

Meridian Planning and Zoning Meeting

August 21, 2025.

Meeting of the Meridian Planning and Zoning Commission of August 21, 2025, was called to order at 6:00 p.m. by Vice-Chairman Jared Smith.

Members Present: Commissioner Jared Smith, Commissioner Matthew Sandoval, Commissioner Jessica Perreault, Commissioner Sam Rust and Commissioner Matthew Stoll.

Members Absent: Commissioner Maria Lorcher and Commissioner Brian Garrett.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons, Sonya Allen, Nick Napoli and Dean Willis.

ROLL-CALL ATTENDANCE

<u> </u>	Brian Garrett	<u> </u> X <u> </u>	Jessica Perrault
<u> X </u>	Matthew Sandoval	<u> </u> X <u> </u>	Matthew Stoll
<u> X </u>	Sam Rust	<u> </u> X <u> </u>	Jared Smith
	<u> </u> Maria Lorcher - Chairman		

Smith: Good evening. Welcome to the Planning and Zoning Commission meeting for August 21, 2025. 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. We also have staff from the City Attorney and City Clerk's Office, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting, however, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will, then, be unmuted and, then, able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch this streaming on the city's YouTube channel. You can access it at meridiancity.org/live. With that let's begin with a roll call. Madam Clerk.

ADOPTION OF AGENDA

Smith: Thank you. First item on the agenda, then, is the adoption of the agenda. There are no changes to tonight's agenda. Can I get a motion to adopt the agenda?

Stoll: Move to approve.

Rust: Second.

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

MOTION CARRIED: FOUR AYES. THREE ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of the August 7, 2025 Planning and Zoning Commission Meeting

Smith: The next item on the agenda is the Consent Agenda, which includes to approve the minutes of the August 7th Planning and Zoning meeting. Could I get a motion to adopt the Consent Agenda as presented?

Rust: So moved.

Stoll: Second.

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

MOTION CARRIED: FOUR AYES. THREE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Smith: At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will then come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will, then, open the floor to public testimony. Each person can be called only once during public testimony. The clerk will call the names individually of those who signed up on our website in advance to testify. You may come to the microphones in Chambers or 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 presentation for the meeting it will be displayed on the screen and our clerk will run the presentation. If you have established that you are speaking on 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 three minutes. After all those who have signed up in advance have spoken we will ask for any others who may wish to testify. If you wish to speak on a topic you may come forward in Chambers or press the raise hand button on Zoom or if you are only listening on a phone please press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please, be sure to mute those extra devices so you do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. And please remember we will not call on you a second time. After all testimony has been heard the applicant will, then, 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 the opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed.

ACTION ITEMS

2. Public Hearing continued from August 7, 2025 for CapEd at Ten Mile (H-2025-0026) by Megan West, Slichter Ugrin Architecture, located at 657 S. Vanguard Way

- A. Request: Conditional Use Permit for a detached two-lane drive-through for two self-service automated teller (ATM) kiosks within 300 feet of another drive-through on 1.489 acres of land zoned C-G.

Smith: With that being said Item No. 2 on the agenda is H-2025-0026 for CapEd at Ten Mile for a conditional use permit. We will begin with the staff report.

Starman: Mr. -- Mr. Vice-Chairman, before we start can we confirm if we have all the commissioners online.

Lomeli: Commissioner Sandoval has left and then rejoined. Can you hear us, Commissioner Sandoval?

Starman: Mr. Vice-Chair, I think two thoughts for you. One is if we can postpone just for a moment and see if we can fix the technical glitch that's one option. Secondly, if -- if we can't confirm that Commissioner Sandoval is able to fully participate, then, he may not just be able to vote on this first public hearing. So, I will defer to the chair's desire here, but --

Smith: Okay.

Starman: -- we think we have a solution in place, Madam Chair, or should we press on?

Lomeli: Yeah. I think it might be his connection at this time, because he is joined, I can see him and I see when he unmutes, but I have tried texting him and I haven't heard back, so I'm not sure if he is hearing us at all. I can keep --

Sandoval: Can you hear me now?

Lomeli: Yes, we can hear you.

Sandoval: Okay.

Lomeli: Thank you.

Smith: We could have the record show that Commission Sandoval is fully present at 6:06 p.m. We are good to go. All right. We can begin with the staff report then. Thank you.

Napoli: Good evening, Mr. Chair and Members of the Commission. Yeah. Next item on the agenda is the conditional use permit for CapEd Credit Union. The applicant is requesting a conditional use permit for a detached two lane drive-through for two self-serving automated teller kiosks with a bypass lane for a drive-through that is within 300 feet of another drive-through. This is the site plan. They are meeting all the UDC requirements for the site parking. All of that. The site is located at 657 South Vanguard Way. The existing zoning on the site is C-G and the FLUM designation is commercial, which a bank is consistent with -- a bank is a permitted use in this zone. It's just the automated drive-through for the kiosks that require the conditional use permit. So, the proposed use includes construction of a 10,884 square foot building along with a detached two lane drive-through structure measuring 16.3 feet in height. The drive through will serve two self-service automated teller kiosks operating 24/7 and the landscaping is proposed along two -- two perimeters of the property. Staff has no concerns with this. We haven't received any written testimony. We are recommending approval and I will stand for questions on this one.

Smith: Do any Commissioners have questions for staff? Would the applicant like to come forward and, please, state your name and address for the record.

Dixon: Good evening, Commissioners. I am John Dixon with Slichter Ugrin Architecture at 415 South 13th Street, Boise, Idaho. I am here on behalf of Slichter Ugrin and the applicant Megan West. I -- we don't have anything else to add to this presentation. We believe the staff report addresses the need of the CUP and the intentions adequately. So, I will be here for further questions if the Commission has any additional questions. Thank you.

Smith: Are there any questions of the applicant? All right. I think we can, then, move on to public testimony. Is there anyone signed up to testify, Madam Clerk?

Lomeli: Thank you, Vice-Chair Smith. No one has signed up.

Smith: Is there anyone in the audience or on Zoom that would like to testify? All right. I will take a motion, then, to close the public hearing. So sorry. We are one off. Would the applicant like to come forward for anything else? Okay. Now I will take a motion to close the public hearing.

Stoll: Move to close the public hearing.

Rust: Second.

Smith: So, it's been moved and seconded. Can I get -- all those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Smith: Any discussion? I think it's pretty straightforward. These kinds of drive-throughs tend to be pretty, you know, lower in volume relative to some of the restaurant type drive-through that we see. So, I don't have any concerns. Could I get a motion?

Rust: Mr. Commissioner, after considering all staff, applicant and public testimony, I move to approve File No. H-2025-0026 as presented in the staff report for the hearing date of August 21st, 2025, with no modifications.

Stoll: Second.

Smith: It's been moved and seconded. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

3. Public Hearing continued from August 7, 2025 for Ten Mile Flex (H-2025-0027) by Jeff Hatch, located at 4255 N. Ten Mile Rd.

- A. Request: Annexation of 5.55 acres of land for the construction of approximately 15,900 sq.ft. of flex space and 70,250 sq.ft. of self-service storage (storage condos) in the I-L zoning district.

Simison: Thank you. Item No. 3 on the agenda is H-2025-0027, which requests annexation for Ten Mile Flex which are self-storage condos at 4255 North Ten Mile Road. We will begin with the staff report.

Napoli: Mr. Chair, Members of the Commission, next item on the agenda is the annexation for Ten Mile Flex. The applicant is requesting annexation of 5.55 acres of land for the construction of approximately 15,900 square feet of multi-tenant industrial and 70,250 square feet of self-service storage or storage condos in the I-L zoning district. The site is located at 4255 North Ten Mile Road and as shown on the screen the existing zoning is RUT in Ada county and the FLUM designation is mixed use nonresidential. This is the annexation exhibit. So, yeah, the purpose of the mixed use nonresidential designation is to designate areas where new residential dwelling units will not be permitted, as residential uses are not compatible with the plan or existing uses in the area. For example, the mixed use nonresidential areas are near the city's wastewater resource recovery facility and where heavy industrial uses or other hazardous operations are needed and buffered from residential uses. So, the applicant is proposing two different types of uses on the site and has worked with staff to achieve this. Self service storage on the rear or storage condos and multi-tenant industrial buildings fronting on Ten Mile that will provide employment. The self-service storage condos are heightened use for storage as they will be bought individually for luxury storage, so it will be more of a -- they will condo the actual buildings and they will sell them, where the land will still be owned by the developer however. The multi-tenant

industrial buildings will be allowed to develop with all the uses allowed in the UDC with the exception of a storage facility self-service and storage outdoor. We restricted these uses as staff, because these -- primarily these units on the frontage are to provide employment. That is the main reason for them. We worked with the applicant to achieve that. At first it was all proposed to be storage and the applicant worked with staff to provide some employment uses. So, like I said, the self-service storage will be part of phase one with all the site improvements and the multi-tenant industrial buildings will be part of phase two to be developed at a later date. Access is proposed off a North Ten Mile Road, which is an arterial street through a single curb cut. The applicant has condensed the two access points to Ten Mile that currently exist into a single one in the form of Dock Lane, which is a private access easement that actually does lead to a county property just to the west that is still a residential use. This is a 30 foot access easement that runs on the northern portion of the property and will provide access to the west and will be improved with this application. The applicant will be requesting City Council waiver to reduce the landscape buffer -- the 25 foot landscape buffer to residences to the southwest and to the north. To the south and to the west they will be asking to reduce it from 25 feet to ten feet and to the north they will be asking to reduce it from 25 feet to 15 feet. This will ultimately be a City Council decision. However, if you guys do have comments on it tonight we can take that into account. So, staff has not received any written testimony on this application and we are recommending approval and I will stand for any questions you have.

Smith: Do any Commissioners have questions of staff? All right. Would the applicant like to come forward. And, please, state your name and address for the record.

Hatch: Jeff Hatch with Hatch Design Architecture. Our address is 200 West 36th Street, Boise, Idaho. 83714. Good evening, Commissioners. Thank you for your consideration of our annexation application this evening. Staff did a great job of indicating the location of our property. Based on the recommended zoning map for annexation, the majority of the property to the south of us is light industrial and we would just be proposing to oblige with that zoning, as well as the future land use map designation. The proposed project, working with staff, they wanted more of a street presence, more curb appeal and more ability to engage the general public along Ten Mile, so I think in working with them, both from the frontage standpoint, landscaping and, then, also the appearance of the buildings, we wanted to make sure that we made that Ten Mile corridor what Meridian envisions it. We also see that this flex business driven component is complementary to self-storage and the residential neighbors. So, we thought that that was a good feedback from -- from the city and we were happy to oblige that. In addition for future connectivity, our keynote number one has our pedestrian sidewalk going all the way to the west for future development, not only just for our site, but also the development to the west and to the north and, then, in addition to that we are anticipating some cross-access conditions on the north and south of our property as well, which are indicated with that keynote annotation number two. As staff mentioned, we did have a neighborhood meeting and discussed with our neighbors as far as the consideration for reducing some of our landscaping buffers, especially with the roadway extension that's being proposed on the north, that request, as well as the

ones to the west and south seem to be supportive from neighbors. They don't have concerns and we have been able to get letters of support from those neighbors substantiating that. As far as the flex buildings and what we would see from Ten Mile, here is an example of what that would look like and so with that we are wanting something that has more of a commercial presence, but has nice shadow lines, nice materials and is engaging to both the pedestrians, but also people driving down Ten Mile. Keeping the same language, but paring it down into more of a condo product, we have the storage condo examples as well and I will stand for any questions.

Smith: Commissioners, are there any questions for the applicant?

Stoll: Mr. Chair?

Smith: Commissioner Stoll.

Stoll: Mr. Hatch, you are requesting a variance for the berm width? How many properties is that adjacent to that that would impact?

Hatch: Commissioner Stoll, we are requesting a reduction, which could be considered a version of a variance. The landscape buffers on the north and the west and the south, which I believe from our vicinity map would be three properties.

Stoll: Okay. And in the public hearing documents I saw two letters of support from property owners. What's the status with the third property owner?

Hatch: Commissioner Stoll, we have reached out to that property owner. We have also provided them in writing the request. We have not heard back from them --

Stoll: Either even verbally or --

Hatch: They didn't come to our neighborhood meeting and we haven't received correspondence from our requests at this time.

Smith: Any other questions?

Stoll: I'm good.

Smith: All right. Thank you. We will now move on to any public comment. Madam Clerk, is there anyone signed up to speak?

Lomeli: Thank you, Vice-Chair Smith. I have Chris Adler. I also have Larry and Deborah Bowman. Okay. Did Larry or Deborah want to speak? All right. No one else has signed up.

Smith: All right. Is there anyone on Zoom or in the audience that would like to speak? All right. Would the applicant like to come back forward? And your name and address for the record.

Adler: Chris Adler. 6554 North Fox Run Avenue, Meridian, Idaho. 83646. Good evening, Commissioners. Thanks for the opportunity to speak. My name is Chris Adler. I live just a couple miles from here in Meridian with my wife and our two boys. I'm here because this community is our home and not only is the person bringing this project forward, but as a neighbor who cares deeply about contributing to the future of Meridian this project is about being part of the growth of the city that I'm proud to call home. Meridian has been a wonderful place for my two boys to grow up in and I want to help ensure it continues to be a place where families and businesses feel supported and able to grow. I'm committed to making Ten Mile Flex a project that not only fits the character of the area, but strengthens our community for many years to come. Thank you for your time and for considering this project.

Smith: Commissioners -- I mean are there any questions of the applicant? All right. I will take a motion to close the public hearing.

Rust: So moved.

Stoll: Second.

Smith: It's been moved and seconded. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Smith: Any discussions here on this one? It's also straightforward. Commissioner Rust, do you have anything?

Rust: Yeah. Just that this area is zoned the way it is for a reason in the master plan. I think this is a great use and I -- eventually those homes that surround it are going to be developed as well and eventually won't be residential property anymore. So, I'm in favor of the reduction as well. I know we are not the deciding body on that, but I think it's a good application. I will be voting yes.

Smith: With that will take a motion if there is no other discussion.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: I move that we approve application H-2025-0027 after considering all staff, applicant and public testimony, recommend approval to the City Council as presented in the staff report for the hearing date of August 21st, 2025, with no modifications.

Rust: Second.

Smith: Moved and seconded to recommend approval. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

4. Public Hearing for Cherry Blossom East Subdivision (H-2025-0030) by Breckon Land Design, located at 523 W. Cedarbug Dr. and the 0.67 acre property to the east, located in the NE 1/4 of Section 12, T.3N., R.1W.

- A. Request: Combined Preliminary and Final Plat consisting of three (3) building lots and one (1) common lot on 0.79 acres of land in the R-8 zoning district.

Smith: All right. Item No. 4 on the agenda is H-2025-0030 for Cherry Blossom East Subdivision for a preliminary and final plat. We will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for a combined preliminary and final plat. This site consists of .79 acres of land. It's zoned R-8 and it's located at 523 West Cedarburg Drive and the .67 acre property to the east of that. A little history on this. Back in 2018 this property was included in a rezone and preliminary plat application for Cherry Blossom Subdivision, which included the adjacent ten acres of land to the west and that is this area right here. A development agreement was approved as a provision of the rezone, which governs future development of the overall property in 2019 a final plat was approved for phase one, which included a portion of Lot 1 that is included in the proposed subdivision. The remainder of the subject property was not included in the final plat, because there were concerns with the legitimacy of the access easement across the adjacent property at 1303 Northwest 4th Street from Northwest 4th Street, specifically pertaining to the increased number of homes the access would serve. This property was intended to be included in a subsequent phase final plat. However, a final plat was not submitted and the preliminary plat has since expired. The Comprehensive Plan future land use map designation for this property is medium density residential, which allows for three to eight dwelling units per acre. The proposed combined preliminary and final plat -- actually, let me back up there. The plat that's in your staff report tonight has been revised. So, the revised version is what is shown here before you on the presentation. So, the plat consists of three building lots and one common lot on .79 acres of land in the R-8 district. The proposed density of 3.8 dwelling units per acre is consistent with the medium density residential future land use map designation, which as I mentioned allows three to eight units per acre and the proposed plat is consistent with that in the development agreement as required. Access is proposed via an existing 20 foot wide access easement across the abutting property to the east for access via Northwest 4th Street. A common driveway with a turnaround is proposed on the subject property to provide access to the proposed lot that meets the Fire Department requirements and

that is this lot right here that you can see. The revised plat includes a common lot for the existing pump that lies on Lot 1, which provides irrigation to Cherry Blossom Place to the west and will provide irrigation to this subdivision. This lot is to be owned by the Cherry Blossom Place Homeowners Association and that is this little lot right here that was added. Because Cherry Blossom Place is a separate subdivision, although governed by the same development agreement, staff recommends the developer submit notarized written approval from the Cherry Blossom Place Homeowners Association for the subject development to use their pump and connect to their PI system. The -- the developer did mention that they will be providing money to Cherry Blossom Place for this. Additionally, because testimony was submitted stating the irrigation pump is already struggling to keep up with the existing lots and common areas in that development, without the two additional homes that are still being built and without adding three more to this subject -- in this subdivision, staff recommends a qualified consultant with the requisite expertise review the plans for the existing system to determine if it was built per the plan and if it's adequate to serve this development and submit their findings to the Planning Division or submit an approval letter from NMID if they own the system. We are a little unclear who owned the system on this. If the applicant could clarify that. Without such approval the subject development should provide a separate pump station. Because the site is below five acres in size, the common open space and site amenity standards in the Unified Development Code do not apply. The applicant was originally proposing to include the proposed subdivision in the existing Cherry Blossom Place Homeowners Association so that it would have access to the existing amenities and common areas, but due to the neighborhood opposition is no longer proposing to do so. There is an existing 20 foot wide sanitary sewer easement required along the southern boundary of the abutting property to the east that stubs to the subject property's east property line, which contains a sewer line that will provide service to the proposed development. Water service is available for extension from Northwest 4th Street. However, an easement for the extension of service to the subject property across the abutting property to the east is needed. If an easement cannot be obtained the developer will need to coordinate with the Public Works Department to determine if other options exist for provision of water service to this site. A storm drainage -- all storm drainage from the proposed development is required to be retained on site. Staff is recommending no fencing is installed along the southern boundary of the common driveway, so as not to further restrict access to the substandard driveway to the south, which is only 11 feet wide, and that is on the abutting property -- properties to the south. Future homes in this development are required to be built consistent with the conceptual elevations included in the existing development agreement. Written testimony has been received from the following people: Gary and Janet Collumb. Janet and Doug Reese. Katelin Bartles, the attorney representing the Williams family. Dennis Gill. Margie Williams and Kimberly and Daniel Laukala. Key issues are as follows: Concern about traffic safety, irrigation tie ins with the existing Cherry Blossom Place development and inclusion of the subject property in the Cherry Blossom Place HOA. Concern pertaining to the location of the access easement for the driveway and possible encroachment on the properties to the south and provision of a fence between the properties that would prohibit Fire Department access to the properties to the south. These issues have been resolved. The fence is

no longer being allowed as I mentioned previously and the access easements have been verified to not conflict. Requests for an independent irrigation assessment to be conducted due to concern pertaining to the existing irrigation pump already struggling to keep up with the homes and common areas in Cherry Blossom Place without two additional homes in that development, which are yet to be constructed, and the three additional homes in this development and those are the -- that's what I previously mentioned that staff has requested a condition of approval that the applicant address that with a qualified engineer on that. Request for an access road to be provided -- to be added to provide a connection between Cherry Blossom Place and the proposed development due to concern that the irrigation pump that provides irrigation for Cherry Blossom Place is located on a building lot in the proposed subdivision that won't be accessible to residents, since there is no direct access between the subdivisions. The applicant is not providing access. However, that is what I mentioned about the pump being included on a common lot right here that will be owned by the Cherry Place -- Cherry Blossom Place Subdivision. So, they will have access to that pump. So, that is no longer an issue either and, then, lastly, opposition to the proposed development being included in the existing Cherry Blossom Place HOA due to there being no physical connection between developments, maintenance costs associated with the lengthy access driveway from Northwest 4th Street to serve the proposed homes and delay the proposed development would have on residents taking over management of the HOA, which has been unsatisfactorily handled by the developer to date. And, again, as I mentioned earlier, the HOA -- this development is no longer proposed to be included in the Cherry Blossom Place HOA, so that is a nonissue as well and the proposed three lots will be responsible for maintenance of their driveway. Staff is recommending approval per the conditions in the staff report. Staff will stand for any questions.

Smith: Do any Commissioners have questions for staff? All right. Would the applicant like to come forward and, please, state your name and address for the record.

Breckon: Jon Breckon. 6661 North Glenwood Street, Garden City. Well, I will probably skip through this a little bit, because Sonya covered pretty much everything quite well. I do have a couple of slides that had a little more detail regarding the utility connections and so here is one that might be helpful to understand the water extension. We worked with Fire on the access as well. They would like to also see a hydrant over here on the west side and so the water extension that will provide services to the lots all would be in this location, assuming we can get the -- the easement approved. Here is a little detail on the -- on the sewer. Existing sewer extends to the property line right here and, then, our plan is to continue that on to provide service to those three new lots. Irrigation improvements. There is that existing pump station that will be on -- it's on a common lot and, then, we are definitely in support of staff's recommendation to do the testing on the pump and make sure that it's operating properly. It's eight years old at this point and so there might be something -- maintenance there that needs to occur. I know when we designed Cherry Blossom that these three lots were included in calculations. We will -- we will go through and double check all that. That will be part of land development review if we are allowed to move forward. And here is just a section of the proposed

drive -- existing drive to the south and the plan is just to tie into that and match at the -- at the property line and, then, provide that 20 foot wide -- 20 foot wide asphalt surface and we are anticipating a rolled curb on the north side to capture the runoff and that will be taken to a new seepage bed in the hammerhead turnaround. Here is some elevations of the homes. Same developer and home builders that are in Cherry Blossom and the intent is to match those -- those homes. Single story. I will stand for questions.

Smith: Commissioners, are there any questions for the applicant? All right. Thank you. Madam Clerk, has anyone signed up to testify?

Lomeli: Thank you, Vice-Chair Smith. Yes, I have Marjorie Williams. Would -- Marjorie, would you like to come forward and, then, please, state your name and address for the record.

Williams: Marjorie Williams. 1251 Northwest 4th Street, Meridian, Idaho. 83642. Okay. Good evening, Commissioners. For more than 25 years the city itself has used that 300 plus -- actually 370 foot private driveway off Northwest 4th Street to serve our homes, garbage collection, utility access and emergency access. The north path was Fusselman's. The south path Hanson-Williams this is not new access for Cherry Blossom East. It's an established municipal service route across private property. Now, the Cherry Blossom East plat ties three houses into that same area. The fence was removed from the drawings at the city's request or it's been requested to be removed, but that doesn't solve the core problem. Two parallel driveways now sit side by side. Ours narrow 11 foot drive and the 20 foot gravel drive the city has historically relied on to serve existing homes. This plat converts the gravel drive entirely into subdivision access with no plan for how emergency or sanitation vehicle -- vehicles will continue to reach us. Two legal talking points make approval unlawful not discretionary. Idaho Code 50-1331 requires every plat to provide for fire protection before approval. That is the developer's burden. Every plat to provide for fire protection before approval. The city cannot shift that responsibility onto the neighbors. The new plat removes the only route fire trucks have historically used to reach my home and my neighbor's home with no turnaround or replacement access provided by him or the developer. Existing homes lose fire protection. Meridian subdivision standards require plats to provide for service access and to avoid adverse effects on surrounding property. Again, that duty is on the applicant. For 25 plus years garbage trucks and utilities have used that gravel drive to reach our homes. The new plat converts that sub into a subdivision access without providing a replacement. That creates a direct adverse effect on our properties. And that's -- a couple other things. Where is the fire safety information? The documents? Why aren't they included? Am I allowed to ask questions or just rhetorical?

Smith: We can ask the applicant to answer -- to respond to that.

Williams: Okay. The missing fire safety study and the adverse impact on existing homes. Also the third house focused I guess -- or towards the west of the new

development sits about 50 feet from our house without fire access to our home. ISO standards wouldn't -- I guess it wouldn't meet the ISO standard for a sellable house. We talked to a realtor and 📍our property would be unsellable and --

Smith: All right.

Williams: Thank you, Commissioner.

Smith: Thank you very much. Appreciate it. Madam Chair or -- sorry, I'm not used to being in this chair. Madam Clerk, is there anyone else signed up to justify?

Lomeli: Yes. I have Janet Reese.

Smith: All right. And, please, state your name and address for the record.

Reese: Good afternoon. I'm Janet Reese and my address is 1384 North Parkshire Way. My husband and I are residents in the Cherry Blossom Place Subdivision in Meridian. We strongly oppose developer Doug Jayo's plan to add three lots and subsequently new homes to our HOA jurisdiction that are not legally or physically located in our neighborhood, yet according to public records will have access to our common areas. Mr. Jayo is pushing this plat through without regard for residents' input or objections. This will make Cherry Blossom Place homeowners responsible for their private road with 80 percent more asphalt to repave and other expenses that will cause uncertainty and higher HOA dues for services that are not ours. Mr. Jayo's control of our HOA is a big problem to begin with. Things are deteriorating in our neighborhood common areas and homeowners are appalled. They have no representation. Strongly voiced complaints have gone ignored. House Bill 361 really voted into -- excuse me -- Idaho law legally gives our residents HOA control, but it's unclear when the developer's control will be turned over. On behalf of myself and our residents we vehemently object to the proposed plat development. This project should not be approved. Thank you for your consideration.

Smith: Thank you. As one statement for future -- for further testimony, if we can, please, refrain from personal comments and keep statements about the application itself. Thank you. Madam Clerk, is there anyone else signed up to testify?

Lomeli: Thank you, Vice-Chair Smith. No one else has signed up.

Smith: Is there anyone on Zoom or in -- feel free to -- yeah, come forward. And, then, just, please, state your name and address for the record.

Gill: Hi. My name is Dennis Gill. I live at 659 West Cedarburg Drive. You all have my public comments up on there. I wasn't going to make a comment tonight, but after hearing the staff report and after hearing what's going on -- all of this could have been evaded with Cherry Blossom Subdivision had communication taken place. Back in February we attended -- two of us attended a meeting at the library over this and we

asked these questions. How will this impact our subdivision? Will these -- will we be responsible for the driveway? Will -- you know, how is this going to be on the pump? I was told send your questions to these gentlemen, which I did. They e-mailed me back. The e-mail is on there. I never received another phone call. I never received another e-mail. We have not heard anything from the developer. We had our HOA meeting on Tuesday night. All the information that was provided by the city could have been stated on Tuesday night and a lot of anxious citizens in that subdivision over the financials, over how this is going to be run, how we are going to be responsible or not responsible could have been abated if only the developer or their spokespeople would have been responsible and -- and communicated with the community, because we have been dealing with this for six months and what she said is exactly what we have been saying all along. We did not know any of that. Even the application says we will be responsible for those houses. If you look at the application it says that in there, that we are responsible for that and you can imagine how our subdivision feels about that, especially with the water, the possible road, because we are responsible for the shared driveways that are in Cherry Blossom Subdivision and so I just wanted to point that out that a lot of this could have been not -- it wouldn't have been a problem if somebody would have communicated this to our neighborhood. Okay? Thank you.

Smith: Thank you very much. Is there anyone else who would like to testify? And if you could state your name and address for the record.

J.Williams: Justin Williams. 1251 Northwest 4th Street, Meridian. A couple points. So, why are we at a final meeting with no water easement? So, they haven't settled that or tried. Another one is so our driveway is right beside it. There is no way to keep people on and off of our driveway. So, how do we keep the liability or the maintenance on somebody else? So, if somebody drives a big truck down there and it cracks our cement, who actually is going to pay for fixing that, because there is literally no way to keep them off. The next one is everybody keeps saying 20 feet. There are two power lines that are really close to that, which in -- they are about 19 feet away from our easement or from our property line and nobody keeps talking about -- or nobody will talk about moving those power lines. They keep saying they are going to go around them, which I don't know exactly how you are going to go around them. The developer has never talked to us about purchasing our property to make the neighborhood more cohesive. They have never done anything other than saying we would take it over and, then, we would have to join their HOA. So, they have never offered us anything of saying, hey, you know, let's work together, let's work on a site map that works -- that matches our neighborhood. We are on a half acre and we are going to watch people being -- build houses on, you know, a quarter of an acre. It seemed like it would fit the neighborhood a lot better if it was more like another half acre house. So, there would be three half acre houses in that area, instead of two half acres and, then, two or three on a quarter acre. The other part is driving in -- in where they are trying to -- without pictures it's hard to show, but driving into the driveway where the -- the irrigation pump is almost going to be impossible for the people to back out of their drive without us -- them driving on our property. So, most of the people, every time they drive out of their

driveway, they will be backing onto our property, which is gravel, but nobody seems to address that. Thank you, guys.

Smith: Thank you very much. Is there anyone else who would like to testify? All right. Would the applicant like to come back forward.

Breckon: Jon Breckon. 6661 North Glenwood Street in Garden City. Well, first I will just apologize. I would like to apologize for the lack of communication. Not sure where we dropped the ball there, but apologize for that. To clarify some of these questions, there is -- you know, we have been working diligently with city staff to make sure that this is a safe access, does meet all fire truck access and emergency vehicle access requirements. We have talked to the fire department. We have talked to staff and we have got adequate hammerhead turnaround. There -- I guess maybe just address the elephant in the room, which is that there are two properties here abutting each other. As Ms. Williams stated, historically they have used adjacent property -- the gravel -- the gravel area on this property and the neighbors for access for trash pickup, as well as their access, their driveway is approximately 11 feet wide and as such I think that will -- that will continue even if we build this as -- as proposed with an additional 20 feet, they will continue to access that. I would challenge similar statements in that we are improving the safety of this access by making it wider and paving it per city standards. We are adding a fire hydrant at the -- at the end of the driveway there as was requested by the city. So, from a fire standpoint this would be much safer than what was existing. Other items there. You know, the question about the HOA. I think Sonya spoke to that quite -- quite well. This -- you know, there -- and there has been discussion I know internally from the design team trying to get a -- some clarity whether this would be added or not. Some of these decisions were made this week and we have been working with staff to get those clarified, along with easements. It's not a very clean piece of property by -- by any stretch of the imagination just because of the access and -- and the adjacencies. But I think we have a good solution to allow this to be developed. It fits into the existing zoning as was previously approved and we improve this undeveloped lot that's just been weeds for -- for a long long time. As far as working with the neighbors, we did have more than one neighborhood meeting and proposed two options. Our preference would be to have a shared access agreement with the neighbors to the south to provide that clarity on access and so that everybody could share in the use of this new driveway and use it as one. I think that's what's going to -- that's what would happen anyway. It's kind of tough to keep your car on an 11 foot wide drive for that distance. Fire -- you know, emergency vehicles would -- would certainly not try to stay on one side or the other. There are two plans that we had presented. One originally had a fence along the property line and that was per city code. However, you know, as we had presented we preferred to share and not have that fence, so that there wasn't a division there and just make this a little safer and easier -- easier access for everyone. As it is right now property line divides and, you know, adjacent parties will be responsible for maintenance of their own driveway, as well as these three lots would be responsible for maintenance of their driveway. There are a couple of existing power poles. They are on the plan here. We did look at possibility of moving those. They can be moved. I'm sure there is somewhere around that in this day and age. However, it

wouldn't be an easy task and we did bring that up particularly to Fire, because Fire is -- Fire Department requires 20 foot wide access and they were okay with having -- leaving them where they are at and not moving them. They would be difficult to move because as they are there is lines coming from both ways as I understand it. I would also reiterate, you know, the pump station -- I think we have some clarity on that. Putting it on a common lot, providing ample access to it and, then, also doing a thorough investigation of the current, condition making sure it operates properly, doing any improvements that are required and double checking the calculations to make sure that these three additional lots can handle that use. So, you know, out of that study it may come back that we need to upsize the pump and that would be on the developer to do that. I stand for any further questions.

Smith: One question I do have really quickly and if staff had questions on the ownership of the pump. Do you know who actually owns that?

Breckon: Yes, Commissioner Smith. That is owned by the HOA. It's a private pump. It's downstream and not -- you know, this is all off of a user ditch and is not under Nampa-Meridian Irrigation District ownership.

Smith: Do you have any concerns with either of the -- trying to figure out a way to phrase this. There are two conditions in here that are kind of either or statements; right? If X then -- you know, then Y. Are any of those outcomes a concern to the development to the ability to -- to service these houses and connect to the neighborhood?

Breckon: Outcomes as in -- I'm not sure what you are looking for.

Smith: So, I'm looking at -- for example, with the pump -- sorry, I'm trying to -- the -- basically the idea of you need to either have a qualified consultant review the plans to determine if it's built per plan or provide a separate pump station and, then, also for the water service extension from Northwest 4th Street, if the easement of the extension is needed or you will need to coordinate with the Public Works Department. Are either of those -- any of those outcomes untenable?

Breckon: Mr. Smith, no, those are not untenable. If we can't reach an agreement with the easement, there are other ways to extend that water main through the existing easement. We would definitely be working with city staff, Public Works specifically, to figure out what those options are. Service lines or ducted iron pipe or some -- some other path forward there and, then, similarly with the pump station -- I don't see that as an -- as an issue. Again, what comes out of that review will be reviewed by Public Works and will be required to make those improvements. So, that's -- that's fairly straightforward. And that's just part -- part of the next steps through land development approval. Commissioners, have any questions?

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: Just want to make sure I'm tracking with you and get some clarification. So, if I understand correctly you are no longer requesting that these three properties be part of the larger HOA; is that correct?

Breckon: Commissioner Perreault, that's correct.

Perreault: Okay. And you don't see any limitations to emergency vehicles, trash vehicles and whatnot accessing the properties to the south on this common drive?

Breckon: Commissioner Perreault, absolutely not. This will actually provide much better access. We are widening that route and providing an adequate hammerhead turnaround. Right now if a truck drives down that route they are probably half on the concrete and half in the gravel and there is no turnaround, except the dirt field. So, this will be substantial improvement.

Perreault: Okay. I'm really curious to know -- and when we are done discussing perhaps staff can enlighten me on how -- how those properties to the south only have an 11 foot wide driveway. That would help answer some of these questions as well. And so the Cherry Blossom neighborhood has -- physical and legal access to the pump; is that correct?

Breckon: Commissioner Perreault, yes, that's correct.

Perreault: Okay. And, then, can you clarify just a little bit more -- so, what I'm -- what I'm attempting to do is -- we have no say over a homeowners association. It's not in our purview. This is already annexed into the city, so there is not conditions related to the property in regard to annexation and so our limited decision this evening is regarding this plat. So, I'm trying to be very careful and narrow in what it is we are asking you and what it is that we are expecting of you, but I do think it would be helpful for the community to understand where you are coming from given that they feel that there has not been good communication. So, can you go into a little bit more detail for us on the irrigation pump assessment? There has been some concern that there are not funds potentially for pump improvement, replacement, whatever is needed. Can you maybe give some more clarification to them on what your intended plans would be? Let's say worst case scenario in this assessment.

Breckon: You bet. Yes, Commissioner Perreault. So, existing pump station -- I mean what would -- what needs to occur there is a civil engineer probably needs to go through all the calculations again. This is what was done originally in the Cherry Blossom Subdivision process and there is water rights associated with the property and so -- and those water rights come down the ditch there. So, there is a full investigation into those water rights, make sure there is adequate water rights available. Looking at the timing of when that water comes through, as I recall this is a continuous flow situation, so that we are not on a rotation as some properties are. So, there is -- there is plenty of water

coming through the ditch and so, then, you know, it's a question of is -- you know, just assessing that whole system, checking the size of the wet well, checking the size of the pump and making sure that the wet well is not going to run dry and water is not available to all the folks that have water right off of this pump and that would include these three additional lots and, then, those calculations would all go to Public Works presumably for review and approval and, then, likely there would be a little back and forth, some comments from -- from the city and, then, we would make some modifications potentially, worst case scenario, they would come back and say, well -- worst case scenario they would come back and say you need to rip it out and build a new one with a larger pump and a bigger wet well, but there might -- I guess I anticipate that would probably be somewhere in between. If there is an issue right now, either there is, you know, maintenance that hasn't occurred that needs to happen and something's not working right or, you know, maybe we do need to make the -- the wet well larger or something along those lines. I don't know without really digging into the numbers, but that's, essentially, what would need to occur and, then, you know, this would all be approved by the city and that would be what would need to happen and, then, additionally, once that construction is complete, the engineer would need to go out and check and verify that, indeed, it was installed for those approved plans and it's -- it's really the same process for the rest of the improvements. Sewer, water, the roadway, the landscape those -- same -- same process.

Smith: Commissioner Perreault.

Perreault: Thank you. We often have applicants come with unresolved scenarios like this and the decision becomes do we -- do we recommend or deny this to City Council -- you know, City Council, or do we ask that -- do we vote on a continuance and have the applicant work on some of these items before we move forward and that is my inclination this evening. Obviously, we will discuss that, but the -- the reason I bring that up is would you be willing, if that were to be the case, to -- to have a meeting with the neighbors and just, you know, create some more good will and answer some more questions?

Breckon: Commissioner Perreault, yes, absolutely, we would be glad to have another neighborhood meeting and, you know, even -- even work out some of these details. Maybe we need to do the pump assessment ahead of time or something like that as a -- as an act of goodwill. Be certainly glad to do that and continue this.

Smith: I do have one question and, then, I will open it up to other Commissioners again. Just one thing I'm struggling to visualize a little bit is garbage collection. Do you anticipate the locations for garbage collection being in front of each house? Obviously, you are not waste management -- you know, you are not the company, but just in terms of how this is kind of considered.

Smith: Absolutely, Commissioner Smith. I think it's pretty straightforward. I mean I think everybody would -- you know, we got the roller carts and everybody roll those out in front of their home. With this new roadway improvement presumably the -- you know,

the trash truck could come in, pick up for the folks on the north side. They have got the pickup mechanism on -- on the passenger side and, then, make a backup movement there in that hammerhead turn around and, then, come back and pick up all the folks on the south side. I would be surprised if they do anything else.

Smith: There is adequate width.

Breckon: There is adequate width. Yes. Absolutely.

Smith: Thank you. Other Commissioners questions? All right. We will take a motion to close the public hearing.

Perreault: So moved.

Rust: Second.

Smith: Moved and seconded. All in favor say aye. Opposed. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Smith: Some initial comments. Obviously, you know, to quote our former chairman Andy Seal, in-fill is always hard. This feels like mega difficult, mega in-fill with limited space. I think -- I think with -- with what their constraints are and what the limitations are, I think they are doing a decent job of trying to manage, you know, the Fire routes, garbage routes. I do -- you know, obviously, would love to see some resolution to those kind of outstanding, you know, water questions, but staff and the applicant being confident that they will be able to resolve those. You know, they -- that seems adequate for me at the moment, since that will be contingent on occupancy. I'm comfortable continuing it if that's what the Commission wants. I -- if that will help kind of resolve tensions, answer some questions, I'm okay with that, but I think I'm also finding moving this forward as well. So, I will leave it up to other discussion.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: Question for staff. Sonya, so the properties to the south, are they in the city or are they in the county?

Allen: Chairman, Commissioner Perreault, they are in the city and I have no idea how they got an 11 foot wide driveway. It is substandard and really isn't adequate to provide fire service to their properties. Okay? Initially -- just to provide a little bit more information, the fence requirement initially came from me. I was envisioning issues of trespassing as one of the neighbors testified, so I was trying to figure out how to prevent that with both of the driveways being next -- next to each other. After talking about some additional things with the -- basically the substandard driveway to the south,

which would be a problem if they -- if this property constructed a fence it would -- it would -- I'm not going to say restrict access, because it doesn't change their access, but if emergency vehicles were to have to access their properties they wouldn't have the ability to encroach on this property, which legally isn't allowed, but it does give them a little bit of wiggle room. So, this -- this benefit -- this -- this development is really benefiting the properties to the south. It's also bringing a fire hydrant 300 feet in that isn't -- doesn't currently exist for those properties. So, in the event of a fire they would have access to water now.

Smith: Any other discussion?

Rust: Mr. Chair?

Smith: Commissioner Rust.

Rust: I agree. I just was pulling it up on street view and looking at that driveway. I'm kind of shocked that there is an 11 foot access there. If there was a fence there is just almost not going to be room and it's very clearly evident that the gravel driveway that's currently there is in use. That's how vehicles are getting in and out, especially the larger ones. I appreciate the clarification around the HOA and the fact that these three properties are not going to be in the HOA. I think that that answers a lot of the questions from the Cherry Blossom neighbors. I would have loved to have seen a shared access, but I think the developer -- if I'm reading between the lines accurately -- kind of took the position that they are not going to pay for something that they don't have to do and they are already going to be providing something of benefit to those three homes to the south. So, I -- I think the folks who care have been here tonight or can view this recording and I don't think another neighborhood meeting is going to change minds or really do much other than drag the process out. So, I'm in favor of just approving -- or presenting this to the City Council with our recommendation for approval tonight.

Smith: Any other discussion?

Stoll: Mr. Chair?

Smith: Commissioner Stoll.

Stoll: I am torn on this. The HOA -- the development being pulled out of the HOA does alleviate a lot of my concern, but I also do believe that further discussion, dialog, having a better answer on -- or definitive answer on the pump station and whether it's adequate or not would benefit long-term relations with the surrounding development and surrounding neighbors and I think it would be a dollar well spent or time well spent to help alleviate those concerns. So, I would be inclined for a continuance.

Smith: Commissioner --

Allen: Mr. Chair?

Smith: Yes.

Allen: I'm going to offer a clarification. The conditions of approval in the staff report currently allow for that and actually require that study to be done and it is a condition of approval that if that study doesn't come back to support that that pump can provide -- adequately provide service for all of these that they have to get their own pump system. So -- so that is already in the conditions of approval as is. I'm not sure continuing it will be of benefit. Same end result. But I just wanted to offer that information if you weren't aware of that.

Smith: Thank you. I think one thing I was going to ask -- I also want to give Commissioner Sandoval an opportunity to speak if he wants to. But one thing I was just going to ask of -- you represent in favor of continuance is what the specific outcomes that we want to see happen, kind of what the success conditions are, just to make sure that we are all clear on -- if there is value there or if, you know, there is value in, you know, the developer just meeting between now and City Council. You know, if that is -- if that's adequate, you know, if the meeting happens and things don't change does our analysis fundamentally change. That's kind of where -- where I'm at. But I'm open to that. I think -- if you have any -- any thoughts.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: Sonya, can you clarify -- are those conditions required to be met before City Council meeting? Are they -- are they supposed to have this assessment done?

Allen: No, but -- I'm sorry go ahead.

Perreault: And -- and it's -- because it's a condition is Council going to need to review the results of that?

Allen: Mr. Chair, Commissioner Perreault, no, Council does not have to recommend -- or does not have to review that. It's a condition that goes with this application. They won't be allowed to -- to tag on to that pump system -- that PI system if it's not deemed to be adequate to serve this development. They will have to have their own pump. If you want that condition to be modified, so that they submit that prior to Council you can certainly do that. But either way they have to -- they are required to do that either way. Are there any other concerns you had outstanding that would -- you feel a continuance would benefit on that maybe I could address?

Perreault: No, I think you answered the question. I just -- the timing I was -- I was under the impression that these either or decisions that Commissioner Smith brought up

were decisions that need to be made or done or like the easement that's needed for the water line, I was under the impression that needed to be resolved before --

Allen: No. If you look at the conditions, those -- the conditions are covered in any scenario. So, that's -- that's the reason for the either or's. It's like if this doesn't happen this has to happen, so I have covered it either way so that there won't be any, you know, issues. Thank you.

Parsons: Mr. Chair and Members of the Commission, I do appreciate the dialog this evening and I hate that the residents are having to experience this, but I can tell you the last couple of weeks that the city has been involved in a couple neighborhood issues that I have been dealing with and so we are kind of taking a more proactive stance these days and I would -- I would prefer to see the continuance in my opinion, because, one, I would like to make sure that the assessment for the PI is done now, rather than when they are running to get -- let's say for example we are building homes and they haven't done that or certified that, then, it makes us look bad because we can't issue a certificate of occupancy for the homes and people are expecting to buy the home. Two, I think the neighborhood deserves that. If the developer has not turned that over to the HOA I feel like they should have their voice heard and the developer should understand that he should correct those -- those issues. Three, going back to your cross-access issue, I'm looking at the record of survey for the two southern properties and when that record or survey was recorded there is actually a 30 foot easement granted to both -- to that property owner. They only built an 11 foot driveway. So, they could widen their driveway and make it meet Fire Department standards. So, it's on them to correct that issue, not the city. The properties on the north side have their 20 foot easement. So, it's not this applicant's issue to -- to resolve, that can be resolved very easily by those two properties that take access from that easement currently today. So, I think all in all my opinion is Council wants you guys to try to solve some of these issues before they -- they become -- they come before them. So, I think if we can have the applicant come forward with an application that says we worked with the neighbors, we figured out the water easement issue, we figured out the pressure -- pressurize -- excuse me -- the -- the PI issue. We have the access issue figured out now. I think -- and the neighbors come and say we appreciate them hearing us and taking action. I think that's going to go better for them in front of City Council. So, that -- that's kind of my rant or tyrant on the subject of the issues tonight. But to me if -- again, if it were me I think a continuance is definitely within your purview. You don't have to do that, but it's certainly within your preview to do that and get some of those questions answered before you move this on to City Council.

Smith: Thank you. And, Bill, I will say your answers are always very insightful and helpful, so -- Commissioner Sandoval, before we move on too far I want to give you -- do you have anything you would like to say?

Sandoval: Yeah. Mr. Chair, so given, you know, the discussion on the continuance, yeah, that -- that may help ease some concerns. Regardless, I don't believe there is anything fundamentally changing, whether that survey indicates there is going to be a

new pump or upsizing the existing, that doesn't change fundamentally the size of the access or adding a fire hydrant or any of the layout, so I'm also in favor of moving this forward with approval and not continuing. So, either way I'm okay with it.

Smith: I think there is intention that this Commission has always kind of been under of doing as much work for City Council as we can without being dilatory. So, I think those are kind of attention here and I think that -- if -- if staff's position is we err on the side of the continuance I think that's kind of where -- where I'm tending to fall after discussion, but I think -- you know, so --

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: I move that we reopen the public hearing for application number 2025-0030 for the purpose of continuing the hearing. So, I make a motion to continue File No. H-2025-003 -- oh, we need to vote.

Smith: Yeah we need to --

Perreault: We need to vote.

Smith: Okay. Can I get a second on opening -- reopening the public hearing?

Stoll: Second.

Smith: It's been moved and seconded. All in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Smith: All right. Go for it.

Perreault: I apologize. Mr. Chair, I move that we continue File No. H-2025-0030 to a hearing date of six weeks -- eight weeks?

Smith: I guess that's up to staff. Is there -- or legal. Is there an ability for that date to be worked out with the applicant after this or do we need to specify a date now?

Starman: Thank you, Mr. Chairman. No, I would recommend you have a date -- date certain to continue the hearing.

Smith: Okay. So, I guess before we go down that path question for staff considering the neighborhood meeting, the other issues and your best -- maybe conservative guess.

Allen: The applicant's indicating four weeks.

Smith: Four weeks.

Allen: So, the next meeting that we would meet that would be September 18th.

Smith: All right.

Perreault: Mr. Chair?

Smith: Sorry. First can I -- Madam Clerk, can we just confirm that there is adequate space? Okay. Thank you. Okay. Go for it.

Perreault: I should ask the question first. I move that we continue File No. H-2025-0030 to the hearing date of September 18, 2025.

Smith: Okay. Do you have a specific purpose?

Perreault: Yes. It's to -- for the applicant to make it -- make decisions and/or attempt to meet conditions in the staff report regarding the -- the pump use and viability and to have that assessment done and, then, make decisions regarding the -- any repairs or replacement that would be needed and also to make sure that that pump will be capable of managing the additional three properties and, then, for the applicant to also continue on working with the -- the easement and water and sewer access and, then, for the applicant to have a meeting with the neighbors to further discuss any concerns.

Stoll: Second.

Smith: It's been moved and seconded. All those in favor say aye. Any opposed?

Rust: Nay.

Smith: Was that nay from Commissioner Sandoval or just Commissioners Rust? Commissioner Sandoval, what was your vote?

Sandoval: Aye.

Smith: Okay. And I will vote aye as well. So, that motion carries and that will stay open.

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

- 5. Public Hearing for Pine 43 Mixed-Use Subdivision (H-2024-0071) by DRB Investments, LLC., generally located on the north and south sides of E. Pine Ave., between N. Locust Grove Rd., and N. Hickory Ave.**

- A. Request: Modified Development Agreement (H-2017-0058 – Inst.#2018-000751) to update the conceptual development plan to allow for the development of 904 new residential units consisting of a mix of townhomes, multi-family apartments and vertically integrated residential above ground floor commercial, 200,680 sq.ft. of commercial space including a 128,880 sq.ft. hotel and 71,800 sq. ft. of other retail/restaurant commercial space, 221,340 sq. ft. of office space with 90,000 sq.ft of which is intended for med-tech uses, and 8.3 acres of private and public open space, included additional land area and update certain provisions.
- B. Annexation of 7.21 acres of land with the I-L (5.29 acres), C-G (1.36 acres) and R-15 (0.56 acre) zoning districts.
- C. Rezone of 3.07 acres (0.91 + 2.17) of land from the C-G to the R-15 zoning district.
- D. Preliminary Plat consisting of 41 buildable lots and 3 common lots on 36.58 acres of land in the R-15 and C-G zoning district.
- E. Conditional Use Permit for a multi-family development consisting of 270 units in two (2) buildings on 6.28 acres of land on Lot 2, Block 1 and Lot 2, Block 3 in the C-G zoning district with requests for alternative compliance to UDC 11-4-3-27B.3, which requires a minimum of 80 sq. ft. of private, usable open space to be provided for each multi-family unit, to allow zero (0) for studio units and to UDC Table 11-2B-3, which restricts building height to a maximum of 65 feet in the C-G zoning district to allow a maximum building height of 76 feet on Lot 2, Block 3.
- F. Conditional Use Permit for a height exception for a vertically integrated residential building on Lot 2, Block 2 from 65 feet to 87 feet in the C-G zoning district.
- G. Director's approval for Alternative Compliance to UDC table 11-2B-3 to allow an increase in the maximum building height in the C-G zoning district from 65 feet to 76 feet on Lots 1-3, Block 4 (hotel and vertically integrated residential buildings) and to UDC 11-4-3-41G to allow a decrease of private, usable open space for studio units in vertically integrated residential from the minimum 50 sq. ft to zero (0).

Smith: All right. Item No. 5 on the agenda -- thank you very much. Item No. 5 on the agenda is H-2025-0071 for Pine 43 Mixed Use subdivision near Pine and Locust Grove. We will begin with the staff report.

Allen: All righty. The next applications before you are -- there is a development agreement modification application and that is a City Council action. It does not necessarily require a recommendation from the Commission. There is an annexation and zoning -- rezone, a preliminary plat, a conditional use permit for a multi-family development on Lot 2, Block 1, with alternative compliance to UDC 11-43-27-B3, a conditional use permit for a multi-family development on Lot 2, Block 3, with alternative compliance to 11-43-27-B3 and to UDC 11-2B-3 and a conditional use permit for a height exception on Lot 2, Block 2. There were also alternative compliance requests from the director to the UDC to allow an increase in the maximum building height in the C-G district from 65 feet to 76 feet on Lots 1 and 3, Block 4, and Lot 2, Block 3. That's for the hotel, the multi-family residential building, and two vertically integrated residential buildings and to UDC 11-4-3-41G, which requires a minimum of 50 square feet of private usable open space per unit to allow studio units without such space. This site consists of 36.58 acres of land. It's currently zoned RUT in Ada county and C-G. It's located on the -- it's generally located on the north and south sides of East Pine Avenue between North Locust Grove Road and Hickory Avenue. I will go through a history on this property. This property was annexed with C-G zoning back in 2008 with a preliminary plat for Pine Bridge Subdivision, which consists of 170 acres of land. A development agreement was required as a provision of annexation. The conceptual development plan for the site depicted three million square feet of commercial, light office and multi-family residential uses and a medical campus and included the property that is now the Scentsy Commons campus located east of North Machine Avenue. Subsequent amendments to the development agreement were approved in 2011 and 2021, which each removed portions of the 50 acre Scentsy property east of Machine Avenue from the development agreement. In 2017 another amendment to the agreement was approved, which updated the conceptual master plan for the site and certain provisions in the agreement, along with a rezone of 59 acres of land from the C-G to the R-15 and R-40 districts on the portions of the site north of State Avenue. The updated plan included commercial components of office and retail and a variety of residential housing types consisting of single family residential detached and attached homes, townhomes and multi-family residential apartments on 120 acres of land. The Comprehensive Plan future land use map designation for the Pine 43 site is mixed use community and for the HPC buyer site it's general industrial. Annex and zoning of 7.21 acres of land is requested, with I-L zoning, which is 5.29 acres, C-G zoning, which is 1.36 acres and R-15 zoning, which is .56 of an acre for the surrounding -- property surrounding the parcel at the northeast corner of Locust Grove and Pine. The future land use map designation for this property is General Industrial. Because future land use map designations are not parcel specific and adjacent abutting designation, when appropriate and approved as part of a public hearing with a land use development application, may be used as long as it doesn't apply to more than 50 percent of the land being developed. The applicant proposes to use the abutting mixed use community designation on 1.92 acres of the north and northeast portions of the annexation area where R-15 and C-G zoning is proposed. Staff is supportive of this request as it's less than 50 percent of the land being developed and will accommodate the proposed development plan. The HPC buyer applicant owns the property and business, Harvey Performance Company, located at the southwest corner of the annexation area and

plans to eventually expand the business into the 5.29 acre portion of the property proposed to be zoned I-L with the annexation. The remaining 1.92 acres is planned to be incorporated into the adjacent Pine 43 development through a future property boundary adjustment once the property is annexed, which will resolve a deeded parcel split that occurred previously between the subject property owners that didn't go through the proper process. A conceptual development plan -- phasing plan and building elevations were submitted showing how the existing industrial businesses on the abutting parcel is eventually planned to expand into the I-L zoned area in the future. Four phases of development are proposed as shown with a parking area and access driveways via Pine and Locust Grove and a shared access via Pine with the adjacent property to the east. The concept plan also shows how the areas proposed to be zoned R-15 and C-G will integrate into the adjacent development. Access points to adjacent streets are not approved with the concept plan and will be evaluated with future development applications. To ensure future development is consistent with the proposed plan staff is recommending a development agreement is required as a provision of annexation of the property proposed to be zoned I-L that includes the provisions noted in the staff report. The 1.92 acres proposed to be zoned R-15 and C-G will be included in the proposed amended -- development agreement for Pine 43. A property boundary adjustment application should be submitted and finalized prior to City Council approval of the amended development agreement to create the parcel subject to the development agreement and to transfer ownership of the property. A rezone of 3.08 acres -- and that's two different areas, .91 and 2.17 acres of land from the C-G to the R-15 district is proposed for the future development of 17 townhomes. The proposed zoning use and density is consistent with the mixed use community development guidelines. Just to note that the overall density of the area proposed to be zoned R-15 between the annexation and the rezone applications, 3.59 acres excluding the adjacent right of way, is developed -- planned to develop with 30 dwelling units is 8.36 units per acre, which is consistent with the desired density of six to 15 units in the MUC designation. The development agreement modification concurrently proposed with this application will include the subject rezone area. A development agreement modification is proposed to amend the existing approved conceptual development plan shown on the left for the undeveloped 36.58 acres of the site located south of East State Avenue depicted as areas E, F and G on the existing concept plan. Excluding the areas that are outlined in red, which have already developed with nonresidential commercial uses. This area is currently entitled to develop entirely with commercial uses. An updated concept master plan is proposed as shown on the right. The applicant is proposing to develop a large portion of the commercial area with 904 new residential dwelling units consisting of 30 townhome dwelling units, a total of 270 multi-family residential apartment units and a maximum of 604 vertically integrated residential units above ground floor nonresidential space. This is an increase of 880 dwelling units over what is currently entitled to develop in Pine 43 and that is already built out. The remaining area is proposed to develop with 481,020 square feet of nonresidential space, including a proposed 128,880 square foot hotel with a restaurant, lounge and conference area and 71,800 square feet of other retail and restaurant commercial space, 221,340 square feet of office space, 90,000 square feet of which is intended for med tech, medical office, research and technology uses and 59,000 square feet of commercial and office in the

vertically integrated residential buildings on the first floor. This is an increase of 134,020 square feet of nonresidential space over what is currently entitled, which has not yet been built out in Pine 43. Conceptual renderings of the overall development were submitted as shown. An overall open space exhibit was submitted as shown that depicts a total of 8.3 acres or 23 percent of the site of private and public qualified open space, including developed green spaces, amenities and a 41,000 square foot public plaza and that is in this area right here, consisting of the qualified open space and open space on nonresidential lots and just to note that the private space that's included in this number is provided as part of the vertically integrated residential projects and the multi-family developments and is not accessible to the public. A pedestrian plan was also submitted as shown. A ten foot wide multi-use pathway is proposed along the east side of North Webb Way in accord with the pathways master plan. A detached -- excuse me -- detached sidewalks are proposed adjacent to arterial and collector streets and an attached sidewalk is proposed along the southern portion of Webb, which is a local street, all in accord with UDC standards. Staff is generally supportive of the portion of the proposed concept plan north of Pine as it provides a mix of uses as desired for mixed use community designated areas. However, staff is concerned the proposed amendment would substantially reduce the amount of land designated for employment generating uses, which may in turn limit future opportunities for family wage jobs within the area. Staff and ACHD have significant concerns pertaining to the traffic impact the proposed changes to the concept master plan will have on the surrounding transportation network beyond what was originally anticipated. For these reasons it's staff's opinion the previously entitled development plan for commercial uses in the area south of Pine where multi-family residential and vertically integrated residential uses are proposed is in the best interest of the city to retain as it provides needed employment opportunities and services for nearby residents, while also reducing vehicle trips and supporting trip capture. Additionally its staff's opinion the vertically integrated residential use on Lot 1, Block 1 -- and that is the -- this one down here in the southeast corner -- is not compatible with adjacent industrial uses and operations to the south. Industrial operations typically produce impacts, such as noise, vibration, light pollution and emissions, which can negatively affect the health, safety and overall livability of nearby residential environments. A preliminary plat is proposed consisting of 41 buildable lots and three common lots on 36.58 acres of land in the R-15 and C-G zoning districts. The plat is proposed to develop in eight phases as shown on the phasing plan. The northwest portion of the preliminary plat includes portions of existing county parcels that will be included in a future property boundary adjustment application with adjacent city zone parcels once the property is annexed with this application. If a property boundary adjustment is not approved and a record of survey recorded this would create an illegal division of land if a final plat were recorded. For these reasons staff is recommending approval of the preliminary plat, is contingent -- contingent upon final approval of a property boundary adjustment application for the realignment of property lines between the HPC buyer and DRB Investments Properties as shown on the preliminary plat. A final plat application should not be submitted to the Planning Division until a property boundary adjustment application is finalized and a record of survey is recorded that matches the configuration of the property shown on the preliminary plat. In the event a property boundary adjustment is not finalized a new preliminary plat application would

be required that excludes the land anticipated to be included in the boundary adjustment. Two conditional use permit applications are proposed for a multi-family residential development on Lot 2, Block 1, and Lot 2, Block 3. The one on Lot 2, Block 1, includes 139 residential units on 2.87 acres of land in the C-G district and the other one on Lot 2, Block 3, includes 132 units on 3.4 units of land. Excuse me. Acres of land in the C-G district. Between the two developments a total of 271 apartment units are proposed in the area currently entitled to develop with commercial uses. Alternative compliance is proposed with the conditional use permits to UDC 11-4-3-27-B3, which requires a minimum of 80 square feet of private usable open space to be provided for each multi-family residential unit to allow zero for all studio units. As alternative compliance the applicant is proposing private rooftop amenity decks, which will be available to all residents in the building, but will likely be used the most by residents of studio units, since they have the least space to host groups of visitors. A similar request was submitted to the private usable open space standards for vertically integrated residential units, which requires a minimum of 50 square feet of private area. Staff is requesting an updated open space exhibit to be submitted that excludes street buffers prior to -- prior to the director acting on those requests. Alternative compliance is also requested to UDC 11 -- excuse me -- UDC Table 11-2B3, which restricts building height to a maximum of 65 feet in the C-G zoning district to allow a maximum building height of 76 feet on Lot 2, Block 3. This request is to be considered by the Commission and City Council as part of the conditional use permit request. Conceptual building elevations were submitted for the proposed multi-family structures as shown. Because it's staff's opinion that the existing entitled development plan for commercial uses in these areas is in the best interest of the city, as it provides needed employment uses and residential services in this area, staff is recommending denial of the proposed conditional use permits and consequently the associated alternative compliance requests for the additional 271 apartment units in this area and recommends the concept master plan is amended to depict nonresidential commercial and office uses in this area consistent with the existing entitled plan for the area. A conditional use permit is proposed for a height exception to UDC Table 11-2-B3 for the vertically integrated residential building on Lot 2, Block 2, and that's the one outlined in red, to exceed the maximum height allowed of 65 feet in the C-G district to allow a maximum height of 87 feet. This would be an increase of 34 percent in the maximum building height in the C-G district. The applicant states additional height is needed to accommodate vertical integration of uses and the appropriate urban density to support mixed use and sustainability by allowing for urban density that can support the commercial and office uses in the development consistent with the Comprehensive Plan. Staff is generally in support of the proposed height exception as justified by the applicant and is of the opinion it's appropriate for the proposed development and is consistent with the comp plan. However, staff recommends the Commission and Council consider reducing the number of residential units proposed above the first floor in order to accommodate more employment and service uses to support residential uses in this area and to reduce vehicle trips and encourage trip capture as conditions of approval of the conditional use permit. There was no written testimony submitted on this application. Staff is recommending approval of the proposed development plan per the provisions in the staff report with the exception of the two multi-family residential developments and the vertically integrated

residential project located south of Pine in Blocks 1 and 3. Staff does not support residential uses in this area as the previously entitled commercial plan is considered more beneficial to the city by providing needed employment opportunities and services for nearby residents while also reducing vehicle trips and supporting trip capture. In addition staff does not support the vertically integrated residential use on Lot 1, Block 1, as it is not compatible with adjacent industrial uses and operations to the south. Staff recommends the Commission consider reducing the number of vertically integrated residential units proposed north of East Pine Avenue and requiring commercial and office uses above the first floor to provide a more commensurate label -- level of employment and services to support nearby residents and to reduce vehicle trips. Staff will stand for any questions.

Smith: Are there any questions for staff? All right. Before we move on to applicant, just really briefly, apologies, we are going to take a quick five minute break and, then, we will be back.

(Recess: 7:36 p.m. to 7:44 p.m.)

Smith: All right. Thanks for your patience for hanging in there with us. So, I see -- I guess I could say would the applicant -- the applicant like to come forward, but you are already here, so if you would give your name and address for the record.

Nelson: Good evening, Chair and Commissioners. My name is Deborah Nelson. My address is 601 West Bannock Street in Boise. I'm here on behalf of the applicant for the Pine 43 Mixed Use Subdivision. There are many members of our applicant team that are here and available to answer questions. I would like to start by asking the chair if I might have 20 minutes this evening. There is a lot to cover as you can tell from Sonya's report.

Smith: Kurt, is that kosher?

Starman: Mr. Chairman, that's the chair's prerogative, so you are able to provide that additional time if you are inclined to do so.

Smith: Okay. I think that's acceptable considering the -- the substance -- or the density what we are going over, so yeah.

Nelson: Thank you. Appreciate that. Dennis and Matt Baker and the entire DRB team have been planning this project for three years and they have put their heart and souls into it. They view this as a legacy project and it reflects their desire to bring something truly lasting and remarkable to the city. You can see here the properties, but Sonya has done a very thorough job, so in order to try to be efficient with time I won't repeat what she has said about the HPC property next door, but you can see the Pine 43 project area here. I'm going to focus this evening on the new Pine 43 project, the changes specifically from the 2018 approval and also I will focus in on the specific concerns that were addressed by staff and just to pause there, we don't agree with everything that

staff has said and done in this report, but I do want to note and say thank you to staff, because they have been working as long on this project as the development team and also put in a lot of work, so -- and they do support many aspects of this and we are in agreement on those pieces. So, this is one of the most strategically located mixed use in-fill opportunities in the entire city. It's a true gateway to downtown Meridian. It's close to The Village. Within two miles there are multiple parks, schools, libraries, healthcare facilities, retail, groceries, churches, fitness and daycare. The in-fill location provides for efficient services delivery and the city's plans call for a mix of uses with higher residential densities on this site because it's close to two activity centers, it's served by existing transit with an active bus route through the site, plus the rail corridor that you can see in the dashed orange is just to the south, which is planned for future passenger rail. This application before you changes what was effectively planned as an office park south of East State Street into a vibrant mixed use community. We added a range of needed housing, including executive homes, workforce housing, student housing and vertically integrated spaces. This mix of housing is missing in this area and this project will help fill that void that was left vacant really when developments like The Village came in and initially promised to provide that vertical residential and development, but, then, ended up reducing and segregating it. Pine 43 is supported by major med tech players. ICOM, ISU, the Meridian Chamber are all behind this project, because they understand that the mixed use nature and quality design of Pine 43 is what's going to help attract med tech businesses and to retain the very talent that the city's education and health systems need. The project is beautifully designed. You can see from these perspectives I'm showing you. There is no sea of asphalt thanks to an investment by the developer in underground and podium parking. It features a signature public plaza, tree lined pathways, gathering spaces, upscale amenities and activated street fronts, exactly what the city has said it wants to see in the urban core. The project meets COMPASS and Comprehensive Plan goals, in-fill transit, mixed use, jobs, housing sustainability and connectedness. It builds on existing quality. This project is located near some of the highest quality development in the city, next to Scentsy and Blue Cross and the medical corridor and this project doesn't dilute that at all. It extends it. It's functional and it's ready. The developer has already improved the roads that surround this project with earlier phases. The utilities are at the site and Fire Station No. 1 is less than a mile and a half away and is equipped with a ladder truck for minimized buildings. Sonya went through this history, so I will be brief. This application is part of what was originally called the Pine Bridge project. It was approved in 2008 that included 170 acres, including the entire Scentsy campus with a total with a mix of uses of residential, office and commercial totaling about three million square feet. Approximately 500,000 -- 567,000 of that was built out with the Scentsy campus and, then, removed from the development area in 2011. Soon after that in 2018 approval the plan that's included with the development agreement there included -- a similar amount of residential has been included with the original Pine Bridge. A reduced amount of the nonresidential uses now targeting about 500,000 square feet in total, because the market had changed. Market support for the Pine Bridge uses has continued to evolve. Since the 2018 DA housing demand has dramatically increased. General office parks are facing vacancies across the country and demand is high for urban style mixed use development that combines commercial and office spaces with conveniently located

housing units -- that beyond the traditional single family detached homes that Meridian has quite a bit of. So, that brings us to today. This application represents the next evolution of the Pine Bridge site to respond to those market demand for better more integrated mixed use development. The project re-imagines approximately 37 acres south of East State Avenue into an integrated mixed use community with 904 residential units and a variety of residential products, as Sonya went through in detail, and 481,000 square feet of nonresidential space that includes commercial, office and med tech uses and a hotel, including a restaurant, lounge and conference area and additional retail and restaurants on the site. This table summarizes the history that Sonya described and that I just described. I would call your attention to the columns that I have highlighted there in the -- the orange circles. These are the relevant comparisons for tonight's application versus what was approved in 2018. It includes all the uses from the original Pine Bridge cumulatively to show what was built and approved in 2018 compared to what's built now and we are seeking approval for with this application and to the far right you can see the difference of what we are requesting and these are the same numbers that you heard from Sonya this evening. An additional 880 units of what was approved and an additional 134,000 square feet of nonresidential use. There is an increase in commercial, a slight decrease in office and, then, additional categories that really don't fit into either of nonresidential uses with the hotel and the first floor of the vertically integrated buildings. So, on the whole you can see here that the level of intensity has gone up without sacrificing the existing nonresidential uses, but we have added in denser residential, we have added in some additional commercial all to create that mixed use environment. I will touch on some of the features of the master plan site and connectivity. Pine 43 extends and enhances the city's premier bike corridor with new connectivity for bikes and pedestrians and with pathways throughout. Pine 43 includes 2,321 parking spaces, including remarkably over 500 in an underground parking garage. You can see the scope of that that covers that block up there that will serve the hotel and restaurants in a vertically integrated building in addition the vertically integrated buildings and multi-family buildings and other blocks have podium parking. This prevents having a sea of surface parking at incredible expense to the development, but for incredible quality result. Pine 43 has a signature design. This public plaza in the center that's over 41,000 square feet that will be open to the public, will serve as a gathering area for residents within this development and surrounding areas. It will serve the employees of all the employers in the area within the site and around. Light industrial, commercial, all of the employees that are in this area are going to have a gathering place that is attractive to them and you can see that again here in the site perspective activated with those users. So, I want to turn my attention to the staff's comments and in particular focus in on staff's comments about removing the residential uses entirely from the southern area from south of Pine. Staff also suggested reducing residential units north of Pine. Effectively what staff is asking for here is to segregate the uses and that's going back to the old plan of having largely just an office park and it's inconsistent with the Comprehensive Plan and what's called for on this site. We are in the mixed use community designation and the MC designation calls for a mix of uses, including residential. At least three different uses must be functionally integrated -- and get there to the -- functionally integrated within the development to meet the goals within the MUC purpose statement and individual goals and without the dense residential that

we are providing and that is called for in your comp plan, you don't get commercial, you don't get transit supported development and without those items you also don't get the office that supports the uses that -- that the staff is looking for, because both the current and the future demand for offices is limited. Users are currently looking for quality space, amenitized offices in a mixed use setting. The city needs multi-family housing as well and calls for it to be located along transit. This is the perfect location for dense residential. It's near services. It's near employment. We are also near parks and more importantly we will be building our own public open spaces and amenities. The vertical integration of uses adds significant value to a site, because it efficiently uses and maximizes the land space. It adds needed residential without giving up nonresidential space and it builds in the complementary uses that are needed for the success of the project. MUC checks all of the boxes -- or excuse me. Pine 43 checks all the boxes on the MUC designation. In addition to meeting the purpose statement we also meet the specific metrics that are set forth in the guidelines here, which call for 20 to 50 percent residential uses, but if you are on transit as we are that extends up to 65 percent. If we look at Pine 43's numbers against those guidelines all residential areas cover 49.5 percent over the entire 121 acre DA that would be modified with this project. The uses that we are proposing south of State are largely mixed use and not residential only. That's really the whole point of what we are doing. We are trying to have not segregated uses. So, outside of that R-15 townhome area our residential uses are vertically and horizontally integrated throughout. So, we don't have residential only areas there, but if we look to -- if we try to carve out arguably the multi-family that doesn't have first floor, nonresidential space, if we -- even if we include those areas this -- they are part of C-G zoning, they are part of the mixed use development, they are horizontally integrated, but even if we add in those multi-family areas we are still at 54.6 percent of the residential within the goals of the comp plan and -- and over the minimum. That's what's important here, too, is that this -- your -- your comp plan calls for residential to be included and we are within the range is of what the comp plan calls for on this site. You also have specific goals about housing that we meet, calling for an integration of diverse housing and to locate higher density housing near corridors with existing or planned transit and near employment. That's exactly what we have here. We are locating higher density housing near transit corridors and employment centers. We also meet your mixed use goals in the comp plan. The top one here calls for mixed use areas that provide the opportunity to live, shop, dine, play and work in close proximity, thereby reducing vehicle trips. That is exactly what Pine 43 provides with the mix of employment and retail uses to serve residents without the need to get in the car every time they need to go somewhere, creating that livable, walkable city within a city. Pine 43 provides a higher level of trip capture than you would get with segregated uses, because of the mix of uses that residents desire are within walking distance. The second goal here talks about encouraging compatible uses and to maximize land and Pine 43 does this by creating that urban density that's needed to meet the MUC residential goals and the comp plan goals calling for higher density next to transit and employment and the goals call for compatible uses, which we provide by design. We are intentionally providing a mix of uses here that support and complement each other and that is exactly what our surrounding employers see and you can tell that by their letters of support in the record here. You have comp plan goals related to transit

oriented development that we need as well. Pine 43 provides residential and employment uses in a thoughtfully planned urban style development with densities to support transit uses consistent with all of these goals that call for densities along rail corridors, along transit and near -- and near employment centers. Meridian is in need of the type of housing that's proposed here. Multiple recent studies have indicated that Meridian is short on housing and multi-family housing in particular. A recent study showed that only 4.5 percent of the city's housing consist of multi-family developments. That means you are not serving all of the population you need here, including young adults, people starting out in their careers, people downsizing from their larger homes and including in this development, because of the quality here and the adjacency to the employers, executive housing that could be very valuable to them. You also have comp plan goals calling for development of commercial. Pine 43 will provide at least 72,000 square feet of commercial, which is a 29 percent increase over the 2018 approved plan. Plus the new hotel with the needed meeting space and nonresidential in the VI buildings and you have Comprehensive Plan goals calling for industries that provide living wages, in particular healthcare and medical technology here, and that's exactly what we are targeting. That's the point of this development is by adding in these mixed uses we believe we have a better chance of bringing those -- those targeted industries to this site and we are providing 221,000 square feet of space and because we are adding in the additional amenities we think it can actually work. This is just slightly below 8.7 percent less than the 2018 plan. The 2018 plan isn't built and isn't buildable and so the numbers are very comparable and now we think this is viable. A quick additional point on that. Office spaces here -- I touched on this earlier -- are just not in demand in the same style with the suburban style office park and that sea of parking and that's what we hope you can appreciate in this development that -- and why we believe this can succeed now, that we are actually trying to target the uses that the employers -- that staff is very focused on wanting to keep here, we are too, and we think we have found a good way to bring them in here. Staff talked about the compatibility concern with residential uses next to light industrial uses and you can see that really focused on the southeast area. However, we have created separation through landscaping and distances and setbacks to these uses. These -- these are light industrial uses. They include flex and warehouse spaces. They are limited in height, low intensity, they are not creating the type of hazardous conditions you would see with heavy industrial uses that are not compatible with -- with residential. We believe that our uses are -- are not only compatible, but appropriate and, again, by design intended to serve all of the employers around us by providing residential and providing additional commercial amenities for all of them to access. These are some examples throughout the valley of industrial located next to residential that I will skip for time. So, focused on traffic. The staff report notes that ACHD had comments that were of concern. In fact, ACHD never required a traffic impact study here. There was -- there was one approved in 2018 and they did not require any update. They did not believe the uses and the change in uses here warranted a new study. They did provide comments and they -- on a -- on a technical memo that was requested by staff and since, then, the Kittelson team has incorporated all of ACHD's comments and generated the table on the lower portion of this slide, which still shows we have a minor impact of -- or minor increase in trips here that will not impact the roadways, because they have already been built out. We still

need all levels of service and we are less than ten percent increase of the trips entering the site. And I have already noted that the fire station is nearby and has trucks available to serve our mid-rise buildings. We have support from the school district for the pathways and connectivity 📍 for safe routes to school and comments that we will be -- our residential will fit within their school capacities. And, Chairman, I will pause. I think that we are -- I can wrap up there and I appreciate your extra time. I will skip through here and just simply pause on the last slide. This is our recommendation -- or a request for your recommendation to the Council for approval. I already touched on the very first item of changing that striking of residential to the south of Pine and if you would like I would be happy to touch on the other requested change in condition. I don't want to take more of your time.

Smith: Are there any questions for the applicant? All right. I do have one question and something that I mean we will probably speak on later, but that -- this Block 1 -- or Lot 1 -- Lot 1 -- Lot 1, Block 1 I think is the one that I'm looking at.

Nelson: Uh-huh.

Smith: I understand that that's light industrial. Has -- I just -- I looked at what that industrial -- light industrial might be on Google Maps and it seems like there is a -- an auto repair shop immediately neighboring where some of that residential and that vertical integrated building would be. Has that been contemplated as part of the plan and what type of noise abatement would exist? That seems like a particularly noisy use case to me.

Nelson: Yeah. And, Chairman, the -- none of these uses have outdoor operations there in the light industrial. They all have to meet the requirements for having their operations indoors and to my knowledge there is no concern with the noise. I will let anybody else from our team address that particular concern. But we have put the building separated from the I-L with significant screening. There is fencing along the southern side. We have also oriented the building away from the I-L zone and I-L uses there to have the amenity decks facing the north as you can see from the shape of the wrap on that building and so we believe that both from the separation -- from the vertical separation that's also created, because that's a vertically integrated building, so the residential will be set higher, so it will also have vertical separation there combined with the fact that your code doesn't allow offensive uses that we believe would be incompatible in the I-L zone.

Smith: Okay. Thank you. I think I will probably have more questions, but I will leave it probably there.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: So, we are looking just to the south of -- of State Avenue and there are townhomes that run along there and, then, immediately to the south of that is Block 4, Lot 3, and that is vertical integrated housing; is that correct? And, then, in that same -- so, that the two buildings that are on either side of the plaza, what's going to be the height difference between those and the townhomes? They abut each other.

Nelson: So, they -- the building on the left, Commissioner Perreault, over on the west side there, is 76 feet tall. The -- as is the building over in the east, the vertically integrated and for the townhome height -- I have to look to my team. Okay. Townhome looking at up to 40 feet. So, approximately 25, 26 feet difference.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: So, does that make the townhomes three stories then? That's the anticipation?

Nelson: Yes.

Perreault: Okay.

Smith: Another question. What is the -- I guess first I want to say that Block or a Lot -- sorry. The north -- the northwest lot -- you know, the renderings and things looks really well designed and it seems like there is a lot of well integrated uses. Again, like staff, my thoughts are about kind of these ones on the south side with -- with all the intention that kind of -- of cross-functionality, of integrated use and things like that, on that northwest side, I'm curious why that multi-family on the southwest side is kind of on an island regarding, you know, a multi-use aspect; right? If I -- if I want to go to some sort of maybe retail or, you know, other kind of thing that's conceived in the multi-use plan, I have to either cross Pine or cross whatever that -- North Weber I think -- and that north-south road is and, then, get over to that -- that vertically integrated and whatnot -- all the way on the other side of Happy Hippo. So, I'm confused as why that was contemplated in this -- this manner without being residential, rather than vertically integrated or something that could serve those residents.

Nelson: I'm going to go back to the connectivity slide, because I think it offers some help for this, so that you can see how all of this is intended to work together. It is -- it is by design to have residential on both sides of Pine Avenue. If it's concentrated only on the north side of Pine Avenue, then, you end up with nonintegrated uses. Not only is that called for by your comp plan to have the integration, but we prefer that. We believe that that's actually what creates the functionality here. That's what creates the walkability is by dispersing that mix of uses and so having residential on each of these areas is -- is critical. It also provides the opportunity to separate the nonresidential uses around them, so that you have got a disbursement of the commercial and of the employment based office type uses and so we -- we like that design. It also allows you

to have some additional spread of parking impacts of the -- of the landscaping and setbacks. So, all of this was carefully thought about where those uses could go from a functionality standpoint, but also from a buildability standpoint. I think you were asking about the far northwest corner initially, so that is intended to be proposed med tech in that location.

Smith: So, I'm asking specifically -- and humor me -- if you go back to the color coded slide --

Nelson: Uh-huh.

Smith: -- it seems to me that this -- this southwest section, this -- this kind of L-shape right with the med tech, et cetera, that orange residential, it seems in terms of uses that complement it -- I understand that -- that northwest section -- northwest of north of Pine. I understand that is well integrated. It feels like in terms of the vertically integrated the purposes -- things that would service those residents -- humor me -- if you were to swap, for example, that far west vertically integrated building that -- that area with the residential in the bottom left of the image, the -- the orange for the yellow or the pink for the yellow, like it seems to me at first glance that would be maybe a better usage to make sure that those people in that -- that bottom left section are not on an island, you know, away from any -- any kind of those services, less -- less they cross the road or -- unless they cross the road. Does that make sense? Does that question make sense? This purpose of a vertical integration seems to me to serve a mixed use purpose --

Nelson: Uh-huh.

Smith: -- and so you have all these other areas, you have the northeast corner, the northwest corner, the southeast corner, all of them have a vertically integrated building, but in the southwest corner you only have pure residential and that's kind of what's throwing me for a loop here.

Nelson: So, in the -- in the southwest corner we have that L-shaped right on -- the building right on the corner; right? That's the multi-family. Yes. Okay. So, around that area there is the mix. You have got the multi-family and, then, you have got the additional uses -- nonresidential uses around it. So, they do have their own amenities, just like any -- you know, the scale of this I think makes this sometimes hard to envision, but, you know, they have the rooftop -- or the deck oriented pool and amenities that are required by your code and will be supplied here for that use. So, they have their own private amenities. In addition, that is a very short quick walk there with a lot of crosswalks that are built in here, pathways throughout this entire site to be at a more public -- large public space. So, you think about some of the areas within The Village that have attracted a lot of people, people have to drive there and park in a car and, then, go into this kind of popular hangout space. Here you are right there. You can see it from your window perhaps, depending on which way you look. It's -- I think it does feel and live like it's part of your community and the development is large, which is a great opportunity for the city to get such a large development that it does straddle

streets inevitably; right? That's what gives you that road connectivity as well. Bicycle connectivity meets the road. So, I -- I understand what you are saying, but I guess I just disagree with it to say that the road makes it not horizontally and vertically integrated for all of these uses.

Smith: So, I think -- I think I have got some clarity here.

Nelson: Okay.

Smith: So, is it essentially the intent of the application -- I mean it seems this again -- this northwest section is kind of the crown jewel that's in the renderings and things like that. Is the intent to funnel the people from these -- especially the -- you know, the immediate east and the immediate south across those streets to funnel people in terms of amenities -- you know, they have their own amenities from a residential standpoint.

Nelson: Right.

Smith: But from walkability, 15 minute city type uses, to funnel them into that central location into -- into that northwest section, is that -- is that kind of the intent of the design?

Nelson: Yes. And other directions. If you think about that this is providing housing for our surrounding employers, they are walking other directions along all these pathways that are being added within our site and around and so -- and if you look at the multi-family down in the southeast site now that -- they also have the opportunity to come and enjoy this larger public access plaza with amenities, restaurants, et cetera, but, then, they also have, in addition to their own private amenities, they are next door to a vertically integrated that will have an entire first floor of nonresidential uses and so there is many opportunities. They are also close to Scentsy and Blue Cross, close to the light industrial directly to the south. So, they may be able to walk to their job very easily. These are not far from the universities that specialize in some of this med tech work around here. So, people would be able to bike and to walk from this area and from each of these buildings and we are worried that if it were -- they were all concentrated in one size you lose that functionality that was very purposely designed in to each of these areas.

Smith: I have more clarity now. Thank you. Any Commissioner --

Nelson: Thank you for the questions.

Smith: -- have any questions?

Stoll: Mr. Chair?

Smith: Commissioner Stoll.

Stoll: So, the proposed development that you laid out, the change increases as far as the overall residential population by how much?

Nelson: So, the difference between what's been approved and built and what we are asking for -- to be improved and built is 880 units. The reason that's different than the 904 that we are planning within this site is that there were some that were approved that weren't built yet within the whole 121 acres of the original DA.

Stoll: So, the traffic analysis study that was done by Kittelson I believe --

Nelson: Uh-huh.

Stoll: -- back in 2018 I believe it was, had a horizon year of 2025, build out -- a horizon of 2030, build out 2025. We are in 2025 now --

Nelson: Uh-huh.

Stoll: -- but ACHD didn't request that had to be updated. Have my opinions about that, but the population is significantly higher based upon the COMPASS memo that was included in the agency reports and what they have in their traffic analysis zones for that area.

Nelson: Uh-huh.

Stoll: Pine is not going to be built out any more than what it is as we have it currently, nor is Locust Grove south of Fairview. You mentioned transit quite a bit, but the only transit line that we actually have is on Pine, which is a bus route. The rail corridor -- it's highly questionable whether it's going to come to fruition at any time. I will leave it at that. Is the transit service on Pine sufficient to meet the needs that you have identified as far as transit? Somebody is over your shoulder is nodding his head.

Nelson: Yeah.

Stoll: I don't know if he is part of Kittelson or not.

Nelson: And now, of course, I anticipated you would have these questions with your COMPASS background and they are great questions, so -- and I think there is a few pieces to that. Maybe focusing on the ACHD piece first and, then, the transit-oriented development designs by the city. But from an ACHD perspective they did not require an updated study, because the roadways had been built out. They looked at the total uses and determined that they would still meet the levels of service for the roadways even in today's year. So, it didn't need that update. Staff did want, though, to have a better understanding of, okay, well how does that work? How -- you know, what are the impacts to the roadways? And so we put together the technical memorandum that was reviewed by ACHD. They provided preliminary comments just recently and they asked for a different analysis on trip capture getting to -- a little bit to your inner point about,

okay, is the transit supporting that. Kittelson and Jamie can come up here and debate this with you if you want them to, you know, doesn't agree with ACHD's haircut on the trip capture, but, nonetheless, just incorporated it. Just accepted ACHD's comments. So, built them in, revised the study and that resulted in the second table that I showed you on the -- on the traffic side that we can go back to if you want to focus in on it. But we still have minimal increase in a.m., p.m. peak trips and to put that in perspective, Kittelson went and looked at 2025 counts, so there is, you know, bringing something current at an area intersection to determine, okay, well, what -- what does this mean in context? How much did those particular increase in trips -- how does that impact the area roadways? And so that is the -- that -- what I mentioned in -- earlier, that it was still less than ten percent of the trips that are entering this site, this increase, and so if we are getting -- and that was using ACHD's revised trip capture numbers. So, to get this additional density of residential that's called for along transit and to be able to increase nonresidential uses on the whole, we are still within the existing roadway that has been built out by the developer and existing levels of service are met. You know, as far as I think the rest of your questions about transit. You know, you know from the city's Comprehensive Plan these are goals to help transit do better in the future and I was actually surprised in studying this to see that you have -- you have goals in your comp plan that's not very recent. The comp plan has been around a while -- that talk about passenger rail. They talk about orienting less residents around the rail, not just light industrial and not just employment and that was fascinating, because, you know, I actually do believe that Wayne Clegg is going to pull it off within the next decade, which is -- would be amazing to have passenger rail there, but the city already calls for you to plan for it and what an exciting opportunity we have to add density right there by the rail corridor by the only functioning transit line, bus line, you do have in the city. So, we are going to build on it to make it better and that's the point. You have to bring the density before you have successful transit, before you have successful commercial and from our point of view before you have successful office and med tech uses.

Stoll: Okay. Thank you.

Smith: Commissioners, any other questions?

Rust: Mr. Chair?

Smith: Commissioner Rust and, then, Commissioner Perreault.

Rust: Yeah. Two questions. The northwest area we have referred to that as the crown jewel of the whole development. I really like the podium style parking, but I'm seasoned enough to note that's not free. That's pretty costly. If the density is reduced, if you don't get any residential south of Pine, is that bringing the question the viability of the north half of the project?

Nelson: Chairman, Commissioner Rust, I mean the developer can answer that differently if they want, but I -- it -- it jeopardizes the project for many reasons, but you have identified a good one is, then, you are changing the cost structure and

underground and podium parking is very expensive. That underground parking garage that covers all of Block 4 up there is -- is big and those are expenses that are supported on the whole by this development as presented. But it has other impacts, too. If you reduce the residential and especially at the levels that staff is recommending to remove all of the residential south of State and potentially reduce the density -- or south of Pine and north of Pine reduce it, you can't support the commercial that's called for here and, then, you aren't supporting the office that they want. So, I think -- I think staff is well intentioned. We actually want the same things. They want to have living wage employers attracted to this area, but that's what they have now in the 2018 plan and it's not buildable and it's not just buildable in today's market, it's not buildable looking forward. That's not what people are moving to. That's not what businesses want. That's not what employees want. That's not what helps them attract and retain them. So, the way to get there is to have all these mixed uses. So, I think there is bigger consequences to taking out the density than -- you know, you lose some of these more expensive features.

Rust: Follow up if I might. Out of personal curiosity what's the build out timeline that you anticipate if you were to get everything that you are asking for here today? Is this an eight to ten year runway?

Nelson: I mean, obviously, it's market driven, so -- but I would -- I think ten to 15.

Rust: Thank you.

Smith: Commissioner Perreault, your question.

Perreault: Oh. There we go. Commissioner Rust asked the question that I was also interested in, so I would like to dig into that a little bit more. Eight hundred and eighty additional units is significant given the actual geographic space that it's in. I mean just within a few acres really. This -- talked about this being a very specific and critical area for the City of Meridian and what goes here is a huge decision, because it's one of the last larger spaces in that entire Eagle and Fairview kind of area and so we really want to get this one right, of course. So, you know, residential -- there is a lot more options for where you can place residential than where you can place commercial and that for me is where I see this as a bit of an exchange and I understand what you are saying about the market changing and different desires of the business community and I have a 20 year career in housing, so I'm very familiar with what people are looking for for their housing needs and I just want to -- I want to hear more about these 880 units and why that's critical for this project, because we are really trading off commercial ground that can't just be found anywhere. This is just such a really important -- I mean Fairview is, you know, a seven lane -- it's the largest street section in the City of Meridian, so I just really want to dig into understanding the thought behind that.

Nelson: Yeah. Chairman, Commissioner Perreault, I -- it is -- it does sound like a big number and -- but, then, you look at how it -- how it's placed here. It is -- by going up -- by creating that density and intensity of use, that urban style design here, you don't take

up much land and you take up less land because you are over -- in almost every of these buildings you are over nonresidential. So, you didn't lose the nonresidential land that you value and that we value in this area as well. Instead, you get -- you get both and I mean you look at -- you know, you look at The Village and look out front, well -- and any really big shopping center the retail pad development style that goes along the streets, right, those are all small single -- single story commercial pad build out with a sea of parking around them. That's -- that's what you typically get along a road that can attract commercial. So, as far as it being a -- one of -- you know, one of your last key commercial areas, we think this area should be treated a little more special than that. You have got the uniqueness of these quality employers right there that have started to build out around this site. You do have transit to build upon that really supports and begs for that additional intensity of residential. So, why not create more of that urban feel here to raise up that residential. Because of your background in housing, you know, those numbers that I reported on that have been presented to the city over the years, you know, aren't surprising to you. You have over 80 percent single family detached residential here that one of the studies said 83 percent. That's a lot. You also overall, for all residential, are behind. You know, you have a .5 percent vacancy rate and four to five is healthier. So, again, these studies are pointing out that you need more residential. You need more multi-family specifically and your goals call for it to be here, near employment, near transit, on major corridors where it can really serve that mixed use community.

Smith: Commissioners, other questions? All right. We can move on to -- oh, Commissioner Sandoval, do you have any questions at this time? You are on mute.

Sandoval: Not at this -- not at this time.

Smith: Cool. With that, then, Madam Clerk, is there anyone signed up to testify?

Lomeli: Thank you, Mr. Chair. Yes. The first person is Julian Jenkins.

Nelson: Thank you.

Smith: Thank you. Julian Jenkins? Okay. Had to leave. All right. Next --

Lomeli: The next person is Garrett Schultz.

Smith: Give your name and address for the record.

Schultz: Hi. My name is Garrett Schultz. We live at 1923 East Presidential, which happens to be directly behind -- or I guess to the north of this proposed lot, which directly impacts my family's quality of life and our potential home resale value. I do want to note that so far the applicant has conveniently excluded talking about any of the rest of Pine 43, which does exist, is nearly completed building. We are part of that. So, when you look at that I will be comparing those two. And I did speak to the applicant who couldn't make it. He did have a significant complaint similar to mine, so you might

want to sort of add that to -- my mic still working? There we go. I want to add his to mine as well, knowing he did have to leave due to how long this was going. So, I want to say that we are not against this in principle. We think it's really cool that there is a mixed use development, that there is a live-work space, cafes, bodegas, restaurants -- the things they proposed are really cool. We would love to live near that. But the scale of the proposal is what I would like to push up against, that I think it's way out of proportion for this location. For us we live -- driving down the street you are going to see on either side of the road 75 to 85 foot sheer walls on both sides of you as you drive down Pine. Just imagine the concrete canyon that you are going to be driving through, with pretty much zero green space on either side and, then, for us we would see a building the size of something like Scentsy or St. Luke's or Portico, which are the tallest buildings in the area, in our backyard directly right there and, in particular, Scentsy was compared in the last time when we had a meeting with the applicant here and Scentsy would be an incorrect comparison anyway, because there is a story below street level and surrounded by beautiful green space that we go and walk at all the time, whereas they have pretty much zero green space, again, directly butted up against our residences. And directly behind our house we have planned three story, 40 foot tall brownstones that would be tightly packed in directly looking with patios into our backyard. So, our privacy would be pretty much destroyed, which was already at a premium in this very tightly packed neighborhood with very small backyards, very tiny side yards and five foot fences. So, I'm just curious have we even done a shadow study or a look at what the impact of the sun and blue sky would be on the homes that already are built there. In addition, overcrowding and traffic I'm not exactly sure how they only got a hundred and something new trips per day when you are adding in what I see is almost a thousand new units. I think the traffic is going to be insane, because you have -- I -- I have seen anything of 880, 900 for new units, plus 160 room hotel as I see it, which I would put it out a total now of a 1,700 units 📌 which gives you 166 percent increase. Would I be able to have a little bit more time given how the extra time was given to the applicant?

Smith: That's in the purview of the chair? Yeah. I think another --

Schultz: One more minute?

Smith: Yeah.


Schultz: Great. Thank you so much. So, I see in total Pine 43 from currently 640 to -- I see 1,700 or so units. That's 166 percent increase. I don't see how that doesn't increase traffic by a similar amount. So, even with underground parking where do those overflows car -- overflow cars go? Where do visitors to the shops park? How will our existing roads and intersections handle that surge, given that they are not going to be expanded? And what about the added light and noise pollution, again, to those residents to the north, especially of this area, in addition to the ones you already brought up in that south corner with a lot. And, then, in construction I understand if we are going to be building these giant underground parking structures, there could be pile driving or blasting needed. Do we have any assurances or guarantees that our own

homes foundations won't crack during this process? How will utilities and water table be protected? How will the construction workforce over this ten to 15 year development, here will they park and -- as they build this out? So, in conclusion, I think this is a really cool idea. I think it's beautifully designed, but I think the proposal takes it way too far. So, to scale it down, bring the height down, allow us to keep our privacy, I think we would be on board. Thank you.

Smith: Thank you. Madam Clerk, next?

Lomeli: Mr. Chair, I have Tammy de Weerd.

Smith: State your name and address for the record.

De Weerd: Hi, Commissioners. Thank you for letting me stand in front of you. It's kind of odd being on this side and not on that side. I'm Tammy de Weerd. My address is 2621 North Miranda Avenue here in Meridian. I'm testifying as a citizen and certainly as a former Planning and Zoning Commissioner and City Council Member and Mayor I helped write Meridian's first comprehensive plan with Charlie Rountree, Keith Bird, David Zaremba and I also, as Mayor, was able to be the one that helped to implement it. I was the original driver of the med tech corridor, so I'm very familiar with that. Worked to bring the core, ISU, and many of the other efforts that we have done in that regard. Nearly two years ago I was asked to come and see Pine -- the Pine 43 vision and provide feedback and I can tell you that I was ecstatic when I saw that firsthand, because it was exactly what we envisioned in both the Comprehensive Plan that we first adopted and, then, we adopted one. It's a mixed use community thoughtfully designed to fulfill the highest aspirations of the Comprehensive Plan and the highest and best use of this property. So, what I walked away with is this is not just a project, it's a realization of long held aspirations for our Comprehensive Plan and for Meridian. It's walkable. It's livable. It's vibrant neighborhoods. It brings together all in a community center that is a gathering spot. It's housing, it's employment and it's going to be one of those things that helps us realize the med tech corridor, because that is quite an investment and an investment needs amenities and housing for talent that is not in that area. We just found a comparison recently and it's in Fort Worth. It's called Westside Village and it's very transformational and it's a 1.7 billion dollar mixed use redevelopment project in an industrial zone. It is utilizing 125 million in city incentives, because they believe that this is the kind of development they need. The benefits of walkability, viability and the long-term economic strength is what was a big seller and Pine 43 really delivers on the core values of a diverse housing stock, employment, supported uses of pedestrian infrastructure, high quality public spaces. The mixed use layout and the walkability is what captures that. You can come in your car and you don't need to leave the rest of the day, because all your services are not only promised, they are already on the ground and built. I would say that why approve this is? This aligns with the comprehensive planning goals. It fulfills a vision more completely than regulatory and it had -- that regulatory approach might suggest. It adds value. It doesn't replace, it  upscales housing and supports employers in the med tech vision growth. In closing I would just say that this is the kind of project that we have championed for decades. It's

to the street. It's mixed use in all of its components. It is the first example of a vertically integrated project and, you know, as the team has already realized, being the first is not always the easiest, but it's exciting and this is exactly what our Comprehensive Plan envisions and I hope that Meridian is ready for it. Thank you for allowing me to testify this evening.

Smith: Thank you. Madam Clerk.

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

Smith: Is there anyone else who would like to -- feel free to please come forward. And if you could state your name and address for the record.

Tompkins: Thank you. Hi, my name is Ian Tompkins. I live at the Dovetail Apartments, Apartment B-105, so one of the buildings that are right along State and I'm here speaking in favor of the project, including those that staff did not agree with. I think it would be a massive improvement for the city, a city I have lived in my whole life. I'm not seeing any of the traffic concerns my neighbor -- my neighbor sees as somebody who drives Pine through to Emerald every weekday for work. I'm not as concerned on the traffic front as he seems to be and if he is curious about a shadow study for how three story buildings would look against where he lives, all he would have to do is look at his next door neighbor apartments. They are three stories, so you get equivalent shadow study just from looking at your neighboring buildings. For buildings of the height being requested, I think Meridian should be looking towards more buildings of that height. I know they attempted one across the street. However, the skeleton, of course, is currently -- it met dealing with legal issues, but I think Meridian should be looking in that direction for the future. We are not a small town anymore. We are a growing vibrant center -- growing vibrant city and to have something like this along a transit corridor -- corridor that Valley Ride has already spotted as a transit corridor and along roads that have already been prepped for the area, I see just benefits galore for it and for any other concerns of traffic I would just like to remind the Commissioners that Franklin, Eagle, Locust Grove and Fairview are the roads are already surrounding this are already some of the busiest and it's not causing that much traffic on Pine as it currently is. The light at Pine and Eagle is probably one of the lightest along the entire Eagle corridor and, honestly, I would almost argue an increase in traffic would be a good thing. It could be treated -- it would treat Pine like a normal cross street, instead of a smaller almost subdivision like street in the eyes of ACHD hopefully. But, in closing, as somebody who lives right next door to all of this development, I am in all favor for it in its full extent.

Smith: Thank you. Is there anyone else who would like to come -- feel free to come up. And just, please state your name and address for the record.

Farnsworth: Brian Farnsworth. 4178 Madden Way in -- in Meridian. I have some townhomes and a single family home in the existing part of Pine 43. I also think this is a really neat development. It's a question more than a comment. I would assume that the

new development would not be part of the existing HOA and would not be privileged to the pool, athletic courts and other common areas of the existing development.

Smith: We can have the applicant clarify that when they come back up. Thank you.

Farnsworth: Thank you.

Smith: Is there anyone else who would like to testify? Is there anyone online raising their hands to double check? All right. Then would the applicant like to come back forward.

Nelson: I -- I'm sorry for not listening. Deborah Nelson again for the applicant. So, I will try to address some of the concerns that came up here. First of all, back to one of the questions that you asked, Commissioner Smith, I just want to comment that on that southeast corner Dennis Baker plans to have extensive landscaping there. He owns a nursery. He said it will be very well landscaped. So, that will be extensive separation there. One of the concerns that was raised about was about parking. Is the parking sufficient. We actually are well over parked. We have more than 200 extra spaces over what the city code requires for each of our individual uses and so there will be -- and that, you know, of course, has built in for visitors for each of these types of commercial uses. So, we have significant over parking. With the construction, obviously, that will be phased and we will have to accommodate that on site with our construction workers and make sure that they are not obstructing traffic or impacting our neighbors. He described his home as being directly across from our new townhomes and our townhomes it's worth noting -- and I think I have got a -- an image here that may be helpful. Yes. There we go. So, there is an elevation of our townhomes, so they are three story, which is compatible to a two story, but it's also noteworthy that it steps back and so it's not a straight wall at the setback and so the style that's being proposed here steps back with that patio, so it does create a less imposing and more transition to the homes across the street. Also because this is East State Avenue and there is detached sidewalks and significant setback just from the street itself, you know, we expect this is going to be around 95 feet between those structures. So, that's a significant distance as well. In response to the question about whether this is going to be part of the same HOA as the prior development, no, these will be separate HOAs for separate developments here. Of course the -- the public amenities -- and we have many public and quasi-public amenities throughout the site, not just the large plaza that we focused on, there are many areas of that. Those will be open to everybody and, of course, the more the merrier to support the commercial activity there. Let's see if I hit all the questions I wrote down. I think so. So, unless the Commissioners have additional questions we would leave it at that and we would ask for your support and, again, if you wanted me to touch on -- we have that one condition we are going to -- we were objecting to, we can obviously take that up with Council as well, but primarily we are focused on being able to bring forward the mix of uses that we applied for.

Smith: One question. So, you talked about the setbacks here for the townhomes. That northern end of Lot 1, Block 4, that -- that vertical -- vertically integrated, will there be a similar setback on that northern edge?

Nelson: That does not step back I don't believe. I'm looking at the architect on that -- that -- along State Street. As you go up to the east; right? Not away --

Smith: But it's not a step back from the --

Nelson: Not away from East State Street, but it does -- yes, it goes up from the homes in -- which would be a progression from his location, that it steps back as you go towards the east corner.

Smith: So, sorry. Just to make sure I'm -- so, is it higher elevation on the east corner or on the west corner?

Nelson: Higher elevation on the east corner.

Smith: Okay.

Nelson: And so it steps down towards the townhomes.

Smith: Okay. I know there was discussion from staff regarding an open space exhibit. In light of staff's comments do you anticipate any changes to open space or is that just something that needs to be confirmed?

Nelson: Yes. Chairman, we have already started working on that with the landscape architect and we do expect to work through those issues with staff. We have got some minor adjustments that we expect to discuss with staff. At this point we believe that the comments will be workable.

Smith: Commissioners, have questions?

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: Could you clarify for us on the alternative compliance request regarding the private usable open space for the studios and the vertically integrated units, can you go over that with us? I understand that it's -- because there -- there intends to be private decks -- rooftop decks, but can you give us a little more detail on that?

Nelson: Yes. Commissioner Perreault, the concern is with the studios that they have a relatively small footprint and so if you try to fit the balcony on the exterior of the building around the studio, then, you just end up with a space that's immediately touching the next space next to and so it doesn't fit very well and it actually doesn't become very

private either and so that's -- that's -- part of it's just a functionality thing and so it -- instead we promote -- we provide this more enhanced amenity space, this -- that can be used by all and exterior amenitized space where they can gather with their friends that will be larger than you could fit in a little balcony at that point and so -- and staff did support that record -- that alternative compliance request for the buildings that she reviewed.

Smith: Commissioners, questions? A lot of thoughts, but I don't know if they are formulating into questions. Any takers? Commissioner Sandoval, do you have any questions?

Sandoval: Mr. Chair, not at this time.

Smith: Okay. With that, then, can I get -- thank you. Can I get a motion to close the public hearing?

Stoll: So moved.

Rust: Second.

Smith: All in favor? Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Smith: So, I will go first. I'm -- I'm torn. For some background when I worked in the legislature in California -- don't tell anyone -- one of the issues I staffed was -- was housing and it was during SB 79-78, which is transit oriented development related and by right and I was personally supportive of it and I think transit oriented development is an incredible thing and needs to be supported and there is always a chicken and the egg problem regarding, you know, reality, so I'm hopeful that Will and Greg can get that light rail or that -- not light rail, that passenger rail moving. That would be great. So, I'm torn, because my -- my personal kind of I guess philosophy says, you know, this -- a lot of this is really incredible and it is. I think just that southern edge -- I don't know that I'm fully in agreement with staff on -- that there shouldn't be any residential there. I don't love it on that southern edge. I don't love it there. And I -- frankly, I'm just struggling with that whole southeast corner. I understand that's kind of just part of the parcel and that's -- you know, there is not much you can do about that. So, that's where I'm at personally. I think at the end of the day either way I don't -- in light of kind of the direction we are trying to take with helping close loose ends for City Council I probably wouldn't be it -- I probably would want to continue this until we have open -- an open space exhibit and have more visibility on what things look like and also, again, maybe give the applicant some -- some more time to convince me on that southeast corner, but that that's where I'm at personally. Any other discussion?

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: I appreciate the time -- obviously three years that the applicant has put into working on this and the many many committed hours. So, I hope that what we share is received as a desire for this to make it the best possible project. I don't have a problem with there being a more intense use than what was there -- than what was agreed upon in the 2018 DA. A couple of my concerns are -- we have a lot of conversation about transitions with residential and I just don't think that transitions here with the types of residential are good. I don't love having a 76 story building right next to townhomes, even if they are three story. At this point this is a concept; right? So, I don't know if those townhomes are going to be three story or they are going to be two story. There is no guarantee on that and so I have a lot of challenges with transitions between -- not only the townhomes and the -- the vertically integrated, but also with the individual homes that are just to the north side of State Street. So, just some -- just -- I have a lot of concern about that and, then, in addition -- I -- I think that there could be a solution where staff is satisfied and we can also accomplish what the applicant is trying to do without adding the full additional 271 units that staff is -- is -- is suggesting be removed. I feel like there is -- perhaps I'm wrong, perhaps the conversation has been had over and over again and if that's the case, then -- then won't go any farther than that, but I would like to -- to at least hear or have some more thought put into whether there could be, you know, a compromise on that. Thirty percent increase in that -- in the maximum building height is a lot, even with the -- the apartment complexes that have been proposed around The Village we didn't see that level of intense increase and so to have, you know, one building with that request I think is -- is not as big of a concern, but have four buildings where we are doing that. So, I'm just still chewing on that a little bit while we continue our conversation.

Smith: Other commissioners?

Rust: Mr. Chair?

Smith: Commissioner Rust.

Rust: I would start off by saying no other project that I have seen in my time here has this level of density that they are requesting with the ratio of negative comments. Normally we would be absolutely flooded and so I think that's -- that's a testimony to a couple of things. One, I'm going to assume that there has been neighborhood meetings in some of these nearby areas and people are generally in favor. That was borne out by the two to one ratio we saw in public testimony today or two to two, with the one who had to leave. I also think it speaks to the fact that this project makes a lot of sense conceptually. This is an area that doesn't have a lot of neighbors that are going to be just up in arms over this. It fits well. This concept is unique and it's something that I really like. I think we are gaining density in an area that's best suited for it without sacrificing commercial in a meaningful sense. I understand staff's concern and this city is always going to be concerned with property tax revenue and the reality is that residential property isn't going to provide the same level of revenue as other services

would, but that's what can be built in the market today. I like the audacious nature of what you guys have put together. I think that's what this is. We are not haggling over amenity points. How many podium -- not even podium style, but stuff around Ten Mile Crossing, which nothing against those projects, but we get in and it's just postage stamp of green area and while we are exceeding our amenity points by three, that didn't even come up here. There is a ton of community value here for the residents, for those that will come in and appreciate the public square and everything else that's happening here. This is very different from other multi-family projects that we see. I would also like to just point out -- I say this about every fourth Commissioner meeting and we are due, but cities and developers are all subject to market forces and we are not going back to the pre-COVID era of all these suburban office parks and everything that happens. It really is more about that lifestyle. My generation wants Village-type living, working, playing spaces and this provides that. It's a unique design. It's a little bit different from The Village, but borrows I think some concepts from it that I really appreciate and so this is something that's going to propel the City of Meridian forward, not just today, but into the future as well. I think the choice is not between this plan and some reduced density, I think it's, you know, this plan with the audacious nature of trying to do something different, trying to do something innovative to build for that future or more of the same that we see here a lot, kind of fragmented proposals that come through. It's going to be hard to get a master plan that's unique, that doesn't have these components that. The podium style construction is just so much more expensive and so I sympathize with the fact that reducing density is probably going to lead to the scrapping of the entire concept and having to start over and given the choice between more of the same and something new and fresh and frankly exciting, I'm strongly in favor of giving the applicant exactly what they are asking for here and putting that recommendation before City Council.

Smith: Thank you. Commissioner Stoll.

Stoll: Mr. Chair. So, good people can disagree on things such as whether the rail corridor is going to come forward anytime future -- in the future. But this project does support the bus line on Pine that the city has invested in and it would provide potentially the needed ridership that that line needs. However, we can't force people to get onto the bus or to utilize transit, so there is going to be an impact upon the transportation system as a whole with this type of development. However, this is what we have talked about for years, whether it's been as part of the city or as part of the regional dialog as far as having high density mixed use development along the rail corridor or Pine and promoting that and I remember when this development was originally put in place I was looking forward to it in my other life and I'm excited about the potential of this project. We can have significant debates about whether suburban office space, commercial space is going to be coming back or not, and if you have the crystal ball I really want you to tell me what the lottery numbers are. But I trust the development community as far as what they see the market force as being and if they feel that this is a more reasonable approach to this development or to the land, I'm supportive of that. I think Ms. Nelson also did point out that we are not losing as much office space, commercial development as we believe we are, but with the increased height of the property -- of

the buildings we will get additional residential, which is what we do need as a community. So, I'm inclined to support what the applicant has put forward before us and I leave it to Commissioner Sandoval to talk.

Smith: I was going to ask if, Commissioner Sandoval, do you have any comments?

Sandoval: Yeah, Mr. Chair. So, overall I think this project is just beautiful and I think it is going to provide a lot of amenities. It's going to provide that cross-functionality we are looking for, but I do have some reservations. The additional units, that's a major shift from the previously approved commercial plan and I think that's ultimately going to burden the schools, roads, utilities, emergency services without a clear mitigation, especially in lieu of that rail line corridor being useful today, right, or even in ten years. My other is the height exceptions, you know, request to go up to 76 feet, that creates compatibility issues with nearby uses. I think that sets a precedent for future height creep in C-G zone, so we should be cognizant of that and aware and also the transitions, as pointed out, I do think they could be a little more thoughtful, so they are not impacting the adjacent properties. So, all in all, you know, I think it's a beautiful project, but I do have some concerns.

Smith: Thank you. I'm almost -- I'm almost tempted to just float a motion and see -- and if it fails no harm, no foul, but I guess I just would leave -- before I do that are there any other -- I want to make sure we get this right and it will leave some space for a comment or maybe it would be beneficial if I spoke on what I'm thinking. Okay. Well, I'm trying to -- okay. Under the chair's prerogative. I'm rolling with an iron fist now. No. So, where my head's at is I think it's -- this is worth continuing and I know after 2008 this has been annexed in the city, that probably feels like the project that never ends, but I think I would like to continue this for a couple of reasons. I would like to just -- I would like to see the open space exhibit. I would like to just -- again, the discussion kind of we have had about wanting to try to do more for City Council to tie up those loose ends for them. That's kind of part of why we are here, why we exist as a body, so I think we should just do some due diligence there. I think I would like to just see some additional -- you know, even if nothing changes in the plan I would like to see some more detail on the southern -- especially that south -- southeast corner. I would like to see how it transitions against that industrial -- light industrial to the south. I would also like to see how it integrates -- a little bit more clarity on how it can integrate with the rest of the project. Again, not -- yeah. I understand the flow -- location is there and it's not moving, but I just -- I would like to see a little bit more of kind of the contemplations around how that works. I'm not saying it doesn't -- it doesn't integrate with the rest of the property, but it's hard for me to visualize it and I would like to -- yeah, I would like to probably see some revisions of those setbacks in that transition space on the north side. I don't know that it needs to be extreme. I'm looking at them seeing the elevations here, there is already some -- especially, you know, the townhomes I'm less personally concerned about, but the Block 4, you know, Lot 1, is the -- is the area that I'm concerned about, that northern edge along State. I would like to see more of a transition. I know that probably means some slight loss of units, but, hopefully, there is -- I mean there is some wiggle room there, but I just in the -- in the hope of being good neighbors and I -- you

know, respecting our -- the northern neighbors kind of privacy, I understand there is -- there is kind of some R-40 to the -- to the east of that area and there is -- you know, there is a lot of stuff, but it -- really just trying to limit the feeling of being kind of looked down over into someone's backyard that kind of gives me some -- some pause. So, that's -- those are the specifics. I know that's kind of a laundry list and so I guess I don't know if there is any comments on that or if I can, you know, make a motion.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: I had the privilege of being the City Council department liaison to the fire department a couple of years ago and we had a lot of conversations about ladder trucks and the limited resources that the fire department has with those ladder trucks. We are fortunate enough to have two now. But the fire department did make comment on this application that they are not able to successfully respond to this development as it is with the height of the buildings and having multiple of them together and so if the -- if the applicant doesn't already have a plan I would like to hear more about how they would mitigate that concern if they could do that with sprinkler system or what the plan would be to be able to appropriately address fire -- you know, fire mitigation in that area and -- and, then, I also just wanted to make a quick note. The -- you know, I have been doing these land use applications a long time and I'm always blown away when we get traffic reports from 2018. I mean that might as well be 25 years ago and the vacancy rate statistic that you use from three years ago might as well be ten years ago. So, the current vacancy rate in Ada county as of Q1 is 3.33 percent. The National Association of Residential Property Managers publishes a report every quarter and so it's a lot closer to the four to five percent than the half percent that it's often used and -- and, yes, at one point in time it was that, but it hasn't been that for a while. We are looking at this in a very specific point in time and we might currently need a lot of residential in the City of Meridian. We have to be really forward thinking and decide do we -- are we going to have that same need, that same use in the future and so that's really what's weighing on me in terms of -- of, you know, do we really need this much. I -- I appreciate the applicant's desire to meet the needs of the community. I really do. I think it's -- it's thought through it well in terms of what our community needs, but I just -- just have a lot of concerns about -- about that as well. So, thank you.

Smith: Kurt, a question for you regarding -- I guess also a question for staff. I know ACHD kind of has the control over traffic impact studies. Just curious. You know, maybe it's -- chalk it up to being later, past my bedtime, but I mean what have we done or what tools do we have to -- is there any mechanism to -- can we ask for traffic impact study? Can we -- is there any alternate way or -- Commissioner Perreault, if you --

Perreault: My -- my thought is -- so Kittelson, you know, they do studies all over the valley and they are not going to go out and reassess an area if they have already done it. They are going to go look back at the numbers that they had compiled prior and so really in my opinion -- my opinion -- the only way to mitigate these is just to have them

go and do a full assessment and not use data that's older and have them go do a full assessment of it and, then, they did to some extent in this, it's not that they didn't do any new work on it, but it just -- to use numbers that they have used from the past from -- from past work it just doesn't work and this isn't just this application. This is many many applications that come before us.

Smith: Okay. All right. I'm going to -- I'm just going to give it a shot and if -- again if it fails or if we want to, you know -- you know, give another shot I'm okay with that and this is, Commissioner Perreault, like you said, not necessarily in opposition to this, but -- but out of a desire to -- to make sure we do this right the first time and taking this is -- this is -- this is getting close, but we just need to make sure we do it right. So, that being said, I -- oh, I would need to reopen the public hearing to continue. So, I guess can I get a motion to reopen the public hearing first?

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: I move that we reopen the public hearing for H-2024-0071, Pine 43 Mixed Use Subdivision.

Stoll: Second.

Smith: It's been moved and seconded. All in favor? Any opposed?

Rust: Nay.

Smith: All right. That motion carries.

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

Smith: Thank you. And so with that being said after hearing all staff, applicant and public testimony I move -- sorry, I just lost the number. I move that we continue Item No. H-2024-0071 -- again we should probably identify a date that works.

Lomeli: Mr. Chair, September -- well, let me ask this. Do you know about how many weeks? Hearing -- next available hearing or do you want it out farther than that?

Smith: That's a good question. We have the public hearing open. Is it prudent to call the applicant back up for comments on that? Would it be possible to -- and if you would like I can re-outline kind of what we are asking for if that helps to your timeline.

Ms. Nelson: We are trying to discuss. I guess our request is not to be continued and to get to Council. That would be the first request. Secondly, if you have reopened the hearing we would love to answer the new things that came up in deliberations, but to

your question, I think the desire is to get it done as soon as possible, but I won't be here for the September dates, but they can be carried.

Smith: So, I guess maybe I will list out some of the asks and see if this is feasible within the next -- next hearing date. The ask is I guess for, you know, some -- a larger traffic assessment or full traffic assessment. The full open space exhibit per staff's request. Clarification of additional elevations for that transition to light industrial to the south. Better -- revised elevations to allow for transition to the north toward those R-15 properties. To clarify and provide descriptions of the interconnectivity between Block 1 and the rest of the project and to go over a fire mitigation plan in light of Meridian fire's comments. Do you feel like -- is that -- that's feasible?

Nelson: Chairman, I feel like if we could have additional time we could answer each and every one of those questions this evening. We have our entire team here. Fire has already -- we have all the answers you need already. We have our traffic engineer. He can explain exactly that he has already gone back to do the study that you are asking for. So, it -- that's -- you have reopened the hearing. It's your call. I'm just -- I'm just letting you know we have all of the consultants here this evening. They can address these questions with you.

Smith: I think for me personally and all of the other Commissioners can opine if it's more prudent for them, but for me I guess what my ask is more for materials and less commentary -- or like less testimony. I would like to see more -- I would I'd like to see additional information and potentially revisions. Again, like I don't know that we can discuss our way out of probably needing to see some revisions on that State -- you know, setbacks. I think some work probably needs to be done. So, I think -- at least my -- my -- I will let other Commissioners opine. Kurt, feel free to correct me if I'm stepping out of bounds in terms of where we are at in the process, but that's kind of where I'm at.

Rust: Mr. Chair?

Smith: Commissioner Rust.

Rust: If I might, this is a large project. All right? There is a lot of moving parts and pieces here. I think there will -- there will be things that we will want answers to until the cows come home and I -- I want us to be careful as a body that we are not putting additional requirements. They fulfilled the traffic study. I think the open spaces is a discrete issue and if that's something that we want to continue on that's fine. I think -- I think the applicant has put a lot of thought into what they have put before us today. They are going against staff recommendation and just presenting us -- I think this is the plan. I don't think they are going to redesign community elements based on -- just to be blunt fuzzy -- I would like something different. That's going to be really hard for the applicant to manage that and like we are not really giving them clear guidance on this is exactly what we want to see, even on the interconnectivity issue, like we saw a slide and it was in our staff report on sidewalks and crosswalks and connectivity and where the buildings are all placed, I didn't hear anything -- I was trying to discern actionable

things that we didn't already have and I -- I was left with not a lot on that list, just candidly, and I do -- I just don't think that we are going to get all those answers. So, if the open space -- to me that's a discrete thing that isn't done that if we want to see that, great, but all that other stuff I think starts just compounding burden. And the applicant has put a ton of work three years into this and I think giving them an up or down and moving them on to Council probably is the right move. It is the right movement in my per -- in my view. So, just my commentary.

Smith: Appreciate it.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: Respectfully to Commissioner Rust, I think that if this body needs to have more questions answered to make a really solid recommendation to Council I would rather slow down and do that. Having been on the Council and know many of the Council Members and how they think, they are going to ask the same questions that -- that we are bringing up. They are going to have work -- that's going to be a similar conversation on the specifics and so I think we slow down and take that time to get those answered before they get there. We serve at the pleasure of the Council and I know that's going to be -- just some of these questions are going to be conversations they are going to have and so I -- I'm more comfortable with taking -- the significance of this decision for our community is very very big and I know it's been a long time coming. I don't think it's going to be harmed by an extra four weeks to get some additional decisions made. The other thing that I -- or additional information. Excuse me. The other thing I want to say is I don't specifically have an issue with the traffic report. I wanted to answer your question about -- for me I don't have an issue with the traffic report. I just was commenting on what you were saying about how the traffic consultants work.

Smith: That's helpful.

Stoll: Mr. Chair?

Smith: Yeah.

Stoll: If the applicant has their experts here and they can -- they can verbally respond to the questions right now, I would like to hear what they have to say and, then, we can make the decision once we close the public hearing again on whether we want to continue or deny or accept.

Smith: Okay. I think -- I think to that end I think there are some very specific questions and I don't want -- what I don't want is -- I don't want us to go around and around. I do think we are going to need to continue regardless. But maybe there is some things we can cross off the list and so maybe we can discuss and I will just keep it very tailored

and very brief. So, one, I would like to just ask question about the mitigate -- fire mitigation in light of Meridian Fire Department's comments, what plans are there.

Nelson: Thank you, Chairman. I appreciate that. Yes. So, the fire department did express a concern about staffing and equipment issues, but this is a general concern citywide. This was not specific to having tall buildings. The applicant team did meet with the fire department in December of last year. They also corresponded with them again following the comment letter to confirm that and so it wasn't about this particular design, it was a general concern that I think everyone was aware of in the city with fire staffing and concerns about the resources they have to serve all uses and, of course, taller buildings do require more attention, both on the building side and the fire protection side. They are constructed with additional protections built in. All these buildings of course are sprinkled. I think that was one of the mitigations you had asked about and there is really nothing about the design of these buildings that inhibit fire's ability to serve them, just like they do all the other buildings that are taller than these in the city. They are not technically high rise, which is the fire designation that kicks them into a whole different category. These are all mid-rise buildings and -- see if I have got anything -- I think -- and they are going to meet all of the International Fire Code requirements for aerial access, which applies to buildings over 30 feet. So, I believe that we have done what we need to on this project. We can't solve the fire department's overall staffing concerns for the city, but it is close in proximity. That's the beauty of having an in-fill site.

Smith: Okay. Commissioner Perreault, is that a satisfactory answer to your question?

Perreault: Mr. Chair, thank you for asking. Just looking at the statement from -- that they -- that the fire department made, it says the Meridian Fire Department will respond to this development, but our response will be inadequate due to staffing and equipment. So, it sounds to me like this is -- that's specific to this development, that's not just a city wide concern and I understand where you are coming from that, you know, you are not responsible for making sure the city has that, but we have an obligation to make sure the city can service you in the right way. So, I would -- I would like to actually hear from the fire department and/or if you wouldn't mind submitting some of the communications that you have had with them that would be helpful for us. I just want to get more clarity on that for sure.

Nelson: Certainly if there are any concerns that the fire marshal has about our building construction, you know, something we are not meeting in the fire code, something that makes these buildings unique to any other buildings that are taller than us now that they are serving, we absolutely are going to have to correct and address that. We just haven't heard anything from the fire marshal to indicate anything that we need to do differently in our constructability, in our architecture, it's -- it's just the burden on the fire department to serve an urban style development period, not this development. So, that's -- so, we don't know of changes to make at this point.

Smith: Okay. So, that's I guess one that I think we have at very least have additional clarity on what we are looking for. One -- another one that -- regarding Block 1 is what the intended -- or, you know, you don't have customers leasing -- you don't have lease agreements, but the contemplated uses of the commercial -- of the commercial in that vertically integrated in Block 1, how it might be complementary to the other commercial and the other in the rest of the development and the intended interconnectivity, not in terms of walkways, but in terms of when are you driving people toward maybe a centralized location versus when are you servicing them in that kind of block. Are there any -- has there been contemplation about how those different types of commercial in the vertically integrated businesses might -- or vertically integrated buildings might complement one another and intended ratios or intended kind of compositions.

Nelson: Commissioner Smith, I -- this -- you are right to say that, yes, we don't know yet exactly which uses will come in to any given commercial facility, but I think given the location and the design, you know, that this will be -- the entire first floor of this building will now be nonresidential. There won't be any residential there at all, which is more than -- more nonresidential even than your code requires for vertically integrated buildings to have the first floor. You have a minimum of ten percent there and we will exceed that with the first floor. So, it provides flexibility having that much more space. Whether -- you know, the types of users that could be attracted there it could -- you know, I would think that that's going to be more neighborhood commercial serving uses. perhaps that would be able -- you know, walkable access commercial. You have also got the light industrial next door. It's possible that you get some light industrial style smaller development in there. That's also possible within the nonresidential category. I mean it can be office, that live-work style. That's kind of what we contemplated doing, the vertically integrated, that you might get live-work, you might have somebody that lives upstairs that wants their shop downstairs and so it may be something that is actually related to the resident that lives in the building or lives in the building next door. So, other than that, yeah, we will have to see what the market bears on that. The idea is that that -- those spaces will provide variety for walkability for everyone. So, as far as your connectivity questions, you know, we addressed a lot of that before, so I don't want to repeat that, but the -- there will be -- not just in that larger plaza, but there will be -- there are larger open spaces. Again, the scale of this makes this a little hard to appreciate them. But these are -- there are larger blocks of open space here that will be public facing and quasi-public facing for people to take advantage of those spaces that will create some of that connectivity. So, you are not just going from this corner down here up to the far northwest corner, you have got uses that are going to be attractive hopefully to consumers, residents, visitors, employees in the area throughout the site.

Smith: Now, regarding -- regarding the transition to light industrial to the south. So, I think you mentioned landscaping and buffer, things to that extent. I still don't -- still don't know that having that level -- or that proximity -- I will just put myself -- I'm in one of the south most apartments has my window facing that light industrial and I -- if I'm hearing torque wrenches and banging on cars trying to get out dents -- I understand that they are indoors, but auto shops are loud. I think that's not serving the future resident of

those locations. So, are there specific mitigation plans in place? And if not I probably will intend on asking for those for noise.

Nelson: Chairman, so they have the benefit of having the light industrial there first. You don't always have that, right, when you represent a lot of industrial developers you will be coming and, then, depending on the type of use you may be later in the game and people don't know what to expect. Here it's there and so you have an understanding of moving into one of the mix of uses in your neighborhood when you are becoming a resident here and remember that, you know, if you are that further southern side you are -- you are elevated, because the first floor is going to be entirely nonresidential and so you have some elevation to create that vertical separation as well. And then -- is there anything else? So, a team member noted, too, that the school -- this -- this Crossroads Middle School is also in this same area and so kind of contributing to that mix of uses that they have found it to be compatible to be located right next to the same exact uses. They were excited about the walkability that we have. That was the letter that we started to show there that they believe that they will benefit from having residential here, because they have capacity in their schools and there will be nice safe routes to school from this development. So, if they are comfortable in that same ally area it seems appropriate for residences as well.

Smith: Okay. Okay. And, then, has there been any discussion -- or is -- I guess this might just need to be in the continuance, but regarding the transition north to south from the R-15 on State for -- what is it, Block 4, Lot 1, I believe. Kind of -- let's see. Yeah. Well, for Block 4, Lot 1, has there been any contemplation of north to south transition or setbacks to allow for a greater privacy for those -- those residents on the northern end. If there has what was the decision and if there has not that will probably be a condition of the continuance.

Nelson: Chairman, if the screen that the staff pulled up from the elevations, the building you are talking about is in the second row down in the center and so that's where you can see that step back that we talked about that angles towards the east side, so lower on the west side angling up towards the east side. So, it gets -- it gets higher at the corner, which is the intersection and steps down towards the townhomes and, again, I believe that that's going to be approximately 95 feet around -- across the street there from contributions of the right of way and the setback. You do have significant landscaping there as well, because you have got the landscape buffers and detached sidewalk along that street. So, you have that buffering, you have the distance of the street and, then, you have the step back that's going towards the east in the building. Beyond that, no, there isn't change in my -- okay. Yes. Great input here. So, directly across the street from the highest point of that building is common area, not townhomes as well.

Smith: Sorry --

Nelson: So, that's on the northwest corner of East State and North Webb.

Smith: Yeah.

Nelson: So, where our building is at the highest point at the east directly to the north of that across at that -- on the northwest corner is common area. Tennis courts.

Smith: Okay. But -- so, to be clear, my issue is not necessarily with the highest point. You can see it in that middle image in row -- in the second row. That is towering over the buildings across the street.

Nelson: We actually do have an elevation, if you guys were able to pull up my presentation again, Sonya, I -- that we could show you a rendering of what that looks like, because there is significant separation across that road. That's it. Thank you. Okay. Thank you. You just found the right slide at the back. Yes. So, this is a rendering to show what this looks like. Here is where you can see the extent of that separation. You can see the step back of the townhomes. You can see the step toward the corner there on the vertically integrated building and the distance that's across the street and the -- with the detached side -- sidewalks. Can't quite see up to the corner with the tennis courts. It's focused more where --

Smith: Yeah.

Nelson: -- the lower part of the building.

Smith: Okay.

Nelson: You know, we would ask that if you have, you know, conditions and ask -- and asks of us like that, that that be put into a condition of approval if that's the collective decision of the Commission. So, I don't see a redesign likely in a continuance for that building.

Smith: Okay. So -- well, so here is -- here is kind of where we have -- we have paired this down to. I hear -- I think this is more -- more informational for -- I do want to do a continuance to be clear. I -- I would like to -- if not a redesign at least an analysis of the feasibility of setbacks north-south on that property and what that might entail, what that might look like, what is economically viable, you know. Again I want to take a crack at it and so I would like some analysis of that -- that commercial feasibility and if not elevation some discussion of what that might look like before sending it on to Council. I would like to obtain input directly from Meridian Fire Department regarding staffing and equipment and I would like specific sound and environmental mitigation plans for the southern border -- for the southern border of Block 1, Lot 1, and I would also like to just get the revised open space exhibit that you guys are -- say you are working on. So, with that in mind for a continuance date, what seems feasible?

Nelson: As -- as soon as possible.

Smith: It's still -- if in two weeks we meet that -- those conditions -- or those questions you entail being able to answer fully and to the satisfaction of this Commission?

Nelson: I think you could keep asking team members here, we can bring up Rodney and you can get answers on the open space plan now. I don't expect there is going to be revisions to change the site design meaningfully.

Smith: I mean, again, not answers, I mean specifically the open space exhibit that staff is asking for in the staff report.

Nelson: And I believe he could probably address that tonight, because I know it's in progress -- to tell you what -- whether -- maybe it could all be satisfied exactly as conditions, because it's already conditioned --

Smith: I'm not trying to interrupt, but I'm asking, again, not -- not for descriptions, but the specific item. I want the specific material. A continuance is happening I think for my -- if my motion goes through that is my plan to continue.

Nelson: Okay.

Smith: So, that is --

Nelson: Nodding, yes, please, as soon as possible date.

Smith: Cool. Okay. Thank you. Sorry. I'm not trying to be --

Nelson: I understand.

Smith: -- but I just want to make sure we are all on -- on the same page regarding what's specifically being asked for. Okay. So, in two weeks, Madam Clerk, is that a date that is --

Lomeli: Yes.

Allen: Mr. Chair, if I may, the UDC requires any revised plans to be submitted at least 15 days prior to the public hearing, so that everyone has adequate time to review them and comment.

Smith: So, that would make it the next consideration --

Allen: So, please, take that into consideration. Yeah.

Smith: Okay. So, it would -- it would have be four, because we can -- would have to have submitted it yesterday. Right? Okay. So, what would that date be?

Lomeli: Mr. Chair, the next available would be the 18th --

Smith: 18th.

Lomeli: -- of September.

Smith: Okay. So, I'm going to put forward a motion. Again if it fails I will not take it personally. After hearing all applicant, staff and public testimony, I move we continue file number --

Starman: Mr. Chairman, if you will close the public hearing first before -- or you are going to --

Smith: We are continuing --

Starman: Okay.

Smith: Leave it open; right?

Starman: No, you're good.

Smith: Okay. Got you, Kurt. Got one on you. Okay. So, after hearing all applicant, staff and public testimony, I move that we continue file H-2024-0071 to the date of September 9th -- September 18th, 2025, for the following reasons: To allow -- to request an analysis of the feasibility of setbacks for Block -- Lot 1, Block 4, north to south away from State Avenue. To obtain input from Meridian Fire Department directly regarding staffing and equipment and whether they are able to adequately service this -- the safety needs of the site. Specific sound and environmental mitigation plans for the southern border of Block 1, Lot 1, and the revised open space exhibit that is requested in the staff report.

Perreault: Second.

Smith: It's been moved and seconded. All in favor say aye. Any opposed?

Rust: Nay.

Smith: Commissioner Sandoval, just for clarity, was that an aye?

Sandoval: Yes.

Smith: Okay. So, that motion carries. Okay. Thank you.

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

DEPARTMENT REPORTS [Action Item]

6. Approval of Proposed Bylaws

Simison: Thank you. With that we do have the approval of proposed bylaws. I do -- do want to be cognizant of time. Is that something that the Commission -- I have been told is we could tackle it tonight that would be nice, but it's not urgent. Want to get the feeling of the Commission.

Stoll: I'm here.

Starman: So, Chair, before we began tonight that it's not time sensitive issues, so if you are tired and would prefer to do it another time we could -- we could put it to another meeting. I can be quick in my presentation or whatever you would like to do. I'm at your -- at your disposal.

Smith: I will leave it to the rest of the Commission. So, do you want to tackle it tonight?

Stoll: Keep going.

Smith: Okay. We will tackle it tonight. So, next item on the agenda is then -- sorry, this is a -- is Department Report approval of proposed bylaws.

Starman: Thank you, Mr. Chairman. I will be brief. So, we had a discussion about this at your last meeting and decided to bring it back when we had other commissioners present. So, I will kind of do a quick overview. You all can ask -- you know, if you want to add some -- some additional detail be happy to. The gist of the presentation or the request tonight is that the City Council updated Title 2 to the Meridian City Code earlier this year and those update to Title 2 pertains to all the city commissions and committees, including the Planning and Zoning Commission and so one of those -- one of the changes to Title 2 requires all of our commissions and committees to adopt bylaws and so that's the topic before you tonight. So, just to recap what we discussed at your last meeting, the Meridian City Code already covers a lot of the basics of what we had expected -- you know, to talk about with the Planning and Zoning Commission. So, in terms of your terms, qualifications, how appointments get made, how often do you meet and where, that's all codified in the Meridian City Code. The bylaws are intended to supplement that material and kind of fill in some of the gaps and so to facilitate the change that the Council made one of my colleagues put together sort of -- I will call it a template or a model that all of our committees and commissions could use. I have freshened up in a place or two just to, you know, fit the Planning and Zoning Commission, but, really, it's pretty much what all the committee -- commissions and committees are considering. It's in your packet and I will just summarize it very quickly for you, but it covers, you know, what you would expect, for all those that have served on this commission or other committees and commissions or, you know, even in nonprofit organizations, the -- basically the gist of the major sections of the bylaws pertaining to your officers, the chair and vice-chair, and how -- the duties of those offices and how they are elected. It talks about your meetings, about how notices take place for your meetings and who is responsible for doing that, namely, the clerk's office and staff and how the meetings are conducted, that we have -- you know, follow in general Robert's Rules and how that takes place, how the agenda is prepared and how

we coordinate with the chair and vice-chair on those topics to prepare the agendas. It talks about minutes and how those are produced and how they are approved by -- by the Commission and -- we don't do this very often, but it has a section that deals with potential for subcommittees. So, if the Commission as a whole wanted to have a -- say a subcommittee study a particular topic and come back it provides for that possibility and, lastly, the last major section talks about -- just reaffirms that each Commissioner, including the chair, are active members of the commission, each of you have one vote and you are all entitled to vote on any issue before the Commission. It talks about what a quorum constitutes and items of that nature. So, if that all makes -- I'm happy to answer questions you have about that, of course, but if that makes sense to the request when you are -- if and when you are prepared to do so is to approve the bylaws and, then, they will all go -- this commission, but other commissions and committees, they all go to the City Council for ratification and they will become official after that. So, happy to answer questions you might have and, then, the request tonight -- or on a going forward basis is for the Commission to approve the bylaws and to forward them for the -- to the City Council for ratification.

Smith: Thanks, Kurt. I think the only question that I have -- I think we covered in the last meeting as well, which is Article 2, Section 3, at the annual election of officers, the sitting Vice-Chair shall automatically be nominated for the office of Chair. That seems to be new; right? Or have we just not followed that historically?

Starman: Mr. Chairman, yeah, that -- that -- and that's not required. If the Commission wants to do something different. That was sort of the template that was prepared. The idea was that the -- you know, the -- as with most organizations, committees, commissions, nonprofits the logical sequences for the vice-chair to step forward. It doesn't mean that other -- other individuals or commissioners cannot be nominated, just means that that would be the expectation that that person would be nominated for chair, but other nominations can be entertained by the Commission. If you feel more comfortable you can strike that in its totality. It's not required and, you know, something that was just placed in the model bylaws. So, if you prefer you can strike that. But I would reassure the group that doesn't mean that the Vice-Chair automatically elevates. It just means that that individual would be, you know, brought forward for consideration. But other nominations could be entertained as well.

Smith: I think for me personally is, again, if Maria wants to run for chair again -- she's doing a great job with it at the role. I don't -- I don't love that I'm kind of pitted against her in a sense, even if I -- you know, again, I, obviously, would say, okay, we will just -- let's vote for Maria. But in this context I think there is just like some -- something in there that sits a little funny with me. I will leave it to rest of the Commissioners, if anyone has any comments on that. But I almost -- I would be comfortable with it if it says like if the incumbent chair is not running for re-election or something, to have some sort of mechanism to just -- that's kind of a line of succession kind of thing, rather than -- but if anyone has thoughts.

Stoll: Mr. Chair?

Smith: Commissioner Stoll.

Stoll: I don't read it as being that you would be prohibited -- the Vice-Chair would be prohibited from declining the nomination. I think that's -- if they wanted -- if they wanted to do that they can.

Smith: Okay.

Stoll: It's just saying that the expectation, which is as Kurt pointed out, is the norm, is that the person does rise to that if there is a vacancy.

Smith: That's fair. I think -- okay. You know, I hadn't considered that. Okay. I'm cool with it then. I mean I still think it's a little -- feels a little -- little weird, but I get it.

Rust: Mr. Chair, I read, as I mentioned, since the last meeting I read through these proposed bylaws again. I found them well written. I thought they served the purpose. I'm supportive moving them forward.

Smith: Okay.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: I understand where you are coming from and it's never been -- I mean when I was on P&Z before and now it's never been a super clear process. I wouldn't be opposed to just sort of starting fresh every year and whoever is interested put their hat in the ring. I don't think that's a bad idea either. If -- if -- if that's of concern I don't think it -- it doesn't substantially change the -- change the process from what is in here to say, well, okay, the Vice-Chair wants to be nominated for Chair, then, that Vice-Chair can speak up and say they want to be nominated at the meeting where we make that decision. It doesn't -- it doesn't really necessarily substantially change kind of how the vote is done, but it's also not a bad idea to kind of start fresh and, then, each individual person who is interested in that can -- can speak up. So, I would be in favor of -- of changing it. If there is concern -- you specifically being the current Vice-Chair if there is concern. Other than that I think that this is written really well, Kurt. I didn't have any concerns on this at all. The one question I had was is -- is this -- I wasn't here for the last meeting. Sorry. Is -- is this an update from one that was existing or was this written -- because this is a template, but is this an update from one that was existing or was this started from scratch?

Starman: Thank you, Mr. Chairman, Council -- and promoted you to council member. Commissioner Perreault. Old habit -- old habits die hard. And so two different answers to that question. One is for whatever reason just historically the Planning and Zoning Commission has never adopted bylaws. Those will be the first bylaws for this body. Other committees and commissions have bylaw -- have had bylaws and this version is a

variation of those. It's sort of a melded conglomeration of other bylaws. But for a reason this commission has never adopted bylaws, but these are similar to what other city commissions and committees use and, then, to -- it's -- with regard to that section in question, Article 2, Section 3, if you all -- I guess a couple of thoughts there. One, we can strike it in its totality without -- because the -- the city code -- Meridian City Code already has a requirement that you shall select a chair and vice-chair at the beginning of each year. So, that's all the code by code. This is where it supplements at. It's not required, so if you prefer you can just strike it in its totality or we can, you know, amend the language tonight or going forward. So, whatever -- whatever you would like to do.

Smith: Yeah, I'm not -- I think with what Commissioner Stoll said I'm not particularly uncomfortable with it being able to decline the nomination. It isn't -- you know, it's just kind of -- I think the language -- when I on -- first rate struck me a different way. So, yeah, I'm fine with it if that's -- all right. I guess the absence of -- Commissioner Sandoval, do you have any thoughts or anything you want to discuss?

Sandoval: No. It was like everyone stated well written. Yeah, I have got no issues.

Smith: All right.

Starman: Mr. Chairman, just so -- I would ask that you ask that you would entertain a motion and a second to actually adopt the bylaws. Once that occurs we will forward them to the City Council for final approval.

Smith: I would entertain a motion to adopt the bylaws as proposed.

Stoll: Mr. Chair, I move to adopt the bylaws for the Planning and Zoning Commission as presented.

Rust: Second.

Smith: It's been moved and seconded. All in favor say aye. Any opposed? Motion carries. Awesome. Thank you, Kurt.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Simison: And with that I will take one more motion.

Stoll: Move to adjourn.

Rust: Second.

Smith: Moved and seconded. All in favor say aye. Any opposed? All right. We are adjourned.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 9:47 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

JARED SMITH - VICE-CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK