

Yearsley: I -- I echo everybody else's. I think it's a good design, good layout, and I'm supportive of the project.

Seal: I'm right there with you, so I won't belabor the point. I think it looks like a good project. Always welcoming schools coming in and I mean the flow seems to work for me. I actually kind of like the parking lot off to the side. My son goes to Compass. They don't have that there. It would be -- and some of the parking gets a little strange there sometimes during pick up and drop off, so the parking lot outside of that flow seems to work a little better. In my mind anyway, as I'm envisioning it. If there is nothing else at this time I would like to get a motion.

Lorcher: I will give it a go.

Seal: Commissioner Lorcher, go ahead.

Lorcher: After considering all staff, applicant, and public testimony, I move to approve file H-2021-0020 as presented in the staff report for the hearing date of May 20th, 2021, with no modifications.

Seal: It's been -- oh. Do I have a second?

Yearsley: Second.

Seal: Now it's been moved and seconded to approve Item H-2021-0020 for Gem Prep South, with no modifications. All those in favor say aye. Any opposed? Motion carries. Thank you.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

8. Public Hearing for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.

- A. Request: Annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

Seal: All right. So, now we will open Item No. H-2021-0025, The 10 at Meridian. We will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for annexation and zoning. This site consists of 40.3 acres of land. It's zoned RUT in Ada county and is located at 75 South Ten Mile Road at the southwest corner of West Franklin Road and South Ten Mile Road. The Comprehensive Plan future land use map designation is mixed use commercial in the Ten Mile Interchange Specific Area Plan. The applicant proposes to annex 40.3 acres of land with R-40, which is 13.04 acres and C-C zoning, which consists of 27.25 acres, consistent with the Comprehensive Plan. I have the site up there. A conceptual development plan was submitted as shown

that proposes a mix of offices, a financial establishment, retail pads, a grocery store, the vertically integrated residential, drive-through restaurants and multi-family residential, in accord with the associated mixed use commercial, high density residential, and mixed use residential future land use map designations for the property. A phasing plan was not submitted. However, the applicant states that three story flats and townhome style multi-family residential and clubhouse would develop in the first phase, along with the associated infrastructure. The four story high density multi-family would follow with the commercial last as tenants will commit. Access is proposed as shown on the concept development plan. ACHD supports the following accesses. Access A, full access. Access B, right-in, right-out only. Access C, right-out only. And Access D, right-in, right-out only. And Cobalt with a right-in, right-out, left-in only. Staff recommends access is restricted through the development agreement as supported by Ada County Highway District. Cobalt Drive is proposed to be extended to the west from Ten Mile Road. The eastern portion lies entirely on the subject property and includes a crossing across the Kennedy Lateral and stubs to the south to be extended entirely on the adjacent property to the south and to the west. The applicant requests Council approval of a waiver to UDC 11-3A-6B3 for portions of the Kennedy Lateral, which bisect this site to remain open and not be piped. Written testimony has been received from Cody Black, representing the property owner immediately to the south. He objects to the western portion of Cobalt Drive being located entirely on their property, leaving them responsible for its construction. He requests Cobalt be located entirely north of their property on the subject property. Wendy Shrief, JUB, the applicant, submitted written testimony. They are in agreement with the staff report provisions as included in the staff report. Staff is recommending approval with the requirement of a development agreement.

Seal: Thank you, Sonya. Would the applicant like to come forward -- applicants as they come forward.

Shrief: I'm Wendy Shrief and I'm a planner with JUB Engineers. My business address is 2760 West Excursion Lane in Meridian, Idaho. 83642. And it's so nice to be here in person and it's so nice to not have masks. It's a huge difference from six, nine months ago.

Seal: Absolutely.

Shrief: This is great. First I want to thank Sonya. She's been a really big part of helping to steer this project and making sure that we are really meeting the intent of the Comprehensive Plan for this area and the Ten Mile Interchange Specific Plan. So, Sonya has been integral. Bill helped a lot, but Sonya really helped a ton. They have been a huge resource and really have helped this project. We have got a team here tonight. I'm just going to talk a little bit about the Comprehensive Plan and, then, we have our architect is here and, then, we also have someone who is going to follow up with the conditions and talk a little bit about Cobalt. Hethe is here. So, we are requesting -- it's a pretty straightforward application tonight. We are just requesting annexation and zoning. We have 40 acres. We -- I think perfectly match up with what your Comprehensive Plan shows for the area. We have -- Sonya, if we can get the Comprehensive Plan up. Or

can I do it with the mouse? Get my PowerPoint? Let's see. So, I think this -- this shows the future land use map. We can go ahead and use this. The majority of this property has been designated for mixed use commercial. That's the 22 acres in the northeast of the property and in the southwest we have 11 acres designated for high density residential. So, this really dovetails with what we are showing. We have -- on the other side of the canal where we have our mixed use commercial we are showing different types of retail, commercial, and I think it will be a really -- potentially office space. A really great mixed use where we have a lot of pedestrian connections. Our architect is going to show you that later. But I think we have really really met the intent of what you want to see in this area where it's a true mixed use area. We are showing -- where your Comprehensive Plan shows high density residential, we are showing -- that's where we are going to have several different types of multi-family housing in that area, which I think also meets the intent of this plan. So, I'm going to have Lane get up. He is our architect and he is going to walk you through the concept plan, but I -- I think we really do meet the Comprehensive Plan and Sonya really kind of put our feet to the fire, we have gone through a couple of iterations and really reworked this plan with staff to make sure we meet what the city wants from this area, so -- thank you. Team member number two is going to be up.

Seal: Thank you. Come up and state your name and address for the record.

Borges: Good evening, Mr. Chairman, Members of the Commission. My name is Lane Borges. I'm representing Elk Ventures. My address 11500 Armor Court in Gold River, California. Happy and excited to be here tonight to present this project to you, which I think is an important one for the City of Meridian. The project as we are proposing has been heavily influenced by both the comp plan and the Ten Mile Specific Plan, with the particular goal to create a dynamic place in which people can live, work, shop and play, with an emphasis on managing pedestrian, bike and vehicular circulation. If I can -- let's see. I guess just click on this. Okay. The overall site plan consists of approximately 559 units of residential housing, horizontally and vertically integrated mixed use with four different kinds of housing stock. In addition, we have around the perimeter along Franklin Road -- see if I can get my cursor here to show you. Along Franklin and Ten Mile is approximately 150,000 square feet of single and multi-story office, retail, commercial and recreational uses that will support the residential components of the project, as well as the neighboring community. While we currently are unable to make any firm commitments to our commercial tenants because of the fact that we are still in the approval process, we are actively working and have active interest with grocery store, drugstore, coffee house, dental office, a bank and a couple of restaurants and we are hopeful that as we work our way through the approval process we will be able to make firm commitments with each of those and bring them and additional commercial tenants to the project when we begin construction. The commercial side, obviously, is a little different than the residential side. The residential side you build them and they will come and on the commercial side in today's economy it's kind of the other way around. They have to come first and, then, we build to suit their -- their particular needs. The project consists, as Sonya mentioned just briefly earlier, of five access points, two on Franklin, two on Ten Mile and one on Cobalt and we worked fairly extensively with both ACHD and

with the staff to workout some of the issues with all of the access points and with Cobalt Drive itself. The alignment of Cobalt Drive was a little bit of a challenge, because to the east we have an existing connection point on Ten Mile Road at the intersection and to the west the road -- which would typically occur, you know, splitting a property line, which would be the convention, isn't possible, because there is actually a development directly to the west of our property and if we were to build Cobalt Drive straddling the property line it would terminate into somebody's parking lot. So, we worked with ACHD to come up with a proposed alignment, which does have to, basically, connect to the south of our property line and what we -- what we attempted to do -- we looked at an option of curving the road south from Ten Mile along our property and, then, dipping it again in order to clear the boundary and make the proper connection, but the multiple curves in the road over a fairly short distance really wasn't a suitable engineering design for smooth and proper traffic flow. So, the next thing we took a look at was what's an equitable solution in terms of overall cost sharing and what we have is effectively about 37 percent of Cobalt Drive -- the square footage of it occurs on -- within our property, 63 percent on the property to the south. You might ask, well, why is there a differential there, why isn't it 50/50. We looked at it actually from more than just a square footage standpoint, we looked at it from what's the actual cost to construct, because we have some extenuating costs on the west side where we make the connection, the road has to be brought up, because the existing grade is significantly below Ten Mile and the fact that we have to build basically a bridge structure there in order to bring Cobalt Drive over the canal. That brings that portion of the roadway's construction cost basically into -- at a similar basis as the remaining portion that would eventually be built on the south side. So, in order to help promote the goal that we were trying to achieve of meeting the needs of the specific plan -- if I can get back to -- let's see now how do I -- there we go. Oops. This wheel is very sensitive. Okay. So, one of the elements of the plan that we tried to incorporate was the concept in the specific plan of kind of complete streets and when you look at the parameters and you look at the intent of a complete street in the specific plan, it's to help manage the circulation of vehicles, of bicycles, of pedestrians and although the concepts of the complete street were really dictated in the specific plan more for public roadways and public streets, we have kind of adopted them within our project, which is a series of basically private roadways, but we have duplicated the concept, so what you see in red here represents what we call our complete streets or our major roadways. We kind of call them like little mini main streets and so we have one that runs north-south and we have one that runs east-west and, then, we have the smaller connectors that provide access from those out to Franklin and Ten Mile. Each of those roadways is consistent with the design guidelines in the specific plan and that they provide for two way traffic. They provide for designated and separated bike lanes. They provide for parallel parking, as opposed to perpendicular parking. They provide for street trees along both sides of those roadways. So, what we are trying to emulate is the concept for a standard that was developed for public streets onto our private roadway system in order to create the effect that the specific plan envisions within our development itself. The other -- one of the other elements that's important in this specific plan is pedestrian connectivity and it might be a little hard to see from this, but, basically, all of the yellow lines on there represent pedestrian circulation in our project. So, the goal here is to, obviously, encourage people to move from the residential side to the recreational area, which is in the middle of the

project or to the commercial side. So, there is kind of a spider web network of pedestrian activity that will occur within the site to help promote connectivity from the commercial elements to the residential elements. I want to walk you just quickly through, because I know we don't have unlimited time here, some of the residential elements of the project, since we are able to fairly clearly define them at this point. The area highlighted here is our high density housing portion, three, four story buildings. These are the design images of the proposed architecture of those. You can see there is a variation in architectural elements and vocabulary, a term that we use. Varying materials. Massing and articulation to try to break down these fairly large buildings into something that's architecturally interesting. The second portion that's highlighted in this side is part of our -- what we call flats. These are three story residential buildings that are internally loaded so it's kind of like going into in a hotel or something like that where you access your apartment from a corridor inside. These have parking at the ground level, we call tuck under parking, and they face the street. So, this is a good depiction where you can see we have three buildings, which we designate A to the north and two to the south and one of our little mini main streets that passes in between those. So, this is a blow up just to give you an idea of how the idea of this complete street works. You can see that we have vehicular traffic. Just above that we have bike lanes. We have parallel parking. We have street trees and wide sidewalks. We, then, have landscape buffers and we have residential units that interface closely with the street. Each unit, although it is internal loaded, also has secondary access from the street through a small patio or a porch. So, these have connectivity directly from the public space, as well as internally. And, then, all of the parking is accessed from the rear of the building, which is also the parking area for the commercial components of the project. So, these are some architectural elevations of the three story flat buildings. Again, a lot of variation in design elements and materials, colors, and textures. This is the backside. Shows some of the parking garages. And, then, across the street is, basically, the same concept, just a slightly different shaped building. A linear, as opposed to an L-shaped. Same architectural style used on the flats buildings. Some of the outdoor public spaces. The last residential element that I will show you tonight are our townhomes. These are three story attached units that are three bedrooms with a garage. Again, the same concept along the street frontage. Their access is from the front or from the garage and this is the proposed architectural design. Backside of the townhomes. And, then, the last element I will share tonight is our recreation center. Our clubhouse that's kind of the hub for all of the residents here on the project. This building has a lot of the conventional amenities that you would see in a clubhouse gymnasium. A lot of interior meeting spaces, lounge areas, fitness center, a childcare center, a cafe. But in addition we also have on the second level an extensive work center, a co-working area where people who are now working from home don't necessarily have to spend all their working time doing it from their living room or their bedroom. We have private workspaces and group spaces on the second level. Probably about 5,000 square feet of that available for the residents of the community to use. We, of course, have an outdoor pool area, fire pits, pergolas, outdoor lounge seating, a children's pool separated from an adult's pool and that will wrap up my portion. I'm going to turn it over to Hethe Clark, who will speak for a little -- a little bit about the conditions of approval.

Seal: Okay. Hethe, you have about a minute.

Clark: So I better go fast.

Seal: Name and address real quick and use your best warranty talk.

Clark: I will do my best. Hethe Clark. 251 East Front Street in Boise, representing the applicant. Just briefly, you know, this property is squarely within the city's future plans for development. We are proposing high density mixed use at two principal arterials. It's the perfect location and you can see that Lane and the rest of the group has done a lot of work to make sure that this is appropriate for the city. It's putting high density housing, office, commercial right where we want it. This is the part where I usually stand up here and I show you guys a slide with my red lines of the conditions of approval and all the things that I want to have changed and tonight I don't have that slide, because we are in perfect agreement with the staff report. We are not asking for any changes there. The only point that I would raise that I think is probably going to come up tonight is this question of Cobalt and I would just make three points on that. First, the layout of Cobalt is consistent with the Ten Mile Interchange Specific Area Plan. In fact, it's consistent with the development agreement on the property to the south of our -- of our property. It's also consistent with ACHD's master street map. ACHD reviewed that layout and you will see in their action that they approved it. But beyond that it's fair. And Lane really hit that for you. The portion that is going to be built on our part of the property is going to require much more cost and expense. So, we are not just looking at this from, hey, the die is cast, we are looking at it from a -- from a fairness perspective and that's the reason that it was proposed the way it was. So, with that we would be happy to answer any questions.

Seal: Okay. Thank you. Are there any questions for applicant or staff? Commissioner Yearsley, go ahead.

Yearsley: Mr. Chair. On the townhome facilities, were those with -- is that just -- you know, are they apartments on multiple floors or is the townhome encompassing all three floors?

Borges: The townhome encompasses all three floors. On the ground level is the parking garage -- the garage and a office or bedroom. The second level is the living area, the kitchen, and the dining area and, then, the top level is two additional bedrooms.

Yearsley: Okay. But the other -- the other facilities were one room per floor type situation; is that correct?

Borges: Yes. The other buildings are -- the flats as we call them is -- they are three stories, there is multiple units, but they are on a single level within that floor. They don't extend up or down from -- from that level that they are on.

Yearsley: And, then, the -- the large multi -- like the four -- or the four story apartments --

Borges: Yes.

Yearsley: -- they actually also will share that one common -- what do you call it? The -- geez, I lost it. The clubhouse.

Borges: Yeah. Yes. All the units will share that. That's an approximately 19,000 square foot facility. So, it's fairly substantial facility in order to support the needs of all the residents and the project.

Yearsley: Yeah. It seems pretty large. But given the number of homes it will fill up fast I would imagine. Thank you.

Seal: Quick question for you. Is there any access to the roof or is there plans to put any access to the roof -- roof gardens, roof --

Borges: At this point that's something we have not discussed, no.

Seal: Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: In regard to Cobalt, looking at a map and knowing that Cobalt also extends to the east, I don't know if the applicant can address this, but is -- there is already a streetlight at Vanguard, but it would probably be too close to put a light so that you can continue across. Does it meet together or is it more like this where it's kind of staggered?

Clark: Mr. Chair, Commissioner Lorcher, I think that this map might illustrate your question. You know, at Cobalt we have the -- we have the -- obviously, the obligation to make those match up and so we expect that in the future that there may be some access control there that it would be right-in, right-out, left-in, but it does -- our -- our alignment matches up with Cobalt across the street at Ten Mile. Is that what your question was pointed to?

Lorcher: Thank you.

Seal: More questions? Okay. Thank you very much. At this time we will take public testimony. Madam Clerk?

Weatherly: Mr. Chair, first we have online Cody Black.

Seal: And, Cody, if you want to go ahead and unmute yourself, state your name and address for the record.

Black: My name is Cody Black. My address is 3432 West Bay Oak Street. And let me get my screen on here. Sorry. Can you guys see my screen?

Seal: I cannot.

Black: I think I'm getting closer.

Seal: We can see you now.

Black: Okay. I'm having a hard time sharing my screen here.

Weatherly: Cody, we can help you on this end. Give us just a minute.

Black: Okay. Thank you. I'm sorry, I haven't done this before. I thought it would just start once I went -- sorry, I don't know why I can't get this to go over.

Seal: That's okay. I think we are going to try and load it up on this end.

Weatherly: Cody, we had three slides from you; is that correct?

Black: Yeah. That will do just fine. I think the Ten Mile interchange site plan is fine, too. I had a couple other, but I think that will be fine to illustrate our concerns. So, I represent the southern property and our main concern is Cobalt. We are worried about -- I guess can you guys see the Ten Mile Interchange Plan or should I wait?

Seal: I would wait just a minute.

Black: Okay. Oh. Okay. Great.

Seal: There we go.

Black: Okay. Awesome. Thank you. Sorry. So, I think this probably looks familiar to everybody. So, these purple lines here are the collector roads that are -- that were stopped for the Ten Mile Interchange Plan and I work for the people who own this property right below. The thin grey lines are the parcel boundaries. So, we -- we have got concerns, I guess, with how much burden our property has as far as building the infrastructure for this Ten Mile Interchange Area. Cobalt, the way it's drawn with the Ten Mile plan, was originally designed to go through this northern parcel and like the applicant mentioned, the subdivision to the west of their development has made it so that Cobalt can't carry through. We understand that you can't have a road going straight into a parking lot. With that in mind, though, I think we would see it being more fair if there was some sort of accommodation for this road at least carrying further west on their property before it comes down and accommodating the burden that we already have with the other road systems that we are required to put in. If you go down to number two, please. Maybe I can do it. Slide two. Oh, thank you. So, here is kind of a map of all the different properties that are around here in the northern tenant, Meridian, and, then, all this white

is ours. We kind of -- I whited out some of the stuff we have, because it's conceptual. But these orange roads are all the collectors that are starting to be designed and going through a review and this big red one here is Vanguard, which connects to Ten Mile. So, we already have a lot of east-west connections here through our property and with Cobalt being mostly on our property we are just worried about the increased burden and also with it not being really in line with the Comprehensive Plan. We -- we would like it to be considered for denial and rejected until we could have it more accommodating for both parties. I also wanted to comment on the different maps that I have seen during this application process. I think there was two different maps. One map showed Cobalt struggling and last we spoke with ACHD regarding the matter that's the map that they see -- they had seen. They -- they hadn't seen the one with Cobalt just stubbing right it into our property and so I don't know for sure if they have reviewed the new map with Cobalt being solely on ours once it comes down from Ten Mile and that's -- I mean that's our main thing, I think following more of what the City of Meridian has as far as the Comprehensive Plan also benefits us, because Cobalt right now, the way it's designed, we only get the benefit of one side of the road as far as our development and it being pushed all the way down on our property line that's kind of -- what's happened here on Snow Canyon with Corey Barton in that roundabout that was supposed to be more north, everything's just slowly being pushed onto our property from each area and it's creating an increased burden for us. That's all.

Seal: Okay. Thank you. Does anybody have any questions for Mr. Black?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Yeah. Do you know why that roundabout was pushed so far south?

Black: Are you asking me?

Cassinelli: Yeah. Yeah. Or whoever has -- I guess whoever -- Brian, maybe you -- you know more, but -- on this, but if staff -- whoever may have an answer.

Black: From what I understand, if I can answer, Corey Barton had submitted for approval for that neighborhood and, then, the City of Meridian came up with the Comprehensive Plan and so there is kind of a timing issue I think with -- he got approved for it and, then, the City of Meridian designed their Comprehensive Plan and didn't include that in, at least that's how it's been explained to me.

Allen: Mr. Chair?

Seal: Sonya, go ahead.

Allen: If I may. So, to back up a little bit, the -- the collector streets shown on the master street map are conceptual, they are not a specific location, so there is one shown in this

conceptual location. If it were to go exactly as shown on the master street map it would stub into the Baraya Subdivision that he mentioned. There is a buildable lot that it would run directly into. So, the alignment of Cobalt needs to shift to the south. The question is is where. So, again, the -- the concept plan that was approved with the Janicek property, which is the property to the south that Cody's representing, did include a map that showed a conceptual location -- actually on the adjacent property, but there was a letter associated with that approval that was from our deputy planning director at the time that said that the location of this east-west collector street would be determined at the time a development application was submitted. So, that's where we are at tonight. It is under the Commission's purview whether -- where that lies. The other side of it is -- the eastern side of this street is entirely located on this property. So, it makes some sense, you know, for the -- the property -- or the western portion of it to be on the adjacent property, but it could also be located on the -- on the property line, so -- thank you.

Seal: Mr. Black, the Cobalt Drive is -- is that a road that your -- your -- the people that you represent, is that something that they are going to use for access to their business?

Black: It wasn't in the plan to, no. We weren't developing or designing our site plan based on Cobalt coming through our property at all.

Seal: Right. But knowing that it's going to be there will it be used?

Black: No. It still won't be. It doesn't really work -- fit with how we have designed and if we were further along I would have shown more of our site plan, but it's too preliminary I think to share. But it doesn't serve very much purpose or any purpose for us at all. It actually causes a little bit of issue I think with what our planners have told us for traffic and what we can do with the frontage along Ten Mile here. We are worried about who is going to be interested in it -- in putting stuff right on the front with a collector road so close to all that, especially with Vanguard being just -- just south of it.

Seal: Okay. Thank you. Is there anymore questions? All right. Thank you very much.

Weatherly: Mr. Chair, next in house we have Larry. No? Okay.

Seal: All right. If there is anybody else out there that would like to come up, please, raise your hand on Zoom or raise your hand in chambers. Okay. If the applicant would like to come back up and have closing remarks.

Clark: Members of the Commission, Hethe Clark. 251 East Front Street. So, it sounds like we are down to the one issue and, again, I would just reiterate that this location -- and as Sonya mentioned is in conformance with all of the planning, including all the maps that show Cobalt extending through, including on the Ten Mile Interchange Specific Area Plan. That is part of the planning for this area roadway network is for Cobalt to continue on through there. ACHD has reviewed and approved this map. The -- if you look at the ACHD action it specifically states that Cobalt would stub to the property to the south, not that it would straddle the line. So, ACHD is very clear on what the proposal is and has

approved it and, again, I would just emphasize the fairness question. This -- the remaining portion of Cobalt is flat ground, straight up road development, whereas the portion that we are going to be developing, that eastern more than a third, is going to require a box culvert, grading, fill, raising the elevation, all of that. So, we think what we have proposed is fair and so as we move forward we would ask for your recommendation of approval, including on the request to allow the Kennedy Lateral to remain open in -- in locations. That's something that Council has to approve, but I think that would be part of the recommendation tonight and, then, if there is a question about this -- the location of Cobalt, I think I would just ask the Commission to include that in the recommendation, but we think that what we have proposed is -- is something that's fair. With that I'm happy to answer any follow-up.

Seal: I will -- yeah, I will start with a question, just -- I mean if Planning and Zoning or Council would recommend more of a 50/50, is that something that you guys are prepared to accommodate?

Clark: Commissioner Seal, you know, we are, obviously, happy to continue the conversation. If there is, you know, a compelling reason to adjust that, you know, we are happy to consider that. As we said, we think that this is -- is a -- is a fair accommodation, but if the Planning and Zoning Commission disagrees, you know, we would ask you to include that in the recommendation and we will keep working on it between now and -- and the Commission -- or the City Council meeting.

Seal: Any questions?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead..

Cassinelli: Yeah. This is -- I don't know if Hethe can answer this or the applicant. I wanted to talk a little bit -- get a little bit more idea -- a better idea, I guess, of some of the commercial that's going in. We talked mainly about the residential portion and, then, Cobalt, but I would like to get -- he did mention there is talks with the grocery store and a drugstore, but I would like to get a little bit more idea of what the overall plan is, what -- you know, maybe some of the descriptions of the buildings, elevation -- heights of some of the buildings and how they are going to front Franklin and Ten Mile and that sort of thing.

Borges: Well, we have some information available, obviously, until we actually secure particular tenants, especially major anchors for some of the buildings. We don't have specific buildings already designed. The office buildings that are proposed currently located along Franklin are two story buildings. The retail buildings -- the smaller retail buildings that are along both Franklin and Ten Mile are single story buildings. The larger box buildings we expect from a massing perspective to be somewhere between one and two stories in appearance, but we have not yet developed specific elevations, although the architecture of the commercial buildings will clearly be reflective of the architecture

that you see in the residential buildings. So, same times -- so, the same type of detailing, same types of scale, same type of massing. We want everything to be compatible architecturally throughout the entire project.

Cassinelli: If I may ask another question, Mr. Chair?

Seal: Go ahead, Commissioner Cassinelli.

Cassinelli: Are there any other -- you have got the clubhouse for the residential, but what other kind of open space areas do you have? I don't -- can you touch some of that? And even within some of the commercial.

Borges: Yeah. Between some of the commercial buildings we have patios for either -- depending upon the ultimate use of the building, whether it's office or whether it's retail or commercial, for outdoor dining, we have widened -- like, for example, at our mixed use buildings where we have retail or service commercial on the first floor, we have like 18 to 20 foot sidewalks there. So, each of those buildings has the ability to have outdoor dining patios and still provide adequate circulation along the roadways. All of the residential buildings have common areas that are scattered throughout the project. The high density buildings usually have small patios and barbecue areas usually at each end of the building. So, throughout the project there are small areas that are interspersed. We do meet the requirements for the open space in terms of the large 50 by 100 square foot recreational spaces and those are all located over in the vicinity of the clubhouse and community center. But, otherwise, spaces are scattered throughout the project and they will, obviously, be developed in more detail as specific tenants and building designs get prepared as part of our design review applications moving forward.

Cassinelli: Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Is it relevant that we know what's happening on the south and why Mr. Black is objecting to the road? I mean he said it doesn't fit into the plan of what he was doing, but is the burden a financial burden or a physical burden? Is it because they feel -- Mr. Black feels that they have to be responsible for the road, as opposed to The 10? I guess I'm unclear of what the objection is to have access between these parcels compared to the Comprehensive Plan when The Ten Mile Interchange you are going to have mixed use development anyway; right?

Seal: Right. But I think the -- the financial burden of building that road and should it be completely on the southern property falls -- that portion of the road falls upon the -- the owner of that property when it -- when it becomes developed I guess.

Clark: Mr. Chair -- and maybe something to point to that and -- and circling back to your comment about 50/50, I think the way my -- I think the way I would prefer to have responded to that is the 50/50 really should be looked at in terms of overall costs, not linear feet, and we think that we have proposed something that is very close to 50/50 in terms of the overall cost. So, if that helps in terms of kind of evaluating and weighing those burdens. Again, we have the box culvert, we have the grade that needs to be increased, we have all the -- all the heavy lifting on the 37 percent that's on our side.

Lorcher: But your southern neighbor disagrees; is that right?

Clark: It sounds like he does. Yes.

Seal: All right. Thank you.

Yearsley: Mr. Chair, I have a question for Sonya. So, they are just asking for annexation and zoning. They still have to come back for a preliminary plat approval for what they are ultimately wanting to do; is that correct?

Allen: Chairman, Commissioner -- Commissioner Yearsley, that is correct. They have to come back with a subdivision application.

Yearsley: Okay. So, we get a chance to review what they are proposing. At this point what they are proposing is just conceptual.

Allen: Yes, it is.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: To -- to add on to Commissioner Yearsley, what we are voting on tonight is annexation, not really conceptual design; is that right? Based on your comment?

Seal: Annexation and zoning.

Lorcher: Okay.

Allen: But, Chairman and Commissioners, the -- the concept plan is associated with that annexation and it will be included in a development agreement. And since this is a topic of discussion and an issue, I would recommend that you nail down where that road is going to go.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Maybe before we close the -- the public hearing -- Sonya, what -- historically speaking when a -- when a road -- when this is an issue -- and I don't know if you -- if there is something you can pull up top of mind, but how is something like this typically dealt with in the -- in the city where -- you know, where a road is -- I mean is it usually split 50/50? Is it -- you know, in terms of cost, in terms of where the road lies? Because, you know, I mean half it on -- on one? I mean ideally if they can run it right down the middle of the property line, but that's -- that's -- we don't live in that world on this. What -- you know, historically what's your experience with -- with situations like this?

Allen: Chairman, Commissioner Cassinelli, typically -- it depends on the location and the situation and whether the road is needed for access to the property. Typically it is -- if it's needed for access it's typically put on the property line and the first one in does half plus 12 on the street.

Cassinelli: When you say half -- half plus 12 --

Allen: Half of the street plus another additional 12 feet.

Cassinelli: Okay.

Seal: More questions?

Yearsley: I just -- Sonya, will you bring up that slide that they -- Mr. Black brought up that showed his development as well -- kind of showed the overall roadway?

Allen: Yes. When I can find it. Just a moment.

Yearsley: If you -- if you look at this -- this drawing here, he's showing that road being half on their property and half on his, but you end up having two separate jogs in the roadway. I have to -- you know, the -- the -- the applicant is asking for -- you know, that they have to put in a box culvert and thinking that that's fair for their half of the road. I'm not quite sure. Box culverts aren't that expensive, in particular with -- you know, building a quarter mile of road. I don't know what the exact breakdown would be on the two. My looking at it is I think as a roadway having one swoop come in and, then, having a straight shot and not having a second jog for me personally looks a little bit better and having it all on the property to the south, so --

Allen: Mr. Chair, if I may. The applicant just pointed out a section in the ACHD report that said that they were in agreement with the proposed alignment of Cobalt, if that makes a difference to you. That is in the public record and the ACHD report.

Seal: Was that referring -- and I will chime in here. Is that -- which -- which -- which image are they -- which image are they using when they do that? Because one of their images shows that completely to the south and one of them shows it dissected and right down the middle, so --

Allen: That's a good point. I assume that they were going off of the concept plan submitted by the applicant. I'm not sure the reason for the discrepancy in the plan that they submitted back with the access. I can't explain that.

Seal: Okay. Because that has me somewhat confused, to be perfectly honest.

Allen: The recommendation, though, is -- should be based on this -- the plan that was submitted by the applicant.

Seal: Okay. Hethe, go ahead.

Clark: Thank you, Mr. Chair. And I will just point to page ten of the ACHD action. You know, it says that the applicant is proposed to extend Cobalt Drive from the existing approach on Ten Mile Road that aligns with Cobalt Drive on the east side of Ten Mile Road into the site to stub to the site south property line and, then, ACHD approved that proposal. So, ACHD is looking at the correct map and approved it with a stub to the south property line not straddling, not sharing.

Seal: Okay. So, I will play Devil's advocate a little bit here. So, they -- basically they want one -- one side to connect to the other side and where the jog goes in is completely up in the air.

Clark: Commissioner Seal, they have reviewed the layout that we have proposed and indicated that that is -- complies with the master street map and the Ten Mile Interchange Specific Area Plan. So, they reviewed our specific layout and approved it. They didn't -- there were no hypotheticals about where it could go left or right. They reviewed our -- our proposal and approved it.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I'm curious to know if the property to the south had submitted their proposal would ACHD approve it as well, because they didn't see any -- you know, point, counterpoint of where it should be. Do you know what I mean? Like they -- they saw yours, which was -- they are like, okay, this looks great, but did they know of any object -- they probably didn't know any of the objections of the property to the south of the time when they said this looks fine; correct?

Clark: Commissioner Seal, Commissioner Lorcher, I don't know what -- whether they looked at anything on the south, but, to be clear, the -- the way that this has essentially always worked is that ACHD only has an application that's in front of them and they rule only on that application that's in front of them. This application is there first. As you heard from the neighbor to the south, they don't have a design.

Lorcher: Okay.

Clark: So, that's very much like the property to the west of ours having the parking lot there that blocks Cobalt going there, that -- you know, we have to react to their site design. You know, we are -- we have proposed a design that is consistent with all of the mapping and, as I said, proposes an equitable split of the costs and so they reacted to that, they approved it, they said it's consistent with the master street map and the Ten Mile Interchange Specific Area Plan, which is a big mouthful and we got to come up with a better acronym.

Lorcher: Thank you.

Seal: Commissioner Wheeler, go ahead.

Wheeler: Thank you, Mr. Chair. Sonya, I have a question. I think in -- when you were giving the staff report you mentioned that the road Cobalt Drive has to move south in order for an alignment with the development over to the west. Did I hear that right?

Allen: Chairman, Commissioner Wheeler, at the southwest corner of this property, if the road was -- if Cobalt was to be entirely on this property it would stub into Baraya Subdivision into a buildable lot at the west boundary, so that would not work. At some point it has to go down --

Wheeler: Okay. And --

Allen: -- south.

Wheeler: -- and how far down are we going to -- to get to -- Commissioner Yearsley's point, is it going to have to make two in order to align with -- with it?

Allen: I'm not an engineer, I don't know.

Seal: Go ahead, Commissioner Yearsley.

Yearsley: If you look at the plan on the deal it shows that this plan showed it as half on the line, so you would end up having two jogs. If you put it all on his south property it wouldn't have a separate jog is what I was referring to.

Wheeler: Thank you, Commissioner Yearsley, that's what I was seeing, too, is that this looks like that -- what we are seeing here shows that it's shared equally between the two parcels, is that how I'm seeing that one?

Yearsley: Yeah. And this is Cody Black's --

Wheeler: Drawing?

Yearsley: -- drawing that he provided.

Allen: The problem with -- I can't tell from this drawing, but it appears that it would stub into that residential property to me --

Wheeler: Okay. Thank you, Sonya.

Allen: -- and not work.

Seal: Any further questions? All right. With that can we get a motion to close the public hearing for Item No. H-2021-0025, The 10 at Meridian?

Wheeler: So moved.

Cassinelli: Second.

Seal: It's been moved and seconded to close the public hearing on Item No. H-2021-0025 for The 10 at Meridian. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Would anybody like to -- I guess I haven't said too much, so I will lead off a little bit here. So, you know, it's the great debate. I -- I understand how it seems equitable when you have the property that has more cost to it. That said, the neighbor to the south didn't pick your lot, you did, and that's basically where you are at. That said, I find it hard to believe that they are going to build something in there that never uses Cobalt Road. So, I think, you know, them having to provide for the build out of that road is -- is more than fair. To me the only thing -- as far as the rest of it, I really like it. I like the way that it's laid out. I like the way that they have provided for foot traffic. There is -- there is a lot -- in my mind, especially on the corner that it's on, they have proposed extremely high capacity residential in there and we have nobody here to dispute that, which is probably the first time ever I have heard of that in Meridian, to be perfectly honest. So, there is a lot of good things that are going on in here. The only thing that really is -- you know, that we are really discussing here is that Cobalt Drive. So, you know, obviously, I'm not going to make a motion tonight. I think if we do move this along to City Council that we should have something in there that provides, you know, some thought as to what is truly equitable for that portion of the drive, whether it needs to be 50/50 -- I mean in looking at it I think that the road could slide a little bit further. You might have to give up a little bit of parking in order to move the buildings around a little bit to accommodate that. You know, obviously, I'm -- I'm talking, you know, as somebody that doesn't have to spend any money to make it show like that on a map, but at the same time, you know, we are still in kind of the conceptual planning portion of it, so -- and with that I will let the rest of Planning and Zoning Council to -- or Commission discuss what they would like to see in it.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: For me the -- I like the layout, too. I think it's really well thought out. You have transitional zones, good uses, on the transitions there throughout. I like the way that -- I do like the lateral staying exposed there, it makes it a little more of a green area. Also you got a pathway that's going around there. That's good. Good bike lane usage. Parallel parking. Just a lot of space in between. My -- my only thought is when it comes down to the Cobalt Drive, I'm more concerned with it lining up with the adjacent property and stubby in without having a couple little moves in there and I know that there is an expense definitely to get over that lateral, but to what the -- what chairman said here, you know, that's that lot and that's the issue that comes with it is just that expense to get over that lateral. So, yeah, I just -- I see that as a good -- a good use of everything. I'm one that likes to see roundabouts in some of these internal things, but -- but that's me on that.

Seal: Anybody else want to jump in here?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Yeah. I -- on Cobalt -- well, let's go back to the -- everything else I like about it. So, I'm in favor of the project. What -- if -- we didn't have any other people speaking out against this, other than the property owner to the south and what -- what -- you know, what -- what scares me about -- about this whole thing is Franklin and Ten Mile in that area is already a disaster. We can -- I will just thank ACHD for the lack of vision on -- on those roads and making them like everything else when the density at this corner was coming the way it was coming. So, it's -- but it is what it is. Overall the project is -- looks like a neat project. My added -- my thoughts on Cobalt Drive -- first of all, I like the other -- I like having less straightaway and another jog. I'm not a -- I'm not an engineer in that -- in that standpoint, but to me it seems like it would work for some traffic calming and, you know, the longer straighter road you get the faster people tend to drive on it. So, I like that -- the aspect if that -- you know, if that's workable to have jogs, which may help to solve some of this. The other comment I have, Mr. Chair, kind of -- it goes a little bit of what you have. I think if the -- I think if -- if the attorney representing the applicant here -- I think if the shoe were on the other foot they would have a -- a real different view of -- of what's equitable. I like -- and would be in favor of what Sonya pointed out as far as, you know, the first one is usually half plus 12 and I don't know, you know, if we can take that all the way to the edge of their western boundary or not, but they are the first ones in and -- and I think the road is -- to that point is -- is their responsibility at this point. So, I would be in favor of -- of going half plus 12 on it. I -- you know, I would -- again, I would like to see another jog, but if it's straight in my mind I think, you know, I would want to see us condition for -- for that half plus 12 to the western boundary.

Seal: Okay. Thanks, Bill. I had a quick question just on the open waterway segment of this. Just for comparison, how -- how much of the waterways are left open on the east property there of Ten Mile? I know there is actually a considerable amount over there,

but does it compare to this? And are we looking at -- I mean conceptually we are looking at the same kind of layout.

Allen: Chairman, Commissioners, as far as I know Brighton is the developer of the property east of Ten Mile and as far as I know they are planning to pipe it all.

Seal: Oh. I thought they were keeping some of that open.

Allen: I could be mistaken, but I don't believe so.

Seal: Okay.

Yearsley: I think -- I think the lateral to the -- to the north of this one is the one they were leaving open as part of their -- there is -- because there is another lateral to the northeast of this one that they left open as part of their initial design, I believe.

Lorcher: So far it looks open.

Yearsley: Yeah.

Lorcher: There is a few bridges over some of those laterals.

Yearsley: Yeah.

Allen: It is open along -- near the intersection I know.

Seal: Okay. Just trying to get a sense of -- I mean because there is a considerable amount of this that seems to be left open and so I just wanted to make sure that that's going to fit in -- blend in with what -- what else we have going on around there. I mean not that you want everything to look the same, but some of the look and feel of it is good, especially if it transfers -- you know, I kind of come back to that little path that we have through -- from Ten Mile to Linder, kind of wish all the paths would look like that, and it's an open waterway. It's beautiful, so -- just want to make sure that we have got something like that going on in here.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Is there going to be a requirement for fencing along that lateral? I'm being assumptive here, Sonya, or -- do you know?

Allen: Yes. Chairman, Commissioner Wheeler, there will be requirement for fencing in accord with UDC standards.

Wheeler: Thank you.

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

Yearsley: You know, I like the overall look and the layout. My -- my personal feeling is I think it's a little heavy on the -- the multi-family housing and not enough retail. I would like to see a little bit more retail. Maybe those apartments to the north to be retail situation, but -- but the overall look I think is looking fine. I actually like the way that Cobalt Drive looks now. I understand Commissioner Cassinelli's thought about having a second jog for traffic calming, but -- you know, which can be done, so -- I don't know. I don't -- I don't know if I have preference one way or the other.

Seal: Okay. At some point in time we have got to make a motion on this. So, we kind -- well, do we have some consensus on the Cobalt Drive portion of this? I mean we -- essentially, we need to make a recommendation to City Council as to what our thoughts are on it. So, I'm -- I'm a little bit torn on it. I mean I -- I like the way it flows, the way that it looks right there on the picture. That said I understand, you know, what seems equitable to the property owner to the south compared to the property owner or the applicant to the north -- so, I'm not quite sure where to land on that. But, luckily, I don't have to make the motion, so --

Cassinelli: Mr. -- Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Commissioner Yearsley brought up a great point. I like -- I like what he said about a little bit heavy on -- on the multi-family and I don't know -- just a thought for -- for him. If they knocked down maybe two of the three buildings to three story instead of four story, but on the -- on the -- on Cobalt can we -- I know sometimes there is -- there is not a lot of teeth to this, but is there a way that we can condition it to where it -- that they can only move forward on this when those two landowners are in agreement? And maybe either legal or staff can answer that.

Seal: Go -- go right ahead.

Baird: A theme of the presentation tonight is you -- you have to act on what's in front of you. You have this application. You don't have the application on the property to the south. You can't -- you can't force them to agree. You have to tell this applicant what you would like to see in your condition of approval.

Seal: Yeah. I tend to agree with that. That's -- I mean, essentially, we got to let Council know what we want to see with this. So, do we want to leave it as is in the application? Do we want them to, you know, extend that jog out, so it's literally, you know, half plus 12 or half or do we want to -- you know, do something completely different, so -- I mean those are, essentially, the three things that we can recommend up to City Council that I can see in front of us, so --

Lorcher: Mr. Chair?

Seal: Go ahead, Commissioner Lorcher.

Lorcher: Could we have something with the modification to say further review of Cobalt Drive to have an equitable space and cost between applicant and southern neighbor? Because that just --

Seal: Yes. But I think the dispute is -- for right now is what is equitable between the two neighbors. So, that's what we have to figure out. What do you think is equitable and from that -- and put that in the form of a motion and that's -- that's the task at hand.

Yearsley: Yeah. And -- and that's what -- like I said, that -- you know, I'm willing to make a motion, but I will make the motion that we leave it as is. So, the other motion would be to split Cobalt Drive -- you know, the centerline of the road be on the property line until it hits the end of their property and, then, jugs onto the other property would be the other motion, so -- I think those are kind of the two motions that we have in front of us.

Wheeler: Mr. Chair, if I -- if I'm tracking correctly, it's -- also there is two conditions that we want to put on. One was a required DA, if I remember correctly, and then --

Yearsley: That's already --

Seal: That's already --

Wheeler: That's already there. And, then, the one that the applicant was requesting was -- was stating that Kennedy Lateral to remain open. I think that was the other one.

Seal: Right. And that's for Council to decide, but if you have any recommendations on that that does need to go into the motion as well. I personally -- on the lateral being open I'm -- especially if it's fenced and made into, you know, something usable, walkable, I -- I actually prefer that personally, so --

Wheeler: I agree.

Seal: Nobody from the irrigation district is here to throw things at me, but that's just my preference.

Yearsley: So, Mr. Chair, I'm going to throw this out here.

Seal: Feel free.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of File No. H-2021-0026 as presented in the staff report for the hearing date of May 20th, 2021, with no modifications.

Seal: Do I have a second?

Wheeler: I will second.

Seal: It has been moved and seconded to approve Item No. H-2021-0025, The 10 at Meridian.

Yearsley: We may want to do roll call.

Seal: Yeah. With no modifications. All those in favor say aye. Opposed?

Cassinelli: Nay.

Seal: So, for the record that was Commissioner Cassinelli as the nay.

Cassinelli: That is correct.

Seal: All right. Motion carries.

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

Seal: Thank you very much. Okay. Can I get one more motion?

Yearsley: Mr. Chair, I move we adjourn.

Wheeler: Second.

Cassinelli: I will second that.

Seal: All right. It has been moved and seconded to adjourn. All those in favor say aye. Any opposed? All right. Motion carries. Thank you all very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:08 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - VICE-CHAIRMAN
ATTEST:

_____|_____|_____
DATE APPROVED

CHRIS JOHNSON - CITY CLERK