural standards as they currently lie. As previously noted, a reason for the previous application -- the previous denial of this application was due to the inadequate transition to the existing county residences to the north. To address this the applicant proposed elevations for buildings A and B, which would be on the north portion of the site, to have three stories facing the interior of the site, with two stories facing the north. However, the roof height for the building's remaining -- remains the same from both perspectives, which is approximately 43 feet in height. The previous application had buildings that were four stories in height, with approximately a height of -- with -- that were approximately 40 feet -- 45 feet in height. And while staff understands the intent behind the applicant's proposed transition, the overall height of the building has only been lowered by two feet and staff is asking the Planning and Zoning Commission, City Council to carefully consider whether this proposed transition is adequate. The current proposal provides a single access point -- provides a single access point via Rolling Hill Drive. This arrangement raises significant concerns from staff regarding safety, as Overland is planned to be widened to seven lanes, which would limit access to Rolling Hill Drive to right-in and right-out movements only. In addition, there is no established timeline for the construction of the future collector roadway and that's why that's in red -- red tonight. That future collector roadway would not be a part of the application that has been submitted. More for visual conceptual purposes. So, staff had multiple -- multiple discussions with the applicant regarding this concern and has encouraged them to be part of the solution to -- for connectivity and traffic in this area -- within this area. Some of the ideas we have discussed is coordination with adjacent developers to pursue that solution, as well as constructing a portion of the collector on their property and exploring different alignments of the collector road and signal, as well as putting money in a road trust. The applicant has indicated they have reached out to the neighboring developer, but we were unable to engage in productive discussions regarding coordination efforts to potentially work with them or acquire the property. In addition, staff and the applicant explored other solutions in -- in an effort to address this concern. However, the applicant was -- was either unsuccessful or chose not to pursue certain options due to it not being financially feasible -- financially feasible. While staff acknowledges that this present challenge -- this -- this presents a challenging situation for the applicant. Without being part of the solution, that -- this shifts responsibility of the collector roadway onto all the adjacent properties for future development. The construction of the collector roadway is critical to providing adequate connectivity for both this development and anticipate -- anticipated redevelopment of the surrounding area to the north, as well as the Movado Subdivision to the south and this would be the alignment of that future collector roadway and this will show it a little bit better. This will be a

signalized intersection at some point in the future. So, without a clear -- without -- the construction -- without clear information regarding the timing and construction of the collector roadway there is a risk that this may never be constructed, which would be detrimental for this development, as well as future developments in this area. In addition, the current design raises concerns about the lack of connection to the adjacent property to the east. Instead of fostering continuity, the proposed layout appears to create a physical functional barrier between this development and the future collector road that would hinder integration with the surrounding property and collector roadway in the future and that was the reason -- previous reason for denial of the previous application is there is approximately a 40 foot strip of the land from their property line to the actual collector roadway that would essentially be open space that wouldn't be utilized for anything. So, as mentioned in my staff report, staff is supportive of the proposed land use within the -- within the broader mixed-use regional area. However, large concerns still persist regarding the project's timing and integration with surrounding area. As a result staff is recommending denial due to safety concerns regarding access, a lack of transition to county residences, a lack of integration with the property to the east and the feature collector not having a clear timeline from the collector and signalized intersection at Overland will be constructed. We have received testimony in the form of eight letters. Two letters are in opposition citing traffic, too high of density and safety concerns with additional trips on to Overland Road. We have also received five letters in support of the project. Many of the letters are from property owners for the land in -- proposed in this development and the letters support -- the letters of support site private property rights, need for additional housing, low vacancy rates and allowing the -- this area that -- this county subdivision to continue to redevelop such as it has to the north. In addition we did receive another letter of testimony, which was both in support and against the development at the same time. The support -- they support private property rights. However, they think integration of the Pros project with the surrounding area is not well thought out and I will stand for any questions you have at this time.

Lorcher: Would the applicant like to come forward?

Todd: And will I be in control of the -- the slides? Just the arrow on the side? Thanks, Bill. Good evening, Madam Chair, Members of the Commission. My name is Chris Todd with Green Mountain Resources and Planning. My business address is 12545 West State Street, Suite 102, in Star, Idaho. Here on behalf of Rolling Hill and wanted to introduce our -- our development team that's listed on this slide. Going through I will let you see those that are here. All local professionals in our area. We also have some of the land owners that are here, either in person or that have logged in online today to -- to view the hearing. The Rolling Hill project is a thoughtfully designed mixed-use development in a transitioning corridor of Meridian. We recognize that transition areas require careful consideration and we feel that we have approached this project with the responsibility of that front and center. A little timeline and history of the project. Some of you probably remember the process for us began in 2023. The property moved forward and the proposed development was, then, denied or recommendation for denial from planning and zoning in late 2024, despite at that time having the City of Star -- or

City of Meridian's staff report. So, during that hearing the staff report was actually in favor of the project. In the beginning of 2025 the project was reassessed and work began on modifying the development. On the develop -- our development team has been fully engaged with the subject property owners and the surrounding Rolling Hill community and the neighbors within that. We have been forthcoming with all parties, held numerous neighborhood meetings and employed transparency communication as we have been developing the plan that you are seeing this evening. This evening plan represents a dramatic improvement in the prior plan and responds nearly all prior -- or response to nearly all prior comments and neighborhood feedback and we are going to run through that this evening. I think Nick and Bill did a great job of -- or Nick did a great job of kind of explaining the layout of what we have at Rolling Hill development. The changes to the proposed project design and layout are deliberate choices corresponding with the city's Comprehensive Plan. The site is located one third of a mile from a 25 year growth bullseye, which is the Interstate and Eagle Road kind of interchange is what I would call a bullseye. In this area, obviously, we have lots of employers, new and old, hospitality services and commerce in every direction. Large economic and transportation corridors, including Interstate 84, provide access. This is precisely where the city's Comprehensive Plan encourages regional commercial, mixed-use and high density housing development. We are extending -- excuse me. We are exceeding some of the city's requirements as Nick hit on. We are exceeding the parking requirement by 60 spaces. We are exceeding the bike parking by 76 spaces. The vertically integrated projects within the city do not require open space, yet there is a proposed 50,000 -- or 53,000 square feet of it. Finally, the vertical integrated projects, although they don't require amenities during the previous round of the application and testimony from the Commission, and Council, the message was heard about amenities and we listed those on this slide, so you can go through those. But, basically, it's -- the design is -- is really looking inward at the clubhouse and, then, kind of going from there. The clubhouse itself has office space, a dog washing station, open room and kitchen to create even more amenities on the inside. The denial of the 2020 to 20 -- or excuse me -- 2024 Rolling Hill project -- in the 2024 Planning and Zoning hearing Commissioner Sandoval motioned to deny the project based on a missing land parcel in the center of the site that created a county enclave and a lack of building height transition to the north of the site as it integrates with the existing single family homes to the north, which this area, according to the Comprehensive Plan, is targeted as regional mixed-use. The single biggest improvement to present this evening is the inclusion of that enclave property into the project to make it whole. There is no longer a county enclave. This was the core reason for the Commission's denial in 2024. Building height. Another substantial improvement that has been made and -- that we are presenting this evening is that we have reduced the amount of the building stories along the northern property line. No longer will there be three stories of residences looking towards the neighbors to the north. All buildings in the prior development were four stories tall. Now, the northern buildings are two stories facing north and three stories facing south. This creates a building set -- step transition as requested. To note the single family home sites to the west have been sold and, then, are in the process of similar commercial development. Transition and the building height transitions. The building pad elevations of the existing single family home sites to the north are substantially elevated

above our building pad. To explain this we created and shared with the neighbors the diagrams seen here this evening. To note the homes are approximately 270 feet almost, the size of the BSU football field, away from this building and the humans line of sight will only read approximately 20 feet of the roof -- roof height. Transition landscaping. To further address neighbor concerns we agreed with them to add a line of fast growing evergreen trees on our property line to the north that would be really close to the extension of the Five Mile Creek pathway. By having these trees on the property line to the north our buildings -- the idea was is to create a wall of greenery that is year long and we will add visual privacy for those homes that are to the north. This adjustment was well received by the neighbors. One neighbor was concerned the proposed buildings would shade his property. To address this concern we performed a shade study and sent it to him with -- which alleviated his concerns, as it proved that the proposed buildings would not shade his property. Along with the -- the two concerns that I kind of went through with the Planning and Zoning Commission, there were also two additional ones from staff that I wanted to hit on tonight. The first one is the landscape buffer to the east of our property. This landscape buffer was not created by us. The issue was created when Movado Way was planned in its existing location many years ago. Perhaps Movado Way could have been planned to stub into Overland at a different location, such as what is common is a common property line or even the existing Rolling Hill Drive. In understanding the current situation we can't solve this issue, but also believe it is insignificant to total city planning. To put this buffer in perspective, it's approximately 40 feet wide to the south near Overland and reduces to zero feet as you approach the northeast corner of our property. We see it as a nice additional open space, streetscape or buffer for future development that comes in on our neighbor's property to the east. The Movado extension -- these notes that you see on here is we have attempted to engage with Corey Barton Homes or Endurance Holdings which owns the parcel to the east regarding partnering, working with -- but, however, that owner is not interested in pursuing any agreements. Second staff concern that I want to review this evening is the collector road of Movado and the lack of Movado Way being extended to the north. While we appreciate this concern and hope Movado Way extension is built soon, we object that it is -- that this project should be denied based off of a road improvement on another property not affiliated with this project and on separate private property. To be explicit -- explicitly clear, ACHD and the fire department do not take any issues with the ingress and egress of our proposed project taking access onto Rolling Hill Drive and they have -- they did not in 2024 as well. As seen on our site plan, we are already planning a stub to the east for our site for future connection to Movado Way once built. Finally and to hit on it one more time, it should be noted that we have engaged -- been engaged with Endurance Holdings since 2023 in an attempt to work with, purchase, partner, cost share with no meaningful response. We believe that Corey Barton Homes wants our proposed project to fail, which will secure their control of not only the subject properties within our subdivision, but also fourteen additional adjacent properties in the Rolling Hill community. Property rights. Idaho holds property rights at the highest of value. When multiple landowners voluntarily come together to plan comprehensively and their planning is consistent with city policy and comprehensive plans, I believe that that collaboration should matter. This project represents unified planning and not speculation. A denial of this project

limits the subject property owners and numerous surrounding property owners to effectively one buyer. A denial prevents a free and open market to exist, which will in principle drive property value downwards. A denial consolidated control of the access and the development timing to a single developer. The team's opinion is that a denial based on road improvements on a separate property violates local land use law, especially when ACHD agrees that our proposed ingress and egress are acceptable. Timing. There is no debate that the Eagle View Landing, Eldorado and Silverstone complexes are huge draws in the community and have significantly altered the fabric and makeup of the area and they continue to grow. Concentrating mixed-use density along major corridors with existing infrastructures is how cities manage growth responsibly. Recent approval -- or recommendations of approval through the Commission are -- that are close to our site include the Revolution Concert House approximately third of a mile to the northwest and the St. George project recently approved off of Topaz and Overland, approximately a pitching wedge away to the west. Market and timing. Vacancy rate. This -- these stats in the market reports that you see in front of you are from Co-Star, which is a commercial land data clearing house, probably the biggest one in the country. Vacancy rate within the one mile radius is steady at five percent or less than five percent. Meridian leads the region in net absorption with 819 units leased in 2025. What you can see on these two tables is that there has been a huge decrease in project deliveries over the last 18 months causing demand to rise. The number of units under construction results in low future supply. Summary and conclusion. Tonight's decision is about more than one development. It is not often that a project has ramifications that if not approved would deny property owners the right for a free market for the future of their property. The proposed project represents discipline, strategic growth, togetherness in the right place at the right time for Meridian, brought forth by an experienced and local development team that is in the audience this evening. If we say no to well-planned corridor focused mixed-use projects that meet code and align with the vision of the city, we ultimately push growth into less appropriate places. With that I stand for any questions and ask for your approval.

Lorcher: I would like to make a note that Commissioner Perreault has joined us this evening. I mentioned it earlier before you got here. Commissioners, do we have any questions for Mr. Todd before we open to public testimony?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: Can you walk us through the improvements that will be made to Rolling Hills, obviously, on -- on your side of the -- of the street and, then, kind of how you envision traffic flowing through -- coming in, coming out and especially making that left turn out onto -- onto Rolling Hills.

Todd: Yes. As stated, ACHD and the fire department have not had issues with our ingress and egress. There is approximately I believe of -- approximately 15 homes currently off of Rolling Hill Drive. A couple of them are vacant that have sold recently.

In terms of improvements, this Rolling Hill Drive would be responsible for the improvements along the western boundary. So, from View Circle down to the south to Overland, as well as the right of way that is along Overland, the -- the future plan for expanding Overland and the right of way that would be there would be dedicated with this property as well. We have also provided a stub street to the east for future connection to the extension of Movado Way when that does come through the city. The View Drive corridor that is to the north, how we see that or how it's been pictured to us is you would have the -- Movado Way would kind of connect into the View Drive and head to the west and, then, south of that future collector would also be the Five Mile Creek pathway, which connects from basically Cloverdale into Eagle View Landing. We are open for other improvements along Rolling Hill. We have thrown out lights -- streetlights, because we had some testimony about lighting on the street and it being dark. We are open to that. We are open to speed bumps. We are open to signage. We have worked with and come up with a plan and Wright Brothers, the building company, you know, any sort of construction, construction traffic, storing of vehicles, materials, any of that would not be on any of the roads that encompass this area and would all be held on site.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Two questions. One, when I -- I recall when this was first before the Commission and we recommended a denial and transition spaces was a big focus, it appears to me -- so, I guess, one, could you confirm for me -- it appears from me looking at the two site plans that the -- the buildings -- the actual units have -- have been moved in the plan further and closer to the border with the adjacent properties and if that is the case I am curious as to like, you know, you are talking about this kind of like felt height disparity et cetera, why would you move -- you know, if transition space is a concern why -- what was the intention behind moving the properties closer to the border with -- with neighboring --

Todd: Couple of reasons I guess we could get into in the transition there. So, looking at the -- the first rendition that was denied in 2024, lots of parking, lots of vehicles along that northern boundary. Not -- I would say in terms of open space, not a good use of open space. In the revised enhanced plan that we have in front of you this evening we are pushing some of that open space up towards the Five Mile Creek pathway area and, then, in the middle of the subdivision -- well, middle of the project, excuse me, there would be more open space that leads into -- call it a centralized amenity package. We feel that this layout -- and by bringing that -- that -- the -- the enclave into the design in the layout of this project we get to focus more on -- on where that clubhouse is located and having it centrally located for all future residents and, then, we also have to accommodate the parking. We did increase parking as well, but -- going back to maybe the parking plan. Excuse me. Having the parking plan -- we feel that the layout and the design of this mixes well for the vertically integrated product and the commercial that is say maybe push more towards the end caps of the property. So, on the west side we

have the end caps of the commercial and that vertical integration being closer to the roads rather than trying to put that commercial centrally located in those buildings. We are still, like I said, 270 feet from the single family homes to these buildings. That includes the green space, the pathway, a future road and, then, the front yards of those single family homes. In terms of architectural speak, I could probably have David Ruby, who is here today as well with the architect's office speak a little bit more, too, why we laid it out that way, but coming from me they are just -- the -- the overall feel and look of it -- it feels like it's more of a cohesive development, especially going for a mixed-use type of development in a transition area.

Smith: Thank you. And, then, could you speak to staff's discussion of -- regarding the height. I know you are showing here that, you know, we have reduced the -- the actual stories, but in terms of the overall height to the -- you know, to the apex seems like that's only come down two feet. I'm curious I guess we are kind of talking about height in terms of stories as a change here and the actual vertical measured height hasn't changed much. Is it really -- I guess could you -- could you speak to that and kind of help --

Todd: Yeah. I would say that the -- the majority of that height now has been with more of a roof view and that's that 20 feet that the human eye would be able to see that's 270 feet away, instead of seeing three stories of apartments, that would be two stories. Now, the roofline is -- is -- the roof is encompassing the building and some of the mechanical and -- different mechanical aspects of that -- of that building and I would say that the -- the overall transition is we are knocking off -- or not knocking off -- we are reducing the amount of apartments by a third that would have a visual towards the north -- towards the north. But when we get into that line of sight study, I think that it really needs to be shown the distance between the existing homes in a transition area, which I believe are three homes off of View Circle and that -- that length of distance is quite significant and we have significantly reduced the amount of apartments that would be seen and, then, we have increased -- call it green -- green space or green buffering for the landscaping along the property line and we have included that landscape plan with the application as well.

Smith: Thank you. And one last question, Madam Chair. Could you help me understand -- could you articulate your -- your concerns that you mentioned around the legality or the lawfulness of denial in the context specifically of an annexation, because it's my understanding that the context of an annexation the city has a lot more leeway and so I'm curious if you could kind of better articulate -- or more clearly articulate for me what specifically you think the contention is here I guess from a legal standpoint.

Todd: I would say in layman's terms is to -- to require a landowner to build a road or deny them the right to -- to annex into the city and -- and to do a development based on the Movado extension, which is kind of the -- the big concern from the staff. We feel that that is setting precedent that this property and the -- the five landowners that have come together for this project -- are harmed because of something that is outside of their control.

Smith: If I can, Madam Chair, question for staff.

Lorcher: Go ahead.

Smith: I guess for legal. Did -- does that -- does that at all constitute a taking or anything similar? Is there any concern from legal staff on that?

Breshears: Can you hear me? Can you hear me?

Lorcher: Uh-huh.

Breshears: Under the UDC one of the required findings is whether this annexation is in the best interest of the city and it is permissible in your role to determine, based on the facts in the record, whether it is in the city's best interest and so if timing is a concern it doesn't constitute a taking.

Smith: Okay. Thank you.

Napoli: Madam Chair, if I may jump in real quick on that as well.

Lorcher: Okay.

Napoli: So, we are not requiring this applicant to construct that collector. We -- so, the -- the alignment has to be on the property to the east as far as the actual intersection. However, we are asking them to be part of the solution for the overall connectivity in this area and as of right now that collector roadway is being pushed onto everyone else's future development, whether they could jog on to this property, they could put the east-west collector on the north portion of their site -- doesn't have to go north of the canal. The Five Mile Creek. It does not have to go there. The master street map is not saying concrete. There is different ways that this collector roadway could work here. The only place it has to be is in alignment with Movado and that's because that's going to be a signalized intersection. So, I wanted to make that clear that we are not denying this because they are not constructing it, we need them to be part of the solution. That's part of the reason for denials --

Todd: And I guess the -- the -- for the past few years we have extinguished a ton of effort to try to be a part of that solution and there hasn't been any meaningful response or at least a partnership in any form or fashion. The alignment that you see in front of you here, although not perfect, with a -- a yellow dashed line, makes the most sense for Movado to be extended into the site for future transportation planning. At the time in the future when Rolling Hill turns into a right-in and right-out there will need to be a signal. Was this Movado not planned properly or was there maybe an oversight? It could have been. The city of Meridian doesn't necessarily do ACHD. That's more of a ACHD responsibility. We are more than willing to keep working on any solution that the city would like us to see fit based on us being approved, whether that's dedicating right of way, whether that's looking at site improvements that would help. The -- the landscape

buffer and that -- that gap property that would be on the neighbor's property to the east undoubtedly is going to be part of their open space percentage when they would come in for a future commercial or a mixed-use development and I know just personally speaking with those involved that they have extinguished every effort to try to be a good neighbor and to work with, just like they have with the neighbors, that are not only a part of this -- this subdivision, but all of the ones along Rolling Hill Drive. Multiple meetings back and forth with e-mails and correspondence, shade studies, line-of-sight studies. The amount of collaboration and coordination with the neighbors has been very high.

Lorcher: Nick, can you reiterate some of the solutions that the City of Meridian has suggested as far as the Movado Road improvements?

Napoli: Yeah. You know, we have had a lot of meetings on this application. I think we are seven or eight probably in the -- the time we have had this in process and it's been consistent from the beginning that this was a concern. We have explored, obviously, coordinating with the adjacent developer to see either acquiring the land or partnering with them. Obviously that's not going to work.

Lorcher: Right.

Napoli: But there is options to -- that collector doesn't have to be a straight line, it can jog over. You could build part of it on the west boundary of the site -- or the east boundary of the site. I apologize. They could build a portion of it on the north boundary of their site. There are ways to do that and we have asked them to do that. It ultimately came to be financially not feasible for them. So, it didn't pencil. We have also looked at a road trust with ACHD. ACHD wasn't willing to accept a road trust for this. We looked at even -- we had a conversation with ACHD even about potentially moving the signal to Rolling Hill. Not going to be the best in the interest of the city or ACHD because of everything that's south of Overland off Movado. We need all of those to have a signal as well. So, that's really the key. And we talked about even opening the north portion of Rolling Hill and that was part of another application to the north that Council was pretty clear on that they do not want that opened until more properties on Rolling Hill develop. So, we have explored quite a few options and either -- it didn't work out or it just financially didn't work for the applicant. But ultimately pushing all of that onto somebody else is still an issue and that's why it's brought up in the staff report as a large concern from staff and it has been since day one when we talked with them. We have been consistent throughout this.

Todd: Yeah. And Movado -- I mean any of these collector roads that we are talking about, the logical place for them is always on a common property line. That is the optimal place, because it's a cost share between two owners. This is very close, but when they planned it they shifted it, for whatever reason we don't know, about approximately 40 feet to the east. The alignment that is shown here makes the most in planning sense to free up the neighbor to the east to develop all of his property that he has and probably tie in with the -- looks like a lay down storage type of use to his east and, then, it lines up with View Drive, which is already a part of the region. By trying to

align this or jog it into the heart of this property when there is six small properties that are all together for this application, I think we need to understand that as well is that this isn't just like one property owner that has all of this, this is actually five individual owners with six pieces of property.

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: A question for the staff.

Lorcher: Sure.

Gelsomino: Nick, could you clarify and elaborate just a little bit on your most recent comment that due to feasibility it would shift the -- it would shift it on everybody else. Is that cost -- would that shift responsibility and burden of cost on the surrounding area -- on the surrounding properties and owners? Is that my understand -- am I misunderstanding that?

Napoli: Yeah. Madam Chair, Commissioner, yeah. So, yes, it's cost and land. So, you know, I know the property to the east, you know, I understand, first of all, consolidating six properties is always difficult when it's five different owners. So, I'm not -- just like I said, staff is overall -- this development -- if connectivity was better and they resolved some of the concerns from the previous denial I think staff would be supportive of it. But this roadway and pushing that on to other developers, even to the east, it's a single property that's in Meridian. The storage to the east of that is actually in the city of Boise. So, that is really the boundary of Meridian. Then you have 40 feet, then, you have another collector roadways probably going to be 48 foot street section. Potentially could be reduced. So, a good portion of that property will be taken up by landscape buffers and the collector, which is why it may never be developed, because it's encumbered by entire of it. That's why finding a solution to where this developer could take a portion of that or jog it onto their site. May lead into the future to that developing. Ultimately it's -- it's difficult to tell, but you are correct, if -- if they don't put any of it on their site it does push all the financial cost onto the development of the other properties, whichever developer decides to do that in the future. That is correct.

Gelsomino: Thank you, Nick. Madam Chair, for a follow up.

Lorcher: Uh-huh.

Gelsomino: This one will be addressed to the applicant.

Lorcher: Okay.

Gelsomino: My question is as having had experience in project management was a potential outcome or -- or understanding of the financial impact that -- and layout and

visual that Nick just gave us, taken into consideration and, then, also what -- what percentage of a financial impact would it have on the cost of this project for the -- for you and for the company to take on the cost that would -- gosh, I'm blanking on the word -- that would have pretty much cover all the bases?

Todd: To be honest we have never even got a price from the landowner to the east of what they would want. We have -- we offered to purchase that property. We offered to partner with them to build a portion or half of that property and we were -- we were met with, you know, noisy silence I guess at the end of the day you would say and kind of coming back to the cost of the road and -- and I have sat on a couple different transportation committees in the cities that I have resided and in the state of Idaho and I sat on the citizen's advisory committee for those cities with ACHD. I have helped with five year integrated work plans and things like that. This area and this transition area should be a part of -- of Meridian's kind of five year integrated work plan in terms of working with ACHD, because that could help with the cost burden to the -- the eastern boundary. The cost associated say with -- with this project, other than the -- the giving of right of way and, then, the improvements of Rolling Hill -- when I get back up for my kind of rebuttal after the public testimony I will sit with the team and try to come up with kind of a number for you as well. I can't get you one off right now.

Gelsomino: Thank you, Madam Chair.

Lorcher: All right. Thank you very much.

Todd: Thank you.

Lorcher: Madam Clerk, who do we have first to testify?

Lomeli: Thank you, Madam Chair. We have Kim -- is it Boyack?

Lorcher: Hi. If you can state your name and address for the record.

Boyack: My name is Kim Boyack and my address is 4270 East Overland Road, Meridian, Idaho.

Lorcher: Okay.

Boyack: And thank you for having us here tonight. My husband and I have owned and lived on 4270 East Overland Road for 40 years and as you can imagine we have seen a lot of changes over these past 40 years. We are right on Overland Road right across from Movado Way on that corner right next to the Corey Barton property. That's our place. And if you drive by there we have a couple horses there and we have always had horses and raised our two kids there and we feel like, you know, everything's changing so quickly that we are going to -- but we would really like to move. We would like to move out away from all of the hubbub that we are used to. We both grew up in Star, Idaho, on farms and so this development has kind of cramped our style if you will.

We went through the process of the widening of Overland Road. We lost half of our front yard in that process, watching it going from the two lanes to the five lanes that -- that it is now and we are not looking forward to seeing it being widened again or going through that whole process. We went to a land use meeting back in 2017 where they talked about Movado Subdivision and they were showing how they were going to have commercial in the front and apartments and, then, the subdivision in the back. It's kind of interesting how the commercial property has never come to fruition. That has just all been bare land there and they have never been required to put the commercial property in there. Also at that time they were projecting to put a light in there and I don't understand why they didn't put that burden -- whether they put it in a trust for the future traffic light, why they didn't put that burden on Movado Way when all that traffic comes out of there. They are going to be developing that strip of land from Cloverdale over to Movado Way, so more houses are going to come in there, so more property is coming up that side of the road. So, to me it doesn't seem equitable to put that burden on this development on this side of the road. I have also heard that it probably won't be until 2040 -- maybe that there has been a change in that -- for the road to be widened. So, for this to be put on this development and not on future developments it doesn't make any more sense than saying that they shouldn't put the burden on someone in the future. We have been living in an emotional roller coaster for the last five and a half years. We had two offers during the time before we got this offer where our -- eventually our realtor said, well, you know, let's just not list it, because -- is that my time?

Lorcher: Yeah. If you can finish up.

Boyack: Okay. We had two offers on our property and they were denied annexation by the city and so, basically, our realtor told us that they already have decided that they want this to be a part of the BVA Development, so you just as well take your property off the market. Well, come November of 2021 we had a very persistent ambitious developer approach us and so for the last four and a half years we have been working with this development company to try and sell our property to them, but we have had -- gone through the process of so many hurdles that they have overcome. You know, they have all been mentioned. All the hurdles that everybody has mentioned and they have worked very hard to resolve all of those issues, only to be told that there is another issue that they have to resolve. To me this seems unfair. It feels like as a landowner that we are a pawn in the middle of all of this. That we can't choose who we sell our property to, because the people who are developing our property can't seem to please everyone and be able to present a project that's acceptable. I will tell you right now if I were a person who wanted to live in the city -- looks like a pretty nice project to me. I wouldn't be opposed to living there and, you know, again, I don't see why the burden of this stoplight is being put on this project when it should have been on Movado Way.

Lorcher: Okay. Thank you.

Boyack: Thank you.

Lomeli: Madam Chair, the next person signed up as Rick Boyack.

Lorcher: If you can state your name and address for the record, please.

R.Boyack: My name is Rick Boyack. Address 4270 East Overland Road. As my wife mentioned that this project has been going on for four years -- over four years. Some of the people that has been in the subdivision that's complained about this over the four years, they have either died or moved out or got their places up for sale now, so I don't see why this can't move on. One of the biggest things is is I would think the city would want to do this, if nothing else just for the tax revenue that this is going to create, versus the homes that are there right now. To my knowledge this company has done everything that it's been asked, with the exception of putting the stoplight in. I don't see how you guys can ask them to put that in on another person's property. You talk about it coming in and making a sharp left onto the property they want to develop. I don't see how that ACHD is going to allow such a sharp turn for them to suck up the property that they are purchasing. In my opinion this is a very big ask. I have been to other city council meetings that have dealt with the BVA development up there, Top Golf and all the apartments up there. One of their concern was is getting all those people out of there safely. They talked about bringing that road down along the Ridenbaugh Canal, cutting across my property and over on Corey Barton's property. I thought it was one of the neighbors up there that wouldn't sell, but I'm beginning to think that it was probably Corey Barton that put the key -- kibosh to that. You guys were concerned about all the vehicles. They figured that Rackham Road and Silverstone Way was good enough to move all those people out of there, so I don't see why Rolling Hill wouldn't be enough for this small project. My ask is small. I just ask that you approve this project and thank you for your time. Any questions?

Lorcher: No. I think we are good. Thank you very much.

R.Boyack: All right. Thank you.

Lorcher: Thank you.

Lomeli: Madam Chair, no one else has signed up and I don't see any hand raised online. And some people just raise their hand online, too.

Lorcher: Gentleman in the blue and, then, the lady in the pink. Hi. If you could state your name and address for the record.

Mayoka: Chris Mayoka. 416 -- 4160 East View Circle. Madam Chair, Committee, thank you for hearing my testimony. When I -- I'm probably the most directly impacted home to -- for this project. When I spoke with staff two weeks ago they informed me that they could not support this project, because it failed to address many of the fundamental issues that doomed the last project, the one that was justly and unanimously struck down by both Planning and Zoning and City Council. Two examples staff gave me. One, there is nowhere to put all the traffic and, two, it does not

transition into the existing community. One staff member said imagine looking out and seeing a three story apartment building in your front yard. They were right. We cannot imagine that. We believe that the applicant realizes the intense impact that this project will have on the area. They have been honest about that. They have also been honest that it needs to be this large, because this and only this will pencil. That answer, while understandable, is extremely concerning. Many things will turn a profit that ought not to be done. The city's long term planning map is a servant that must be ruled by your wisdom. We believe wisdom requires that no more of Rolling Hill Subdivision be annexed until the rest of our properties are purchased at a fair market price. Were this to happen it would solve one of staff's main concerns, lack of transition into the existing community. Though we -- though we cannot see how high density projects like this can accommodate the traffic concerns until Overland is expanded, as it is now during rush hour Overland is a parking lot for almost two miles in each direction. I would like to go on the record and say that this applicant has conducted themselves honorably and if this project did not have such a terrible impact on the surrounding area we would otherwise support this investment group. I believe that these are the types of people Meridian would want to do business with in the future if their projects would only integrate better into the existing communities. Two last comments. Staff mentioned that there were five letters of support. There are five landowners who are selling. So, I just wanted to put that on record and I do acknowledge that this project is an improvement over the last one. But the last project was -- was like putting the Empire State Building in our front yard. So, to say that this project is better while true, may not be as impactful as -- as -- as we are being told. Thank you for your time.

Lorcher: Chris, hold up for a second.

Mayoka: Yes.

Lorcher: So, you live on View Drive.

Mayoka: Yes, ma'am.

Lorcher: So, you face south.

Mayoka: Yes.

Lorcher: So, is it your front door that will face this or is it your backyard?

Mayoka: It's -- we -- well, it's myself and others who will literally have people looking into our front yard. Now, I know the applicant has said -- the applicant has made improvements and the applicant had -- everything that they said about talking to the neighbors and all that is true. It's just an ill-conceived project from our vantage. If a developer wants to come in and -- and do the same for -- for these fine people that they would do for us we are willing to talk to them. I -- I think the plea of our neighborhood is we are exhausted. We are -- we are open to people coming and saying, hey, this is part of the long-term plan and -- and we are willing to talk. What's really sad is the two

properties right next door to me -- one of the owners I believe is here tonight. They were on the market for about a year. These developers could have purchased those properties for pennies on the dollar and -- and a lot of the -- a lot of the objection would have -- would have gone away. We respect your decisions whatever they may be. We understand the long-term planning. I just -- I think timing is a huge issue. So, yes, we are -- we are directly impacted. Dozens of people would look down right into my kids playing and -- and -- and all that. So, it's a huge --

Lorcher: Okay. So, it's your -- it's your front drive and you don't feel that their landscape buffer of -- of -- of conifers would be enough impact for you? Is that what you are saying?

Mayoka: Madam Chair, yes, it's -- it's -- it's not just -- yeah. I mean -- at the risk of sounding arrogant, you just have to trust me that that -- that where we are living just cannot support this. It just -- it just can't traffic wise and -- and your constituents, whether it's this -- this project or projects around the county, are respectfully begging you to really look at the long-term impact when I put in my GPS I need to go downtown, it sends me all the way down Cole. I mean it could take me up to 35 minutes to get on the freeway and I live a mile and a half from the freeway.

Lorcher: Right.

Mayoka: My son plays baseball for Mountain View and I have to plan 45 minutes. I'm a mile and a half from Mountain View. So, the impact's real --

Lorcher: Right.

Mayoka: -- and I understand you have a tough job to do for sure.

Lorcher: Okay. Thank you very much.

Mayoka: Thank you.

Lorcher: There was another woman who would like to speak? Hi. If you can state your name and address for the record.

Eastman: Alicia Eastman. And I live at 1485 Rolling Hill Drive --

Lorcher: Okay.

Eastman: -- and I see Chris' house out my kitchen window caddy corner like this. This project -- and thank you very much for listening to me. This project is going to be directly across the street from me and everything that Chris said I echo, because it's this monstrosity going to be in front of me. I -- I know it's about it -- you know, tax dollars and in the growth and you are going to do what you need to do, but right now even if you approve it, the -- the traffic, you know, when you think about right-in, right-out, the

nearest grocery store is east, not west. If you -- if you have to turn right you are directed right on to get on to the freeway, how do you even get around to get anywhere? I mean you are going -- putting people in the wrong direction. I did contact a while back Kent Goldthorpe, and said how come we don't have lights painted there at the end of our street and he says I will get right on it, which they did and they put up signs to not block the intersection. That did help. And I think that right there if they just printed in the street keep clear, we would be able to get in and out. At least that would help. And the -- the -- the developer has done a really good job of working with all the rest of the neighbors. They just keep leaving me out and recently I -- I get letters from the other neighbors and they -- they cut -- showed me that when they said the meeting was well received, I didn't even know about it. But, you know, that it -- they really were working with the other neighbors about it though. So, thank you for listening to me.

Lorcher: All right. Thank you very much. Is there everybody else in Chambers? Sir?

Mleczeko: Hello.

Lorcher: Hi.

Mleczeko: My name is David Mleczeko. I reside at 1011 South Beechwood Drive in Boise. I own the vacant lot at the end of View Circle. So, the cul-de-sac turns around. I happen to be somewhat in support of this project, but I kind of echo the neighbors' concerns. Like, you know, I'm just -- want to make sure it transitions and in the way I look at the drawings I -- I see the green space and the buffer going into View Circle and, then, expansion of that road being left on those four property owners there. One of the issue, the -- the FEMA mapping is highly inaccurate in the area. The floodway is on View Circle, you know, so that's something needs to be kept in mind and that's all I have.

Lorcher: Okay.

Mleczeko: So, thank you.

Lorcher: Thank you very much.

Perreault: Madam Chair?

Lorcher: Oh. Commissioner Perreault.

Perreault: Yeah.

Lorcher: David, hold on a second.

Perreault: Thank you. So, just pulled up a -- a Google map and I see that Rolling Hills connects with Flat Iron to the north; is that right?

Mleczeko: This is -- so, I'm at the end of View Circle. It's just a vacant lot. It's where they show the collector road that --

Perreault: Yeah. No, I understand. I'm just --

Mleczeko: Oh. Okay.

Perreault: -- just asking about kind of how you drive around your area.

Mleczeko: Okay.

Perreault: So, since -- since Silverstone Way has gone in are you seeing yourself or any of the neighbors driving up to Flat Iron and kind of heading back -- back west to hit the light at Silverstone? Has that been a feasible option for all of you?

Mleczeko: Oh. Yeah. And I don't -- like I said, I don't live there, so I don't travel those roads often.

Perreault: I apologize. Okay.

Mleczeko: Yeah. It's just a vacant lot. That's all it is.

Perreault: I see. I apologize.

Mleczeko: But, you know, when they built those Iron apartments they put some bollards in and whatnot at the end there. So, I'm not sure as far as how that connects. I believe Silverstone is the main -- you know, that's where Top Golf is and all those businesses. I have definitely been over there, but --

Perreault: Thank you. I'm sorry about that.

Mleczeko: No. You are totally fine. Thank you.

Lorcher: All right. Thank you.

Napoli: Madam Chair. Just to clarify, Commissioner Perreault, that is emergency access only for the property to the north. Yep.

Mleczeko: Thank you, guys.

Lorcher: Anybody else who would like to testify? Would the applicant like to come back and --

Lomeli: Madam Chair? Oh.

Lomeli: Sorry to interrupt. There are a few people with their hand raised online now.

Lorcher: Oh. Okay. Sorry about that. All right. Who do we have online?

Lomeli: I will start with Michael Blowers.

Lorcher: All right. Michael, if you can state your name and address for the record, please.

Blowers: Yes. Michael Blowers. 1325 Rolling Hill Drive. I want to speak -- maybe clarify to the last person that came and spoke. I'm not sure what Flat Iron Road is, so I want to clarify that. But I want to -- one of the things I wanted to speak about is that person's property is required in addition to Corey Barton's property in order to create this access road. So, that's one of the things I wanted to just clarify to this thing. The other point I wanted to make is ultimately at the end of the day, even though, obviously, no one would want this in their neighborhood, we are tired of coming here and doing this every one to two years. I'm one of the people that was referenced in one of the community comments that our house looks like crap and it's because since 2017 we have had to be dealing with this -- these developments. So, it wouldn't be prudent for us to invest in our properties. So, in that respect we would hope that this gets approved. That being said, it would be highly irresponsible I believe for the city to do this. The main reason being -- to get into or exit this property requires crossing two lanes of traffic and a bike lane and when you are doing that during peak hours or -- depending on the time of day, you are talking about playing Carrie Underwood and she takes the wheel and, hopefully, you are not hitting anyone when you are going across. And like -- I say that as a joke, but I'm -- I can't count how many times that we have been lucky we haven't been hit. That's only with 15 units on this property and you are talking about adding another almost 200 with businesses. I wanted to clarify the other reason why I wanted to speak today -- I didn't plan on doing it -- was I believe staff said something about a right-in, right-out only. Okay. That just can't happen. There is -- the two elementary schools are east of this place. I don't know what anyone would expect -- what route they would expect us to take to get over there, including the gas station, including the nearest grocery store. The other point I wanted to make -- and I don't want to like disparage Movado in any way. Movado has about six or seven ways you can enter that property. I don't know why a light there is necessary, although, obviously, it would be great for them to have. I don't understand why city and ACHD can -- can -- you two work together to get Rolling Hill and those apartments -- to get the light there. That would alleviate a lot. That seems like one of these problems that people talk is a problem and it really shouldn't be. It's an obvious solution. We shouldn't have to be dealing with it. The developer has a much better plan than last time. Like can you guys deal with that? And, then, the other issue is to open up this road we were told 2,000 a day traffic unit. It would exceed it to open up this road, so it has to be closed off to the Silverstone Apartments and so is that something that's set in stone? What would require us to go around out? What -- because our concern is -- well, if we want to develop our properties, which is why we are ultimately in support of this reluctantly, are you going to deny us once you approve this, because traffic is going to be insane coming into here. Like what -- we -- we need some definitive action, because doing this every one to two years is a waste of everyone's time.

Lorcher: All right. Thank you very much.

Lomeli: Madam Chair, the next person is by the name of Amy.

Waddles: Hi there. My name is Amy Waddles. My address is 1360 Rolling Hill Drive. I just want to share my comments about, you know, the development -- it is great. I feel so badly for the homeowners down there having to deal with two years, two and a half years of this. I know we have recently put our house on the -- on the market just to be done with it like. Nobody wants to sit through year after year after year. The concern, however, that we are facing is, again, those apartments were built on the south -- or on the north end of Rolling Hill. These will be on the south end. And we still have a corridor of homes that are sandwiched in between and so what has happened to Rolling Hill -- one of our neighbors compared it to the apartment dwellers using it as a Greenbelt. That's essentially what's happening. People are up and down the road on dirt bikes. The roads are black -- or dark at night. You can't see anything. Random traffic at all times. Amazon -- any delivery service is using Rolling Hill and parking at the end of Rolling Hill to do deliveries to the apartments and that's just on the one end. Now we are compounding that on the south end of the road and, yet, again, you know, the question while we are looking at these developments is who is dealing with the consequences of these developments and it's the homeowners time and time again. You know, was that last year that we had that high speed chase that ended up on Rolling Hill Drive. I understand things change, but now we have a concert hall going in proximity to Rolling Hill Drive. Compounding with these apartments here. I did some counting of parking spots at the Aaron Apartments on the north end. On average there are 65 cars parked on the streets surrounding that complex. We sat through hearings where we heard, oh, we have plenty of parking. There is -- we have more than enough what -- that's required. But yet 65 cars on average, that's a lot of cars and in this situation with this development they are going to end up along Rolling Hill Drive and I know, again, the developer has been great about listening to feedback and all of that, but when we are combining that with the concert hall we have a serious problem here and I just -- I'm super frustrated that we are in this situation and I'm like my other neighbors, whatever we have to do to get out of here is what we want to do and if that means we approve a development that doesn't coincide -- I mean I don't have the answer. I guess I'm turning to you guys to find an answer here to get these last homes bought out and a solution happening, so we are not all just stuck in this perpetual stalemate. It's just frustrating.

Lorcher: All right. Thank you very much for your testimony.

Lomeli: Madam Chair, the next person is Gary Rainey.

Rainey: Good evening. Thank you, Madam Chair and Members of the Commission. I'm going to try to be brief. A lot of the other comments --

Lorcher: Gary, can you state your address, please?

Rainey: I'm sorry. Gary Rainey. We own the property at 1480 Rolling Hill. So, we are a potential seller.

Lorcher: Okay. Thank you.

Rainey: So, I could talk about the condition of the property and the best use and the need for space and -- and all of that, but what I really want to spend my time on is the Corey Barton property. So, from another developer, totally unrelated to this project, but who tried to buy this, told me that Corey Barton said -- same thing. I'm not interested in selling and his quote was I have a ten to 20 year plan. So, if he is only going to develop the property to the east, he doesn't need a ten to 20 year plan. But it's clear to me is that the ten to 20 year plan is to -- to choke point all of the properties from everybody that is speaking tonight, except the ones that live directly on Overland, and be able to control those until the values go down and, then, he can buy them up and do his own development. Denying this property would effectively give him the keys to everybody on Rolling Hill and no commercial development there unless he is in control of it to put his road in. So, I hope you consider the value of the property. These are properties where the -- some of the wells are starting to dry up and there has been a number of illegal RV storage and motorcycle repair and different things that go on. I think this is a good opportunity for Meridian to have housing, which we desperately need, next to the development of Eagle View and the last note -- the mention about the light moving to Rolling Hill. I don't know if that's feasible at all. I would only point out that there is actually a Rolling Hill on the south side of Overland, not just on the north side of Overland. Maybe that's a potential idea. I don't know. Thank you for your service. Thank you for listening. I hope you approve this project.

Lorcher: Thank you, Gary. Anyone else in Chambers? Okay. Now would you like to come back up and -- Chris, would you like to answer some of the comments, please.

Todd: Madam Chair, Members of the Commission, I don't have to reset my address, do I?

Lorcher: You are good.

Todd: Okay. I was writing as fast as I can. It's kind of a lost art these days; right? So, a couple of things --

Lorcher: As long as you can read your own handwriting.

Todd: Yeah. So, I just wanted to try to go through as many of the comments and try to provide some answers for the testimony that you heard this evening. One of the mistakes, though, that I did make talking with Commissioner Smith in the transition area was the previous application was for the -- in 2024 was for the four story buildings throughout and I might have misrepresented saying that there was three story. So, I just wanted to clear that up. As Planning and Zoning Commissioners a lot of times you are seeing these transition areas and -- and maybe different areas, you know, where

economic agriculture maybe hits sprawl. This transition area is a little bit different. It's where economic corridors are meeting mixed-use development and there is still some county ground that is developable within that area. I think a lot of the comments that you have heard this evening or at least one of the themes that -- that I heard was the developer of the project is great. The transportation sucks. But I'm looking to sell. And I think that's a -- a good theme to think about is that this is a transition area that is going through growth. I think that we have seen that with the last two applications that the Commission has recommended for approval in this area and I think that it will continue to have good growth in the area. I think Mr. Rainey hit on it a little bit. There are some rentals, some dilapidation along Rolling Hills that would be key properties to redevelop with approval of this project. But one gentleman that wasn't here today that did submit a letter -- and I just wanted to hit on this, because I heard it in Nick's testimony was the letters that were in the -- or maybe even it was Mike's testimony whereas all the letters are from the owners that are a part of this application. There was another letter that was submitted this morning. It was an e-mail from David Ellis that should be in your packet as well. He actually owns two properties on Rolling Hill Drive and he is in favor of this project. Going into the individual -- I don't want to go -- this is not personal in any way, I'm just trying to put the name with the comments, so that I can address them. Chris was talking about the transition area, making sure that -- that the -- that the -- the buildings are -- are -- are having a -- a green -- or a screen in the privacy. By -- by bringing those stories down to two stories -- and maybe if we could bring up the PowerPoint presentation again for the line of sight. Within that transition area and when we are looking to the north in terms of the building height, we are looking at the 270 feet, but we are also looking at the -- the view shed would be to the -- call it the -- the upper story of the -- or the upper floor or the second floor. These folks would not be looking down on Mr. -- Chris' property. These properties also off of View Drive we are talking about driveways and front yards. We are not talking about people looking in the privacy of somebody's backyard. We are following the Comprehensive Plan. We feel like we have -- we have extinguished so much effort to bring the best plan forward to the city of -- of Meridian. Some of the comments -- I don't know if I agree that city staff should be sharing some of their personal comments like to Chris when he comes in to talk to him and those should be held for maybe internal discussions or for the actual staff report. We are following ACHD's road map when it comes to where Movado is. There has been a lot of discussion on that this evening. This is from ACHD's future road use map and so that's where this alignment's coming from. Looking at comments about swinging the property -- or swinging the road back into our property, it doesn't solve the issue that the intersection would still be on private property, so there is still a coordination effort that would have to go forward that we have hit a dead end on. David, who was up here, owns the vacant lot, says he supports the project. We are familiar with the floodplain. Alicia -- Alicia Eastman. Neighborhood meeting notices. We have given out neighborhood meeting notices to all and mailed those out. I don't know why she didn't get those. We had -- I was at a neighborhood meeting in the beginning of even February and we had great attendance from all the -- the neighbors that were there as well. A lot of the comments, too, talking about properties that are on the market that can't sell. That is a direct representation of kind of the challenges that we are trying to -- to help be a partner with the City of Meridian to solve. We are not

here to try to slam a project into a space that doesn't -- or can't accommodate it. See if I have missed anybody. I'm sorry. Michael made a comment about opening up Rolling Hill to the north. I -- I don't know if I can comment on that, but I'm looking at just transportation planning in general anytime you can open up a road that is currently closed, whether it's emergency access or limited access, it will help with your circulation pattern. Michael mentioned that it's a better plan. We appreciate that. A lot of neighbors are for the project. Talked about David Ellis and the two properties that he owns and the letter that he wrote in support. Amy's comments said that we were great. Thank you, Amy. The development is great. Thank you. She is trying to sell and I do notice that her listing is directed more towards developers and so getting back to that, you know, this is a -- a transition area and these are the comments that come in those transition areas and we feel that the project that you have in front of you follows city code, follows the Comprehensive Plan. We have ACHD and the fire department's support and we would like to move forward and start building this project out with the local team that we have here today. Commercial Northwest Property Management is here for the client. They are a professional property management company that also manages -- my memory -- The Buddy, which is an apartment complex that this group has done in Boise. Commercial Northwest was helping us out with some of the market studies. I know that they would be great at making sure Amy's concerns on parking, deliveries, making sure that the property is just professionally managed. In order for this property to be successful it has to have professional, efficient management. Appreciate Gary's candid conversation. I couldn't agree more. And I stand for anymore questions.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: So, I -- I did hear some people tonight say, you know, I wish they would reach out to purchase my property or things like that. I'm curious. Obviously, the property to the east is -- is one thing, but --

Todd: Yeah.

Smith: -- have you looked into extending the acquisition north and west to expand the development? What does that look like?

Todd: A hundred percent. It would be something that this group, as well as other development groups, not just the one that's involved with this, would be interested in these properties. But a lot of these developers are looking to see what happens with this property. With approval of this property, as a real estate professional I have no doubt that these folks' property will increase in value with the approval of this project. I think that that's undeniable. Now, would we purchase it? I hope so, but it could be that somebody comes in and -- and maybe offers them more or their appetite for a different style or -- or type of development maybe fits into the -- the overall plan better and in the mixed-use world there is lots of different mixed-use that people are doing. I have a

couple that we are doing even in Star and they are very popular. The ones that I have off of Star Road and State Street currently are a hundred percent occupied.

Lorcher: So, this is a development with three -- two and three story buildings; correct?

Todd: Yes. Correct.

Lorcher: The northside would be two stories and the internals would be three stories.

Todd: Well, there is -- there is four story buildings along Overland.

Lorcher: Okay.

Todd: Because they are back -- this is a great exhibit showing kind of those stories and -- and how they are -- how they are stepped away from the north. So, we would go from two stories on the north. The -- the south side of that building is three stories. Same roofline. Same view shed. And, then, the properties -- the buildings that would be on the south side along Overland would be four stories.

Lorcher: Okay. And are these all rentals or are they any ownership?

Todd: These would all be rental properties for market -- market rent.

Lorcher: And one, two, three bedrooms I assume?

Todd: Correct.

Lorcher: And what kind of price point were you just looking at? And it -- I'm not going to commit you to anything. Just ballpark.

Todd: No. I believe that the median price for a two-bedroom, two bath rental property in Meridian right now is fluctuating between 1,650 to 1,750.

Lorcher: Okay. Okay Any other questions?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: So, with all due respect to our staff who has worked so hard on this and -- and yourselves and the work that you have done and -- and Mr. Barton, I feel like that if -- if Mr. Barton wanted to be here to defend his property and to advocate to not have the road go through his property he has certainly had ample opportunity to do that and, you know, he is -- he is the -- he is in a -- I mean as a -- as a Planning and Zoning Commissioner I can't say that because of what he does he should know better than another neighbor who would just be an individual there. However, he has had many

opportunities to come and say, hey, I don't want this road. I want to share this road with the neighbor. I -- I will -- you know, we will cover half the cost or can we -- can we move -- can we talk to ACHD about moving this farther west. There has been plenty of opportunity to do that and I have no doubt he is fully aware of the risk that he takes by having the entirety of that section on his property and -- and what it might do to the value and the -- the issues of future use. So, I -- I just -- I appreciate the staff's desire to see that this goes well. I love that that -- that our staff does that. But, frankly, if he had an issue with it, then, he needs to come to the table and have a conversation with this applicant and with the city about it. What I would have hoped to have seen from you is more focus -- not on what you didn't want to be doing, but more focus on Rolling Hill and how could -- that could be improved in a way that would be really beneficial to this and to the neighbors. So, for example, I would like to have seen what's the distance between your exit on Rolling Hill to the Overland intersection. How do you see those vehicles exiting. Was there any consideration of potentially picking up some right of way, so you could have a left turn lane put in? Would that be an improvement that the developer will be willing to do? What is stacking going to look like for those. I assume you have done study on, you know, the -- the challenges that any commercial user is going to come in here and have coming back on to Rolling Hills, making a left, making a right onto Overland, not being able to make a left onto Overland because of traffic. I imagine you all assessed all of those things before you made these decisions. But I would have liked to have heard more about all of those things and I'm -- and -- and I'm kind of surprised that there wasn't more explanation -- exploration as to Rolling Hills connecting to Flat Iron, because it seems to me like it's a little bit farther away, but that gets people out to the light on Silverstone. So, it's not a criticism of what you all have done. I know you have limitations. Just having heard hundreds of applications that that's what I think would have been beneficial for me to help make the decision. So, I still -- still thinking about this one, but that's something that I think would have -- would have been beneficial for us to see how -- how you could have envisioned that working well with what you already have.

Todd: And we will work with ACHD in terms of that access. That's what we presented to them that they have approved off of the -- the rolling hills into the subdivision. But if during the construction drawing phase, the platting process, what they are looking at -- or, excuse me, the development phase is that they are looking to swing that a little bit north, because they see that that would be an issue. We would be more than open to doing that. We do not take it lightly and that's why we worked with a lot of the land owners along Rolling Hills -- or Rolling Hill Drive and trying to figure out, you know, if -- we have offered speed bumps, we have offered signage. Lighting. We pushed for -- I mean it would be beneficial for our project if Rolling Hill Drive was opened up, but maybe it's a part of the transition of -- as these properties grow and develop that that finally, with some help from Meridian staff, is saying that it is time now to open this road and I think that that's kind of a natural maturation of -- of Rolling Hill, too.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I -- I understand the neighbors would not be likely in -- in favor of opening Rolling Hill to Flat Iron for obvious reasons, because they already have enough people coming and going down there. However, you know, there has been a lot of comments about not being able to make a left onto Overland Road and it would allow those -- those neighbors to just have easier access around their neighborhood. Maybe not make them feel as much rush to sell, because they -- they are -- the struggle the pinch to -- to access their properties from the Rolling Hill-Overland intersection may be alleviated a little bit. So, anyhow, we are here now and --

Todd: Thank you.

Perreault: -- I don't -- I don't know if -- if what I'm saying will change the conversation, but -- yeah.

Todd: Thank you.

Perreault: Wanted to investigate that.

Lorcher: Obviously this application goes to City Council as well, so I would encourage you to give ACHD a call again after you have the results of this meeting and maybe that opens another discussion, like Commissioner Perreault said, to possibly look into a left-hand turn lane or like Ms. Eastman said maybe the words keep clear on that section, so that there is more accessibility and having that discussion during City Council of those ways of being able to move through Rolling Hills. Because, obviously, you can't do anything to the east because the landowner is not cooperating. So, any other questions or comments for the applicant before we close the public hearing? Any final thoughts?

Todd: No. Thank you for your time.

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

Gelsomino: So moved.

Smith: Second.

Lorcher: It has been moved and seconded to close the public hearing for Rolling Hill Subdivision. All those in favor say aye. Any opposed -- any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Well, it's a lot to pack in -- into -- to one thing. I have to be honest, I'm on the fence. One of the things that I appreciate about the City of Meridian is that every application is evaluated individually and regardless of whatever concert venue is across the street, whatever is going on at Silverstone, you know, they are there and we take a look at that in its entire context, but your application is reviewed based on its merit and the way it is right now. I appreciate the fact that you have tried out to reach to the -- to

the east land holder and they are not willing to participate. But I also understand that there is a lot of changes that's going to be happening to Meridian -- excuse me -- Overland Road and adding 184 more units to an area that's super congested already gives me a little bit of pause. I think this plan has been well thought out. I do not prefer the transition from the north regardless of the road and the distance and the houses. The fact that those houses are still there needs to be acknowledged and appreciated, because maybe those landowners won't sell and I think there is nothing worse than when you have land in Meridian and that your backyard you have a big sign that says for future road use and you are like, well, this is my land, I'm not going to sell this quite right yet. So, in-fill is always tough to be able to fit this into this area at this time I think is challenging. I appreciate that you are making an entrance onto Movado, but you are not financially contributing to Movado. That that would collect to View Circle or View Lane, although I would encourage you to look into the road improvements of Rolling Hill. So, I'm interested to hear what the other Commissioners have to say before I render my vote on this.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I think what sits at the heart here is -- is what do you do when the short and medium term interest and a long-term interest of the city and its residents are in conflict or intention. I think it's -- I think it's really clear from the testimony tonight that the developer is -- is pursuing this project in good faith and doing everything they can to make it a really quality project and if you put this in a vacuum, if you look at just this -- this development, I think -- I think it's a great -- great development. I think they are -- you know, maybe there are some things I would tweak with trying to increase the buffer to the west or things like that for existing residents there, but -- but really the -- the -- the critical question mark is this feature collector and I don't think I -- I'm trying to be diplomatic with my words. I think on one hand I don't think it's in the best interest of the city to approve this without having certainty on that collector roadway. On the other hand, I question the long-term benefit to the city to send a message that -- and I'm not -- I'm not trying to say this is anyone's intention, but this is, in effect, what's happening. I don't -- I wonder what the long-term benefit to the city and its residents is if we send a message that you could theoretically hold an entire, you know, area of the city hostage by acquiring land that contains some critical future infrastructure. We are a quasi-judicial body. I think there might be a legislative need to -- to look at this, you know, from -- whether that's City Council or whether that's, you know, looking at Title 67 and LLUPA or something like that. I -- I think where I'm at currently -- and I'm like you, I'm kind of on the fence, I -- I don't know that I can approve this now. I -- I'm -- but if there is this -- this aspect where this -- it's in the city's best interest to see this area developed in the long term and that's all being, you know, encumbered by this one small strip of land, again, from -- from a layman's perspective -- I'm not a lawyer, but I'm thinking is -- is eminent domain a path? You know, are -- but I don't think that the solution is here tonight.

Lorcher: Right.

Smith: So, I think, you know, I also have the pleasure of sitting on the Transportation Commission. I'm going to send an e-mail to Caleb to ask him to, you know, loop in Movado for consideration on the next year's integrated five year work plan discussions and I think that's something that, you know, any movement that can happen from the city -- I mean we can try to take it, but, you know, to -- you know, to take the progress we can, take the steps we can, but I think there is this -- there is just this Gordian knot that sits right on the eastern boundary and I don't know what the solution is, but I don't think it's here tonight and so that's my disposition. I don't think I can approve this --

Lorcher: Okay.

Smith: -- and that -- that causes me to stress. I feel for the applicant. I feel for the -- the landowners. This is -- it's not a great situation. It's an awful situation, honestly.

Lorcher: Right.

Smith: But I don't know that that fix goes through this body.

Lorcher: Okay. Commissioner Perreault.

Perreault: So -- and -- oh, there we go. I'm not a huge fan of the design of the whole project in terms of where the buildings sit. I would love to have seen smaller buildings and -- but I know that they went through this design with staff over and over and over again. The recommendation was made that there be central amenities and that required the applicant to modify essentially what they had designed prior. I -- I don't love seeing this massive asphalt parking lot. I don't think it's visually appealing, but it's necessary if you are going to have commercial use coming in. So, it's not my job to redesign these. I don't -- I don't like how it looks and -- and -- and how I think it will feel, but -- but that for me is not as much of a factor as just being able to accommodate the flow of traffic coming in on Rolling Hills. So, I -- I would like -- I -- I am not in opposition to this application. I think it needs some more work, but I'm not going to recommend that we continue it at the Planning and Zoning Commission level. I think a lot of that can be done before City Council. Having been a City Council member I have a pretty good idea what's going to be asked and what conversation is going to be had. So, I'm in favor of moving it forward to -- to City Council to -- to see their thoughts on -- on what's going to happen with -- with that collector and would just encourage the applicant to -- I know you are taking notes. Encourage you to keep in mind all the things that we discussed and maybe just see how it could be just maybe a little more visually appealing if possible.

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: I will echo Commissioner Smith and -- and the Chair Woman. I -- I'm on the fence. As someone who as of -- up until five -- four years ago was a resident in an apartment complex that was facing on a very congested road, I recognize the -- the safety concerns and I recognize a lot of the traffic concerns, especially -- especially because the exit that I had to take in that apartment complex had no -- had no signal light either. It was just me playing Frogger. If I had made it I made it. If I didn't I didn't. So, I do see a lot of the efforts by the applicant to, you know, improve upon the -- the items that were the cause of denial in the previous revision of this project. But, again, I am -- I am a little bit on the fence, because I do believe that there are those safety concerns that the -- on the transportation side and the infrastructure side that could be improved upon.

Lorcher: Thank you. Commissioner Sandoval, do you have any other comments?

Sandoval: Madam Chair, I will keep this really short and sweet. Same concern on the collector road here. I don't think it's ready to approve. That's my position.

Lorcher: Okay. Thank you. I guess we are ready for a motion. I think you should take these notes. Again this goes to City Council. We have -- we have heard a lot of things today that could possibly add to your presentation to them, but I'm going to say after considering all staff, applicant and public testimony, I recommend to deny City Council H-2025-0040 for the hearing date of March 5th, due to the transition between the north and the -- the -- and the property due to the collector road issues and the congestion on Overland Road. And if I don't have a second, then, someone else can make a motion and the motion dies. All right. No second. Anyone else for a motion?

Smith: Madam Chair, I know this was mentioned a couple meetings ago and I know this was mentioned as something that's rare, but I think in this instance I don't think this is a product of a divided Commission, but I think it's because there is -- the wealth of the Commissioners are -- are severely on the fence.

Lorcher: I am.

Smith: So -- so, with that I think -- personally I think that there is -- part of the discussion is also a legislative component. I think that is something that I can't recommend one up or down to City Council at the moment and so I don't think there is anything we continue, so with that I will be making a motion that is not on here necessarily. So, after considering all staff -- thank you. After considering all staff, applicant and public testimony, I move to forward File No. H-2025-0040 as presented for the hearing of March 5th, 2026, with no recommendation.

Lorcher: So, when you say forward --

Smith: Without a recommendation.

Lorcher: So, you -- when you say forward you mean approve?

Smith: No. I -- I -- I move to send this to City Council without an official Commission recommendation.

Perreault: Second.

Lorcher: Legal, are we allowed to do that?

Breshears: It's my understanding that you need to have an approval or a denial.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I believe this was due to us not having -- the risk of not having votes to send one way or the other to Commission -- I believe Kurt mentioned this was something that we could do. I don't -- you know the law better than I do, obviously.

Breshears: If that's what you have decided to do you have the power to do that.

Smith: Okay.

Lorcher: I don't know. That would be a first for me after six years. So, staff, have you ever heard of a forward?

Smith: I guess not. Okay.

Lorcher: They are all -- they are all shaking their head no. It's going to go forward no matter what; right? Whether -- whether our comments are approved or denied.

Parsons: Madam Chair, Members of the Commission, I can give you some more context if that helps you.

Smith: That would be great. Thank you.

Parsons: Yeah. I will let you -- what decision you want to go with this evening. So, I think you heard a lot of information about transportation and I think we all agree Overland is heavily traveled. I drive it consistently as well and I understand that as -- as well. Looking back at when that apartment complex went into the north of this development -- so, when Rackham East developed this body was concerned at that time and you actually asked the applicant at the time -- you -- you commissioned a study from them to study the intersection of Silverstone Way and Overland, because you were concerned about the traffic. They did that as they transitioned from your body -- from the Commission to City Council. Part of that -- that study did confirm that no matter what approvals are in place that intersection will continue to fail. It was doomed from the beginning, because of all the -- just the way the area is set up and so at that point, though, the applicant was willing to close off Rolling Hill with that emergency

access in favor of continuing to let that intersection degrade. So, regardless of what we do here tonight, whether we approve it, deny it -- staff would feel more comfortable with your -- a recommendation. I know City Council would as well. That's why they appoint you to these positions, because they are looking for your feedback. But, ultimately, we all know whatever happens with this collector road everything is funneling to Overland Road no matter how many roads tie into Overland, because that's just how the area is set up. There is no connectivity to the east to Boise and there -- we have Eagle Road with a major interchange that's occurring in there. So, the best we can -- that's why for us and this application, another signalized intersection is critical and regardless of -- the other part of it is that DA says the city and ACHD can look at reopening that road to Flat Iron and allow other -- other means of egress from this development, so -- but, again, you are funneling more traffic through apartments, through ICCU through a mini roundabout to a signalized intersection that's already exceeding ACHD's thresholds. So, really, that's kind of the dilemma we have here tonight is this is all going to redevelop at some point. It's mixed-use. It's a smaller mixed-use project. The comp plan has policies that say look at the whole -- the area holistically. It's hard to do that when you have just a small piece and we have a major component controlled by one landowner. So, again, you can see all of these discussions that we have had with the applicant. Now you know why we have had eight meetings with the applicant --

Lorcher: Right.

Parsons: -- and we all agree that timing is -- is the concern here and -- and, unfortunately, that's where we are at this evening. So, just at least wanted to let you know that -- some of that previous history and let you know that Overland will continue to have increased traffic on it.

Smith: Madam Chair, I would like to withdraw my motion.

Lorcher: Okay. Thank you very much.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I chose not to second the motion that was made for denial is because I didn't -- I didn't believe it should be denied for those reasons. But I would be happy to try another motion --

Lorcher: Sure.

Perreault: -- that may be for reasons that I think denial should be considered. After considering all staff, applicant and public testimony, I move to recommend denial to the City Council of File No. H-2025-0040 as presented during the hearing of March 5th, 2026, for the following reasons. I believe the applicant has not done sufficient investigation and research into the impact that traffic will have on Rolling Hills and that

in -- in terms of considerations of traffic that exists on there from current homeowners and the impact of -- specific impact of traffic that will come from the development itself and I -- I would -- I believe that we should deny it for that reason. Does that make sense?

Lorcher: Yes. Do I have a second?

Sandoval: Second.

Lorcher: It's been moved and seconded to deny File H-2025-0040. All those in favor say aye. All those opposed?

Smith: Madam Chairman, aye.

Lorcher: Okay. And none opposed? Motion for denial carries. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Let's take a five minute break before -- and, then, the next two applications will be combined together.

(Recess: 7:55 p.m. to 8:03 p.m.)

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

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

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

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

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

Napoli: Madam Chair, Members of the Commission, next item on the agenda is the annexation and UDC text amendment for VanTrust. The applicant requests annexation

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

Lorcher: Okay. Thanks.

Napoli: So, the site is generally located on the southwest corner of Black Cat Road and Franklin Road and as shown on the screen the existing zonings are RUT in Ada county and the FLUM designation is low density employment and mixed employment and for the purpose of this application the applicant has requested we view the entirety of the project as a low density employment FLUM designation. Low density and city employment FLUM designation is defined as low rise and specialized employment areas. The intended land uses for this designation include corporate or business offices, research facilities, and laboratories. In addition, it should be designed to incorporate traditional neighborhood designs, such as pedestrian circulation, connecting to open space, enhanced landscaping, tree lined streets and plazas and the intent behind this is to create developments that are more attractive, engaging and accessible. The applicant is proposing the 340,000 square feet of industrial uses across six buildings and the applicant's narrative states that the proposed use for the property, include light manufacturing and assembly, flex space, warehousing and distribution. The applicant estimates that the proposed development will create over 575 jobs or 1.91 jobs per one thousand square feet. In addition, the applicant argues that low density employment is the best FLUM designation for the proposed development due to this development creating significant -- significantly more employment than traditional industrial developments. The proposed uses are not noxious or nuisance like and architecture and design of the site is heightened. Lastly, the narrative notes that the Meridian -- that the city of Meridian and general region have vacancy rates under five percent for flex spaces. There is the elevations. So, staff has met with the applicant six times over the past year to discuss the project. Throughout these meetings staff has consistently indicated that the proposed annexation cannot be supported without a concurrent comprehensive plan map amendment or CPAM application. This -- this position is primarily based on the project's inability to meet key design elements and the allowable uses within the low density employment designations -- or designation. The applicant's proposal does not align with the intended uses in the low density employment designation and lacks the traditional neighborhood design that is called for. Staff has relayed these concerns to the applicant and they maintain that they are consistent with the plan. I would also like to add that the applicant's presentation will -- shows some changes on the site plan that staff saw for the first time today just for reference. So, they did incorporate some additional neighborhood design elements. In addition, the Ten Mile Interchange Specific Area Plan showed the intended transition away from the residential on the east side of Black Cat to the industrial node next to the future State Highway 16. Staff notes that mixed employment and low density employment designations are limited along the Black Cat and Franklin corridors, including this project. The I-L zoning comprises -- comprises approximately of 40 -- or

54.15 percent of the low density employment FLUM designation and 61.28 percent of the mixed employment designation. These designations are intended to support a mix of employment and service uses to support employment and residential in the area. With industrial taking over these FLUM designations the area will lack key elements of the plan, including office and employment uses, supporting services for the surrounding employment and industrial and residential. In addition to this it adds significant amount of truck and freight traffic on the Franklin and Black -- the Franklin, Black Cat and Ten Mile corridors that were not contemplated when the Ten Mile Specific Area Plan was created. And I overlaid a lot of the developments that are here on the Ten Mile -- the Ten Mile, Black Cat, Franklin area that has -- some of them have been built -- as you see in the orange these are buildings that are under construction or have been constructed. You, obviously, have the existing subdivisions here and on the north side of Franklin. But the rest of it that is not highlighted, which -- but the non-highlight portion is yet to be built, which means the traffic impact for this area has not been felt on these roads yet. In this picture it roughly depicts about 22,000 -- or 2,284 residential units and 4,318,000 square feet of commercial and industrial space within this mile and a half radius -- mile or mile and a half stretch of the larger area. Staff is asking the Planning and Zoning Commission to carefully evaluate whether this continued expansion of I-L into the low density employment and mixed employment FLUM designations is appropriate. So, access to the site is proposed off a future collector that will connect to Black Cat Road. They are proposing an emergency access point off of Franklin Road through a shared access point with Butte Fence on their western boundary. So, in early -- late January, early February ACHD provided the applicant comments and ACHD and city staff determined that the only access to Franklin Road is a shared access with Butte Fence and as a result the applicant edited the site plan in early February to eliminate two frontage buildings along Franklin Road and expand their large bay industrial buildings. They, then, shifted all the access points to the collector on the southern portion of the site and ACHD staff report did indicate that the anticipated trip generation for this development is 1,119 vehicle trips per day. Staff agrees that there may be a strong market demand for industrial uses, but the plan specifically says the intent of the Ten Mile Interchange Specific Area Plan is to create a place that will provide long-term economic stability for the City of Meridian and not just respond to immediate market forces and trends. All right. And I'm going to move on to the UDC text amendment. So, the applicant is proposing to amend the flex based standards to lower the office requirement in the I-L zoning from 20 percent to ten percent and the applicant asserts that this change would better align with current market conditions and remove an existing barrier to leasing flex space in Meridian. So, staff is currently working on a broader -- a broader code amendment to address the flex based standards that were most recently adopted by City Council on June of 2025. Staff has informed the applicant that the -- that staff is processing this code change and to address inconsistencies in the new -- newly adopted standards. However, the applicant has elected to proceed with this separate text amendment. Staff does not support the proposed UDC text amendment, as it allows for implications beyond the individual development. While the applicant notes that flex space vacancy rates in Meridian are critically low, they also contend that current flex based standards present -- present a barrier to leasing, which staff finds to be contradictory. Additionally, within the I-L

zoning district warehousing is permitted -- a permitted use that already allows an office component up to ten percent. So, that would be a maximum of ten percent. Adoption of the flex based amendment would perpetuate inconsistencies in the code, including land use percentages that do not add up to one hundred percent total for the floor area of a building and would effectively allow flex space to function identically to warehousing. So, staff agrees that revisions to this section of code are warranted. However, the applicant's proposal -- proposed amendment is narrowly focused on a single development and does not adequately consider citywide impacts. Staff has met with the UDC focus group, which is -- typically consists of city members and local developers -- to discuss proposed revisions and will be presenting these changes to the Planning and Zoning Commission and City Council later this year and those -- we actually -- there was actually a meeting earlier this week with the UDC focus group. So, staff is recommending denial of both applications and has not received any written testimony and I will stand for any questions.

Lorcher: Would the applicant like to come forward?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: May I ask staff a question very quickly?

Lorcher: Sure.

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

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

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

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

Perreault: So, all approved, but not constructed.

Napoli: That's correct. And the total square footages that were based off of the development agreements -- I went through all the development agreements -- you have 4,318,000 square feet of commercial industrial and approximately 2,284 residential units.

Lorcher: Okay. Would the applicant like to come forward? If you could state your name and address for the record, please.

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

Lorcher: Thanks.

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

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

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

Lorcher: Okay. Thank you.

Nelson: Thank you, Madam Chair and Members of the Commission. My name is Deborah Nelson. My address is 601 West Bannock Street in Boise. I'm a land use attorney with Givens Pursley and I have got a number of other team members here with us this evening. Jason Densmer from The Land Group. Tyler Martin from TOK Commercial. Hunter Lake from VTRE. And Danielle Strollo from my office, who are all here available to provide information and answer questions. As Nick mentioned we have got two applications that are before you, the annexation and zoning to I-L and the code amendment request regarding the minimum office space. We will also have to come back before the city for a preliminary plat and design review, so that we can finalize the detailed platting and design elements that would accompany a landscape plan and architecture details. As Nick noted, we did not seek a plan amendment as -- to accompany this application and that's because amending the Comprehensive Plan, the Ten Mile Plan from low density employment to any -- isn't necessary to support I-L zoning. That's the -- LDE is the majority of the property and in the capability matrix,

which we will walk through, that supports I-L zoning. The city has previously approved I-L zoning on the LDA -- LD -- LDE designation within the Ten Mile area. We are asking for the same thing that has been approved. So, Planning staff's concern is really fundamentally about the end use. They -- they have told us they prefer to have a -- more of a traditional office park here versus the light industrial space and so we will -- I will address these concerns and try to show how the plan supports that I-L zoning and how the proposed light industrial space that we are providing does support employment that's appropriate for this location, as -- as well as or better than office could do in this location. The location we have already touched on. For the interest of time I will just move along and we are -- this is the conceptual site plan. We will get into a little bit more details about this. We are proposing 339,000 square feet of flex, warehousing and distribution space, with six buildings and two building types and all six buildings are designed for multi-tenant use with demissable spaces. So, these can change based on tenant demand. This flexibility helps to attract and keep employers in -- in Meridian, because as businesses grow they might outgrow their smaller space, but can stay on site and move into a larger space. Our two building types include a medium format shallow bay building. We have got two of those. These have tenant spaces that range from 18,000 square feet, serving local services and light manufacturing businesses. And, then, we have small -- four small bay buildings. These are flex spaces and they have tenant spaces as small as 2,700 square feet. So, serving much smaller businesses. We are not providing any of the large cross-bay type warehousing and distribution that is located in the general industrial area. Instead we -- given our sizing we expect to be serving between 30 to 40 small to medium businesses on this site with clean, quiet, non-hazardous, indoor, light industrial uses that provide employment. The property, as I mentioned, does have both -- and you heard from Nick as well. The LDE and the MU designations. The majority is the LDE consistent with the -- the Comprehensive Plan. We have aligned our project with that majority, as is allowed in the Comprehensive Plan to use an adjacent property that way. The LDE designation supports the I-L zoning as listed in the zoning district compatibility matrix, which is included in the Ten Mile Plan and the reason we are requesting the I-L zoning district is because it's the most flexible for the types of tenants that are looking for flex space with more permitted and accessory uses that are better aligned with the exact target industries that we believe are both in demand and are looking for this type of space. And this existing LDE designation is the right conceptual fit for the project. And consistent with the plan we are providing specialized employment in a variety of flexible spaces, with convenient circulation and without retail. Our site includes landscaping, pedestrian circulation and connection to gathering spaces for employees. Our buildings also meet the LDE description of one to three stories. Five -- between 5,000 and 150,000 square feet and a floor area ratio of less than .75. As I mentioned, detailed landscape plans will accompany the plat and -- and also the buildings will be reviewed at design review. But in light of staff's feedback we have added some elements to the conceptual site plan now to show where these open space areas will be. So, each building will provide a gathering space for employees with landscaping and seating. We will also add a public art element at the site's entrance that's consistent with the Ten Mile Plan elements. Sidewalks and crosswalks will provide connectivity through the site connecting pedestrians to the buildings and open spaces. And here are some

conceptual building elevations consistent with the Ten Mile Plan. The buildings will include articulation, fenestration and be built to scale, so that they don't dwarf pedestrians. The building facades along Franklin and the new collector will include glazing and fenestration to create an inviting appearance and provide compatibility with other uses across Franklin. The small loading docks that will accompany the two medium format shallow bay buildings are oriented to the interior of the site, limiting visibility to adjacent properties. And here you can see some conceptual renderings of the smaller micro bay flex buildings with differentiated facades, distinctive entrances and attractive landscaping. VanTrust has signed guidelines for all their projects, so there will be a cohesive appearance in project signage, consistent with the Ten Mile Plan and approved through design review. The collector road that Core&Main has begun to construct on our east will be extended on site to provide access to the project and this will be designed with the neighborhood feel, including landscaping, a multi-use pathway and two lanes of traffic adjacent to the project. ACHD did not require a traffic impact study for this application as this is just an annexation and zoning at this stage. There will be further studies that are done with their preliminary plat before development can proceed and they did provide comments on the -- on the project, including to note that we needed to align our accesses only on the south and the new collector, that no access would be allowed on Franklin. That the site is served by transit and that currently the surrounding roadways meet ACHD's level of service planning threshold. They also note that both Black Cat and Franklin are planned for expansion in the CIP. The Franklin improvements in particular are scheduled for 2027 with expanding to five lanes with bike and -- and pedestrian facilities. The staff report did note a concern with truck traffic, but VanTrust does have experience with exactly this product and they have seen that in the flex space traffic is almost entirely light truck and standard vehicles and for the two midsize buildings the trucks accessing the -- these uses are approximately 70 percent smaller box trucks and only 30 percent in the semi-truck or larger truck range. This project will have a significant positive impact on the city. It is expected to bring 575 jobs based on existing employment at similar flex and light industrial spaces in Meridian and Boise and at least 26 million dollars in annual payroll impact based on U.S. census data for wages in Meridian. The types of companies that are expanding into these spaces include LED light manufacturers, plumbers, electricians and tile installers, as well as high tech employment in the semiconductor manufacturing industry, that as the supply chain companies are starting to move to the valley to support the Micron expansion. A recent example of this in Meridian is JST Manufacturing, who came here for that exact reason. The targeted tenants for this project are in some of the valley's top employment industries that are still growing and need space and these are construction, manufacturing, wholesale, trade and transportation and warehousing. And unlike office employees, the jobs in these hands-on industries are less susceptible to being eliminated by AI. These are more sustainable jobs for the future. The same industry sectors support good wages, with average wages well above Meridian's average wage of approximately 24 dollars an hour, with wages ranging from approximately 29 to 38 dollars an hour. Staff's argument against this use is that it's a prime area for professional office jobs, but Class A office, developers and tenants want adjacent retail and restaurants, ideally with integrated residential and access to a major intersection. You can see that there are numerous

office developments along Eagle Road close to I-84. The activity just down the street at Ten Mile and 84 also illustrates this mixed-use concept that is attractive to office tenants closer to homes and planned commercial amenities and interchange. And more details here about the district, with the types of commercial uses that serve those offices. These sites are very different from what we have at this property, which is surrounded by existing and planned industrial uses, including some immediately to our west and east that have outdoor uses. For us this projects with planning light industrial and flex industrial. This is a great location. Will be compatible. This will fit well. But if you are looking to site a traditional office park, a developer is not going to find this location as desirable. You have got light industrial here around this site and, then, you have heavier industrial to the west and -- as you get closer to the Highway 16 interchange. Demand for this product is high. The development that is to our south is leasing up very quickly and just looking at the existing listings in the Meridian sub market TOK Commercial compiled this data for us and there is currently a total of 24 flex spaces that are available in Meridian and a range of sizes and 33 percent of these listings are over 25,000 square feet. This large format product dominates the available supply here and yet there have been zero leasing activity in that size category over the past 12 months. Meanwhile, the small bay supply is being absorbed fast and the zero to 10K size is 37.5 percent of all the listings, but faces the highest transaction volume. So, this product -- this project small bay and mid spaces really address the demand that's in this red box here on this slide and this is the size range where Meridian tenants are actively seeking space. So, I will turn to the -- the code change. As -- as has been noticed -- noted already we are requesting a reduction in the required amount of office space in the I-L district from 20 percent to ten percent. This is the same reduction that was approved by the city in August for the ME zone and really based on the same reasons, that having a required minimum office limits the tenant flexibility in these flex industrial spaces. So, here are some examples of conceptual floor plans that VT area has done in other locations and they will certainly have the opportunity to provide this kind of build out here. You can see a variety of office setups with -- with walls and some open workspace opportunities. But this is driven by the tenant. So, the tenant may want this kind of configuration and, then, they could have that or they may want a more flexible space, with open work stations instead of walled off areas. That's the nature of the working environment for these users. It doesn't mean that they have fewer employees simply because they have fewer walls around their working spaces. So, in short, this is the right project at the right time for this part of Meridian given this location. This provides a nice transition from our mixed uses that are across Black Cat to the east, to the heavy industrial that's to our west. We will continue to build out the area consistent with what has been approved by the city with this light industrial flex space that is clean and quiet and non-noxious, non-hazardous, but it still provides that great opportunity for mixed employment that is called for in your Ten Mile plan. With that I will stand for any questions.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

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

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

Smith: Madam Chair?

Lorcher: Commissioner Smith.

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

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

Smith: Thank you.

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

Perreault: Madam Chair, may I ask a question?

Nelson: Okay.

Lorcher: Go ahead, Commissioner Perreault.

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

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

Smith: Madam Chair?

Lorcher: Commissioner Smith.

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

Nelson: Madam Chair, Commissioner Smith, it's important that we are very clear about that. We -- we will have warehouse and distribution uses here. That's why we have sought the I-L zone. So, that will be a part of it. The nature of the -- of those uses is

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

Smith: Thank you.

Lorcher: Okay. Thank you very much.

Nelson: Thank you. Appreciate the questions.

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

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

Martin: Thank you very much.

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

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

Lorcher: Okay.

Martin: I am an industrial broker with TOK Commercial. I'm working with the applicant. Really came up here to speak to you about jobs. Similar testimony I gave to City Council late last year. You know, this -- this type of product is what's very very much in demand in the market. As we have talked with staff there has been a lot of comments about different types of development to support jobs and I had a couple of comments real quick to clarify. So, if you look at the aerial map of the Ten Mile Plan and you go to the west it shows all that light industrial land to the west. It's not developable, to the best of my knowledge. There is no sewer capacity. So, the market's demanding this light industrial flex space, but there is large sections that aren't developable just because of utilities, infrastructure, other concerns that are a long way in the future. Also just speaking to staff real quick -- or countering -- as far as mixed employment, as we have gone through this plan, mixed employment on the front, that was actually the applicant's initial desire was to kind of phase this development -- not of mixed

employment, but a product type that was -- that had more transition, kind of lower ceilings to higher. Without access to Franklin Road -- and I don't mean to speak for you all -- but without access to Franklin Road you can't have those more retail traffic orientated uses, because they have to come up the collector street and, then, go through what is, essentially, you know, parking lots and truck bays. If there was access to Franklin Road -- direct access to Franklin Road, then, you could support more retail type uses or more mixed employment type uses. Primarily what I want to talk to you all about, though, was just employment numbers. We surveyed 800,000 square feet of space in the market, door knocked over 80 doors just to see how many jobs were in each of these buildings. We started in Boise for this testimony. I focused solely on Meridian. In Meridian we -- I forgot my glasses. We surveyed 400 -- we have responses from 442,000 square feet of space. In those spaces -- and that was 40 different companies in Meridian. In those spaces there was one employee for every 468 square feet. These are high employment spaces and it's not always the employees in the building itself, they have out -- they have staff working from home. They have staff in the field. There is a lot of jobs that flow through these buildings. Very high demand. I also wanted to share just some recent work that I have done -- only clients that I have worked with. Recently or currently I have worked with five clients that identified Meridian as their core where they really wanted to be based on traffic flow, employees, whatever -- where their customers are. Of those we were able to land one in Meridian. Those companies employed similar numbers -- some of them had one employee for every 262 square feet, but there was no space available in Meridian. So, we ended up in Boise -- primarily in Boise. But it's all about -- they were unable to find space. Meridian has identified locations. We were unable to find anything that worked. Moved to Boise to find existing space. I'm open for any questions. I would love to answer some questions actually. I'm much more comfortable that way.

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

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

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

the next ten years with the ACHD project and -- and Highway 16, so I'm in it for the long haul as far as construction. Madam Clerk, do we have any other people to testify?

Lomeli: Madam Chair, I have Keith Whiting.

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

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

Lorcher: How many acres do you have?

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

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

Whiting: Exactly.

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

Whiting: That's correct.

Lorcher: Okay.

Whiting: Yeah.

Lorcher: Okay Thank you very much.

Whiting: Thank you.

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

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

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

Whiting: Okay. Thank you.

Lorcher: Thanks.

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

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

Nelson: Madam Chair, if it's all right I will get us started and, then, if anybody wants to add in they will come and add into this. So, we will start with Mr. Whiting. I think that the main thing that we want to do is build -- we have to come forward to -- to the city and build within your plans and so this is the -- the -- the designation exists on our plan and on his plan and so by building out consistent with what's called for in the city, then, we aren't creating any new conditions that aren't already contemplated by any buyer of the property. I think it's when you -- you come forward and do something that's different than the plans that you could change that. But from my perspective of representing developers, when you see a successful development adjacent to you that increases the value and so, you know, having the other projects that are approved to our south and the Core&Main property to our east help support this project as well when you are bringing in consistent uses and so I would expect that that's going to increase the value of Mr. Whiting's property with a successful decision here. If -- if the property was not approved and instead it was for such a reason of, no, we are going to hold off and wait and see if anybody wants to develop this as a traditional office park, then, I would think that is not positive for his being able to sell that property to a developer. So, I guess just turning to the -- the discussion of -- of the no -- no CPAM here. You know, the comment from -- from staff here was that -- you know, that they maybe there is additional design elements. We aren't aware of the additional design elements that would come in from the -- the ME designation. You know, I think it might help to look at, you know, one of these tables from the Ten Mile Plan. You can see the -- the red and the blue box there of the different features and the elements that are called for. Everything's the same except for under the 3-3-4, the buildings to scale. There is an extra requirement in the LDE. You know, LDE buildings are -- are lower. They are one to three stories. We meet that. So, we -- we meet -- we meet all the specifications and I read those off earlier with the being below the -- the floor area ratio. We are within the square footage sizing. We have got -- and now -- and -- and to staff's credit they didn't have this information. We have added the features. They have added all of that we have said would be addressed in the future detailed landscape plan that comes forward with the plat. But we have brought that forward to show that on our conceptual site plan now to

address some of their concerns about those elements and so, hopefully, that also helps their concern about those design elements by bringing in, you know, the item that's -- the items that are mentioned here, including like the public art, having the connectivity to the -- the public spaces, having those gathering spaces and so when you look at the images in the plan, the -- the uses that we are proposing fit better with the look of the LDE, that the ME tends to be a little more office parky looking, but, you know, the -- the table that -- the zoning matrix table does support both uses -- both of the zones support -- excuse me -- both designations support the I-L zone. So, if -- if staff truly is of the opinion that the I-L zone is fine and our use is fine, they wanted additional design elements, you know, maybe we have addressed this, that -- these now by bringing forward elements they had not seen yet or if there are additional design elements that, you know, the Commission feels are necessary based on staff's recommendation, then, those could be added as conditions of approval and we can, you know, see if those can work for us or take those up with Council. But it -- it's really the -- fundamentally we are here to confirm the zoning. We are annexing and seeking I-L zoning and I-L zoning is consistent with your Ten Mile Plan, compatibility zoning matrix, it is what the city has approved on adjacent developments, including one with or without the CPAM, but there is nothing in the plan that says you have to do that. That's just a choice. So, again, if there is design elements that that brings to the city we would -- you know, we are open to that consideration and that doesn't require a denial. That would be an -- an approval with a condition. So, stand for any questions you have. Or any other comments from the team. Okay.

Lorcher: Commissioners, do we have any questions?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

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

Nelson: Madam Chair, Commissioner Smith, no. No, we don't. This is the -- the uses that we expect -- you know, they are allowed in the I-L zone that we believe are what this applicant plans to build here that meets the market and so we do expect it would be consistent with I-L zoning uses. Similar to the approved projects that have come forward in the city. I mean Core&Main also has I-L and so does the -- the larger development -- the 130 acres to our south all have I-L. So, they took different processes to get there, but they have the same result. There is nothing that requires doing an extra process to get to the same result here.

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

Nelson: Madam Chair, it just limits the flexibility that tenants have and so to have the most successful project we would, you know, urge the city to strongly consider that I-L

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

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

Nelson: Thank you.

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

Smith: So moved.

Gelsomino: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

Parsons: So, Madam Chair, Members of the Commission, before you get -- dive into these two topics I just wanted to at least give you some context on the -- the code amendment. It -- it doesn't go far enough. That's -- that's why we wouldn't -- we didn't want to -- the applicant to have to take that on. When Council made that change in I think it was October last year or September -- August maybe. Sorry. August. They changed the office component for the flex space, but they did not change the warehouse component. So, those numbers no longer match -- sync up with what the intent of the Council was at the time and that's what we conveyed to the applicant. So, it's not that we don't disagree with them, it needs to change, it's just that we feel we are better suited to do it than they are, even though it's not on their timeline. So, at least wanted to give you some of that context on the code change. The other -- there is some -- there is some differences here that I at least want to express to you and I appreciate the applicant saying that they are willing to work with staff and make changes, because I have been in a lot of those meetings with the applicant and we have expressed numerous times pedestrian connectivity -- some of those pedestrian scale elements, some of the integration. I recall one time I expressed to them showing how

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

Lorcher: Yeah.

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

Lorcher: Right.

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

Lorcher: Thank you.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

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

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

don't have to impact the roadways. They can live, work and play in this area. That was the vision for Ten Mile. So, again, we have to be cognizant of that as we are looking at land use applications in -- in the Ten Mile Specific Interchange Area.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

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

Lorcher: For either.

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

Lorcher: Okay.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I agree with Commissioner Smith. I -- I'm -- at this time don't feel comfortable with supporting a -- a text amendment without more information. But also I appreciate the -- the applicant's pursuit in -- in trying to make this something that fits the area and I think that all in all the design is good. I think the -- I can see the need for this specific type of -- of product. It's just a matter of making sure that, you know, that the end use doesn't justify -- doesn't justify an approval, unless it's gone about in the way that -- that works, that -- with, you know, what our current structure is with -- with our codes and with our comp plan. So, I think what -- what I'm hearing is, hey, we like the end use. Is this the right place? Is this the right location? Is this -- is this the right way

to have actually gone about the process. So, I agree with Commissioner Smith, I -- if the applicant feels like after this hearing that there is things they can do to improve the application that would meet some of the concerns that have been presented or -- or maybe there has been clarity, that's had tonight that wasn't there before, then, I'm open to the idea of doing -- of continuing the application. Is there any interest in opening the public hearing to hear from the applicant on that question or --

Smith: Madam Chair?

Lorcher: Commissioner Smith.

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

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

got to do a DA mod. But that's not for this applicant and I think that -- like I said, it is in demand, I just think -- it sounds like there was some miscommunication or misinterpretation and just not enough information that staff got to be able to say, yes, we can support this with the comp plan amendment and we said it was going to be difficult to support without these things being addressed even with a comp plan amendment. So, I do see where Deb and them are coming from on that.

Smith: Madam Chair?

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

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

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

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

Gelsomino: So moved.

Smith: Second.

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

Perreault: We need to vote on that.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

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

Lorcher: Hold on one second.

McCluskey: Yeah.

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

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

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

McCluskey: That's correct.

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

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

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

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

Napoli: Go ahead.

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

Napoli: No problem. Go ahead.

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

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

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

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

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

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

Lorcher: Okay. Thank you.

Smith: I would prefer an intact hairline as well.

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

Smith: So moved.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

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

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

Sandoval: Nothing from me.

Lorcher: Okay.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

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

Gelsomino: Seconded.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: I will take one more motion.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Move to adjourn.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 9:22 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

MARIA LORCHER - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK