

**Meridian Planning and Zoning Meeting**

**May 28, 2026.**

Meeting of the Meridian Planning and Zoning Commission of May 28, 2026, was called to order at 6:30 p.m. by Vice-Chairman Jared Smith.

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

Members Absent: Commissioner Maria Lorcher.

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

**ROLL-CALL ATTENDANCE**

_____ (Vacant)	___X___ Jessica Perrault
___X___ Matthew Sandoval	___X___ Matthew Stoll
___X___ Dom Gelsomino	___X___ Jared Smith
_____ Maria Lorcher - Chairman	

Smith: All right. Good evening. Welcome to the Planning and Zoning Commission meeting for May 28th, 2026. I would like to call the meeting to order. Commissioners are present tonight at City Hall and we are joined by staff from the City Attorney's Office, the City Clerk's Office and the City Planning Department. If you are on Zoom we can see you. You may observe, but you will be muted on screen and audio and -- on screen and in audio until the public testimony portion when we will, then, unmute you to comments. We cannot take questions before then. For a process question during the meeting e-mail [cityclerk@meridiancity.org](mailto:cityclerk@meridiancity.org) and they will reply as soon as they can. If you are only here to watch you can stream the meeting on the city's YouTube channel at [meridiancity.org/live](http://meridiancity.org/live). With that let's begin with the roll call, Madam Clerk.

**ADOPTION OF AGENDA**

Smith: The first item is adoption of the agenda. There are no changes to tonight's agenda. But, please, note that Item No. 4, Starling Ridge Subdivision, will be open only for the purposes of a continuance. May I get a motion to adopt tonight's agenda?

Gelsomino: So moved.

Stoll: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

## **CONSENT AGENDA [Action Item]**

### **1. Approve Minutes of the May 21, 2026 Planning and Zoning Commission Meeting**

Smith: The next item is the Consent Agenda, which includes to approve the minutes of the May 21st, 2026, Commission meeting. May I get a motion to accept the Consent Agenda as presented?

Gelsomino: So moved.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

## **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

Smith: Let me quickly explain the public hearing process. We open each item individually beginning with the staff report, where staff explains how the application aligns with our Comprehensive Plan and Unified Development Code. The applicant, then, has 15 minutes to present and respond to staff comments. Next we will open public testimony. Each person is allowed to speak only once. The clerk will call one at a time the names of those who signed up in advance on our website. You may come to the microphone in Chambers or you will be unmuted on Zoom. State your name and address for the record and you will have three minutes. If you sent pictures or a presentation in advance the clerk will display it. If you have been designated to speak for a larger group, such as an HOA, you will have up to ten minutes. After everyone who has signed up has spoken we will invite anyone else who wishes to testify to be recognized. Come forward in Chambers or press raise hand on Zoom or if you are on the phone press star nine and wait for your name. If you are on multiple devices, please, mute the extras, so we can avoid feedback and can hear you clearly. When you finish, if Commissioners have no questions, you will return to your seat or be muted and you will not be called on again. After all testimony the applicant will have another ten minutes to respond. We will, then, close the public hearing and the Commissioners will discuss and make their decisions or recommendations to City Council as needed.

## **ACTION ITEMS**

### **2. Public Hearing for Durango Subdivision (H-2025-0017) by KM Engineering, LLP, generally located off the northeast corner of the N. McDermott Rd. Bypass and W. Ustick Rd.**

- A. Request: Annexation of 37.08 acres of land with R-8 (29.53 acres) and L-O (7.55 acres) zoning.
- B. Request: Preliminary Plat consisting of 127 residential lots and 6 commercial building lots and 14 common lots on 35.88 acres of land in the proposed R-8 and L-O zoning districts.

Smith: With that we will get started on Item No. 2, File H-2025-0001, Durango Subdivision, for annexation and preliminary plat.

Allen: Thank you, Mr. Chair, Members of the Commission. The first application before you tonight is a request for annexation and zoning and a preliminary plat. Excuse me. I need to share my presentation. Just a moment. All right. Let's try that again. This site consists of 35.88 acres of land. It's zoned RUT in Ada county and is located at 5630 West Ustick Road, which is off the northeast corner of Ustick Road and McDermott Road bypass. There has been no other previous development applications on this site. The Comprehensive Plan Future Land Use Map designation is medium density residential, which calls for three to eight residential units per acre and office. You can see that on the map here on the -- on the left-hand side here. The applicant is requesting annexation of 37.08 acres of land with R-8 zoning, which is 29.53 acres of the site and L-O zoning, which is 7.55 acres of the site for the development of 127 single family residential detached homes at a gross density of 4.48 units per acre, six office buildings and associated common open space areas. A conceptual development plan was submitted as shown that depicts the residential development and anticipated site layout for the office portion of the development along the frontage adjacent to Ustick Road, consisting of approximately 51,255 square feet of office uses. Excuse me. I'm on the wrong one there. This is the concept plan. The Comprehensive Plan states future land use map designations are not parcel specific and that an adjacent abutting designation when appropriate and approved as part of a public hearing with a land development application may be used, but may not be applicable to more than 50 percent of the land being developed. The applicant is proposing to extend the office designation at the southeast corner of the site further to the west along the frontage of Ustick for an additional approximate 3.24 acres or 16 percent of the development area. Staff is supportive of this request as approximately half an acre of the site designated office is encompassed by the Sky Pilot Drain easement. That is this area right here. And cannot be developed and an additional 1.7 acres of office designated land to the east will not develop as such with Spring Day Subdivision, due to the location of the collector street and the remaining area not being large enough to develop with office uses and that is this area right here that I was referencing. The proposed density, housing types and office use is consistent with the medium density residential and the office future land use map designations for this property. A preliminary plat is proposed as shown consisting of 127 residential building lots, six commercial building lots and 14 common lots on 35.87 acres of land. A minimum lot size of 5,547 square feet is proposed with a maximum lot size of 8,008 -- excuse me -- 687 square feet and an average lot size of 5,864 square feet. The plat is proposed to develop in three final plat phases as shown on the -- the phasing lines are right here. This is the first phase and

encompasses the residential and the office portion of the development. This is the second phase here and the third phase along the northern boundary. There is an existing home and accessory structures on this site that will be removed prior to development of the property. Access is proposed via West Ustick Road and North McDermott Road bypass. Cross-access is proposed to the adjacent properties to the west and east. Cross-access easements are required to be granted to these properties and internally within the L-O zoned lots. Direct lot access via Ustick Road is prohibited. Landscape street buffers are required along internal and adjacent streets in accord with UDC standards. A minimum of 15 percent or 4.4 acres of the residential area is required to consist of qualified open space. A total of 7.63 acres is provided, which is 25.41 percent of the site, exceeding the minimum standard by 3.23 acres. Site amenities are required totaling a minimum of six points, consisting of -- what's proposed consists of a dog waste station, open space commons and pathways for a total of 11 points. Although amenities exceed the minimum standard, staff is recommending an additional amenity. A covered shelter is provided in Lot 9, Block 3, for the open play areas as a provision of the development agreement associated with the annexation. The Eight Mile Lateral runs along the northern boundary of this site in a 50 foot wide easement and is proposed to remain open. The Sky Pilot Drain also runs through the site and is proposed to be rerouted and piped. The one hundred foot wide easement for the drain will provide a separation between residential and commercial land uses. Sewer service is not yet available to this property. A cooperative agreement exists between the city and the developer of Spring Day and Dayspring Subdivisions to the west -- to the east and south to extend the McDermott Trunk Line south down McDermott Road to Ustick Road and east to serve those subdivisions, which will also provide service to this site. Development is not allowed to commence until sewer service is readily available at the site. The development is subject to the Oaks Lift Station and West Ada School District reimbursement agreements. Water service exists in Ustick Road, which can provide service for up to 50 lots and beyond that a second water connection is required. Conceptual building elevations were submitted as shown that demonstrate the quality of development proposed in the residential and office portions of the development. Final design of the office buildings are required to comply with the design standards in the Architectural Standards Manual. Written testimony has been received from Corey Thacker, the abutting property owner to the west and this -- he did submit comments on the original application that was submitted last year. So, just keep that in mind if you read that. Some things have changed since that time with the site layout. He had concerns pertaining to the proximity of his driveway access via Ustick Road to the McDermott Road bypass intersection. It's at 242 feet versus the 300 feet requirement. Water rights, eminent domain and desire for cross-access through the proposed subdivision to his property and just to reiterate cross-access is being provided to his property. Connor Lindstrom, KM Engineering, the applicant, submitted written testimony in agreement with the staff report, but requests a clarification to condition number 1-A to include the cross-access ingress-egress easements are required between all commercial lots in the subdivision. Right now it does not differentiate between residential and commercial. So, we definitely want to do that. Staff is in agreement with this clarification. Staff is recommending approval of the project with the requirement of a development agreement. Staff does have one

additional recommendation that wasn't included in the staff report and that's for the requirement of North Del Norte Avenue to be extended as a stub street to the outparcel at the southwest corner of the site for interconnectivity and that is this street right here. So, as I mentioned, Corey Thacker is the owner of the outparcel here and that is also the subject of the next application before you tonight, Ustick Commercial. Staff is all -- staff is finished with the presentation. If you have any questions I will be happy to respond.

Smith: Are there any questions for staff? Would the applicant like to come forward and can I have your name and address for the record.

Lindstrom: Thank you, Commission. Connor Lindstrom with KM Engineering. Address is 5725 North Discovery Way, Boise. 83713. Here representing the property owner J&J Hess. Mark Hess is here on behalf of the LLC as well. Pull up the presentation. Awesome. And, then, do I just control it by clicking or --

Allen: Yes. Hit the arrows.

Lindstrom: Okay. Thank you, Sonya. I think Sonya covered everything very well. This is Durango Subdivision. Our request is for annexation and zoning into the City of Meridian with a preliminary plat. As stated the portion that we are annexing is 37.8 acres, located here on Ustick and McDermott bypass. The actual subdivision itself will be 35.87 acres following right of way dedication and other adjustments. I will note the Sky Pilot Drain, as staff noted as well, does bisect the property in the southwest corner. If you can see my cursor here. Well, it's a little slow. Yep. Here is where the Sky Pilot Drain comes through and, then, goes west it provides a buffer currently between that hard corner parcel that Hawkins application is about and the subject property. We are proposing to pipe and reroute that drain, which I will go into a little more detail here in a second. We are proposing to have two zonings, one being R-8 for the single family residential portion of the development and, then, we have the L-O or limited office zoning. As you can see here the property is currently in the county, RUT zoning, but we are adjacent to Day Spring and Spring Day. I believe it's Spring Day to the east with the R-8 zoning, so we will be seamlessly integrating with that zoning as it moves west and, then, the L-O along the Ustick frontage, which will be a great transition into the commercial that's proposed by Hawkins to the southwest of the subject property. Here is the future land use map. Just kind of clarifying things. Again, the R-8 zoning is looking for a three to eight dwelling units per acre. We are proposing 4.48 dwelling units per acre for the residential R-8 zoning, so that will fall right within that -- that designation. We have 127 residential lots that will be within the development. Here is that preliminary plat layout and, then, I will go into the conceptual L-O building layout. We have those six office lots. Those would be limited office. So, any future uses on those specific lots would have to comply with the zoning designation and dimensional standards. We are providing here -- if I can see my cursor. There it is. Here on the east side we are providing a stub to the east, that outparcel there, just for future cross-access. We think that would be a great idea to have. We don't know the plans for that property, but it is within this L-O designation, so you could probably expect similar type

uses there. So, it would make sense to have some additional cross-access. We also have Day Spring Way there. You can see is the main entry into the site from Ustick. That aligns with Day Spring development to the south and their collector roadway. You will notice that we have Lot 1 there, it's the 32,000 square foot lot. That is for the hundred foot wide easement for the Sky Pilot Drain. It's Nampa-Meridian Irrigation District. We work closely with them and ACHD to come to a solution as to how we are going to pipe this drain and the direction it's going to take through the development. It was clear that that still needed to be within a hundred foot wide easement, even though it will be piped, but we are able to provide grassy open space there and still have a pathway through it. They also allow for -- as it goes north and, then, heads west towards McDermott bypass we are allowed to have that service drive there to provide cross-access to the southwest corner parcel. They will also allow for shrubs, grass plantings, but just no trees within that -- that easement. We will also have access not just from the service drive to McDermott bypass, but also on Telluride Street there. We are providing an additional access, all of which have been accepted by the highway district. This is just a integration conceptual site plan that shows the McUstick commercial proposed by Hawkins and how it will integrate with Durango as we go from residential to commercial and into McUstick. In speaking with the property owner they are supportive of McUstick commercial subdivision plans and will, you know, be great neighbors as Hawkins looks to develop there. We have also been in coordination quite a bit with Toll Brothers. They are the ones that are developing Day Spring and Spring Day and have brought the sewer down and along Ustick Road there. We actually plan to -- well, we did submit this application for Durango last year. A long time ago. It's gone by fast, though, but we were told, you know, put things on pause until Toll got their approval and was able to sign that service -- or sewer agreement with the City of Meridian. So, we made sure to put things on hold, wait for that agreement to take place and, then, come back before you. So, that's why it's taken this long, but we have come to an agreement with Toll. The property owner has. They have actually signed off on a contract to stub into that sewer line for Durango Subdivision. Lots of coordination that's taken place. This slide just shows some of the landscape sections along both Ustick entryway corridor -- it is an entryway corridor, so there has to be some additional landscaping provided and we have the detached ten foot wide sidewalk with the park strip, as well as the Dry Creek -- creek bed, some trees, additional shrubs and, then, along McDermott another detached sidewalk with some plantings and, then, the cross-section here on the bottom is between McUstick Subdivision and the residential lots. If I go back here with my cursor. So, this is along the Sky Pilot Drain here. I'm sorry. That's what that cross-section shows. So, we are going to have quite a bit of open space here. As I said we can only do so much within Nampa-Meridian Irrigation District's easement, so we are providing some open space and, then, we have the pathway. There is going to be a privacy fence on the back of those residential lots, as well as some smaller shrubs. They can only be about six feet tall I think is what we came to an agreement with with Nampa-Meridian Irrigation District. Sonya already kind of went over this, but this is our -- really only our requested modification to the conditions that were provided in the staff report we received late last week. We just would like to make sure that commercial is outlined here is the -- the cross-access that we are trying to obtain between the commercial lots when it makes sense to have cross-

access from one residential lot to another. So, just a clarification. Going into the other condition that Sonya brought up tonight was talking about having a stub here or some sort of street coming south. We don't believe that that is necessary, just because we already have the Dayspring Way connection here going north from the commercial into the residential and, then, also along McDermott there is going to be an additional access here. So, we don't believe that that vehicular access there between the development is necessary. I think it would -- it would cause some more issues perhaps with neighbors driving right up against their property line. We do have that pedestrian connection and I believe that should be sufficient. And, then, the last slide just show what Sonya had already provided, some conceptual building elevations. So, overall I think that covers it. If you have any specific questions you would like to ask of me or of the property owner who is here, we are happy to answer. Thank you.

Smith: Are there any questions for the applicant?

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: Good evening.

Lindstrom: Good evening.

Perreault: Can you go over the -- the section that says future drive, whatever that little road is there on the south side of the drain. What's the plan for that?

Lindstrom: Yeah. And, here, maybe if I go -- sorry. So, from Dayspring Way as you travel west you will see this is that service drive. This will be a drive that will provide access to not only these office lots, but will also provide access to the proposed commercial to the west that Hawkins is proposing. So, it will just act as an additional service access for those properties and that will be within phase one. We will have that stub to the commercial lots.

Perreault: Mr. Chair?

Smith: Commissioner Perreault.

Perreault: And that is intended to be used by the public or just by the commercial property owners or, you know, whoever is owning or renting those spaces?

Lindstrom: It would be by the public. Yeah.

Perreault: Is it going to be a full street or what's the street width?

Lindstrom: Yeah. So, I'm sorry, I'm not -- remind me of your name, Commissioner --

Perreault: Jessica Perreault.

Lindstrom: Perreault. Thank you. So, this would be a -- it would be built more of a private road standard, you know, where we would ensure that we are meeting any requirements of the City of Meridian, but it's not going to be a normal local road, it would be more of a service drive that you would see within a commercial development. I'm trying to think of some off the top of my head, but --

Perreault: I understand.

Lindstrom: Okay.

Perreault: Thank you.

Smith: Commissioners, any other questions? All right. Thank you.

Lindstrom: Thank you.

Smith: Madam Clerk, is there anyone signed up to testify?

Lomeli: Thank you, Vice-Chair Smith. We have Greg Larson.

Smith: And if I could just get your name and address for the record.

Larson: Thank you. Yes. Greg Larson and my address is 95592 Willow Bridge Lane and that's Lakeview, Oregon. I am the property owner where you come out here onto the bypass straight out of Durango. I own the 13.5 acres across the street there and I'm working with KM Engineering right now and our goal will be to align with the City of Meridian on the future use of this as mixed use interchange, so it will be light commercial, flex space type, support for all these roofs you see going in here. We think it's important to -- to have this as -- as available service light commercial. So, I'm here on record I just want to make sure -- or state my concern for this access road coming out of Durango that we also have access onto the bypass road here and my concern being this 90 degree corner to the north and the proximity to that. We will be coming off of my property on the inside of that 90 degree corner and so I think there is some restrictions as to how close you can be to that and -- and, therefore, I'm here on record stating my concern for that and just noting the proximity to that 90 degree corner, making sure that we can have access straight across from that Durango access into this commercial. We think it's important, because there is no other access to our property, other than a private driveway to the west. So, as we develop this and get it submitted for annexation here in the near future, we are going to want that access onto the bypass directly across from Durango and -- and probably one to the north as well onto the bypass, so that we can have efficient access to that -- those commercial services in there. Thank you.

Smith: Thank you. Commissioners, any questions?

Larson: No questions? And as it's -- as it's presented here that -- that access into Durango could be moved south a little bit if needed and you would still maintain your distances to the -- the roads to the south there. So there is -- there is an option there if that corner was ever to be a problem. But I'm just hoping that that corner is not a problem.

Smith: I guess one question for you is how far south does your property -- that is kind of -- you are working on at the moment extend?

Larson: Sure. Get this mouse here. All right. I'm struggling with -- right -- I go to right there. It's a -- it's a -- I believe it's a nine -- is it the Nine Mile Lateral that goes through there? Okay. I go to the Nine Mile.

Smith: Okay.

Larson: Okay. Cool.

Smith: Thank you. Any other questions, Commissioner? Okay. Thank you very much.

Larson: Appreciate your time. Thank you very much.

Smith: Madam Clerk?

Lomeli: Thank you, Vice-Chair Smith. Shaun -- Shaun Wardle.

Wardle: Commissioners, Shaun Wardle. 2239 East Greiner Street, Meridian, Idaho. Representing John and Cheryl Wardle, who own the parcel directly east here adjacent to the -- to the office commercial piece. So, applicant has already clarified for me my question, which was cross-access to that parcel through that and it sounds like they are going to perfect the cross-access -- access across the commercial with an easement and so we -- we agree to that and appreciate the access to that and I would stand for any questions.

Smith: Commissioners have any questions?

Wardle: Thank you.

Smith: Question for staff? Is that -- does that need to be anything to ensure that in the staff report or is that adequate as -- okay. We are good? Okay.

Parsons: It's in the staff report already, so --

Smith: Okay.

Parsons: -- just with the clarifying remark that it's commercial lots, not all the lots, as applicant's requested.

Smith: Okay. Thank you. Madam Clerk, is there anyone else?

Lomeli: Thank you, Vice-Chair Smith. No one else has signed up and no one online is raising their hand.

Smith: Anyone else who would like to testify? If you would, please come forward and have your name and address for the record.

Thacker: Corey Thacker. 5900 West Ustick. The other question that -- I just want to make sure that it's understood that like a year and some ago it may have come across who knows how it came across, but, basically, thanks to Sonya and staff I mean we got that cross-access. I have no objections to this particular issue other than if mine doesn't get done, so --

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

Lindstrom: Thank you. I don't have much else to add, other than I think Mr. Larson's point about access to the McDermott bypass. We understand where he is coming from. I will just say that we worked with ACHD. They were -- they approved our access to the McDermott bypass. The 90 degree turn there that's the curve for McDermott bypass, was not a concern of theirs for our access, so that's all I will say. We haven't delved into much deeper other than that. But if there are concerns I'm sure we would be willing to work with ACHD and the neighbor as they come forward.

Smith: Question for staff. I guess regarding this, I -- we don't have a crystal ball, but are there any concerns that immediately stand out regarding that ability for the neighbor to take access, whether at that location -- like at that spot directly across or further south?

Parsons: Mr. Chairman, Members of the Commission, not necessarily. I mean that can change from pre-plat to final plat, but the applicant is correct. If you recall McDermott bypass is still under the jurisdiction of ITD. They provide it -- they said they had no comments regarding this application, so they seem to be good with that. ACHD in their staff report has -- has indicated that as long as that intersection is 830 feet from -- from Ustick Road that they would approve it. So, the applicant is correct, there doesn't appear to be any issues with that. But, again, if the adjacent landowner and this owner want to work on a minor adjustment that's something they will work with either ITD, ACHD, and provide that with their final plat with a minor change. I don't -- don't want them to shift it too much, but somewhere -- because I -- I do agree with the gentleman saying that there is always -- there are site distance concerns when you get around those curves on roadways, so that -- that has been an issue in other applications that we have -- you have acted on in the past. While I have your attention, too, I just wanted to also ask the applicant -- and maybe pose a question to the Commission. You know, I don't want to -- to commingle the applications too much with the Ustick commercial in

this one, but you can see that they have been working pretty closely together to make sure that these -- these projects do integrate. In my discussions you can see here on the graphic that the Ustick commercial piece has a little more landscaping on the south side of the driveway than this office portion of the development. So, I wasn't sure if that's something that you guys -- I know that was something we discussed at the previous hearing for that project, but I know the applicant is working with this particular -- this same consultant, so I didn't know if that -- their plan was to do the same thing on the office portion. So, just would like to get some clarification maybe from -- from the applicant on that and decide -- like to get feedback from the Commission as to whether or not you want to make that a condition, too, to -- to provide some of that landscape treatment on the south side of the driveway. Thank you.

Smith: I guess I will extend that question to you, if you could clarify that.

Lindstrom: Yeah. Thank you. Thanks, Bill. Commission. Yeah. So, at -- at this time we -- we do not have a specific landscape plan here. If I go back -- this is a conceptual building layout and without really knowing what will develop on those lots it's hard for us to say, yes, we will put a specific landscape buffer that looks this way versus Hawkins, who has more of a detailed plan as to what those uses might be. So, that's why we are not showing anything at this point. It's going to take some time before those lots are sold off to end buyers who will, then, have to go through their own design review applications and make sure that they follow the landscape code at that time. So, generally we don't get into the details of showing landscaping internal to the -- the office lots at this time, but -- I hope that answers your question.

Gelsomino: Mr. Chair?

Smith: Commissioner Gelsomino.

Gelsomino: Just -- just a quick question of -- part of it's going to be directed to staff, part of it to the applicant's. Staff, do we have a picture that displays Lot 9, Block 3, where the proposed condition for the covered -- the common shelter will be? Okay. Perfect. Thank you. And for Connor, have we -- because I didn't see it. I don't believe I saw it in the report. So, just to confirm. Do we have any agreement on whether the condition for that common shelter is approved or -- or accepted as part of this discussion?

Lindstrom: Yeah. Thank you, Commissioner. We did -- we saw that condition of approval and in speaking with the property owner we agree that that would be a great amenity to add to the development and we are in agreement with that condition. We do not have a specific detail or elevation as to what that shelter would look like, but we will make sure we work with staff to provide maybe some sort of rendering as to what that could look like moving forward.

Gelsomino: Excellent. Thank you.

Smith: Commissioner Perreault, you had a --

Perreault: Yes, Mr. Vice-Chair. Thank you. So, the drain easement there directly east of the entrance, that hundred -- that's a hundred feet; correct? Is there any permitted use -- I understand that there can't be anything permanent, but is there any kind of recreational use or permitted use rather than just being a grassy area that would benefit the commercial section at all?

Lindstrom: Yeah. That's a great question. We worked with Nampa-Meridian Irrigation District and kind of -- we asked the same question, what can we do with this land. It's -- it's difficult, because they say, you know, they need access to their easement to make any maintenance -- or to, you know, maintain the drain itself and they specifically said no structures. We are not really looking for people to be spending long amounts of time in that area. They were fine, though, with it being a grassy area and people are welcome to walk through it. We can even have a pathway across it and folks can recreate within it, but they didn't want to see any kind of -- like basketball hoops or, you know, courts of any kind, things like that. So, we did explore that option and they pretty much said grass, small shrubs, pathways, service drive, those were the options.

Perreault: Are you planning on implementing anything? A pathway?

Lindstrom: Yes. We do have -- as you can see there along Dayspring Way, that's a sidewalk, that's -- or a pathway along Dayspring Way and we will have a pathway that cuts across to the east going into the commercial. Those office lots there. So, you could walk west and get across to the other commercial and further down to McUstick Subdivision. So, there is some pedestrian connectivity through that -- that area, but that's -- that's all that we are showing at this time.

Perreault: Okay. I just have kind of seen these sort of empty spaces not be taken great care of when it -- when no one really knows what they are for, you know.

Lindstrom: Correct. Correct.

Perreault: But visually the public is not going to understand that that's a drain easement. So, just curious kind of how that maintenance is going to look. Hopefully as an entrance to a commercial area I assume that there is some sort of association that will be managing that. Hopefully they will take that pretty seriously, but you never know.

Lindstrom: Totally understand. Yes. And there will be an HOA with this development and they will have a maintenance agreement that they will have to maintain, you know, these open space areas, so -- and also to the irrigation district they require it to be maintained, because they need to have adequate access to that easement. So, hopefully, together that will keep it looking nice, because this is an entryway corridor as we understand along Ustick Road, so it is important that we have enhanced landscaping and it looks nice. So, I understand where you are coming from. Thank you.

Smith: Commissioners?

Stoll: Mr. Vice-Chair?

Smith: Commissioner Stoll.

Stoll: Connor, on the extension of Del Norte south as a stub street, can you just reiterate your concerns and -- regarding that?

Lindstrom: Yeah. Here, let me go -- thank you, Commissioner. Yes. So, if you can see here -- let me get the mouse again. It's kind of hard. There we go. So, we already have Dayspring Way as it goes north from Ustick through the commercial office lots. Sorry. This is not cooperating with me. But I will just speak. The Dayspring Way goes north from the commercial lots into the residential subdivision. We also have access into the residential subdivision from McDermott bypass. So, two entryways into that development. This being about a hundred -- and its 127 residential lots, which will also be stubbed to the east and to Spring Day. So, I always mix them up. Will provide a third access point. So, with that we think there is plenty of vehicular connectivity through this acreage and we will also have that service drive through the commercial lots into the proposed commercial at the hard corner. So, that's a significant amount of vehicular access options throughout the site. So, we think adding another point of access directly south there from Monte Vista where Del Norte goes south, would be cumbersome mostly for those neighbors. You can see they have a common drive -- driveway that's -- that's what that little flag is going south to get access to those lots. We think if we had that, as well as another access drive it creates more -- we are just going to have to mitigate more traffic coming through there and it could create some more -- I don't know, concerns with pedestrian crossing there as you see with the Sky Pilot Drain we have a pathway proposed across there. So, there is just more interaction with those houses that we don't think is really necessary. There is other ways to get throughout the development. Hopefully that answers your question.

Stoll: Mr. Vice-Chair, ask staff a question.

Smith: Yeah.

Stoll: So, Sonya, can you walk me through why you all are recommending that we extend the stub?

Allen: Yeah. Chairman, Commissioners, the UDC, you know, encourages interconnectivity, you know, between uses. Bill and I were just discussing and we are okay with retracting that recommendation for a stub street.

Stoll: Okay.

Allen: We agree with the applicant that that should be sufficient.

Stoll: Okay.

Allen: Thank you.

Smith: Question. Again not to commingle this and the following application. Does that imply also being okay with retracting that connectivity? Because I imagine you can't have that connectivity in the next application if you don't have the stub street to connect to?

Allen: I'm not sure I understand your question. The -- the Ustick commercial property would have access via Dayspring through a cross-access easement --

Smith: Yeah.

Allen: -- through the subject property.

Smith: So, I think the -- again, not trying to mix this up too much, but I think it's item -- maybe one of the other considerations, that northern vehicular connection that the draft conditions of approval are asking for. That wouldn't be feasible without the stub street to connect to on this development agreement. So, is that -- am I reading that to say you --

Parsons: Mr. Chair, Members of the Commission, that is correct.

Smith: Okay.

Parsons: Both projects have been asked for you to consider whether or not additional connectivity is -- is going to be required. So, that's your purview. If you don't require them to stub the road to the -- the service drive, then, that condition, when we get to the next project, will be something we need to address with that application.

Smith: Okay. Thank you. Any other questions from the Commission? All right. Thank you very much.

Lindstrom: Thank you.

Smith: Can I get a motion to close the public hearing?

Stoll: Move to close the public hearing.

Gelsomino: Seconded.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Smith: I will go first on this. I think, yeah, there is just a couple questions here that I think we should probably discuss. Obviously there is that stub street. Seems like staff is okay with retracting that. That does carry that implication over to the McUstick application, but for this application on -- on its own I think that -- that staff's kind of retraction makes sense. I think there is -- it looks like there is adequate pedestrian -- and I actually think this -- not having that vehicular connection could kind of -- to the applicant's point, you know, cushion or ease the transition. It could keep that commercial and residential connectivity still active through Day Spring, but not so direct that it becomes kind of, you know, you are living right next to -- on top of the commercial kind of feeling. I think the only other question that I have is if the Commission wants to kind of require some additional landscaping on the south side of the trackway. I know the applicant -- doesn't seem like it's the intention to leave that fully bare, but it's more just a lack of clear visibility, but part -- part of me is wondering if there is interest in kind of having some requirement to have it continuous with the sort of landscaping that it is on the McUstick side or matching appropriately to just have -- you know, again, ease that transition to the residential. But beyond that I'm generally supportive of this. I don't see any major issues.

Stoll: So, with --

Smith: Commissioner Stoll.

Stoll: Sorry, Mr. Chair.

Smith: Yes.

Stoll: With the removal of the stub street I'm very comfortable with what staff has recommended. I think the question about the landscaping is really is it going to be coming back to us anyway to have that discussion when the commercial properties are coming forward or we can put the condition in there and just say future commercial development will have some sort of landscape -- -- appropriate landscaping to buffer the residential and commercial. I'm okay with either way. But I'm supportive of the project.

Smith: Other Commissioners? Commissioner Perreault.

Perreault: Mr. Chair -- Mr. Vice-Chair. I'm in agreement regarding the stub street and not having that as a condition. As for the -- excuse me -- landscaping, I'm fine with -- with -- with what the applicant decides, as long as it's according to code. I mean I think it makes sense that on the corner that you have a different kind of buffering and feel there than in that section, you know, and farther east section of Ustick. My -- let me say this. My one thought about the stub street -- and let me go back to that -- is if there is any benefit to the Ustick commercial -- the future owners of those properties, is there any benefit to having that access where folks are coming off McDermott and just heading straight south into their four lots versus coming up Day Spring or winding around? I think it -- it -- I understand the -- the applicant's thoughts on that. I think, you know, they are ideally probably not wanting to run that over -- over the -- the drain area,

even though it's going to be buried, but I kind of see it as having less -- you know, less traffic through the middle of the subdivision if they are able to just come in on McDermott and head straight south and, you know, that's not ideal for those three additional lot owners, but that's essentially -- it affects those three additional lots versus a driver coming off McDermott and, then, heading all the way down Telluride all the way down Day Spring and, then, heading back west again to get to those commercial lots. So, that's just my thought on that. It's not something that I, you know, would -- I'm going to encourage to have put back in as a condition, but something to -- for my fellow Commissioners to consider. Also not a condition per se, but I -- I would like to encourage the applicant to do something more interesting than just a covered area in the park space, even if it isn't a requirement. I know these are larger lots. I know a lot of -- a lot of people are just going to use their backyards, but it's been a good long time since we have been okay with there being just green space when we are out in an area of the city that doesn't have a lot of park access. So, just a recommendation there.

Smith: Thank you. I think one thing that I do want to clarify, it's kind of obscured in this image by the landscaping and the lines, but their -- staff can clarify -- clarify. There is access in that future drive to McDermott; right? Again not to get -- that -- that will be an access point without having to go through --

Allen: Are you asking about right here?

Smith: Yeah.

Allen: Yes.

Smith: Okay.

Allen: That's what is proposed I should say.

Smith: That should still be maintained I think, so they don't have to -- they don't have to go through the residential at all. If they come in off McDermott they can just come directly into that McUstick commercial without having to go around.

Allen: Yeah. Mr. Chair. I might add that that applicant is not in favor of -- of having a street connection from the north.

Smith: Okay.

Allen: Thank you.

Perreault: Mr. Vice-Chair. Am I permitted to ask questions to staff without an open application -- or without an open --

Smith: Yeah. I believe so.

Starman: Yeah. You may.

Smith: Yeah.

Perreault: Okay. Is -- would that entrance be permitted that close to the intersection? I don't know if -- if ACHD is involved in that -- or I guess maybe ITD is involved in that. I just assumed that that would not be permitted.

Allen: I don't know how many feet it is. Again, that -- the bypass is owned by ITD currently. Bill, did ACHD comment on the proximity of the access here of the drive on the Ustick commercial property to the intersection; do you know? Again, that's not part of this application, so I'm not sure we should be discussing it right now, but we can certainly check on that and -- they did approve it?

Parsons: Yes.

Allen: Yes. ACHD did approve that access location.

Smith: Any other commissioners? Commissioner Sandoval? Cool. All right. Would anyone like to make a motion?

Gelsomino: Mr. Chair?

Smith: Commissioner Gelsomino.

Gelsomino: After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2025-0017 as presented in the staff report for the hearing date of May 28th, 2026, with the following modifications -- or -- yeah. With the following modifications, basically the approval of the conditions. Am I correct?

Smith: So, you would add any modifications to the staff report that you would want to --

Gelsomino: Oh. I apologize. So, as -- as presented.

Smith: Okay.

Starman: Mr. Vice-Chair, so just for clarification on the motion, does your motion include the insertion of that word commercial with that one -- that cross-access condition?

Gelsomino: Yes. Thank you.

Starman: Thank you.

Smith: And, then, Kurt, since it's not in the staff report if we are not -- if the intention is -- I don't know Commissioner Gelsomino's -- his intention. So, that would be worth clarifying. But if his intention is not to include the requirement of a stub street it would still be just as presented with that commercial.

Starman: Correct. Yeah. Mr. Vice-Chairman, referred to the planning staff. I can't recall if that was condition or just a topic for discussion. Maybe you can clarify, Sonya.

Allen: Yes. Mr. Chair, if I could clarify. Staff's recommended and the applicant's requested change to condition number one to include the cross-access ingress-egress easements are required between all commercial lots to specify commercial on that. Are you in agreement with that --

Gelsomino: Yes.

Allen: -- if you could include that in your motion?

Gelsomino: Yes. So, with the -- to include that the cross-access ingress-egress easements are required between all commercial lots in the subdivision.

Allen: Thank you.

Starman: And, Mr. Vice-Chair, just -- I'm not sure if -- I think I tracked your question. The other issue, Sonya, is -- do the conditions right now talk about that -- that stub road that we are not recommending any longer or was that just a topic for discussion?

Allen: No. That was an added recommendation by staff that was not in the staff report, so there is nothing to correct on that. The record will reflect that you weren't in favor of that, so --

Starman: Mr. Vice-Chair, I think the motion has not been seconded yet, but the motion on the floor probably is sufficient as is.

Stoll: Second.

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

**MOTION CARRIED: FIVE AYES. ONE ABSENT.**

Smith: All right. Thank you.

Starman: And, Mr. Vice-Chairman, can I ask you to pause for like one minute? I need to consult with Commissioner Sandoval just for a moment before you -- before you open the next hearing.

Smith: Okay.

Starman: Thank you.

Smith: We will take a couple minutes to break.

(Brief pause.)

Starman: Okay. Mr. Vice-Chair, thank you for the accommodation. So, just for the record I want to mention that I just consulted briefly with Commissioner Sandoval. The next hearing that you are going to open here shortly was -- originally was opened on May 7th and, then, was continued to this evening. Commissioner Sandoval was not -- not at that meeting, but he and I just consulted, he confirmed that he has reviewed the record and is prepared to participate and deliberate and vote, so he will be participating tonight.

**3. Public Hearing for Ustick Commercial (H-2025-0059 & H-2026-0007) by Hawkins Companies, located at 5900 W. Ustick Rd.**

- A. Request: Comprehensive Plan Map Amendment to change the Future Land Use Map designation on 4 acres of land from Medium Density Residential to Commercial (H-2025-0059).
- B. Request: Annexation of 4.31 acres of land with a C-C zoning district. (H-2026-0007)
- C. Request: Preliminary Plat consisting of four (4) building lots on 4 acres of land in the C-C zoning district for McUstick Subdivision (H-2026-0007)

Smith: Mr. Sandoval, is that adequate -- tracks? Okay. Cool. All right. Great. Well, then, the next item on the agenda is Item No. 3, File Nos. H-2025-0059 and H-2026-0007, Ustick Commercial Comprehensive Plan amendment, annexation and preliminary plat. We will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. The last item on tonight's agenda is the continued item, Ustick Commercial/McUstick Subdivision. Just give you a quick recap of what's transpired since the May 7th hearing. So, I just reorient you. The site consists of approximately 4.31 acres of land, currently zoned RUT in Ada county and is located at 5900 West Ustick Road. Current Comprehensive Plan map designation or FLUM designation is medium density residential and the applicant -- on May 7th we discussed that change from going from MDR to commercial. Along with that, the comp plan amendment, the applicant also submitted a concurrent annexation and preliminary plat application for your consideration. So, they are requesting C-C zoning and their plat consists of four commercial lots and here is their CPAM exhibit that was provided to you and shown to you on the 7th and here is the -- kind of their

adjacency to the Durango Subdivision that you saw tonight and acted on recently and here is the proposed concept plan that was, excuse me, shown to you on May 7th as well. At that hearing you did, again, condition -- or continue the item to direct staff to bring back some -- a memo with some conditions of approval for your consideration. As part of that, too, you also wanted to make sure that this project would be heard at the same hearing as the Durango Subdivision. That was something that was discussed at great length. So, excuse me, staff did have the -- one moment. Dry throat. I apologize for that. So, after the hearing staff did have the ability to meet with the applicant. I did inform you at that hearing that we did have some draft conditions of approval, met with the applicant, went through those draft conditions of approval, put that out in a memo to all of you for tonight's consideration this evening, but as part of that memo there were also some other topics that we wanted to discuss and get -- get your comments on. I think the chair did speak to the one about the northern connection point with the residential subdivision. Hearing on -- based on the action you did on that application staff would be amenable to you striking that condition from the staff report -- or from the memo and, then, DA provision two -- one thing that wasn't known at the May 7th hearing that did come to light when I met with the applicant was hours of operation. So, as we were working through those DA provisions one of those provisions were the hours of operations were going to be restricted between the hours of 6:00 a.m. and 11:00 p.m., unless otherwise approved with a conditional use permit. Now, that provision in code applies when a project abuts a residential use or district. In this particular case the applicant -- this project does not abut a residential use or district currently. It's vacant ground around it and there is roadways. So, technically that provision -- the requirement for a conditional use permit is not required currently by code. So, if they were to get their annexation and zoning approved tonight -- or through the City Council, technically, they could operate a 24-hour use until that residential use -- or zoning came into play. So, the applicant did convey to me that a Lot 1, Block 1, which is this convenience store located on the concept plan, they would like that -- that potential operator would like the ability to -- to operate 24 hours a day currently and so I informed the applicant that I would bring that up with you this evening, because we didn't really have a chance to discuss it at the last hearing, because there were no conditions of approval. So, again, the code doesn't require them to get a conditional use permit at that time. So, therefore, you do have the purview to allow a 24-hour use as part of a DA and the Council does, too. So, if that's something you want to include or provide a recommendation on, that's what staff is asking you to do this evening if you are amenable to just one lot operating as a 24 -- 24 hour use. And, then, also in my discussions with the applicant we also talked about timing for construction. Typically the normal process is when you have a preliminary plat we would like the applicant to go through the final plat process, put in the infrastructure, build everything they need to do, record the plat, and, then develop the lots. Commercial is a little -- treated a little differently. I mean you don't necessarily -- you are not required to subdivide commercial property. They could move forward, annex this and not have to subdivide it and could build multiple buildings on it without doing that and still commence with development without a subdivision. So, the applicant is asking for the Commission's consideration to add a condition of approval to allow them to obtain one building permit prior to certificate of occupancy for the first structure on the site. We have done that historically, so it isn't

a new condition, but they would just ask you to weigh in on that topic as well. And, then, last -- at the last hearing we also spent quite a bit of time on the auto-oriented uses on the site, you know, that's -- that was one of the -- the reasons for staff's recommendation for denial of the CPAM was how it was going to integrate and work with the adjacent uses. So, the applicant provided you a new exhibit showing how they are going to buffer the commercial a little bit more -- the commercial portion. That's why you see this new exhibit here. That was also attached to the exhibit and, then, as part of that the applicant and I did discuss the number of drive-throughs on the site. So, you can see here currently on -- on the concept plan there are two drive-throughs and so as you are aware we recently changed our code to tier drive-throughs, so we have a tier one, tier two, tier three drive-throughs. So, if this truly is going to be neighborhood commercial, that's something within your purview that you can limit the number of drive-throughs as part of the annexation request or you can cap the -- the number -- what type of tier you want on -- on the drive-throughs on the project. So, that's something that -- that is part of your purview tonight. So, again, you have the conditions of approval. I don't have a slide or anything showing those, but you do have the memo. If those three items -- or four items you want to address as part of your motion tonight if you are leaning one way difference from staff's recommendation, then, I would encourage you to add those additional conditions of approval as well and with that I would stand for any questions you may have.

Smith: I do have one question regarding condition two. Kind of hours of -- hours of operation. My question specifically around like noise, noise pollution and things like that. Every time that I have kind of been in at -- you know, at a gas station at, you know, 2:00 a.m. or whatever it's pretty quiet. I'm just curious does the city treat gas stations and C-stores differently regarding commercial? I guess does my perception -- my anecdote, does that track with kind of how the city tends to consider these regarding hours of operation and the noise impact of late night or early morning gas station C-store usage?

Parsons: Commissioner, I think I'm following your -- so, currently the noise ordinance is 6:00 to 11:00, I believe, under the -- the -- I think the portion that the police department enforces is 6:00 to 11:00. But if there are instances like this where there are -- there is a 24 hour exception, then, they allow that to control, because there is -- the development agreement says they can have that. So, there is nothing in code -- so, if you do allow a 24-7 use I mean someone can still file a complaint and that can happen, but -- and the police can tell them to quiet down, but they are -- they are not treated any differently other than the fact that they are open more -- or longer -- beyond those hours that we would typically police either by the UDC or the -- the -- the PD -- Meridian Police Department itself.

Smith: Okay. Cool. Commissioners, are there any other questions for staff?

Perreault: Mr. Vice-Chair?

Smith: Commissioner Perreault.

Perreault: So, Bill, I know you can't comment as to the end use, but I understand that the applicant is considering a drive-through coffee shop and a drive-through fast food facility. Are those both tier one? Are those --

Parsons: Mr. Chair, Members of the Commission, those -- any restaurant use with a drive-through would be a tier two.

Perreault: Tier two.

Parsons: Yes.

Perreault: Okay.

Parsons: And, then, depending on how many ordering windows, how many menu boards would be a more intense tier three use. But, yes, that would require -- those type of tier two uses would require conditional use regardless of its proximity to a residential use and would come before P&Z Commission.

Perreault: Okay. And for the request regarding the building permit being issued for the site prior to the -- recording the plat, is that -- is that a -- do we need to add that as a condition if we are in agreement with that when we make a motion?

Parsons: Mr. Chairman, Members of the Commission, yes, you would need to add that as a condition -- as a DA provision.

Perreault: Thank you.

Smith: Bill, just to clarify --

Parsons: Or a recommended DA provision I guess.

Smith: So, you mentioned that the restaurant is tier two. The coffee shop, to my understanding, would also be tier two, is that --

Parsons: Both would be tier two. Correct.

Smith: Great. Commissioners, other questions? All right. This is be -- it's prudent for the applicant to come back forward; right? Kurt? I know we are -- I'm just trying to remember where -- we are technically in the public hearing.

Starman: So, we just received the staff presentation. Now is the opportunity for the applicant to present his application and, then, we will have public comment after that.

Smith: Okay. Then name and address for the record.

Mansfield: Good evening, Commissioners. Thanks for having me back. My name is Ethan Mansfield with Hawkins Companies, 855 West Broad Street, Boise, Idaho. 83702. So, I will breeze through most of this. I have similar slides mainly for the benefit of Commissioner Sandoval, but he has already reviewed the record. I don't want to -- what is the thing about beating a dead horse? I don't want to beat a dead horse tonight. So, I will go quickly. I did want to just first just really say thanks to KM Engineering for really collaborating with us on this. I mean, as you know, they are our engineer, too, but I think they did a really really fantastic job working with both us and Mark Hess to create some synergies here. When we first looked at this we were really excited, because we saw this opportunity for cross-access and Mark was very very willing -- KM was very willing to like put that exhibit together, help us get coordinated. That was back in June and here we are now with I think a plan that's pretty cohesive. I also want to say thanks to Bill for kind of working through these conditions with us. We did some significant collaboration with Nampa-Meridian Irrigation District to allow us to provide their service drive within our service drive, so we don't have to do a bunch of roads within their easement. They are just willing to use our commercial service drive as their service drive for their canal. So, I think that's a really good use of space. Commissioner Perreault was talking about using space efficiently earlier. It's not recreation space necessarily in this case, but it is kind of a doubling up on multi-use of a, you know, service drive. Just to clarify, the McDermott bypass access into this commercial development is approved by both -- well, it's approved by ACHD pending the transfer from ITD to ACHD. We have been in touch with Kendra at ITD and she confirmed yet again that process typically takes three to four months and it's been about three weeks since we last spoke, so we are looking at about three months now. Hopefully that all goes as scheduled and that transfer can be completed without issue and that will happen well before we put shovels in the ground. Let's see. What else do I need to touch on here? Yeah. I mean it's just Durango coordination is -- is really critical here. As you can see, as Bill mentioned, we added the landscape buffer and we coordinated with Nampa-Meridian Irrigation District. We will talk more about that. I think we can skip over these slides, but, again, you know, this is why we are proposing it. We have seen a massive amount of public investment in auto centric development and that's why we are proposing auto oriented uses. You know, last time we talked a lot about impacts to the surrounding community. Again, you know, two-thirds of these trips to this development are going to be pass-by trips, which means they are on their way from somewhere to somewhere else and are just stopping at ours. Only a third are either diverted, which means they are going a block out of their way or actually only new trips. Impact fees. We talked about that. Our per acre impact is actually very much on par with a medium density residential development at -- at eight units per acre. So, you know, kind of to sum up that piece, any current or future residents within this box will travel for less time and less distance to access our commercial use than any other commercial use outside the box and there is not really any other commercial uses inside the box right now, so, you know, that's speaking to the pass-by nature of these -- of these uses and how they actually could reduce VMT, pollution, congestion, et cetera. So, just to talk a little bit about our -- the orientation of the single family uses, you know, there was some concern initially from staff that there is a negative impact of -- of the -- of the commercial uses to the residential uses to the north. I think that impact would be

-- no matter what -- no matter what this use is, much less than the impact of Ustick Road on residential uses immediately north of Ustick Road. So, that's why this commercial development makes a lot of sense here and, again, with the additional landscaping that's being proposed, as well as -- I think, you know, we are really supportive of having only the sidewalk extending north-south and I think we are all on board with, you know, it's a good thing to not have that additional roadway connecting Durango and this development and just keeping it pedestrian oriented allows for a much more comfortable pedestrian experience and more limited impact to any of the residential uses to the north. So, you know, we can talk a little bit more -- I would like to kind of talk about this in the context of the 24 hour use that we are proposing on the corner and, again, we are only asking for one of these uses to extend beyond the typical 6:00 a.m. to 11:00 p.m. hours and that would be the fuel station. You know, we have -- we have provided extra care to provide a significantly larger buffer than many of the other surrounding -- as you will see soon other surrounding developments to residential and, you know, I think to Commissioner Smith's point, you know, you are right, like when you are -- it's 2:00 a.m. at a convenience store, most people are just pulling in, getting gas, getting out of there. You know, you might go in for a -- for a pop or something. You know, when my wife and I go to a concert at the Ford Idaho Center Amphitheater we are driving back home, we very frequently pass -- we use Ustick and we go back on Ustick, sometimes it's 11:30 or midnight when the shows gets done and we have to get gas, so this is like, yeah, I would hate to not be able to stop and have to go another two miles, because sometimes we neglect to fill up our gas tank and it's, you know, kind of scary. So, this provides an opportunity for that sort of use and, again, it's important to understand all of these uses are still subject to the noise ordinance that's in code, not necessarily the UDC ordinance about hours of operation, but if there are loud noises coming from this gas station and it's outside the typical hours that the noise ordinance allows, absolutely there can be a violation of that. So, you know, between the buffering, the noise ordinance, I would really humbly request that you -- you approve a 24 hour use for just Lot 1, Block 1. Here is some more perspective on what we are proposing for the landscape buffer, you know, this is the same consultant KM Engineering. Their landscape team is great. You saw the right side of this diagram earlier and now you can see the left side of this diagram. You know, trees are -- as confirmed by Nampa-Irrigation District, not allowed within the easement, so what we have done is we have located these trees outside of the easement. We have some of the lower evergreen screening within the easement, but the trees themselves are located outside of that easement, so that will fly with Nampa-Meridian Irrigation District, which was a critical piece of making this all work. So, here is just some more -- how do the other buffers compare. You know, you have single family adjacent to the Jackson's car wash on Pine and Ten Mile. McMillan and Park Crossing Ave., 38 feet between the single family and the coffee user, 70 feet between single family and the Walmart on Fairview and Venture, you know, and a bunch more here, all, of course, less than our distance of 185 feet. So, it's not like an unprecedented thing. Many fast food users and fuel stations are open 24 hours. In fact, most fueling stations themselves like, you know, when you roll up and fill up your gas tank, those are all 24 hours. I have never seen one that's -- that's not anymore, because you just scan your card and like away you go. But, you know, there is one that's 60 feet from -- from a residential use. So, it's

not -- you know, I don't think we are asking for anything out of the ordinary here and we are taking especially deep care to ensure that it's buffered appropriately and there is enough space between them and the Sky Pilot Drain creates a drain -- Sky Pilot Drain creates a wonderful sense of separation and the pathway still allows for connectivity. So, it's kind of like the best of both worlds I think. So, this site really is well suited for this commercial use. So, kind of in summary, you know, this is a great spot to put this, both from an individual impact spot and for an overall community impact, because of the pass-by trips. You know, here is kind of the summary slide. Residential units adjacent to Ustick would be far more negatively impacted by noise, light and odor. If homes were developed on the subject site there would be negative impact to quality of life of future residents and, then, most of the traffic on this site would be pass-by trips. So, to Commissioner Smith's point again, at times when there is minimal traffic on Ustick, there is going to be even less traffic into the site; right? I mean like, you know, you are not stopping everyone on Ustick that goes into the site, it's -- it's a lot of traffic on Ustick at all hours of the day and, then, even fewer kind of use -- use of the site at all. So, you know, from a -- from an impact perspective this is actually probably better than houses going on the corner. So, you know, we have talked about this. Bill I think did a really great job of summarizing our perspective. I did create language to use if you choose to adopt this condition. Obviously feel free to modify, but I think this is the intent that we are looking for and I think it kind of protects both us, as well as the city and kind of gets a nice compromise. The future tenant of Lot 1, Block 1, shall be allowed to operate 24 hours per day, seven days per week. Business hours of operation of additional tenants shall be limited from 6:00 a.m. to 11:00 p.m., unless extended with a conditional use permit and as we have a -- a known user that wants to operate 24 hours a day, that's what we are asking for. The other users -- there is many who are interested and no leases have been signed, because we are waiting to get an entitlement here, so that bridge can be crossed at a later date if, in fact, there is any interest from those tenants to operate outside of these hours and we can assess those impacts at that time. This is some suggested condition language for the question Commissioner Perreault asked earlier about, you know, what do we need to add to allow it to be -- to allow the site to have site work and an associated single building permit issued prior to the recordation of the plat? This is how I would suggest that we incorporate those. I think it, again, hits everything we need and nothing additional that we don't. So, preparation of the site, including installation of drive aisles, utilities, parking fields, pedestrian walkways may occur prior to recording the final plat. So, again, that's just site work. And, then, condition ten, separate condition, up to one building permit may be issued prior to the recording of the final plat. We are not building the whole thing out, we are just asking for one. One thing we did want to talk about that we didn't really have a chance to talk with Bill about ahead of time -- and I apologize for this, Bill. But we, you know, while we are working to coordinate the timing on the Durango commercial and the McUstick commercial, we -- there is no guarantee that this drive aisle will be constructed at a certain time. I mean it -- it has absolutely considered within phase one of the Durango commercial plat, but if there is no users there, right, there is no real impetus to construct it and that's fine, we are not asking for anyone to construct it early, but what we are asking for is for a right-in, right-out -- a temporary right-in, right-out access to both the McUstick commercial and Durango commercial, right, shared on the property line until

such a time that Dayspring Road is completed from Ustick Road and connected to the McUstick Subdivision from the Durango commercial drive aisle. So, we are just simply looking for an ability to get from Ustick to the site without going through that intersection and we think this is actually beneficial to the public as a whole. We actually looked at this in the context of doing a permanent right-in, right-out. ACHD will not allow a permanent right-in, right-out. So, we are seeking a temporary one and if you look at the difference between a Table 16, which includes three accesses, one from Durango, one from McDermott and one from Ustick, it's actually significantly -- both the -- both the signalized -- so, when Ustick and Dayspring are signalized, both that scenario and without that signalization -- again, Ustick will always be signalized. So, we are looking at the speed on westbound Ustick Road in the p.m. It's significantly less delay in terms of travel time with a right-in, right-out access. So, that's where all those numbers mean in the p.m. peak when people are trying to go westbound on Ustick there is significantly less delay when you have that right-in, right-out. So, you know, if that's true in a permanent condition, it's obviously true in a temporary condition, probably even more so when the Durango access is not created yet. Everyone, then, goes through that intersection to access McDermott. So, for that reason we are simply asking for a temporary right-in, right-out access to Ustick until that Durango develops. And I'm done here and I think this one's removed already, so thank you very much and I look forward to a recommendation of approval to City Council of H-2025-0059, H-2026-07 with the updated DA conditions, 1-4, 1-5, nine, ten and the removal of condition two two from the memo and I'm happy to answer any questions, concerns, thoughts, ideas.

Smith: I have one question before we kind of get into the -- the nitty gritty of some of this. One -- one concern I do have regarding noise past the 24 hour, I'm someone who has had to also fill up my tire -- my tire, you know, at 2:00 a.m., unfortunately. Where is that -- is there intended to be a compressed air station? I know some -- and you are not the owner, but if that were is there any intention for that to be -- like any idea where that would go in the application?

Mansfield: Vice-President Smith, that is a fantastic question. I have not -- we have not gotten into the site design of this particular fuel user. I do assume -- I'm going to look at my pal Bronson here. He might know a little bit more about the user's operations, but maybe not. I'm assuming there will be compressed air and -- and I would also assume that we could be a little bit sensitive to the concerns of noise and could locate that in a way that minimizes noise for surrounding users. What's that? Oh, yeah.

Smith: Would that be on the southern side?

Mansfield: Yeah. We could put in on the south side of the building. Yeah.

Smith: Okay. Thank you. Commissioners?

Perreault: Vice-Chair?

Smith: Commissioner Perreault.

Perreault: So, walk me through that -- we will call it a drive aisle from McDermott. A driver is heading north and they make a right turn into that. There is no right turn lane. So, are we stopping -- you know, at this point ACHD is saying they are not widening McDermott Road past three lanes for a significant amount of time. So, is -- is that stopping all traffic there as somebody is waiting to turn right -- hopefully not a long wait turning right. Turning left, however, if -- if they are coming out of there and they are turning left are we creating issues with the property directly to the west? That gentleman came and spoke that, you know, there might be some problems with them having to put the entrance to their property further south than Durango. Just kind of walk me through that. You have -- or the traffic coming south on McDermott and now there is traffic stuck behind them waiting to turn left to get into the gas station. I'm not -- I'm really -- I understand the need for this. I just -- I think that it's going to create a lot of problems.

Mansfield: Commissioner Perreault, I can certainly walk you through. So, I just want to clarify. You are talking about the access onto and off of McDermott?

Perreault: Correct. Yes.

Mansfield: Okay. Yeah. So, I will first start with the kind of planner answer. As a former planner I can kind of recite the ACHD like access shall be taken from a lesser classified street whenever possible. So, that is providing an access onto and off of McDermott bypass, because ACHD is not allowing a permanent right-in, right-out. Their perspective is the property requires a full access and it's a collector and it -- ACHD has approved the access. So, it -- it technically meets all of ACHD's policy criteria to allow a full access onto and off of McDermott bypass in that location. Now, I guess from another perspective, you know, kind of from a user perspective, which I think is equally, if not more important than the policy manual, but I didn't say that if ACHD is listening. There is a center turn lane on McDermott bypass. So, as you said, it's three lanes. So, two lanes in either direction and, then, a center turn lane. So, you know, I liken it to like -- I was just pulling out of Happy Camper on Chinden Boulevard, right, and Chinden is a much wider street, but it does have that center turn lane. It also has huge amounts of volume on it and I waited for some time to turn left out of my business that I was at Happy Camper. So, you know, certainly it will take longer to turn left out, probably, than it will to take a free right and when we analyzed level of service for that intersection, given the trips from both the future Durango commercial in this quadrant -- not the other not the other commercial on the other side of the public road. Let me go to the -- so, not the commercial on the right side -- on the -- on the east side of the public road, but we did analyze the Durango commercial on the west side, including McUstick commercial. When we analyze that, that driveways level of service, that is the delay that people experience, was not great enough to warrant another access point -- permanent access point. So, ACHD determined -- so, we did look at the experience delay. I do not have the number on me right now, but it does not operate at an E and F, it operates better than that, so -- I think it was a B -- maybe an A or a B level of service, which corresponds -- I can't remember what number of seconds of delay that corresponds to, but that was analyzed and it was assumed to be acceptable based on the traffic

volumes using that. So acceptable, in fact, that they would not allow us a full -- or, sorry, they would not allow us a permanent right-in, right-out along Ustick.

Smith: Commissioners, questions? Could you pull up -- I think your proposed nine and ten conditions. There we go. So, actually -- sorry. It's not this one. It is the -- sorry. The temporary access from Ustick. Sorry. I thought that was nine and ten. I want to -- I want to just make sure I'm clear. The intention is this prior to any occupancy for construction purposes and that only or is this also intended for temporary right-in, right-out during commercial activity, like user activity?

Mansfield: Commissioner Smith, great question. Thanks for allowing me to clarify that. This would be a right-in, right-out that would operate potentially during commercial activity for customers and the reason it would be temporary is because it would provide another access point to minimize traffic into and out of that McDermott drive before the Dayspring access is constructed, if that occurs. So, basically, what it allows us to do is construct the -- you know, at least the first building permit -- potentially more, right, but construct what we have constructed, operate certain users without the requirement that that Dayspring Road have -- have been constructed already and so it allows us that temporary access, so that not every single car who is coming into our -- into and out of our development goes to the McDermott access.

Smith: Okay. And, Bill, question -- question for you on this. I know this is something that I guess we didn't have enough time to -- to analyze ahead of time, but I guess as a initial reaction or general kind of approach, does that align with what is appropriate -- like what staff feels is appropriate in other maybe similar circumstances or what is your early read on it?

Parsons: Mr. Chairman, Members of the Commission, I think this is one where I think the applicant's well aware of our policies, too. It really does take a Council waiver for access to arterials. So, again, I'm -- I'm going to have to stay with code and say we have to prohibit access unless otherwise approved by City Council. So, to me that's -- if that's something that you want Council to take under consideration, you support what the applicant is asking for, you can certainly include that and endorse that. But, ultimately, ACHD has said no access to Ustick and our policy say no access to Ustick. So, that's why we are being very restrictive in the DA saying that you are not getting the access, because they do have a -- they are approved for full access to that McDermott bypass based on ACHD's findings. But I certainly understand where the applicant is coming from in regards to its temporary. Again, I don't -- none of us know the timing for when Dorado gets started -- or when they get started. Again everything along Ustick is going to be waiting on Ustick -- ACHD to widen and sewer to be there. So, it could be a whole other year or two years before we even see anything starting out here. So, that's -- that's really -- it's all about timing and when they can even move forward. So, I think my recommendation would be -- is maybe as we transition to City Council maybe the applicant can maybe get something from ACHD kind of supporting that temporary right-in, right-out and, then, at least have that information for Council, because they are really the ones that have to say, yes, this is good and, then, have -- encourage the applicant

to come back with maybe a plan showing how that can be remediated in the future if it does go away, if it is truly going to be temporary in nature.

Smith: Commissioner Stoll.

Stoll: That was going to be my question, whether ACHD has weighed in on the temporary access.

Mansfield: Commissioner Stoll, they have not yet weighed in. However, we are very much aware that they would need to weigh in.

Stoll: Okay.

Mansfield: So, that's kind of on our list of things to -- essentially what the removal of -- or the change of this condition does -- the modification of this condition does is it allows ACHD's decision to kind of be the decision and it -- it -- it allows us to not have to go back -- so, let's say Council requires the condition to remain as is, prohibits access, that means that if we can get ACHD to agree to a temporary right-in, right-out, we, then, have to go back to Council to get their permission for a right-in, right-out and what I would like to do is -- first of all, I would like to try and get ACHD and everyone rowing in the same direction prior to Council, but what it does is -- if I cannot get ACHD to be rowing in the same direction prior to Council, it doesn't mean ACHD gets ignored, it means we still have to talk with ACHD and Council is saying look, if ACHD is cool with it, we are cool with it temporarily. That's all we are looking for here.

Smith: Commissioners, any other questions? I do have one other question regarding these -- these two drive-throughs. So, like Bill said, you know, the coffee shop I believe is generally in tier two, a restaurant is -- can be tier two, can be tier three. Could you -- could you help me understand the intention behind -- I guess what level of drive-through, you know, volume, expectations, et cetera?

Mansfield: Commissioner Smith -- Vice-President Smith. Or vice -- vice-chair.

Smith: Vice-chair.

Mansfield: Vice-chair. Excuse me. I will refer to you as vice-chair from now on. Vice-Chair Smith, yes, I'm frantically clicking to a nice picture of our development here. What we have established with our users -- just -- and just our knowledge of site plan development and shopping center development with the 50 years of development that Hawkins has doing this, is this site, because of its size, there is no way it could support two class three users. It's just -- there is just too much stacking. There is too much, you know, action going on for such a small site. We totally acknowledge that. What we would like to be able to do is say we -- we would be open to restricting drive-throughs to a maximum of one class three use and either another class one or class two if it is in the cards and, again, this is conceptual. We may not have four users here because of a class three drive-through eating up too much space, you know, so we are really really

cognizant -- because we have done this so many times we are really cognizant about the customer experience. The user experience. The staff experience on this site. We don't want to create conflict and so for that reason I think that's why we are agreeing to a condition for one class three -- no more than one class three drive-through and the other drive-through has to be either a class one or class two.

Stoll: Just to remind me -- I have a question for Bill. What's -- what's the definition of a class three again? Drive-through?

Parsons: Mr. Chair, Members of the Commission, tier three is basically a restaurant with two stacking lanes, two ordering points, two ordering menus. Just a more intense drive-through, so --

Stoll: Okay.

Parsons: -- what he has drawn here is not going to be anywhere close to a tier three. They are probably tier two. So, again, it's not -- it's -- the Commission doesn't have to add anything. It's just something that you can if you want to. I know recently you guys have been getting into the weeds a little bit more of that and staff has been coming forward with DA provisions that said, hey, we are good with some drive-throughs, but would you think about maybe locking it down to a tier one? So, again, it's -- if you feel comfortable with the concept plan there is a DA provision that says comply -- generally comply with the concept plan and they -- regardless, if it is a tier one or tier three, they are coming back with a CUP. So, it's -- it's just whether or not you guys want to lock down the intensity of the site or if you feel like you need to build in that extra assurance that it won't be too intense for the future residential -- or the road -- or the transportation network that we know gets a lot of trips on Ustick. We know it is going to have a lot of vehicle trips in that area. So, that's why I just bring it to your attention.

Smith: Did you want to -- was there anything you wanted to add? Okay. Cool. Any other questions? All right. I guess we will go -- Madam Clerk, is there anyone signed up to testify?

Lomeli: Thank you, Vice-Chair Smith. Yes. I have Corey Thacker.

Smith: Okay. And if you could just give us your name and address for the record.

Thacker: Hello again. Corey Thacker. 5900 West Ustick. Property in question. I'm not going to -- I'm not going to go through the -- the same this -- this all sucks to me. The thing that I told you last time. It does. It still does. I can't help but laugh, because it's kind of like, okay, everything that's happening, everyone's talking about how sucky it's going to be to live there. How -- how crappy it's going to be for residential this side or the other. It's like, look, I currently live there and I know, because I'm experiencing it. They are starting to work on Day Spring across the road and I'm just envisioning what's coming and it's like, oh, geez. But the thing that I think that everybody is kind of forgetting is kind of like, okay, when -- when people buy a house in this proposed

Durango or now, you know, it looks like it's moving forward -- well, they are buying it knowing what they are buying next to; right? They are not guessing. It will be there and so, then, how do you -- how do you put it? How are you going to sort of take the proposed future stuff into consideration when they are doing it knowingly? I guess that's the thing that I kind of want to bring up. You know, it's like, all right, you talk about noise stuff, all right, so at 2:00 o'clock in the morning I got somebody with a souped up car blowing down the road. Has nothing to do with any commercial property. But, yet, I hear it just fine and so it's kind of one of those things that, you know, you are asking good questions for somebody that wants to move into a neighborhood, but I'm experiencing these things and it ain't even there yet and it's already happening to me. So, I mean as I -- as I kind of told you before, it's kind of the point where it's like, well, I'm cool with Durango going in as long as I get to go out and the conditions would be is, of course, if all this moves forward. I don't want to be there. I had some random person at some point in time come in and cut one of my horse's tails. Just the hair. Like you wake up and say who gave my -- who gave my horse a haircut? And it's only going to get worse, because we are putting in all these extra people and I'm going to get surrounded. So, I would ask you to worry more about the person who lives there and is being impacted, as opposed to the people who are going to pick and choose and have the opportunity to decide that's where they want to live. So, that's all I had.

Smith: Thank you very much. Madam Clerk, is there anyone else signed up to testify?

Lomeli: Thank you, Vice-Chair Smith. No one else has signed up and no one has their hand raised online.

Smith: Is there anyone else in the audience who would like to come forward? If I could get your name and address for the record.

Lindstrom: Thank you, Commissioner. Connor Lindstrom. KM Engineering. 5725 North Discovery Way. I apologize for not signing up to testify given that I was the applicant on the previous application. I just wanted to speak on behalf of the Hess development and Durango that we have been working closely with Hawkins and we are in agreement with what they are -- what they are proposing and their proposed new conditions and modifications. So, just wanted to make that clear. Thank you.

Smith: Is there anyone else who would like to testify? Great. Okay. Great. Can I get a motion to close the public hearing?

Stoll: So moved.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Smith: Someone want to go first? I can give thoughts. If someone has -- all right. I guess I will go first. So, I generally -- for some reason this -- this has been sticking in my head a lot since we first heard it over the last couple of weeks and the more I have chewed on it I think it's -- I think this is appropriate for some automotive oriented uses. I think like a gas station C-store makes sense here. I think the commercial use makes sense. I think -- and to the applicant's point and to the current -- current homeowners point of backing off of Ustick is -- I think is generally a good idea, backing the residential off of Ustick. So, I'm generally in support of this. I'm not comfortable at this time including anything to allow access from Ustick. I think that's something that you can bring to City Council with ACHD. At least, again, this is my perspective. I don't know how the rest of the Commission feels. But I just -- I'm not comfortable including that recommendation at the moment. But it seems like that would be something that you will work on and you can bring up there. The only other thing -- I don't need to add something for the compressed air or anything like that, but I would like -- I do appreciate knowing that it would be on the south side. Again, if the goal is to prevent more noise pollution of the type that the -- you know, the current homeowner is experiencing from Ustick. The only other thing I would say is -- to Bill's point, it seems like there is not any tier three kind of envisioned in the concept plan. I would prefer -- I would feel more comfortable recommending locking that in. If there is a tier three I would like for it to be the only drive-through on the location. I don't know how the rest of the Commission feels about that. But I think if the -- if the goal is to kind of let this commercial also serve as a bit of a transition space, I don't think it makes sense to have a very high volume drive-through in that. But beyond that I generally -- I'm okay with the rest as -- as the applicant presented. Those are just some concerns I wanted to call out. Any other -- Commissioner Stoll.

Stoll: Make sure I got the mic on. I agree on the tier three. I think limiting it to a tier two or tier one is fine. Generally it does seem to fit exactly with what -- how the area is developing. I -- yeah, I don't have a problem especially now that we are not stubbing the road Del Norte through. I'm comfortable with the project as proposed.

Smith: Commissioners, thoughts? Commissioner Perreault.

Perreault: Thank you, Mr. Vice-Chair. So, the -- the entrance off McDermott has given me heartburn. But if the transportation entities have -- are in agreement, then, you know, I wouldn't recommend denial for this application for that reason. I just think this is going to be a really really active corner with a gas station, with folks coming off of Highway 16 and I just see a lot of opportunities here for safety issues with traffic. So, as for the -- the operating hours, I'm -- I'm fine with recommending that to Council with the 24 hour use, because I agree with Mr. Thacker that -- that any future residents will know that that's going to be the case, that there is going to be 24 hour use and so they -- they have full knowledge of that prior to purchasing in that area. I'm also okay with the applicant's request to allow building permit to be issued prior to the recording of the plat. I don't -- I don't know specifically which building permit that -- or excuse me -- which building it's going to be for. I assume it will also be for the gas station, but I'm fine with it as long as it's limited to just one building permit for the entire project and I agree with

Commissioner Smith, that if the applicant is in agreement with -- with limiting themselves to having one Tier 3 drive-through max, then, I think that we should just go ahead and make that recommendation for it to go into the DA. I think I have covered everything.

Smith: Any other Commissioners?

Sandoval: Mr. Vice-Chair?

Smith: Commissioner Sandoval.

Sandoval: Yeah. Extending the hours just makes sense. It's a gas station. You don't want to go in there at 2:00 o'clock in the morning and not be able to get a drink; right? It just makes a lot of sense. As far as the class three versus class two versus class one conversation, yes, one class three I think is appropriate or two class twos I would say max.

Smith: All right. Any other Commissioners?

Gelsomino: Mr. Chair?

Smith: Commissioners Gelsomino.

Gelsomino: I will echo the majority of my colleagues on the Commission.

Smith: Well, if there is any other commissioners -- or if anyone would like to make a motion I would be open to that. I can also make the motion. Commissioner Perreault.

Perreault: I will attempt --

Smith: Okay.

Perreault: -- to make a motion. After considering all staff, applicant and public testimony, I move to recommend approval to City Council of File No. H-2025-0059 and H-2026-0007 as presented in the staff report for the hearing date of May 28th, 2026, with the following modifications. Let's see. I recommend that we modify the conditions of approval to remove Condition 2.11 or 2.11 I guess, which is the -- the additional drive that would be added to the north. So, removing that. And, then, allowing for the applicant -- I don't -- I apologize, I don't know the condition numbers that's associated with this. Allowing the applicant to have a 24 hour use on Lot 1, Block 1, and that we make that recommendation to -- to Council. Also allowing the applicant to be issued one building permit for a site prior to the recording of the plat and -- and then -- and adding that as a DA provision. Did we miss anything? Do you want -- should I go back and add those condition numbers in -- numbers and letters? Do we have it all? I don't have them in front of me.

Starman: Mr. Vice-Chair and Commissioners, no, I think your -- your motion is sufficient. We understand what you are talking about. The one thing I would ask maybe the motion maker, there was some discussion about drive-throughs and tier one, two and three, if you want to include anything like that in your motion. That's just a question. I think your motion as it stands right now is -- is fine.

Smith: Would you like to include any language around tier one, two, three or is it your intention to --

Perreault: Yes. I will add to the motion a recommendation to not allow for anymore than one tier three drive-through classification.

Smith: Okay. Been moved. Is there a second?

Stoll: Just a question on the condition -- proposed condition for Lot 1, Block 1, as we are seeing on our screen here, is your intention to limit the other buildings to -- or businesses to business hours of operations between 6:00 a.m. and 11:00 p.m.?

Perreault: I don't know that we need to state that, because it -- that's already what it will be unless they get approval otherwise through a conditional use permit. So, that conditional use permit -- they will need to come before us. So, I don't think it needs to be restated that we leave those hours in place.

Smith: But the intention is only for Lot 1, Block 1, to be 24/7.

Perreault: Correct.

Stoll: Okay. Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

**4. Public Hearing for Starling Ridge Subdivision (H-2026-0009) by Rodney Evans and Partners, generally located 1/2 mile south of E. Lake Hazel Rd.**

- A. Request: Annexation of 61.34 acres of land with R-4 (25.62 acres) and R-8 (35.72 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 211 building lots and 26 common lots on 60.43 acres of land in the R-4 and R-8 zoning districts.

Smith: The last item we have on our agenda is Item No. 4, File H-2026-0009, Starling Ridge Subdivision, which will be open for the purpose of continuance. Madam Clerk, is it -- my understanding right that they are asking for a continuance to July 16th?

Lomeli: Thank you, Vice-Chair Smith. That is correct.

Smith: Okay. Can I get a motion?

Stoll: Mr. Chair, I move that we continue the public hearing for Starling Ridge Subdivision, H-2026-0009, to July 6th? July 16th.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Smith: Can I get one more motion?

Stoll: Move to adjourn.

Gelsomino: Seconded.

Smith: Moved and seconded. All those in favor say aye. Any opposed? Motion carries. All right. Thank you all.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 9:22 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS. )

APPROVED

\_\_\_\_\_  
JARED SMITH - VICE-CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK