

out if we don't. But I think they are going to have to battle it out in court if that's where it goes and it's going to be outside of the city. So, that's -- it comes down to a civil situation that they are going to have to deal with.

Seal: Understand.

Tiefenbach: Mr. Chair?

Fitzgerald: Yes, sir.

Tiefenbach: This is Alan Tiefenbach. Just a follow up on your question. If -- if the applicant -- if the applicant has plans that have been crafted now, they are ready to go and they can e-mail them to us within the next couple of days, I think it's reasonable that we can -- we can continue this until the next one, which will be on the 15th. We just want to make sure that, again, we are not getting the plans several days before the hearing, we would need them in enough time to talk about what the traffic impacts are, what the impacts of the road improvements would be. That would give us enough time. We need to have this week and next week to talk about them and get an updated staff report out to you.

Fitzgerald: So, is that the 8th we are shooting for? Is that --

Tiefenbach: It would be the 15th, sir.

Fitzgerald: Oh, the 15th. I'm sorry. Okay. Commissioner McCarvel, if you want to make that motion go ahead.

McCarvel: Yeah. I move that we continue H-2020-0048, Tara's Landing, to the hearing date of October 15th to allow staff to evaluate plans offered by the applicant.

Seal: Second.

Grove: Second.

Fitzgerald: I have a motion and a second to continue file number H-2020-0048, Tara's Landing, to October 15th. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing Rescheduled from September 3, 2020 for Gateway at 10 Mile (H-2020-0046) by GFI - Meridian Investments III, LLC, Located at the Northeast Corner of N. Ten Mile Rd. and W. Franklin Rd.

- A. Request: Annexation and Zoning of approximately 41.28 acres of land from RUT in Ada County to the C-G (26.54 acres) and R-40

(14.74) zoning districts to accommodate the future construction of a mixed-use commercial and high density residential development.

Fitzgerald: We look forward to having all of our ducks in a row on that project going forward, guys. And, Alan, thank you for your assistance. Okay. Moving to the next item on our agenda is the rescheduled hearing for the -- from September 3rd, 2020, for Gateway at Ten Mile, file number H-2020-0046, and let's start with the staff report.

Dodson: Thank you, Mr. Chair. Just cleaning up the area real quick, since we are doing a little people swap.

Fitzgerald: Yep. Thanks, Joe. Go ahead whenever you are ready.

Dodson: Okay. I think I'm ready. So, as Mr. Chair stated, this is -- was originally heard on June 18th. In response to my staff report the applicant requested continuance. We were working together and we requested another continuance and continued to work together. They were scheduled for the 3rd, there was no quorum on the 3rd of this month, so here we are today. So, the application before you is for annexation alone with a -- with the DA tied to the submitted concept plan. The site consists of 41.28 acres of land, currently zoned RUT, and is located at the northeast corner a Ten Mile and Franklin. Directly to the east is the new FedEx distribution center that is currently being built, zoned I-L, as you can see in the zoning map here in the center. There is commercial to the south, zoned C-G in the Ten Mile Crossing Subdivision. To the -- directly to the west is a church use and is zoned C-C. Directly north of that would be C-G and it is self storage. Directly north of the site is the railroad tracks and north of that would be C-C zoning with some commercial uses. The Comprehensive Plan in this area is for mixed use commercial within the Ten Mile interchange specific area plan. Again, the request before you is for annexation and zoning of approximately 41.28 acres of land from RUT to C-G and R-40 zoning districts to accommodate the future construction of a mixed use commercial and high density residential development. There is no plat or specific development proposed with this application. This application is only for annexation and the applicable development agreement that is tied to the submitted concept plan. Future development will be based upon the approved DA and concept plan. The subject site lies within the Ten Mile interchange specific area plan and has a future land use designation of mixed use commercial. There are some very specific goals and policies within the Ten Mile plan that should be met. The purpose of the mixed use commercial designation is to encourage the development of a mixture of office, retail, recreational, employment and other miscellaneous uses with supporting multi-family or single family attached residential uses. Enforcement of these standards will be largely done through the executed development agreement required with annexation of this property. Since there are no other concurrent applications associated with this project staff anticipates further refinement of this concept plan as end users are identified and a traffic impact study is completed in the future. With this site residing within the Ten Mile plan, as many goals and policies of the plan as possible should be met. Some of the policies that staff has outlined in the report are as follows: Traditional neighborhood design concepts with a strong pedestrian oriented focus are essential. Street oriented design is critical in urban

environments and especially at a gateway to the Ten Mile area such as this. Buildings should be at or close to the property line creating consistent edge to the public space and making streets more friendly and walkable. Also known as placemaking. Corporate plazas between compatible uses to provide shared outdoor seating and enhance pedestrian circulation between uses. Another goal in these areas is to achieve a floor area ratio, FAR, of one to 1.25 or more. Staff notes that this FAR is, indeed, a goal and not a prescribed standard, as achieving this will be difficult for almost any development. Staff and the applicant and I have had discussions regarding this goal and the Ten Mile -- the plan -- the goal within the overall Ten Mile plan of two story, more structures, and how it applies to the overall concept. To help meet the intent of this goal staff is recommending a provision that all commercial structures along the main thoroughfare, which would be the main road here is what I'm calling the main thoroughfare. The only road shown with on-street parking -- will have a ceiling height of at least 12 to 15 feet for the ground level commercial. That would be, again, only for the commercial on the west side of this road, not for the residential abutting it. This includes those buildings shown as single story with two story facades. This provision is consistent with languages in the Ten Mile plan. Staff will review each building site as future applications are submitted for compliance with the proposed provisions, but is not inclined to hold the applicant to any specific FAR requirement. There is a small area in the very northeast of the corner -- or, sorry, northeast corner of the site adjacent to the railroad tracks that shows a civic future land use with a transit station icon nearby. This area is labeled as civic to serve as a placeholder for future multi-modal transportation options should they arise. The applicant plans to incorporate that area into their proposed R-40 zoning district. The applicant shows this area as an open space area to act as a placeholder, as it may be decades before it develops as a public transportation hub. It should be noted that the city and outside agencies like that of COMPASS and VRT do not currently have specific plans for how mass transit within the valley will work within the rail corridor or specifically at this location. Because of this it is currently difficult for staff to recommend other uses not be allowed or limit certain uses on this site for the area shown as civic on the future land use map. It should also be noted that COMPASS is currently doing a study to determine the corridor and the mode for the I-84 alternative analysis. There will be additional public involvement and study necessary before any real regional decision is made on how the rail corridor is used for public transportation in the future. The Commission and Council should be aware that this applicant is choosing to work with staff on preserving this area for the benefit of the city and not necessarily for themselves, which is very appreciated. Nevertheless, staff is concerned that the revert -- the reserve area shown on the concept plan as open space may not be enough area for future transit needs like a transit station and associated infrastructure. Parking area directly to its west and potentially even the adjacent multi-story building may need to be redeveloped in the future depending on the type of public transportation developed in the future. The applicant is aware of this, that more area maybe need -- may need to be redeveloped in the future to accommodate future needs and also understands that a multi-modal transportation stop on this property would be beneficial to this development. And, again, I would like to note that the applicant has been very open to working with staff on the current and future use for this area of the site. The subject site currently has multiple curb cuts onto Ten Mile and Franklin. The applicant desires to keep the majority of these, but not all of them. According to ACHD,

a traffic impact study will be required for future development of this site. Because of this staff is not conditioning the accesses until such time that future development applications and a TIS are submitted. Along the eastern boundary the master street map and the Ten Mile plan show a future collector roadway along almost the entire eastern property line. Sorry. Moving a box on my screen. Sorry. It shows a future collector roadway along almost the entire eastern property line and that, then, connects down to Franklin and into the Ten Mile Crossing Subdivision to the south. This intersection is intended to be signalized in the future. However, this collector roadway cannot be built as it is proposed in the master street map and cannot be proposed -- cannot be built as proposed to the connection point to Franklin because this applicant does not own the property directly abutting Franklin, which is this one, very southeast corner. The applicant is agreeing to construct half plus 12 public right of way on the area of the site they do own and control in the southeast corner of their site. In addition, directly to the east of this site is, again, the FedEx distribution center. Since the FedEx distribution center was approved without constructing the north-south collector roadway as shown on the master street map, it is not a feasible option to require this applicant to construct their portion at this time. Instead, staff believes adequate access to any future transportation use along the north boundary of the site can be obtained via the east-west street connection to Ten Mile as depicted on the revised concept plan, which would be this one. Limiting access points to Ten Mile and Franklin, the road networks will be the backbone of connectivity for this development and is, therefore, incredibly important to the future development of this site. These areas appear to be shown on the submitted concept plan as a combination of public streets, private streets, and drive aisles. Staff believes creating a public thoroughfare would help traffic flow and create a grand drive, so to speak, through the development lined with street trees and pedestrian walkways. In line with this, staff previously recommended changing the requested zoning from C-G and R-40 to traditional neighborhood zoning districts. This recommendation was made with the intent to ensure pedestrian oriented design and ensure some multi-story buildings on the subject site in order to comply better with the Comprehensive Plan and the Ten Mile plan. Since the original publication of the staff report, the applicant and staff have worked to create a more refined concept plan that includes an overall stepping and building height from the arterials towards the interior of the site and street sections that mirror those within the specific area plan. You can see on the site plan they did a very good job of it labeling it. You have one story along the arterials, then, it steps up to two story or multi-story, then, three story and, then, four story as you get closer to the back of the property. The proposed street sections show on-street parking, bike lanes, parkways with a tree canopy and detached sidewalks. These type of street designs are largely what a complete street should be and offers walkable and inviting neighborhoods for both the residential and commercial component of projects. An additional change from the original bubble plan is the applicant's addition of three story townhomes along the main thoroughfare of the site and one of the roads proposed as a complete street. These three story townhomes are a welcomed additional housing type on site and should help create placemakings in the transition between the high density apartments and commercial uses on the subject site. Because of these changes staff is now more comfortable with the requested zoning designations of C-G and R-40, with both staff and the applicant understanding that provisions will be included to ensure the site is constructed in the future with a pedestrian oriented focus as now

proposed with this concept plan and the submitted street sections. These revisions make the development more consistent with the policies outlined to the mixed use commercial designation, specifically those that promote different housing types and integration of commercial and residential uses. The applicant has also proposed plazas within the commercial nodes and has provided an exhibit of these plaza as seen in the left of this. The exhibit shows what appear to be some raised crossings for vehicles, which would be these areas here, which would offer traffic calming and added pedestrian safety. Benches with trees within tree grates and sails providing shade for tables between the commercial buildings. Staff finds that these details within the submitted exhibit show integration of pedestrian elements and better access to the proposed commercial and retail buildings for those who will live and work on site or nearby. Future development of these plazas should minimally contain these elements to ensure compliance to the Ten Mile plan and the general comp plan. Staff is recommending provisions in line with these elements. This does offer at least two constraints. One, the civic use previously discussed and, two, the very southwest corner of the site that is constrained by the Ten Mile Creek, as you can see here. This creek and its location will severely limit any use in this section of the site, as there will likely be no vehicular access allowed to this, since it's so close to the main intersection of Franklin and Ten Mile. The revised concept plan has a note on it stating possible ACHD pond relocation in this area of the site. There is no guarantee that ACHD will agree to relocating their pond, which is this parcel right here, to this site. Therefore, the applicant should be open to a number of possible options on this constrained part of the property. This corner property is approximately one and a half acres, which includes the easement area. It is highly visible from the public roadways. This area should be treated with great care and consideration of its intended use. The Ten Mile Creek should be integrated with the future uses proposed in this area similar to the design concepts implemented within the approval of the Ten Mile Creek project to the south. Staff also recommends that the applicant work with any appropriate agencies and city departments to find the best use for this corner. There could be an opportunity to provide a public use on this side of the creek if the applicant and Parks Department work together. Again, there is no guarantee of this, but staff wants to note that it is, obviously, a very visible and an important corner of the site. There was no written testimony in support or against this project and staff does recommend approval of the annexation with the requirement of a DA and the recommended provisions within the staff report. And after that I will stand for questions. Thank you.

Fitzgerald: Thanks, Joe. Are there any questions for staff?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: A quick question on the -- the road layouts. The two roads that are coming out to Ten Mile, is that something that would be there -- and I know this is an early concept, but I mean is that -- are the two roads -- would they be something that would be included and supported by staff or would that really need to fold down to one road as far as access out to Ten Mile?

Dodson: Mr. Chair, Commissioner Seal, it -- it's a little early just because we don't know any end users, but generally speaking if it is in this layout staff is generally, you know, approved -- or I have approved -- I will give approval of these. It -- it is difficult to say to not know without a TIS and what those could be. For example, if they have -- they end up finding a bigger -- a larger end user that requires more of this frontage, then, likely it will go down to one. You know, maybe it would be a collector kind of access, rather than a local street. But, again, this TIS -- and once we get more into the development of the property we will know more.

Seal: Okay. Thank you.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Joe, what's the -- whose requirement is it for that -- as the placeholder for the -- for the transit center?

Dodson: Yes. Mr. -- Commissioner Cassinelli, it -- it's kind of twofold. One, staff -- because this is one of the last areas along the rail corridor within the city that we could develop for multi-modal transportation, the other two locations -- one would be here at the City Hall, which is a potential, and the other one is further down and already developed. That leads to the second point, which is it's shown as a civic use on the comp plan, so it is already reserved in that sense and so in order to remove that would be a comp plan map amendment. Part of the flexibility with the comp plan does allow them to move that here or there, you know, within the site, which, again, the comp plan does show it specifically in the corner and shared with the parcel to the east, but, obviously, the FedEx distribution center was approved, because the -- they already had I-L zoning and there will not be a civic use on there, so they decided to shift their civic use from the comp plan a little further west into the site.

Cassinelli: And did you say that there is flexibility on where that can be or there is not --

Dodson: Commissioner Cassinelli --

Cassinelli: -- with that site?

Dodson: Yeah. No. There is flexibility on where that could be. Again, this is a concept plan and not a subdivision or a plat. So, this has not been platted. They could end up moving it further to the east, further to the west. I know from conversations with them they hesitate to push it further to the west, only because of thinking of any -- if there is commuter rail and how that could queue up and not wanting to block traffic, you know, with some forethought to some multi-modal transportation there. But other than that, yes, there is flexibility on where that could be on site and what could actually go there.

Cassinelli: Okay. So, from -- kind of from the position -- the preliminary position of that, the applicant and the staff are -- are both in agreement with that location as a possible location?

Dodson: Yes, Commissioner Cassinelli, we are. We have gone through a few iterations of this and have agreed upon this -- including the size. I just wanted to note that in my staff report, you know, and they -- the applicant understands as well, the size of this area might change. I mean, for example, if this is never a multi-modal and it's just a bus stop, they may not even need this entire civic area for that and that could change the location. So, again, staff and the applicant are aware that -- that there is some flexibility in this and as we develop this further with some subdivisions there will be some more concrete decisions made on them.

Cassinelli: Okay. And, Mr. Chair, if I may, another question on a different topic.

Fitzgerald: Go ahead.

Cassinelli: Joe, can you elaborate on the -- on the collector, where it's restricted in -- in that -- like I said, it would be the southeast corner because of the FedEx site.

Dodson: Yes. Commissioner Cassinelli, Members of the Commission, there is sort of two constraints. One in the -- where the -- where it would line up with the road in the Ten Mile Crossing, the applicant does not own the property that directly abuts Franklin. So, they, unfortunately, cannot construct this small segment. However, they own this portion and everything north. So, they are going to construct their half plus 12 to here and here to continue what the FedEx building is going to construct on their collector. Also with that the master street map shows the collector running all the way up here to about this way. While FedEx was not -- again, FedEx -- the property to the east already had zoning, so they didn't need to go through a hearing process, they decided to do a certificate of zoning compliance and design review. So, they were not required to build that collector roadway. We had no teeth to really do that. So, because of that they did not construct it there, but, instead, we will have cross-access and access to multiple industrial parcels to the east through this east-west collector roadway. So, that's why they -- I don't think it would make sense and -- to build the collector roadway here, when we can use this as that to funnel traffic and everything else out back to Ten Mile and even to Franklin, especially once this gets signalized and built out.

Cassinelli: And will that parcel that they don't own on the southeast corner, obviously, when -- if and when that comes up for development that will be a requirement to complete that collector out to Franklin; is that correct?

Dodson: Yes, sir. That is correct. They will be required to construct their parcel that -- directly to the east of this parcel is another parcel that is holding out on the development for right now and they, too, would be required to construct their half of that. So, there is a few things specifically limiting it right now as to being signalized and constructed right now.

Cassinelli: And, then, one final thing if I may. Apologize for hogging all the time. Is there -- will there be limitation on the development in there until that collector can be built out?

Dodson: Commissioner Cassinelli, in this current DA, no, there is no limitations as to when or how much could be developed. That is mostly because -- or wholly because in order to develop any part of this site they are going to have to subdivide it to put the public roads in and that when we have a plat and we have actual lots, then, we -- and a TIS, for that matter, then, we will be able to determine whether or not it needs to be phased and work with the applicant on that.

Cassinelli: Okay. Thank you. That -- that's it.

Fitzgerald: Are you sure?

Cassinelli: For now. For now.

Fitzgerald: Any additional questions for Joe? Okay. Thanks, Joe. Would the applicant like to join us or come forward? Thanks for joining us. Please state your name and your address for the record and the floor is yours.

Leonard: Good evening, Mr. Chair, Members of the Commission. Stephanie Leonard with KM Engineering. 9233 West State in Boise. 83714. Thanks for having us here this evening. As Joe mentioned, this is the Gateway at Ten Mile. We are really excited to go through this project with you. We have been working on this with staff and several consultants and a design team for the past several months and feel really confident in the development plan that we are going to show you tonight. So, this property is located, as Joe mentioned, at the northeast corner of Franklin and Ten Mile. It's within the Ten Mile interchange specific area plan on the future land use map and it's one of the few properties that's not been annexed or zoned into the City of Meridian yet. So, as you can see here we are surrounded by commercial, industrial to the east, and, then, we have got some rural urban transition zone to the southwest. We -- let's see. We are requesting to annex into the city with the R-40 and C-G zoning districts. This is a great location. We foresee this being a premier and notable part of Meridian where visitors and residents alike are going to be gathering to grab a bite to eat, go shopping, recreate, and live in the same area. So, this is an aerial photo that was taken in the winter. As you can see, a lot of the area around us is either in the process of being developed or has been developed to the north. The FedEx distribution center that was mentioned earlier is directly to the east and it's not quite -- it shown in this photo, but it is under construct and close to completion, I believe, so the -- this site is located on a couple of large transportation corridors. We are really close to the interstate. We are about -- I think it's like less than a mile to the north of I-84, which makes it a great location for getting into and out of relatively easily and we are close to the center of Meridian as well. So, as Joe mentioned -- and we are in the mixed use commercial area within the Ten Mile interchange specific area plan, we do have a small area of civic that's shown and we are indicating that on the development plan in the north part of the site. The primary -- let's see. Areas adjacent to us, as well have a mixed use commercial designation, as you can see to the south and

the property that's undeveloped to the southwest. To the east it's high density residential in the comp plan and, then, we have got some civic and commercial to the west as well. So, we really feel that the development that we have come up with -- or the plan that we have come up with is consistent with what the -- the future land use map and the comp plan call for. And so as Joe mentioned, we -- we have been working with staff for a long time on this project. We initially came to the city -- I believe it was in January and we met with a couple of the planners and just kind of conceptually talked about what this property was and just vetted out exactly what we were thinking and conceptually what we were envisioning for the area. We didn't have anything solidified or anything that was defined, but in those discussions the -- it was recommended to us that we develop a conceptual bubble plan just to kind of guide development in -- with the understanding that we would be tied to the provisions within the development agreement that would make sure that the Ten Mile interchange specific area plan design elements were pulled into the development and that uses were consistent with what the comp plan calls for. So, as a result we have developed this bubble plan. This is what was submitted with the application for annexation. As Joe mentioned, we -- initially with the staff report it was clear that there was a little bit more detail that was needed. So, we have requested continuance a couple times to be able to work with staff and determine exactly the direction they wanted to see with this plan. So, this is the development plan that we have developed. As you can see it's no longer conceptual. It's definitely well defined. We have called out general locations of buildings, the stories of buildings, and we are incorporating a mix of uses on purpose with pedestrian circulation and vehicular circulation in mind. We have even called out where plazas may be included. As Joe mentioned, the access points that we are showing here are -- they are the access points we would like to go with, but with future development ACHD and a traffic impact study will define exactly where those -- and if they will exist in this configuration. So, this revised plan contains elements that were specifically requested by staff and I think, you know, in those discussions we really came to a conclusion that it was important to include a lot of those Ten Mile interchange specific design elements, such as parkways, detached sidewalks, with an integration between the multi-family and townhome units and the commercial that envision being, you know, a large area for employment and kind of a central area for folks to either gather to eat, dine, shop or to work, so -- and this plan has also been designed to take existing development into account. The FedEx center is, you know, to the east, so we did make sure to provide a little bit more buffering there as far as the residents that are planned and, then, to the north we have got the railroad that provides a natural buffer that's fairly large to the commercial development just to the north. We situated all of our commercial buildings along the arterial roadways just to make sure that folks could easily get to and access those -- those buildings and, then, we transitioned naturally to the residential section that will complement, obviously, the commercial section, but also be kind of secluded and protected from larger, more heavily trafficked roadways, so -- okay. So -- and we are requesting an R-40 zoning district as mentioned. It's changed a little bit from the initial application. We are now requesting 16.3 acres. We foresee a four story executive style apartment building, which would potentially be housing for folks that would work over in the commercial section. Same story for the townhome buildings that we are envisioning. These -- both of these have been configured and thought of in a way that would comply with the Ten Mile plan and per the direction

that staff provided us and we really, you know, want to make sure that it's going to be a high quality development that people will be proud to live in and it will be also reflective of what the city sees in this area. We do have a variation in the type of units that we are proposing, too, which is really important to the Ten Mile plan and something that, you know, staff really emphasized in our -- in our discussions with them. Of course, any future development of any of the multi-family elements and any of the attached units are going to have to go through subsequent approvals. So, anything that's left to question from this concept plan will be further defined with those applications and they will be required to uphold to specific design elements. The thought behind the R-40 district on the east side was to support the commercial components on the west side and, really, provide a place where people can live and, then, easily get to work by walking or biking or -- so, the C-G zoning district is approximately 22.67 acres. We envision the C-G area providing employment opportunities, as well as a mix of commercial opportunities and retail space and office space. We have -- we have designed this part of the development to allow a mixture of the office and employment uses and foresee this area also supporting an R-40 section. So, we are excited about the potential for folks to be able to live and work and play in the same area and really think that this is what the Ten Mile plan is looking for as far as the mixed use commercial designation. So, these are the site circulation exhibits that we created to really show how this site will function. So, it will provide vehicular, pedestrian, and bicycle transportation shown with the blue and those are -- those have been designed specifically to coordinate with the Ten Mile plan. The section -- I will show you on the next slide -- are actually basically taken exactly from the Ten Mile plan. And, then, most recently -- so, we had actually -- as mentioned we have made several changes and iterations to this plan. Most recently the blue line at the far north of the site was changed from a private street to a public street, just on -- to make sure that it's maintained and easily accessible to folks in the area. Okay. And as mentioned, we specifically created these three sections to coordinate with the Ten Mile plan and the -- and we envision this really collaborating well with the property that's to the south as well that has the same -- similar street sections. As you can see they -- they provide a nice buffer area for pedestrians. The section -- section one provides a nice buffer area for pedestrians that are walking along and, then, it also has bike lanes, as well as travel lanes for vehicles. The one on the -- the bottom, section two, has both the seclusion for the pedestrians, as well as bike lanes and, then, it has parallel parking that's going to be available as well. Let's just zoom into those two. And, then, one thing that we have really discussed pretty heavily was the pedestrian oriented design that the Ten Mile plan calls for and we tried to focus on creating something that would be really enjoyable for folks that are either eating at the restaurants or working nearby to be able to gather and just communally join with one another in a space that would be friendly to pedestrians and vehicles. As Joe mentioned, these plazas that are actually intended for vehicles to drive over as well, so the design incorporates a little bit of a raise to the pathway to make sure that folks know that they are not necessarily supposed to drive further over to the side, but recognize that they should slow down because there are pedestrians and folks that are hanging out in that area. So, the intent here, of course, is to allow for people that are dining and shopping to be able to relax and hang out in the same space. So, overall we are in agreement with the staff's report and recommended conditions of approval. There is one thing that we would like to discuss a little bit further and that's the requirement to modify the

development agreement with any future development. We feel that we have worked, you know, diligently with staff to make the changes that were requested and they have really molded our plan to be consistent with the Ten Mile plan and with city code and think that this is a pretty -- a pretty defined development plan that is no longer conceptual, but something that can really be held in a DA and required for future development. Of course if someone were to come in or if we found an end user that required something that was much different than what was shown on this development plan, we would be more than happy to modify the development agreement. But we have, you know, people that are interest in this area and we really want to facilitate a responsive way to be able to let people develop, rather than needing to come back in for a development agreement modification. In addition -- and I guess in that same vein we would like to request that two building permits be obtained prior to the recordation of the plat. This will really help to jumpstart the commercial development in the area and will facilitate this project and its success. So, as mentioned earlier, if we end up having, you know, a traffic impact study or work with ACHD and they determine that the accesses are inappropriate, we would work with staff to make sure that that meets their requirements as well. So, I think with that I am happy to stand for any questions. We have our development team here, too, that have worked hard on this -- on this -- on this development plan and overall we are excited for this project. We think it's going to be a great addition to the City of Meridian and we are excited to work with staff. So, I will stand for any questions.

Fitzgerald: Thank you, Stephanie.

Seal: Mr. Chair?

Fitzgerald: Yeah. Go right ahead, Commissioner Seal.

Seal: The first question I have is on the townhomes. Are those to own or to rent?

Leonard: Mr. Chair, Commissioner Seal, those are going to be to rent.

Seal: Okay. And, then, on the modification to the staff report, I guess I'm a little confused and staff might be able to help jump in here if -- if need be, but it seems like you are asking that basically somebody can come in and build before we have all the information. So, am I understanding that incorrectly or --

Leonard: Mr. Chair, Commissioner Seal, no, that's not what our -- our ask is in this case. In this case we would like to just -- so, as part of the annexation we are agreeing to enter into a development agreement. We are more than happy to do that. With that we are going to be connected to this development plan and the -- all the conditions that are included in the staff report and our request is to basically be able to pull two building permits without a subdivision and also be able to do -- complete -- or, I'm sorry, submit for development without amending the development agreement prior to that.

Seal: Okay. Understood. Thank you.

Fitzgerald: Additional questions for the applicant? So, I have one for Andrea before Stephanie runs away. As we talked about materially deviating from an approved development plan, do you feel comfortable with that language, Andrea? I -- I understand what they are going for and what the goal is, but how do we find that in regards to -- attorney guidance I guess is what I'm looking for.

Pogue: Mr. Chair, I'm going to refer you to staff to see what he meant by it and, then, we will go from there.

Fitzgerald: Okay.

Dodson: Mr. Chair?

Fitzgerald: Joe -- yeah. Go right ahead, Joe.

Dodson: Yes. So, when it comes to development agreement modification, generally speaking it -- the discretion is within code and my hope is that because we have nailed down a pretty specific development plan that we will not have to modify this numerous, numerous times and that is not staff's intention. However, when we do subdivide the property in the future that we will -- and -- and a TIS is submitted and approved by ACHD, there is a very high chance that there will be some modifications required and so staff wants to reserve that right and for City Council and -- and for you guys to see any kind of development agreement modification if it is deemed necessary. So, the -- that portion of their request is not very different from what we have, in my opinion. The part that is different is the two building permit portion. Staff is not supportive of that simply because of what's already been stated. If any building were to be built on this property they are going to need infrastructure, including streets and public streets at that. So, if they are going to put a public street in there needs to be a subdivision and, therefore, we would need a plat and, then, probably a development agreement modification, so -- and, again, a TIS. That's going to be their next step. So, staff does not want to get to that point of issuing this without having the infrastructure built and I should say entitled at that point.

Fitzgerald: Thank you, Joe. That was -- that helps a ton. Stephanie, what's the goal of the two building permits, because I -- I'm kind of with where Joe is going. Having all the pieces, parts -- this is a pretty important corner and we want to make sure we have everything dialed in. So, what would be the purpose of not having everything dialed in before we get building permits?

Leonard: Mr. Chair, my understanding is that we have got folks that are interested in developing on this piece of land and the whole point of getting the two building permits before recordation of the plat would be to kind of jumpstart the development. Recordation of plats can take several months and, you know, we do plan to submit a preliminary plat very soon and we have got a traffic impact study that we are going to start very soon as well. So, I mean I don't foresee that being far in the future, but it would really be integral to this project to be able to have two building permits prior to the recordation of our plat. It is done -- it has been done on several other projects. I don't know that I can think of

any off the top of my head, but I think our development plan has some that they -- they can reference that may -- may provide an example of -- of how that could work and be successful.

Fitzgerald: So, Joe it's not splitting hairs, but asking a question. Can you do it after approval of a preliminary plat and not having to record a final plat? Or approval of the final plat, but not recordation? Like where is the -- the balance point? Because I know we have done it before.

Dodson: Mr. Chair, for -- that is correct, Mr. Chair. Yes, this has occurred in the -- in the past. The biggest difference with this case is that this -- there are no end users known at this time and there is going to be a required TIS. If -- if the TIS had already been submitted and approved by ACHD staff would be a lot more likely to approve this, because, then, we would minimally know where the access points are. Guaranteed. We don't yet know that. So, I think the next true step for the applicant should be the TIS and once we get to that point, then, we can get to the subdivision and -- and at that point with -- that could be their first DA mod and that could be to modify this condition and, then, prior to the recordation of that plat we might be able to say, okay, yeah, now let's change it to have two building permits allowed. So, I'm not against developing this parcel quickly, it's just I think we are a little ahead of the game right now to get to this point of modifying that condition.

Nelson: Mr. Chairman, may I jump in and respond to that as well?

Fitzgerald: Yeah. Yeah. Go right ahead.

Nelson: And for the record this is Deborah Nelson. My address is 601 West Bannock Street and I'm here with the applicant team also and I think Stephanie covered it well and, actually, I agree with a lot of what Joe just said, too. I just want to add a little bit of additional flavor on the -- on the building permit question. The city has done it multiple times and it is frequently -- it -- the connection -- the trigger is to try to get it done before final plat, so that you don't have to go through all of the development details before you are allowed to jumpstart your -- your commercial area. It really -- I mean it really can be a catalyst to getting a commercial area going if you are able to take advantage of a great commercial project that comes along and just because we don't know that yet, that's exactly why we are asking for it. We need the opportunity to go out and market the property and to be able to work with a commercial developer and give them certainty that they could move forward quickly and, then, you asked about other examples. There is -- there is one just -- I mean this has happened in multiple places throughout the city, but there is one just down the street, Brighton's project within the Ten Mile area specific plan, they were allowed to get up to three buildings permits in phase one. I guess one additional point to keep in mind as you consider this particular request that we already are entitled to a building permit on this location and so at least one is appropriate based on the current parcel size and so at least one is appropriate now. Anything that gets pulled is -- has to satisfy all of the conditions of approval that are currently associated with this rezone, annexation, and development agreement and so we couldn't just go pull a

building permit for something that isn't consistent with everything that's laid out here and the development plan and all of the very specific conditions of approval that are identified now in these conditions.

Fitzgerald: I appreciate the additional feedback and I -- and I understand what you are saying. I think the TIS is important to understand the end user still. I think that's my one challenge there. But I appreciate the input and the additional guidance. Additional questions for Stephanie or for Deborah? Okay. Thank you, ladies, very much. We really much appreciate it and we will have you close, Stephanie, after we are done. Madam Clerk, anyone signed up to testify on this application?

Weatherly: Mr. Chair, we had one person sign in, but not indicating a wish to testify.

Fitzgerald: Is there anyone in the audience, in chambers or online, who would like to testify on this application? If so raise your hand, either online via Zoom or in person. Did we have one online, Madam Clerk.

Weatherly: Thank you, Mr. Chair. I will transfer them over. One moment.

Fitzgerald: Thank you, ma'am.

Weatherly: A slight technical difficulty, Mr. Chair. I'm getting an error. One moment.

Fitzgerald: Okay.

Weatherly: V. Stack, if you could try to unmute yourself.

Stack: So, this is Val Stack and I was just commenting that throughout this entire process and --

Fitzgerald: Ms. Stack, one second. Can you introduce yourself and give us your address for the record, ma'am, and, then, you can go ahead.

Stack: Okay. This is Val Stack at 6072 North Serenity Lane in Meridian and my comment was from myself and my neighbors that we have been having extreme problems hearing your audio. It's -- we are all on max here and I know that Patrick Connor has contacted your audio team and has tried to improve that, but we have extreme problems hearing what any -- almost any of you are saying. There are a couple of you that are coming through clearly and all the rest are mumble. We can hear Ryan and we can hear Rhonda and that's pretty much it.

Fitzgerald: Ms. Stack, are you on the YouTube Channel?

Stack: Yes, I am.

Fitzgerald: Okay. We will try to get that cleared up here shortly. I know we have had some -- a little bit of technical difficulties tonight, but did you have any specific comments on this application?

Stack: Not this one. We are here for the next process.

Fitzgerald: Okay. Well, I very much appreciate that heads up and we will try to get it cleaned up in -- in the midstream in between the two.

Stack: Thank you very much.

Fitzgerald: Thank you, ma'am. Is there anyone else in the audience or online that would like to testify on this application? Please raise your hand via Zoom or in the audience. Going once. Going twice. Stephanie, would you like to come and close? Is there anything else you would like to add to -- or the other representatives. That's fine.

Leonard: Thank you, Mr. Chair, Commissioners. Yes, I would like to say something, but Walt Gosser, one of our clients and the developer on this project, would like to say some stuff, too. So, I'm going to let him go ahead.

Fitzgerald: Thank you for being here, sir.

Gosser: Mr. Chairman and Members of the Commission, appreciate your time and just have some comments after listening to some of the discussions I would like to mention. First of all --

Fitzgerald: Sir, can you state your name and your address for the record.

Gosser: -- we drafted a bubble plan -- excuse me. It's Walt Gosser at 74 East 500 South, Suite 200, Bountiful, Utah. 84010. We have really had a joint effort with the staff. We have appreciated comments that we have received. We didn't ever realize it was going to be a seven and a half month process to come in for annexation and zoning, but as it's turned out this has just sort of evolved and staff asked for a bubble plan and more detail and after we provided the bubble plan we still ended up having requests for more detail and so we went to the concept plan and, really, with every meeting we have had with staff -- and we have had quite a few -- there has been progress made with comments that staff has made to us that we have tried to take under consideration and come back and make those changes, so that staff could feel comfortable and that we also could feel comfortable and -- and we feel like we have made a lot of progress in that area. Comments that were made on the civic center specifically. I would just mention to you -- we noted that the civic center was not requested by the -- or required for the FedEx developer to do that and we have looked at trying to comply with the request of staff and because it is on the -- a long term plan that there is a civic center there. We think what we are showing is very adequate in size. I have lived in Basel, Switzerland, and in Freiburg, Germany, a year each and in both of those cities they have high rail -- a high transportation requirements for the public and this amount of property that we are showing here would handle a large

four story parking complex if it came to that. Where it's so futuristic, you know, we are trying to keep that a placeholder out, but we would appreciate being able to keep it really where it is. We are trying to keep it in the middle of the project, because those trains sometimes get sort of long. There is right of way easement that the -- that comes with the railroad track. As you will look on the drawing there is quite a -- I think there is a hundred feet there. Usually you just get off and cross and maybe it's 15 or 20 feet at the most. So, there is adequate area to develop that properly, I believe, with what's shown. With regards to the road system, we also in one of our meetings with staff had an unsigned draft letter from ACHD and ACHD attended that meeting. In that letter they gave us some distances that they thought were critical that we needed to be aware of. There are four accesses on Ten Mile Street -- or Ten Mile Road and we had -- we are not using any of the four, but we have -- we have agreed, as we have visited with staff and with ACHD, that two would work for us and so there -- we are using half of what they currently show and those four are actually installed right in the sidewalk as drives. The other thing I would mention with regards to the history that's happened on this project is -- is we have -- we have really tried hard to be cooperative and to be responsive to what staff has asked us to do and we feel like that we have had a good relationship in accomplishing that and so most recently staff asked if we could make one additional road a public road and extend that public road over to the northeast access of the civic area and we agreed to do that. We have made those changes. But each time as we do these we have looked at this and -- and very honestly I have been in development for 45 years now, this is about as detailed a plan as I have ever given, even when we have a -- seeking a final approval and so we changed it recently from a concept plan and said this is really a development plan. As we have gone through this we have had Cornel Larson Associates Architects assisting us with KM Engineering. We have done soil studies. We have done environmental reports. We have done drainage studies. We have looked at the street systems. We know that we are lacking the TIS and we are going to start on that immediately after we get an approval and so we -- we just want you to know that the reason we requested part of this change with regards to the development plan is because we really think this development plan is a complete development plan now. It's evolved from this bubble plan idea to something that we have worked on hard doing many different drafts to get to where we have building sizes, we have building heights, we have parking ratios that we are trying to meet and based upon other developments that we have done we think we are really pretty complete and that's why we have requested this one small change that we have talked about. With regards to -- the last thing I would like to mention here, because my writing is not as good as I would like it to be when I'm in a hurry. I have to put my glasses on to read what I wrote. With regards to the building permit issue, as Deborah mentioned, there is one that does come with the size of property that we are doing, but we are not trying to avoid any meetings, any requirements of staff, any -- we have got a complete building design, submit those, realize that there are going to be comments on those and resubmit them before we can ever pull a building permit to build anything and so we are just trying to make that possible, so that as we have someone come forward it gives us that opportunity, because most of these major clients that we would work with in the commercial retail area, they really require about a year or two in advance to know when they are going to build. We have built for a lot of them. Commercial has been one of our expertises and they look at it and they take it to

advisement and they take it to their board of directors and they put it on their schedule and sometimes those schedules go out a year or two years and so that's why it could be important to us to be able to accommodate something that came up sooner. That's the end of the comments I had. I just, again, appreciate your help. If there is anything that you would like me to address, any questions you would like to ask, I would be happy to answer them.

Fitzgerald: Thank you, sir, very much. Any additional questions for the applicant? Commissioner Cassinelli, you have your -- you came off mute. Do you have a question, sir?

Cassinelli: No. I have a question for staff when we get there, but, no, not right now.

Fitzgerald: Okay. Perfect. Any additional questions for the applicant?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove, go right ahead.

Grove: Just for -- kind of looking at that southwest corner where the possible pond relocation -- have you given thought to what else you would be able to do if the -- if that doesn't come to fruition?

Gosser: Yes. But, again, it's been very preliminary, because there is -- as Mr. Dodson indicated in his presentation, there is no access to that piece of property and so there are -- there is access that is being used by the Ten Mile Creek ditch company that -- that controls that, but that's really only for their access or not for public access. So, it makes it very difficult to develop. We have tried to show two single story buildings immediately to the northeast of that, so that we can have glass extending down from those -- excuse me -- two single story buildings, but we could have glass looking out at that and we also believe that that would be a good area to introduce the site that we have got where if the ACHD idea doesn't work we are prepared to talk to parks administration and others in the city to try and determine how we could jointly develop something that would be an asset to our development and also for the city.

Grove: Thank you.

Fitzgerald: We very much appreciate you being here tonight and thank you for the clarification. Any additional comments or questions? If not, can I get a motion to close public hearing.

Gosser: Thank you.

Fitzgerald: Thanks, sir. Bill, did you want to be -- ask your question before we go to close the public hearing?

Cassinelli: It's either/or. I can -- we can close it up and I can ask it.

Fitzgerald: Can I get a motion?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I move we close the public hearing on file number H-2020-046, Gateway at Ten Mile.

McCarvel: Second.

Seal: Second.

Fitzgerald: I have a motion and a second to close public hearing on H-2020-0046. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Bill, do you want to lead off?

Cassinelli: Sure. I will -- for staff, what's the -- and -- Chairman Fitzgerald mentioned that this is an important corner and I have kind of been -- I missed out on -- on some things of late. What -- Joe, what is -- where are we at on south -- I think it's the southwest corner that's currently zoned RUT? Are there any -- is there anything that you can publicly say about that property?

Dodson: Commissioner Cassinelli, Members of the Commission, actually, this week we have been contacted about that parcel. So, we are in discussions with that. We plan to pre-app with them soon. So, hopefully, we will have another wonderful application in front of you guys. So, that -- that -- the southwest corner of Ten Mile and Franklin is also working its way towards development.

Cassinelli: Okay. But that hasn't been brought up that I -- that I missed over the last couple of weeks or so?

Dodson: No.

Cassinelli: And, then, what is the size of that parcel?

Dodson: Directly to the southwest is approximately 40 acres, just like this one. Forty acres as well.

Cassinelli: Okay. Thank you. Mr. Chair?

Fitzgerald: Go right ahead. Commissioner, go right ahead.

Cassinelli: No. I'm sorry. I was -- I was going to -- if -- if there were no other questions for staff, I guess I could start off on just some thoughts.

Fitzgerald: Go right ahead.

Cassinelli: Okay. On that note -- I mean I appreciate -- first of all, I want to say I appreciate the applicant's work on this and they have definitely gone a step beyond by doing a fairly detailed design there, not just the bubble design. So, that is -- that's definitely appreciated. A couple of things. Number one, when we get to the building permits, even though it may have been done previously, my -- my thought is to -- especially where we are at, I think with -- with development in the city, doing things the right way is -- is more critical than ever. You know, as land gets developed and developed and we have got fewer parcels left, we need to be -- we need to do it the proper way and I -- so, I would not be in favor of -- of allowing the building permit ahead of the -- the platting and, rather, run it through the regular channel. Overall comments. My thoughts on this are there is a lot of -- there is -- there is multiple different options within the Ten Mile interchange. One of those -- and I'm not here to -- to, you know, tell them they need to -- you know, what -- what to do on that land, but what I see is -- is, you know, kind of a -- a mirror image of what's directly to the south on that corner. So, I don't see anything unique and as you indicated, Mr. Chair, that we have got -- you know, this is a very critical corner. We have got one left after this and, then, you know, that -- those corners are gone. They are developed. One of the things that's allowable within -- you know, within the Ten Mile interchange is a -- is a lifestyle center. I like a lot of the aspects on this. I like the walkability, the pedestrian friendly aspect of it, but in my mind with -- with how critical this corner is -- and maybe that happens on the opposite corner, but I want to see -- you know, to me the bar is high and I want to see -- I don't want to just see, you know, a nice version of the same old thing. I want to see -- I would prefer something unique going in down there. And, then, a final point I will make is that while I appreciate the time that the applicant has spent and they indicated like seven months to get -- to get where they are today and, granted, with all the things that we are all going through, that's actually probably pretty quick, but something this important, this large, we need to take time and have it done to the benefit of -- of the City of Meridian. So, those are my -- those are my thoughts and comments on it and I will -- I will be done.

Fitzgerald: Thanks, Commissioner Cassinelli. Appreciate it. And I -- I understand exactly what you are saying and I agree. I think -- because it's only annexation and we are seeing a rather detailed kind of concept plan, I do love lifestyle centers and I think this area needs one definitely. So, I agree with you in that regard. Not that they couldn't do that here, because it is just concept. So, I -- this is just the initial steps and I think there is more to go along the way. I do think that you got to step through the process and I -- the end user has to be somewhat identified before I think I'm willing to start handing out building permits and that TIS is important. I think that's a big step. So, I -- I'm with you on stepping through the process and I know it's -- everyone wants to run -- they get an end user, so they can start developing, but we got to make sure we understand what's happening there before

we go further. At least in my thoughts. Commissioner McCarvel, you came off mute. Are you -- do you have comments, ma'am?

McCarvel: Well -- yeah. And I -- I would be in support of the annexation in this with the conditions in the staff report and I agree -- that I think with the pace of everything moving we need to probably stick with the staff's side on obtaining those building permits after the TIS. Definitely.

Fitzgerald: Commissioner Seal or Commissioner Grove, do you have thoughts, gentlemen?

Grove: Sure. I will jump in real quick.

Fitzgerald: Go ahead, Commissioner Grove.

Grove: I will just echo what's been said. Concept looks good. One thing that I appreciate is that, you know, just in concept at least they are doing a good job of addressing the mixed use nature that is desired here and not just kind of doing half measures to get there, which would be concerning, you know, if -- if we don't have all aspects of the mixed use going in. So, I appreciate the concept and the direction that they have gone with that and, you know, looking at where the street was supposed to be versus what they -- they have, actually, like the -- how that came about. So, kudos to the development team and staff for able to get that in place the way they do -- the way they have it and making those not private streets, how they had on the documentation previously. So, I like -- like how that panned out and I'm in favor of, you know, going with whatever staff recommends on the -- the building permit piece.

Fitzgerald: Commissioner Seal, go right ahead.

Seal: Just a question for staff on the -- the other applications that were submitted where building permits were allowed. Do you know if TIS's were completed on those? I hate to put you on the spot, but I mean right now it's -- it's an important distinction to me that -- I mean I guess in -- in the name of fair play it would be good have that information.

Dodson: Thank you, Commissioner Seal. That is a good question. I will default to my compatriot over here, who has more institutional knowledge at this point.

Parsons: Mr. Chairman, Members of the Commission, certainly -- I want to say yes. I mean if you look -- I can give you a recent example with Costco. It's built there on Chinden, you can see that Ten Mile is being widened -- Ten Mile is being widened. They did a traffic study for that. Eagle View Landing where they are building the ITCU. I know I have worked with ACHD on getting a traffic study for that development at Eagle and Overland. So, that's always the intent. But certainly when those developments came through they had a user. You knew what was coming, so we wanted to get -- and we knew there was a time frame that we had to hit. Here in this particular case I can tell we have two users that are going to come online to the east of this development and the

transportation network is going to be critical and that is why staff is taking a hard position on this particular application, because they have not -- when I worked on the FedEx property they did not submit a TIS and they submitted for a building permit ahead of time and it became a disaster. It slowed the project down. It created a lot of hiccups for not only staff, but ACHD staff and so, therefore, we only got a small segment of that road and now we have another large user just to the east of them coming in that's going to generate a lot of trips, a lot of traffic, and they are going to also -- we met with them and we informed them that they need to get a TIS in and build all of this road network with your development. So, to me if -- if the -- not that staff is not against a building permit, it's just what infrastructure are you committed to doing with the first phase, so that we can make sure that those assurances can take place or those things are going to happen ahead of time. That's really where our position is. We know what's going to happen. We have met with the folks. I have been -- it's been my understanding that this particular applicant may be meeting with them as well to try to discuss some of those road extensions. So, again, we can't go into all those details for you this evening, but I just know there is a lot coming down the pipe and so without having -- yes, this is a concept plan, but we still need to know what are they willing to commit to as far as connectivity, roadways. I look at their concept plan and I see conflicts with ACHD policies in the fact that ACHD has been silent on this application and they don't want to commit to anything until a TIS. That gives me concern that we probably should slow this down and wait until we have a TIS and understand how that access is going to work, not only for this property, but also for the properties to the east. We want that interface to be smooth and we need lights to go in and all of those things that happen based on those traffic studies. So, it's critical. It's -- everyone has to work together on this and, again, staff is not comfortable letting this go with -- to building permit without having those details in place.

Seal: Okay. Thank you. I appreciate the information on that. It makes this quite a bit easier to swallow for sure. And for the applicant I really like the level of detail that they have provided on this plan. It's going to make it easier to go to the next step I think, especially when a TIS is completed. I do agree that it is critical that the traffic patterns are determined in here, especially knowing that that's a shipping center next door to you. You know, if -- hopefully there is not a lot of conflict in there where they are going to allow, you know, trucks to travel through this, even though it's, you know, partially commercial in there, I can just see there is, you know, going to be a lot of, you know, large residential units in here and a lot of kids playing and there it is -- it is, you know, very walkable, very rideable and all that, so I can see where having the traffic study done and making sure that that's all nailed down is going to be vital to making sure that this is, you know, safe and livable for not only the businesses that are there, but the people that have to live there, as well as the neighbors that kind of jumped the gun on things a little bit. So, again, I do appreciate the layout of it. I actually really like it. So, I think what we have going on south of this is a good mix of residential and commercial building properties. It's bringing in more places to eat, more places to have, you know, hobby locations and things like that. So, I generally like the idea. I like the fact that it puts that high density residential where it needs to be, which is, you know, close access to the freeway, things like that. So, there is a lot of really good things about this application. I'm very hopeful that that corner on -- on Ten Mile there -- hopefully we can -- you know, if -- if the pond relocation doesn't work

out with ACHD and even if it does, hopefully that corner can be turned into something that's highly visible and marks it as, you know, something very specific, you know, something very Meridian, you know, is done -- as done in the -- you know, Meridian Road interchange that's already there and you can see there is quite a bit of artwork and some visibility there to, you know, what Meridian is trying to be. Other than that, I really like the application and will definitely support staff.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: For motion purposes, I think we all agree that we are going to be in support of not to include the applicant's request for two building permits prior to recording of the plat, but I know they had a little bit different wording earlier -- just a few lines up in that same area that might need to be addressed or are we good with that?

Fitzgerald: I think they say basically the same thing. We call out very specific things and -- or Joe calls out very specific things and I'm okay with, you know, significant deviations and fixes. So, I -- I'm good either way and I -- yeah, I think major deviations and changes or -- and I think Joe just listed out all the things that could change. I think either way I'm good. I don't have a problem with changing it to the applicant's request -- requested language. I think it's the same.

McCarvel: Okay.

Fitzgerald: I definitely appreciate the effort that they have put forward in regards to the civic area. If you can get some multi-modal in that -- in that area I would love to see something and so I really appreciate the applicant's efforts to work with staff on that. I know that peeled over from the FedEx location into your property. So, thank you for your patience in dealing with that and I know, Commissioner Seal, one of the other things I think that we have got in play -- we may not have seen it yet, but I think there is an Amazon location going in further east from the FedEx location, so I think we -- we definitely want to make sure that trucks are a big thing in my mind as well and so I think you are spot on in regards to your comments. So, additional comments before -- or motions are always in order. So, anyone take a stab?

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony, I move we recommend approval to the City Council of file number H-2020-0046 as presented in the staff report for the hearing date of September 17th, 2020, with the following modifications: To include the applicant's request and verbiage on Section 8A-1B, but not to include the last statement of up to two building permits may be obtained prior to the recordation of the plat.

Seal: Second.

McCarvel: Does that --

Fitzgerald: Does everybody understand what that -- what that is? Are we good? I have a motion and a second to recommend approval of file number H -- I'm losing my mind -- 2020-0046 with modifications. All those in favor say aye. Any opposed?

Cassinelli: Aye.

Fitzgerald: Okay. So, three-one, if I counted that. Making sure I'm -- correct? Okay. Motion passes.

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

Fitzgerald: Thank you very much, Stephanie. We appreciate it. I'm sure we will see you again soon. Okay. Moving on to the next -- oh, Adrienne, go right ahead, ma'am.

Weatherly: Mr. Chair, I just wanted to make a note. Ms. Stack, I see that your hand is raised again. If it is an audio issue if you could, please, try calling in. We are not receiving any feedback that other people are having audio issues. You can find the phone number to call the same place where you found the link to login into the Zoom meeting. If you need any help with that, please, e-mail cityclerk@meridiancity.org and we would be happy to help you right now.

Fitzgerald: On the top of the agenda, if you look at the agenda, Ms. Stack, the join by phone number is on there and the web ID is on there as well. If there is questions there, please, join us there and --

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: If I may comment. I think some of it what I'm getting -- I'm getting cutting in and out at the podium. So, if we can encourage those that are -- if there -- if -- if the applicant and -- on this next one is at the podium that they really concentrate on being at that microphone.

McCarvel: Yeah. Sure. I think it's the mask and any -- any movement away from that microphone it just gets muffled.

9. Public Hearing Rescheduled from September 3, 2020 for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.