



CITY COUNCIL REGULAR MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, November 21, 2023 at 6:00 PM

All materials presented at public meetings become property of the City of Meridian. Anyone desiring accommodation for disabilities should contact the City Clerk's Office at 208-888-4433 at least 48 hours prior to the public meeting.

Agenda

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/81095276712>

Or join by phone: 1-253-215-8782

Webinar ID: 810 9527 6712

ROLL CALL ATTENDANCE

___ Joe Borton

___ Liz Strader

___ Brad Hoaglund

___ John Overton

___ Jessica Perreault

___ Luke Cavener

___ Mayor Robert E. Simison

PLEDGE OF ALLEGIANCE

COMMUNITY INVOCATION

ADOPTION OF AGENDA

PUBLIC FORUM – Future Meeting Topics

The public are invited to sign up in advance of the meeting at www.meridiancity.org/forum to address elected officials regarding topics of general interest or concern of public matters. Comments specific to active land use/development applications are not permitted during this time. By law, no decisions can be made on topics presented at Public Forum. However, City Council may request the topic be added to a future meeting agenda for further discussion or action. The Mayor may also direct staff to provide follow-up assistance regarding the matter.

ACTION ITEMS

Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15 minutes to present their project. Members of the public are then allowed up to 3 minutes each to address City Council regarding the application. Citizens acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented

homeowners who have consented to yielding their time. The public may sign up in advance at www.meridiancity.org/forum. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. City Council members may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard. City Council may move to continue the application to a future meeting or approve or deny the application. The Mayor is not a member of the City Council and pursuant to Idaho Code does not vote on public hearing items unless to break a tie vote.

1. **Public Hearing** for I-84 and Meridian Road (H-2021-0099) by Hawkins Companies, generally located at the northwest corner of S. Meridian Rd. and I-84

Application Materials: <https://bit.ly/H-2021-0099>

- A. Request: Annexation of 18.30 acres of land with a C-G zoning district.
- B. Request: Comprehensive Plan Future Land Use Map Amendment to change the future land use designation on 70.4+/- acres of land from Mixed Use-Community (MU-C) to Commercial (34.3) acres and Medium High Density Residential (36.1+/-).

2. **Public Hearing** for Tanner Creek Subdivision (H-2022-0048) by Engineering Solutions, LLP., generally located 1/4 mile west of S. Meridian Rd. on the south side of W. Waltman Ln.

Application Materials: <https://bit.ly/H-2022-0048>

- A. Request: Modification to the existing Development Agreement (Inst. #108131100) to change the development plan from commercial to a mix of residential uses.
- B. Request: Rezone of 41.89 acres of land from the C-G to the R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres) zoning districts.
- C. Request: Preliminary Plat consisting of 130 building lots (83 single-family, 45 townhome & 2 multi-family) and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts.
- D. Request: Conditional Use Permit for a multi-family development consisting of 280 dwelling units on 15.88 acres of land in the R-40 zoning district.

ORDINANCES [Action Item]

3. Ordinance No. 23-2039: An Ordinance (Petsche Rezone H-2023-0039) for rezone of a parcel of land within Block 5 of F.A. Nourse's Third Addition to Meridian (a recorded plat in Book 6 at Page 289 of Ada County records) within a portion of the northeast quarter of Section 7, Township 3 North, Range 1 East, Boise Meridian, Meridian, Ada County, Idaho, more particularly described in Exhibit "A," rezoning 0.60 acres of land from C-C (Community Business) zoning district to O-T (Old Town) zoning district in the Meridian City Code; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all applicable official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this

ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date.

- [4.](#) Ordinance No. 23-2040: An ordinance (Ringneck Place Subdivision – H-2023-0009) annexing a parcel of land located in Government Lot 3 of Section 5, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A;” rezoning 1.73 acres of such real property from R1 (Estate Residential) to R-8 (Medium-Density Residential) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

FUTURE MEETING TOPICS

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Public Hearing for I-84 and Meridian Road (H-2021-0099) by Hawkins Companies, generally located at the northwest corner of S. Meridian Rd. and I-84
Application Materials: <https://bit.ly/H-2021-0099>

- A. Request: Annexation of 18.30 acres of land with a C-G zoning district.
- B. Request: Comprehensive Plan Future Land Use Map Amendment to change the future land use designation on 70.4+/- acres of land from Mixed Use-Community (MU-C) to Commercial (34.3) acres and Medium High Density Residential (36.1+/-).

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: November 21, 2023

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2021-0099
I-84 + Meridian Road – CPAM,
AZ

LOCATION: Generally located at the northwest corner of S. Meridian Rd. and I-84 on the south side of W. Waltman Ln., in the southeast ¼ of Section 13, T.3N., R.1W.



Note: Since this project was remanded back to the Commission, the Applicant has changed their CPAM request from MU-R to Commercial and included the Tanner Creek project to the west in the amendment with a change from MU-C to MHDR at the recommendation of Staff. An amended conceptual development plan and associated exhibits have also been submitted. The staff report has been updated accordingly.

I. PROJECT DESCRIPTION

Amendment to the Comprehensive Plan Future Land Use Map (FLUM) to change the future land use designation on ~~33.1370.4~~ acres of land from Mixed Use – Community (MU-C) to ~~Mixed Use – Regional (MU-R)~~ Commercial (34.3-acres) and Medium High Density Residential (MHDR) (36.1+/- acres); and annexation of 18.30-acres of land with a C-G (General Retail and Service Commercial) zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	33.1370.4 acres (CPAM); 18.30 acres (AZ)
Future Land Use Designation (existing/proposed)	MU-C (Mixed Use – Community) (existing); Commercial (proposed on subject 34.3-acre property) & MHDR (Medium High Density Residential) (proposed on adjacent 36.1-acre Tanner Creek property)
Existing Land Use	Single-family residential and vacant/undeveloped land
Proposed Land Use(s)	Commercial
Current Zoning	R1 and RUT in Ada County; and C-G (General Retail and Service Commercial)
Proposed Zoning	C-G (General Retail and Service Commercial)
Physical Features (waterways, hazards, flood plain, hillside)	The Ten Mile Creek runs along the west boundary of the site.

III. APPLICANT INFORMATION

A. Applicant:

Ethan Mansfield, Hawkins Companies – 855 W. Broad Street, Boise, ID 83702

B. Owner:

Hawkins Companies – 855 W. Broad Street, Boise, ID 83702

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	4/5/2022; <u>10/17/23</u>	5/29/2022; 11/5/2023
Radius notification mailed to property owners within 300 feet	4/4/2022; <u>10/13/23</u>	5/26/2022; 11/3/2023
Public hearing notice sign posted on site	4/7/2022; <u>10/23/23</u>	6/3/2022; 11/9/2023
Nextdoor posting	4/5/2022; <u>10/17/23</u>	5/25/2022; 11/3/2023

V. COMPREHENSIVE PLAN ANALYSIS

EXISTING FUTURE LAND USE DESIGNATION: This property and the adjacent property to the west totaling 70.4 acres of land is currently designated as Mixed Use – Community (MU-C) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#) (see map in Section VIII.A). The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C. (See pgs. 3-11 through 3-16 for more information.)

PROPOSED FUTURE LAND USE DESIGNATION: The proposed FLUM designation for this property is ~~Mixed Use~~ Regional Commercial (34.3 acres) and Medium High Density Residential (MHDR) (36.1 acres) for the adjacent property to the west (see map in Section VIII.A). ~~The purpose of the MU-R designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. The developments are encouraged to be designed consistent with the conceptual MU-R plan depicted in Figure 3D. (See pgs. 3-16 & 3-17 for more information.)~~

The Commercial designation will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in some cases, but

should be careful to promote a high quality of life through thoughtful site design, connectivity, and amenities. Sample zoning include: C-N, C-C, and C-G.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from eight to twelve dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

The Applicant submitted a conceptual developmet plan for the area included in the FLUM amendment (see Section VIII.D). The subject property, proposed to be designated Commercial, is proposed to develop with a mix of regional commercial/retail and restaurant uses with some neighborhood serving uses. The adjacent property to the west, proposed to be designated MHDR, is proposed to develop with a mix of residential uses, including single-family, townhome and multi-family dwellings. The proposed uses are consistent with the FLUM designations proposed for the subject property and the property to the west.

Note: The initial FLUM amendment request for this property was from MU-C to Mixed-Use Regional (MU-R). The Commission recommended denial to City Council based on their belief the proposed use isn't consistent with the general mixed-use development guidelines, the existing MU-C or the proposed MU-R guidelines; they also felt a Traffic Impact Study (TIS) was needed. Council heard the application and remanded it back to the Commission in order to be reviewed concurrently with the Tanner Creek application in an effort to determine consistency with the Comprehensive Plan for the overall property.

After review of these applications, it's Staff's opinion the proposed development plans for both projects are largely inconsistent with the purpose statements and development guidelines in the Comprehensive Plan for the general mixed use and specific land uses (i.e. MU-C and MU-R) for the following reasons: 1) functional and physical integration of land uses is desired – these are two separate residential and commercial developments with only a pedestrian pathway proposed for interconnectivity – no integration of uses is proposed; 2) a mixed use project should include at least three (3) types of land uses – only two (2) are proposed [i.e. residential and commercial (includes retail, restaurants, etc.)]; 3) community serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are desired – none are proposed; 4) supportive and proportional public and/or quasi-public spaces and places, including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected – none are proposed; 5) mixed-use areas should be centered around spaces that are well-designed and integrated public and quasi-public centers of activity that are activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play – no such public/quasi-public areas are proposed; 6) a mixed use project should serve as a public transit location for future park-and-ride lots, bus stops, shuttle bus stops and/or other innovative or alternate modes of transportation – no such stops or lots are proposed; 7) community-serving uses and dwellings should be seamlessly integrated into the urban fabric for an integration of a variety of uses to avoid mainly single-use and strip commercial type buildings (MU-C) – single-use developments are proposed that are not well-integrated; 8) vertically integrated structures are encouraged – none are proposed (MU-C); 9) integration of a variety of uses together, including residential as a supporting use, to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses (MU-R) – no residential uses are included in the proposed MU-R designated area, which creates a single use development with only commercial uses; and 10) retail commercial uses should comprise a maximum of 50% of the development area (MU-R) – most if not all of the proposed MU-R designated area consists of commercial/retail uses, no residential, office, civic or other uses are proposed.

For this reason, Staff recommended the Applicant change their request for a map amendment from the MU-R to the Commercial designation and include a map amendment on the adjacent property to the west

(Tanner Creek) from MU-C to MHDR, as agreed to by both Applicants. This change better aligns with the proposed development plans for both properties and in Staff's opinion is more compatible with adjacent existing and future residential development in the area and provides a good transition between these uses to the proposed commercial uses and is more appropriate than the existing and previously proposed MU-R designation.

COMPREHENSIVE PLAN POLICIES (<https://www.meridiancity.org/compplan>):

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)
The proposed development will be required to connect to City water and sewer systems.
- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)
The surrounding properties have all been annexed into the City; the property to the north is developed, the property to the west is proposed to develop with residential uses (i.e. Tanner Creek). Development of this infill property will result in more efficient provision of public services.
- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)
Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development.
- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the Area of City Impact.” (6.01.03B)
The MSM depicts Waltman Ln. as a collector street where it abuts the site due to the increased traffic anticipated with this development and the adjacent property to the west (Tanner Creek).
- “Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A)
A pedestrian circulation plan was submitted for the site, included in Section VIII.F.
- “Improve and protect creeks and other natural waterways throughout commercial, industrial, and residential areas.” (4.05.01D)
The Ten Mile Creek along the site's west boundary should be protected during construction.
- “Support Valley Regional Transit's (VRT) efforts to construct multi-modal transit centers in areas of high commercial activity and employment as well as areas with transit-supportive residential densities.” (6.01.01B)
A bus stop is proposed within this development, which will serve residents of the residential development to the west and employees and customers of the proposed commercial development.
- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B)
Smaller-scale neighborhood commercial uses are proposed along with two (2) larger retail buildings. A pedestrian pathway is proposed for access between the subject property and the adjacent proposed

residential property (Tanner Creek) to the west. For better connectivity, a more direct access, and to reduce traffic on the collector street (Waltman Ln.), Staff recommends a vehicular driveway/bridge is provided across the Ten Mile Creek between the two projects for easy access from the residential development in accord with UDC [11-3A-3A.2](#).

- *“Slow the outward progression of the City's limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)*

The proposed vacant parcels are within the City limits and the larger area is surrounded by properties already annexed into the City. The development of this property will result in better provision of City services.

LAND-USE FOCUS — ADHERENCE TO PROPOSED COMPREHENSIVE PLAN LAND-USE POLICY:

The following analysis is specific to the request for a Mixed Use Regional (MU-R) designation, and not the merits or benefits of the project or proposed uses. Analysis for either compliance with the adopted future land use designation of MU-C, or another one, may result in very different analysis. A property designated MU-R must comply with both the general mixed use policies and the MU-R policies below:

The purpose and intent of Mixed Use (General) is: In general, the purpose of this designation is to provide for a combination of compatible land uses within a close geographic area that allows for easily accessible and convenient services for residents and workers. The intent is to promote developments that offer functional and physical integration of land uses, to create and enhance neighborhood sense of place, and to allow developers a greater degree of design and use flexibility.

The proposed project is comprised entirely of commercial uses, primarily high traffic generating retail (i.e. two big box retail and junior anchor retail spaces along with drive-through restaurants), along with a single dedicated office site. There are no residential or public uses proposed. The subject proposal is for a commercial project without any mixed use elements. There are no community supportive services such as locations for day cares, flex space, or small locations for doctors, dentists, or other typical community serving uses. There is also no integrated residential with or consideration for the planned project to the west. *Note: A Development Agreement modification was previously proposed to change the development plan on the adjacent property to the west from commercial to residential but was denied (i.e. [Tanner Creek](#)). The current entitlements for that property are approximately 400,000 square feet of professional office, hotel, and retail uses (for more information, see existing Development Agreement AZ-06-063 Inst. #[108131100](#)). Although a subsequent application for a residential development is planned to be submitted for that property, it has not yet been submitted as an updated Traffic Impact Study is under review by ACHD. In the pre-application meeting, Staff recommended to the Applicant that they wait and submit their application for this development at the same time as the adjacent development to the west so that the projects could be reviewed together for overall consistency with the requested map amendment but the Applicant decided to proceed forward on their own against Staff's recommendation.*

Staff finds the integration of land uses in the proposed concept is not consistent with many of the MU-R and existing MU-C policies. The proposed concept plan is more indicative of a commercial development and minimal effort have been made to address mixed use requirements. The following items are additional requirements of the general mixed use designation, the majority of which are not met with the proposed site plan:

In reviewing development applications, the following items will be considered in all Mixed-Use areas, per the Comprehensive Plan (pg. 3-13): *(Staff's analysis in italics)*

- *“A mixed use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”*

~~This is a 33 +/- acre site with only commercial and office uses proposed. This is not a “small” site and additional land use types should be included. Open space areas shown on the project site are disconnected, difficult to access, unsafe (i.e. located in or adjacent to vehicular use areas), and do not support the purpose or intent of a mixed use designation.~~

- ~~“Where appropriate, higher density and/or multi family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH 55, SH 16 or SH 69.”~~

~~The subject project proposes no residential uses. The requested future land use designation does not address the land to the west, which currently contains the same MU-C designation. If approved there would be adjacent properties with different FLUM designations, design standards, and lack of integration.~~

- ~~“Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezoning request, a development agreement will typically be required for developments with a Mixed-Use designation.”~~

~~No master plan was submitted and the property to the west is not considered or integrated into the subject application and concept plan. The property to the west, is walled off, adjacent to loading and mechanical areas of the large and mid box sites, and is connected only by a drive aisle that inadequately addresses safety or connectivity for bikes and pedestrians between the two sites.~~

- ~~“In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”~~

~~No such arrangement is made for any of the commercial or office sites on the submitted site plan. There is no shared space for restaurants, business gatherings, or destination-oriented retail (creating third place and encouraging visitors and customers to spend time), and there is no clustering of office or commercial pad sites to make use of quiet and easily accessible open space. Open space and common area in the proposed site plan are disjointed and pedestrian connectivity is circuitous and indirect.~~

- ~~“The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”~~

~~No transition or transitional uses are provided. The smaller users are located along Meridian Road and the largest proposed users and pad sites with the greatest impacts are located adjacent to multi-family residential planned to the west. The site plan does not integrate other community serving uses close to existing or proposed residential, such as doctors’ offices, flex spaces, a daycare, or smaller office pad sites that do not need as much visibility from the interstate, interchange or Meridian Road.~~

- ~~“Community serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”~~

~~The site plan does not contemplate any community serving uses, or designate space for them to occur in the future.~~

- ~~“Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”~~

~~The proposed site plan includes several areas of open space. However, these areas are in remnant locations or in the middle of a parking area with no integration and difficult/unsafe pedestrian access. No other public or quasi-public spaces are provided in alignment with the purpose and intent of the mixed-use designation.~~

- “Mixed use areas should be centered around spaces that are well designed public and quasi public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”

See above. Uses are commercial islands separated by parking with no central feature or activity area.

- “All mixed use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”

The site plan depicts a vehicular link to the project to the west, however the properties appear to no longer be working together to make this a safe and integrated connection. (Staff did a concurrent pre-application meeting with representatives from both projects and was under the impression they would be submitting plans that were coordinated in accordance with City policy. They have talked and coordinated, but the projects have not been master planned together despite both seeking entitlements for development). The connection to the west is a commercial drive aisle, with no pedestrian accommodation, through the middle of a multi family project that is not suitable for traffic, which will not benefit existing or proposed single family to the west without creating an attractive nuisance.

- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”

The proposed site plan does include a drive aisle located behind the large retail anchor, that in combination with a landscape buffer provides “a” transition to future residential to the west. This however is not the point of the mixed-use transition standards. As shown in the mixed-use general and mixed-use regional comprehensive plan figures (3A and 3D, below), roads are generally used to transition with fronting uses. These roads are intended to both integrate and to transition, and not to simply create a visual or physical barrier which is the antithesis of the purpose and intent of the mixed-use designation.

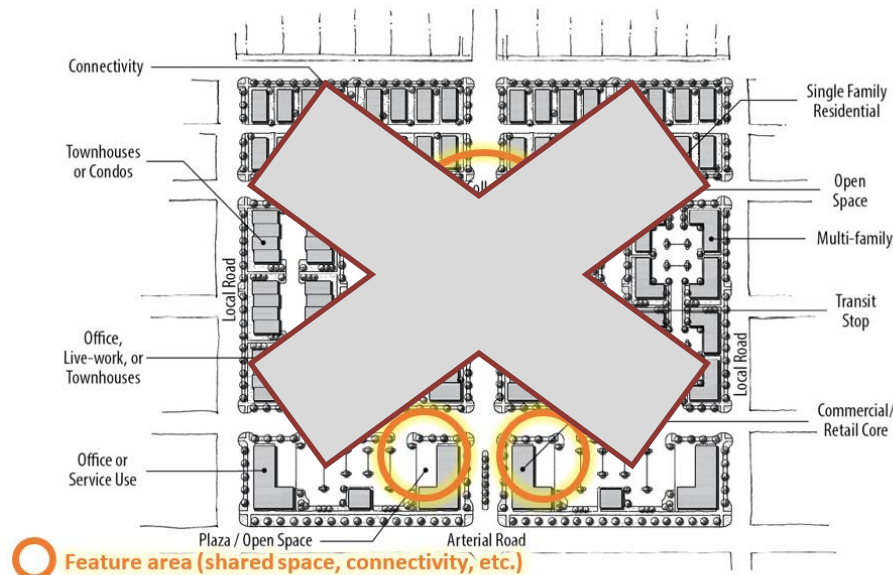


Figure 3A from City of Meridian Comprehensive Plan. Note the focus on roadway frontage that transitions and integrates uses, and the open space amenities both integrated and shared.

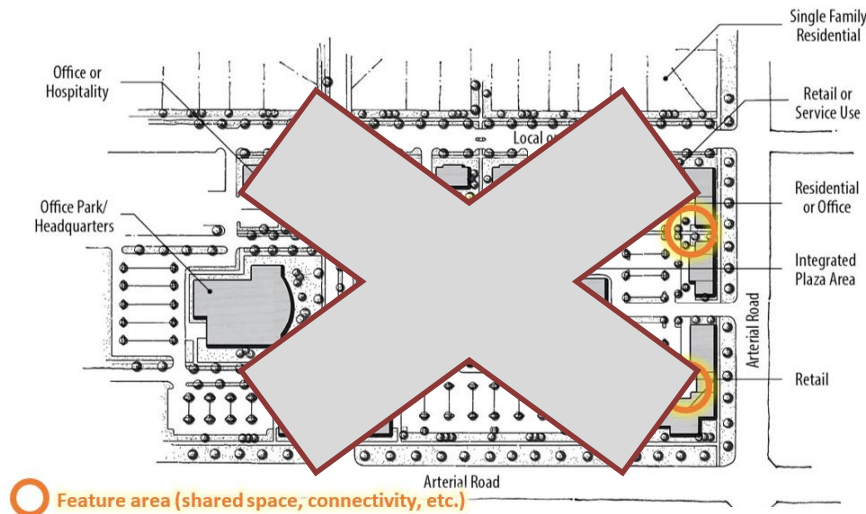


Figure 3D from City of Meridian Comprehensive Plan. Note the special focus on uses with roadway frontage, the unimpeded and direct pedestrian access without traversing frequent parking aisles, the opportunities for a variety of community serving uses (not just high visibility pad sites) and the shared amenity spaces and open space for both the large anchor and smaller pad sites and uses.

In reviewing development applications, the following items will be considered in MU-R areas, per the Comprehensive Plan (pgs. 3-16 thru 3-17):

- Development should generally comply with the general guidelines for development in all Mixed-Use areas.

The project does not comply with the provisions of the general mixed-use areas, either the purpose and intent, or with the most of the specific standards. The subject application requests Mixed Use Regional for a project entirely commercial and without any of the integration required in mixed-use areas. This site and the one to the west are not integrated simply because an access point is provided; secondary access to the west would be required by staff for any modern project in the City. These connections reduce congestion, provide alternatives and redundancy, and to improve quality of life. NOTE: Staff recognizes that the Ten Mile Creek separates these two projects. However, both projects are turning their back to the Creek and not proposing to embrace it as an amenity that ties the project together. While it may be cost prohibitive to have several crossings of the Creek, it is critical that both pedestrian and vehicular crossings exist.

- Residential uses should comprise a minimum of 10% of the development area at gross densities ranging from 6 to 40 units/acre. There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.

No residential is proposed on this site, nor is it entitled on the adjacent property to the west. Staff would not be supportive of residential given the commercial nature and focus (site design and connectivity) of the proposed site plan, now with the lack of integration, access, and safety. Residential planned to the west is not included in the request for a mixed-use regional future land use designation; that area would follow different guidelines (likely making it impossible to meet them), and neither of the proposed projects are integrated into a cohesive design.

- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.

The site is predominately retail with a single office pad. No attempts are made to include or integrate

~~other non-commercial uses.~~

- ~~• Retail commercial uses should comprise a maximum of 50% of the development area.~~

~~The proposed concept is almost entirely retail with no other community serving uses. At previous hearings for the application to the west (i.e. Tanner Creek), the applicant specifically told the City Council that community type services should occur on Waltman to the east; neither application is proposing community serving uses.~~

~~Where the development proposes public and quasi-public uses to support the development, the developer may be eligible for additional area for retail development (beyond the allowed 50%), based on the ratios below:~~

- ~~• For land that is designated for a public use, such as a library or school, the developer is eligible for a 2:1 bonus. That is to say, if there is a one-acre library site planned and dedicated, the project would be eligible for two additional acres of retail development.~~
- ~~• For active open space or passive recreation areas, such as a park, tot lot, or playfield, the developer is eligible for a 2:1 bonus. That is to say, if the park is 10 acres in area, the site would be eligible for 20 additional acres of retail development.~~
- ~~• For plazas that are integrated into a retail project, the developer would be eligible for a 6:1 bonus. Such plazas should provide a focal point (such as a fountain, statue, and water feature), seating areas, and some weather protection. That would mean that by providing a half-acre plaza, the developer would be eligible for three additional acres of retail development.~~

~~— This guideline is not applicable as no such public/quasi-public uses are proposed.~~

Additional Analysis:

As outlined, the proposed project is a commercial development, not mixed use. There are no significant attempts to integrate any of the on-site uses or with any proposed adjacent uses.

Internal Circulation and Pedestrian Access: Some effort has been made to elevate the site plan to support pedestrian safety. Increased sidewalks throughout the parking areas have been provided, unlike commercial strip malls and power centers of decades past. These improvements however really only support and benefit users that arrive to the site via automobile.

The maze of parking spaces and drive aisle crossings is unsafe for users not arriving on the site via car. Pad sites have all been located on the outer edges of the site with pedestrian crossings occurring frequently throughout the interior parking areas. The uses likely most attractive to adjacent residents for repeat trips, are the pad sites along Meridian Road. These have no direct pedestrian access and require meandering through the larger parking area. The primary east-west drive aisle has a nice pedestrian spine, until it abruptly ends at no particular destination (the small retail Pad 2 site). These outer pad sites with drive throughs are not even connected to each other, and there is no perimeter circulation system around the outside of the site instead. Adding more sidewalks to a large parking area and creating token open space that is surrounded by parking with no direct access or unattractive areas (near dumpsters and loading areas) does not further mixed use principles. Increased pedestrian access for auto users arriving to the site is positive, but that would be a standard requirement for any modern commercial project.

Besides circulation and access, the proposed uses are the primary concern. This especially when considering the planned residential development to the west, also features no community serving uses and has no integration with this site. A single drive aisle connection between the two is not integration, and is a baseline requirement for all projects in the City for access, circulation, and safety. Mixed use areas are intended to serve neighboring communities. There are no smaller community serving uses proposed in either project. The project is laid out to attract regional automotive users and generate quick trips, without also providing

locations and uses for residents to benefit. These community services are intended and essential to reduce local trips.

Uses from the subject site require new residents to get into their cars for virtually all trips, and most of that would be funneled down Waltman and through an already problematic and congested intersection. There are no secondary areas for flex uses, arts, daycare, live/work, small office sites for therapists, doctors, dentist, attorneys, or other community services. The 4-story class A office space, is not likely to support most of these uses at an affordable price point given the scale, location, and interstate visibility. The smaller Retail 2 pad site (in the middle) may support some multi-tenant uses, but none of the listed examples are typically attracted to these types of locations given access, circulation, physical building design, and general location.

Site Design: To be considered a mixed-use project, an entire site redesign is very likely required. No small number of changes will resolve the underlying design issues. A large retail anchor could easily be integrated into a mixed-use project, but for this site in this location, it would likely need to be located along the interstate or Meridian Road. This is normal and typical both for sites such as this, and for major retailers, in other suburban areas of the Country. The location as designed prohibits any integration with the adjacent uses to the west, and disallows the potential for any lesser community-serving commercial uses from occupying space along Waltman Lane. Waltman is the ideal location for community-serving uses that do not need and cannot afford the visibility of the interstate and Meridian Road. The site needs to realize better clustering of non-residential uses to frame and benefit relocated open space, and there needs to be significantly re-thought connectivity that prioritizes pedestrians and bicyclists from the adjacent future and existing residential areas. Destination uses, both retail and community services for local residents should be efficient and safe.

The secondary mid-box (larger retail 2 along the interstate) may be difficult to integrate, and likely instead needs the square footage rededicated for better integration of community-serving uses. While office space is also desired, there is a considerable amount of it being constructed elsewhere in the community and could also be rededicated. The large Retail 1 anchor could be easily provided with a central spine access from Waltman if it was relocated with the back facing the interstate. It would have greater visibility, be no less accessible, and allow much better integration for a variety of other uses. The planned residential to the west would also then not be literally walled off by the unattractive side of a large big box, and could make better use of views across the Ten Mile creek. None of the pad sites on Meridian Road need to be lost, though direct access for local bicycle and pedestrian trips should be improved.

Open space provided in the subject layout is wasteful and without significant benefit to future, potential users. Provision of open space is not a checkbox requirement that can be provided and just make a project comply with mixed-use standards. The purpose and intent of mixed-use designations is the context for all specific policy. The space behind the loading docks is unattractive and likely to be a nuisance and CPTED issue. The area surrounded by parking near office pads is a heat island, unsafe, and difficult to access, both for nearby employees and for residents. While the central open space could serve as something of an outdoor market, it does not meet the intent of the mixed-use principles and is poorly located (see above).

Finally, and as previously stated, the site lacks integrated design features for users to leisure and remain. There are no elements of destination regional, no places designed for business visits and outdoor meetings to happen, or for users to visitors to simply 'stay' and enjoy services with synergies. The site plan is standard highway commercial, designed to usher in as many vehicles as possible, and then to get them out as quickly out after.

TRANSPORTATION:

Access is proposed via three (3) driveways to/from Waltman Lane, a local street, at the project's north boundary. ACHD's Master Street Map (MSM) designates Waltman Ln. abutting this site as a collector street. Improvements are required to Waltman Ln., including reconstruction of the bridge over the Ten Mile Creek.

west of this site with the Tanner Creek project. Improvements to the section of Waltman that abuts this site will be determined by ACHD with a future development application since this only an annexation request.

The extension of Corporate Drive to the northwest of this site, designated as a collector street on the MSM, including construction of a bridge over the Ten Mile Creek from the north to Waltman Lane, is proposed to be completed with the first phase of development of the Tanner Creek project prior to issuance of building permits.

If the Tanner Creek project doesn't go forward and complete the improvement to Waltman Ln. and Corporate Dr. as planned, Staff recommends these improvements are completed by this developer through a Cooperative Development Agreement (CDA) with ACHD, as follows:

- Extend Corporate Dr. off-site from its current terminus north of Ten Mile Creek to Waltman Ln. and construct a new bridge over the Ten Mile Creek, within existing ROW. The roadway north of the bridge should be constructed as a 40-foot wide commercial street section with vertical curb, gutter and 5-foot wide concrete sidewalk. The crossing of Ten Mile Creek will require a 58-foot wide bridge with 2-foot parapets. **Staff recommends the roadway south of the bridge to Waltman Lane is constructed as a complete street section with detached 10-foot wide multi-use pathways along both sides of the street.** These improvements should occur with the first phase of development and should be complete prior to issuance of any Certificate of Occupancy for the site..
- Construct Waltman Lane as ½ of a 36-foot wide street section with curb, gutter, an 8-foot wide planter strip/parkway and a 10-foot wide detached sidewalk within 29-feet of right-of-way (ROW) from centerline with 7-feet of the sidewalk located outside of the dedicated ROW abutting the site. All improvements are proposed to be constructed south of the existing edge of pavement for Waltman Ln., shifting the centerline 8-feet south to the south. ACHD is requiring the Applicant to construct the north side of Waltman with a minimum of 12-feet of pavement from centerline, a 3-foot wide gravel shoulder and a borrow ditch to accommodate the roadway storm run-off. Center turn lanes are required to be constructed on Waltman Ln. if determined necessary by ACHD. The improvements to Waltman Ln. will require reconstruction of the existing bridge over the Ten Mile Creek as a full 36-foot street section with curb and 5-foot wide attached concrete sidewalks. This will require a 54-foot wide bridge with 2-foot parapets. These improvements should be completed as required by ACHD and shall occur with the first phase of development and be complete prior to issuance of any Certificate of Occupancy for the site.

The proposed commercial development is estimated to generate 10,891 vehicle trips per day (VTD) (950 vehicle trips per hour in the PM peak hour). Based on the findings of the Traffic Impact Study (TIS) for the proposed project, which included the Tanner Creek project, the Meridian Rd./Waltman Ln. intersection would exceed ACHD's Acceptable Level of Service thresholds. With previous development applications for the Tanner Creek property, ACHD did not recommend any mitigation at the intersection due to right-of-way (ROW) constraints, impacts to existing businesses, and substantial intersection redesign and construction, making the recommended mitigation infeasible.

A [letter](#) prepared by Six Mile Engineering, dated 1/23/23, in response to comments and feedback during the City Council hearing for this project, was submitted to ACHD proposing phased alternative improvements at the Meridian Rd./Waltman Ln. intersection to address traffic impacts from these developments. A three-phase concept design was proposed in which the first two designs did not require any additional ROW dedication and the final phase did. ACHD reviewed their proposal and does not recommend any modifications to the intersection as under all concept designs, these modifications would negatively impact existing operations of both the interchange and ramps. ACHD's concerns also extended to the impacts the proposed modifications would have to the Central Dr. and Corporate Dr. intersections at Main St. and Progress Ave. While the proposed improvements may benefit both of these proposed developments in the short-term, they'll likely negatively impact the already congested area roadways and intersections. These

improvements without significant widening increase corridor travel times and interchange queue lengths, further compounding existing congestion in this area. ACHD believes there are other alternatives that may be considered such as converting Central Dr./Waltman Ln. and Corporate Dr. to a one-way couplet, which is anticipated to reduce both queue lengths and the impacts to the Meridian Rd. and the I-84 interchange system (see ACHD's [letter](#) for more information).

The construction of the Linder Road overpass (3/4 mile to the west), scheduled in ACHD's IFYWP for construction in 2026-2027, should greatly improve traffic conditions on Meridian Rd. by providing another north/south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not, consideration should be given to the inclusion of a provision in the Development Agreement, which limits development to the large retail (Retail 1) store at this time and delays the Retail 2 building and Pads 3 and 4 until such time as the Linder Road overpass is completed or other area improvements occur that allow for an acceptable level of service to be provided, as determined by ACHD.

TRANSPORTATION FOCUS – EXISTING TRANSPORTATION NETWORK CONCERNS

Staff and ACHD have concerns with the ability of the existing transportation network to support the proposed development. It should be noted that a [Traffic Impact Study](#) (TIS) was not prepared or submitted for the subject project; a [memo](#) with additional information was also submitted. There are already signal timing issues at the Waltman and Meridian intersection and this development will add to the wait times and congestion.

- Northbound Left Turn from Meridian Road: There is inadequate storage for northbound left turns into the project site, onto Waltman. A dual left-turn is likely needed in this location, even with community uses occurring here, let alone regional serving uses. Further, a single left-turn lane requires longer green light time to provide the needed access for major big box retailer, mid box, and several drive throughs, ironically each rivaling the stacking capacity of this turn lane.
- Southbound Right Turn from Waltman Lane onto Meridian Road: There is inadequate southbound right turn lane capacity for all return trips originating from either the interstate or south side of the interstate. While not a direct correlation to signal timing and capacity, each retail pad site can accommodate more cars than this lane without blocking the proposed full turn access on Waltman, nearest to Meridian Road. There are multiple proposed high traffic generating pad sites, never mind the large retail anchor and variety of other pad sites.

The existing Meridian/Waltman intersection is made of concrete and rebar, and exceptionally complex in design. Reconfiguring the intersection to add additional travel lanes would not only eat into the proposed concept plan, which is not shown (but may support some transportation expansion), but would also need to contend with improvements that will affect intersection alignment, grading, and drainage. The southbound turn lane north of McDonalds for example, already has an exceptionally wide, partially obscured, and very awkward turning arc. Additional northbound left turn lanes onto Waltman from this light will compound existing deficiencies. Islands and signals may also need to be reset, but this project should not seek to benefit at the expense of the community identity without making equivalent or better improvements to wayfinding and community identity. This all remains unknown, and is without commitments. The very large intersection is softened substantially by the existing landscaping, and that should continue with development of this site. Anything can be engineered, but understanding the impacts of the entire area developed and operating at the worst part of the day, where traffic flow is already compromised through several intersection lights, is essential. The Meridian/Waltman intersection was not designed to accommodate the proposed impacts, in the existing conditions and with the single point urban interchange (SPUI). Timing will be further complicated by the proximity of the existing lights at Meridian and the SPUI, of existing conditions where vehicles already stack through these adjacent signals and block other directions of travel, and which is further

complicated by the proximity of the Overland intersection which imposes significant restrictions on traffic operations through this area.

Other Transportation Concerns: No frontage roads are provided to integrate the parcels in this area. All traffic, local and regional, is focused onto Waltman. A robust local network should integrate with a planned north-south Corporate Drive extension and not require east-west travel on Waltman exclusively. The east-west drive aisle proposed with this project, crossing through the middle of a planned private multi-family development, is not designed to safely accommodate higher volume through traffic. Further, if this connection exists, the planned multi-family project on the west should not have back-out parking, should have wide detached sidewalk to accommodate bicyclists and pedestrians, and the buildings should include greater buffers from the roadway.

Speculative Entitlement: Staff believes that amending the Future Land Use Map as proposed, given the existing status of speculative development is unwise. It is not clear if one or both of the projects tentatively proposed for the “Waltman area” can reasonably afford or engineer improvements that adequately compensate for their impacts. Projects for the entire adopted Mixed Use Community area need to have completed traffic impact studies, have been fully reviewed, and have considered improvements that adequately address the aggregated impacts of projects for the larger area. This is not possible when neither project has a solid and cohesive master plan, when both may still change dramatically, and when they are being reviewed and considered independently. The subject site is exceptionally unique in the Treasure Valley, not just for opportunity, but also impacts.

It is essential that analysis by both the Idaho Transportation Department and the Ada County Highway District be fully and thoroughly reviewed, and that Commission and City Council be able to consider the full array of both land use and transportation impacts before making a decision. **Considering approvals in silos, either iteratively through subsequent requests by different projects, or by multiple agencies in different stages of review, may cause irreparable harm to the City’s flagship and namesake interchange and entryway into the City. There should be lingering or unanswered questions, and nothing left to chance or change later given the importance of this area.**

Master Street Map (MSM): The MSM depicts W. Waltman Ln. and W. Corporate Dr. to the north, which is planned to be extended across the Ten Mile Creek to Waltman, as commercial collector streets but does not depict any collector streets across this property.

Note: ACHD has submitted [comments](#) based on their preliminary review of the TIS, which may be considered with the future development application (see Section IX.I for more information).

VI. STAFF ANALYSIS

A. COMPREHENSIVE PLAN MAP AMENDMENT (CPAM)

Based on the analysis above in Section V, Staff finds the proposed development plan is generally consistent with the requested FLUM designation of Commercial for this site and the requested designation of MHDR for the adjacent property to the west (Tanner Creek) and is compatible with adjacent existing and future land uses. Further, the proposed FLUM designations provide for a better transition in uses from existing and future residential uses to the west and northwest and are compatible with adjacent FLUM designations in this area. **Note: If the proposed amendment to the FLUM is not approved, Staff finds the proposed development is not consistent with the existing MU-C FLUM designation for the reasons noted above.** See above analysis in Section V for more information.

B. ANNEXATION (AZ)

The Applicant proposes to annex 18.30-acres of land with a C-G (General Retail and Service Commercial) zoning district consistent with the proposed FLUM amendment to ~~MU-R~~ Commercial. The

subject property is part of an enclave area surrounded by City annexed property. A legal description and exhibit map for the annexation area is included in Section VIII.B.

~~The proposed C-G zoning district is consistent with both the existing FLUM designation of MU-C and the proposed FLUM designation of MU-R.~~

A revised conceptual development plan was submitted as shown in Section VIII.C that depicts how the property proposed to be annexed, as well as the area currently zoned C-G, is planned to develop with two (2) big box retail stores ~~and a junior anchor retail space~~ [Retail 1 (130,000-150,000 153,300 square feet (s.f.)) & Retail 2 (80,000-80,500+/- s.f.), ~~Retail 3/Lot 2 (20,000-30,000 s.f.)~~], ~~3 out-~~ 4 pads, ~~including 2 with drive-through's, and a 4-story 80,000 square foot office building~~ 5 shops. The area shown on the concept plan on the bottom (south) portion of the development area (delineated by a red line) is the portion of the site currently in Ada County proposed to be annexed; the area on the top (north) portion of the development area is the portion of the site currently in the City. The portion of the site currently in the City is entitled to develop subject to UDC [Table 11-2B-2](#) Allowed Uses in the Commercial Districts, regardless of whether or not the proposed annexation is approved, as there is not a Development Agreement in effect for that property.

As proposed by the Developer in the updated application narrative, a minimum of 10% of the total building square footage for the site will be reserved for non-retail commercial uses that may include such uses as office, clean industry, entertainment, hospitality/hotel, fitness and/ or recreation, personal services, non drive-through restaurants, health care, daycare, finance and/or banking, and educational and/or training uses.

The conceptual development plan depicts a future VRT bus stop at the northeast corner of the site along Meridian Rd., an arterial street. **For safety reasons and for better accessibility from the proposed residential development to the west, Staff recommends it's relocated off the arterial street to the plaza area at Shop 1 or another location acceptable to VRT.**

A vehicular connection/stub is not depicted on the revised concept plan to the property to the west for future extension across the Ten Mile creek and interconnectivity. only a pedestrian pathway is proposed. **Staff recommends a driveway is provided (alongside the proposed pathway) in accord with UDC 11-3A-3A.2, which supports limiting access points to collector streets and requires a cross-access/ingress-egress easement to be granted to adjoining properties where access to a local street is not available, unless otherwise waived by City Council.** The Applicant has submitted an emergency access easement agreement with the property owner to the west for secondary emergency access to Ruddy Dr. and Waltman Ln. At no time should construction traffic associated with the development of this site be allowed to access this site using Ruddy Dr. through The Landing and Tanner Creek Subdivisions.

A 10-foot wide pedestrian pathway exists along Meridian Rd. adjacent to the site. **In accord with the Pathways Master Plan, a detached 10-foot wide multi-use pathway should be provided within the street buffer along Waltman Ln.; and a 10-foot wide multi-use pathway shall be provided east/west through the site with connections to the pathways along Waltman Ln. and Meridian Rd. and internal pedestrian walkways. The Applicant should coordinate the location of the pathway through the site with the Park's Department. A 14-foot wide public pedestrian easement is required for the multi-use pathways; a recorded copy of such should be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for the development. Internal pedestrian walkways should be a minimum of 5-feet wide and should be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19.**

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure the site develops as proposed with this application, staff**

recommends the provisions discussed above are included in a DA for the subject property. The entire property depicted on the conceptual development plan in Section VIII.C shall be governed by the DA as agreed upon by the Applicant. A legal description for the boundary of the property subject to the DA is included in Section VIII.G. Future development of the property should be generally consistent with the conceptual development plan in Section VIII.C. The Applicant requests flexibility in the general configuration and size of the building footprints and orientation, plaza areas and parking on the site with an allowance for up to 20% change in square footages of buildings.

~~As noted above in Section V, mixed use designated areas should include at least three (3) types of land uses. The proposed conceptual development plan for the annexation area (and larger area) only includes two (2) land use types—commercial retail and office. Although residential land uses are *planned* to develop on the adjacent property to the west, the property is currently entitled to develop solely with commercial uses; the previous residential development proposed for that property was denied (i.e. Tanner Creek). Reasons for denial included Council’s determination that the sole residential use of the property was not consistent with the MU-C designation because a mix of uses wasn’t proposed and they didn’t want to burden this property with providing only the non-residential component of the mix of uses desired for this area. Hence, Staff’s recommendation for this property and the adjacent property to the west to come in for review concurrently in order to ensure the overall development is consistent with the development guidelines in the Comprehensive Plan for the mixed-use designation.~~

~~In accord with Staff’s analysis above, the proposed development is *not* consistent with the general mixed-use development guidelines, the existing MU-C or the proposed MU-R guidelines. Therefore, Staff is *not* in support of the requested annexation with the conceptual development plan proposed due to its inconsistency with the Comprehensive Plan.~~

~~As recommended in the pre-application meetings for this property and the adjacent property to the west, Staff recommends development applications are submitted concurrently for these properties with a master plan for the overall area that demonstrates consistency with the guidelines in the Comprehensive Plan for mixed-use developments and specifically the MU-C designation or an alternate designation if proposed. Alternatively, if submitted separately, the development plan for each property should demonstrate consistency with the Plan on its own merits. The TIS should also be updated to take into consideration the development impacts of both properties and the necessary road and intersection improvements needed in this area in order for the street network to function sufficiently with the intensity of development proposed.~~

VII. DECISION

A. Staff:

Staff recommends ~~denial~~ approval of the proposed amendment to the Future Land Use Map (FLUM) and the proposed annexation per the updated analysis above in Sections V and VI and the Findings in Section X. If City Council does *not* approve the requested amendment to the FLUM, Staff recommends denial of the annexation request based on incompatibility of the proposed development with the existing MU-C FLUM designation.

B. The Meridian Planning & Zoning Commission heard these items on April 28, 2022. At the public hearing, the Commission moved to recommend denial of the subject CPAM and AZ requests.

1. Summary of Commission public hearing:

- a. In favor: Ethan Mansfield, Hawkins Companies; Matt Schultz, Representative for Tanner Creek (to the west)
- b. In opposition: Kelsi Lorcher, Joe Lorcher
- c. Commenting: Clair Manning, Nona Haddock
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen

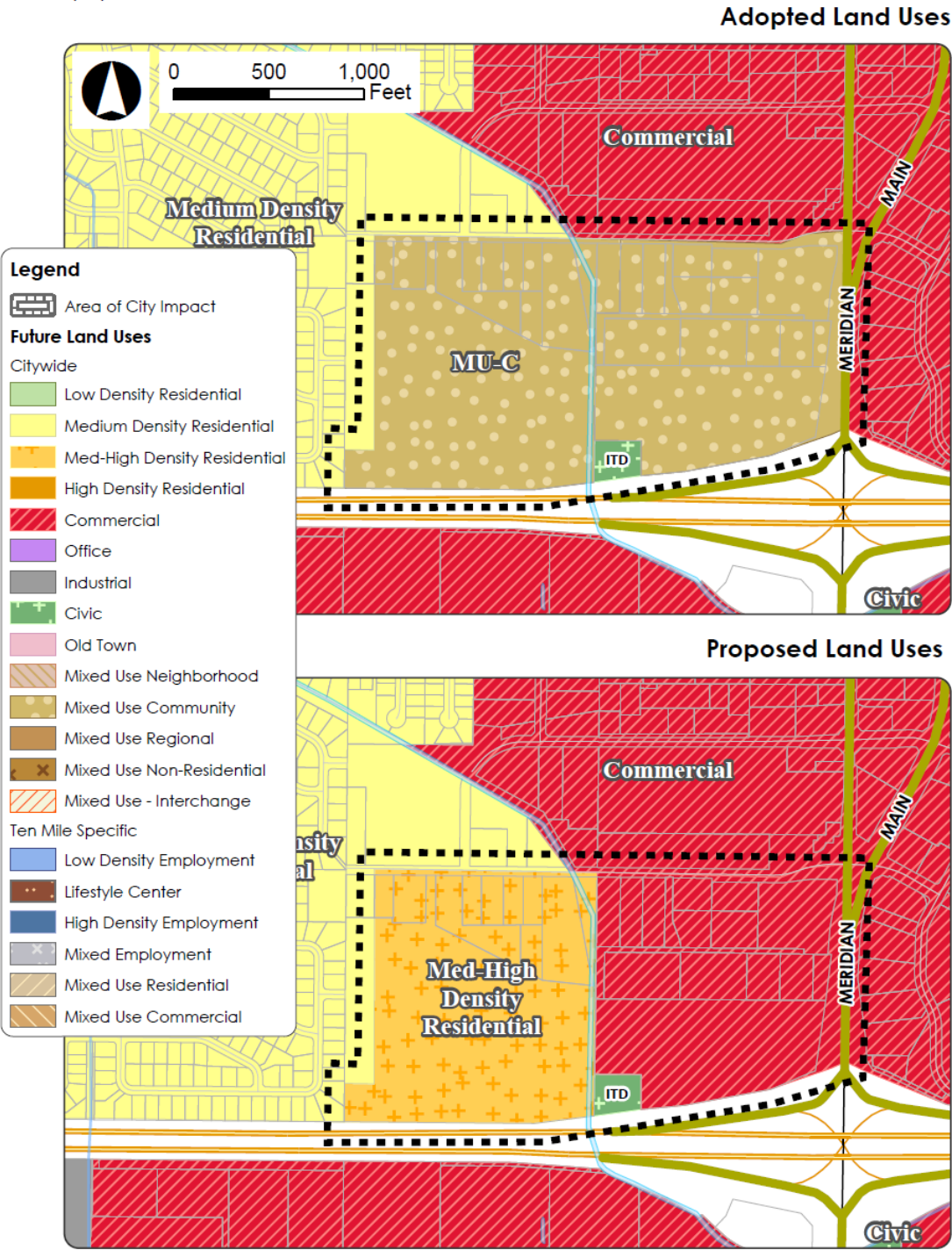
- f. Other Staff commenting on application: Bill Parsons
 - 2. Key issue(s) of public testimony:
 - a. Public testimony in agreement with Staff's recommendation of denial due to not having a Master Plan with the Tanner Creek development to the west;
 - b. Concern pertaining to impacts on traffic in the area from the proposed development;
 - c. Testimony from the Tanner Creek developer's representative that they're in favor of the proposed development and intend to re-submit a residential development plan for the property to the west once ACHD has accepted their Traffic Impact Study (TIS).
 - 3. Key issue(s) of discussion by Commission:
 - a. Concern pertaining to the impact on traffic in this area if the proposed development plan is approved;
 - b. Desire to have the TIS reviewed & accepted by ACHD for the overall development area in order to know the impacts and transportation improvement requirements for the development;
 - c. Consistency of the proposed development plan with the Comprehensive Plan.
 - 4. Commission change(s) to Staff recommendation:
 - a. None (Commission recommended denial based on their belief the requested use is not consistent with the general mixed use development guidelines, the existing MU-C guidelines or the proposed MU-R guidelines; also need a Traffic Impact Study.)
 - 5. Outstanding issue(s) for City Council:
 - a. None
- C. The Meridian City Council heard these items on June 14, 2022. At the public hearing, the Council moved to remand the subject CPAM and AZ requests back to the Commission.
- 1. Summary of the City Council public hearing:
 - a. In favor: Ethan Mansfield, Hawkins Companies; Matt Schultz, Representative for the Tanner Creek development to the west.
 - b. In opposition: Joe Lorcher, Kelsi Lorcher, Clair Manning; William Kissinger; Joey Lorcher
 - c. Commenting: Mike Swenson; Kristy Inselman, ACHD
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. Concern pertaining to traffic impact on the Meridian/Waltman intersection from the proposed development;
 - b. Against the intensity of uses proposed with the MU-R FLUM designation and resulting traffic in this area and at the Meridian/Waltman intersection;
 - c. Desire for a true mixed use project to be developed on this site as opposed to an entirely commercial development.
 - 3. Key issue(s) of discussion by City Council:
 - a. Preference for this property and the abutting property to the west to come in together or concurrently with a master plan for the overall area that demonstrates consistency with the existing or proposed FLUM designation;
 - b. Desire for the transportation issues to be addressed before a development plan is approved;
 - c. Desire for changes to be made to the concept plan to be more consistent with the general mixed use guidelines and specifically the requested MU-R designation.
 - 4. City Council change(s) to Commission recommendation:

- a. Council voted to remand this application back to the Commission for review of anticipated changes to the concept plan to be more consistent with the general mixed use guidelines and specifically the requested MU-R guidelines; and so that a master plan can be reviewed for this property and the Tanner Creek property concurrently.
- D. The Meridian Planning & Zoning Commission heard these items on (continued from October 19, 2023) November 2, 2023. At the public hearing, the Commission moved to recommend approval of the subject CPAM and AZ requests.
 - 1. Summary of Commission public hearing:
 - a. In favor: Ethan Mansfield, Hawkins Companies; Leah Kelsey, Six Mile Engineering
 - b. In opposition: Kelsi Lorcher, Joe Lorcher, Joey Lorcher
 - c. Commenting: Clair Manning
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. Against project due to the impact on traffic in this area from this development and the extension of Ruddy Dr.
 - b. Concerned pertaining to the safety of area residents with the traffic that will be generated from this development and the residential development to the west when Ruddy is extended to Waltman Ln.
 - 3. Key issue(s) of discussion by Commission:
 - a. The Applicant's request to *not* be required to provide a vehicular connection to the west across the Ten Mile Creek to the adjacent residential development.
 - b. The Applicant's request to *not* construct a driveway access to the out-parcel at the northwest corner of this site at this time.
 - 4. Commission change(s) to Staff recommendation:
 - a. At Staff's request, modify DA provision #A.1(i) to require the extension of Corporate Dr. to be constructed *as required* by ACHD.
 - b. The Commission is in support of Council granting a waiver to UDC 11-3A-3, which requires vehicular connectivity between the two projects via a cross-access easement, to not require a connection (DA provision #IX.A1c).
 - c. Modify the requirement for a cross-access easement and driveway to be provided to the outparcel (Parcel #S1213417320) to only require an easement at this time. The easement should grant consent to the owner/developer of the out-parcel to construct the driveway on the subject property in the future at the time of development. (DA provision #A.1d).
 - 5. Outstanding issue(s) for City Council:
 - a. None

VIII. EXHIBITS

A. Future Land Use Map – Adopted & Proposed Land Uses (Amended)

Date: 10/12/2023



B. Annexation Legal Description and Exhibit Map



February 4, 2022
Project No.: 20-176
I-84/Meridian Road

Exhibit A Legal Description for Annexation and Rezone to C-G

A parcel of land being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 3 North, Range 1 West, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at a brass cap marking the East 1/4 corner of said Section 13, which bears S89°26'10"E a distance of 2,642.64 feet from a 5/8-inch rebar marking the Center 1/4 corner of said Section 13, thence following the easterly line of the Southeast 1/4 of said Section 13, S01°01'43"W a distance of 420.62 feet to the **POINT OF BEGINNING**.

Thence following said easterly line, S01°01'43"W a distance of 614.71 feet to the boundary of the City of Meridian per ordinance number 341, also known as South Gate Annexation, dated May 7, 1979;

1. Thence leaving said easterly line and following said boundary the following five (5) courses:
N88°58'17"W a distance of 96.37 feet;
2. S71°02'14"W a distance of 373.86 feet;
3. S74°40'17"W a distance of 471.15 feet;
4. S83°28'13"W a distance of 332.84 feet;
5. N89°34'12"W a distance of 85.20 feet to the westerly line of said Northeast 1/4 of the Southeast 1/4;

Thence leaving said boundary and following said westerly line, N00°43'22"E a distance of 664.99 feet to a 5/8-inch rebar;

Thence leaving said westerly line, S89°32'05"E a distance of 968.55 feet to a 5/8-inch rebar;

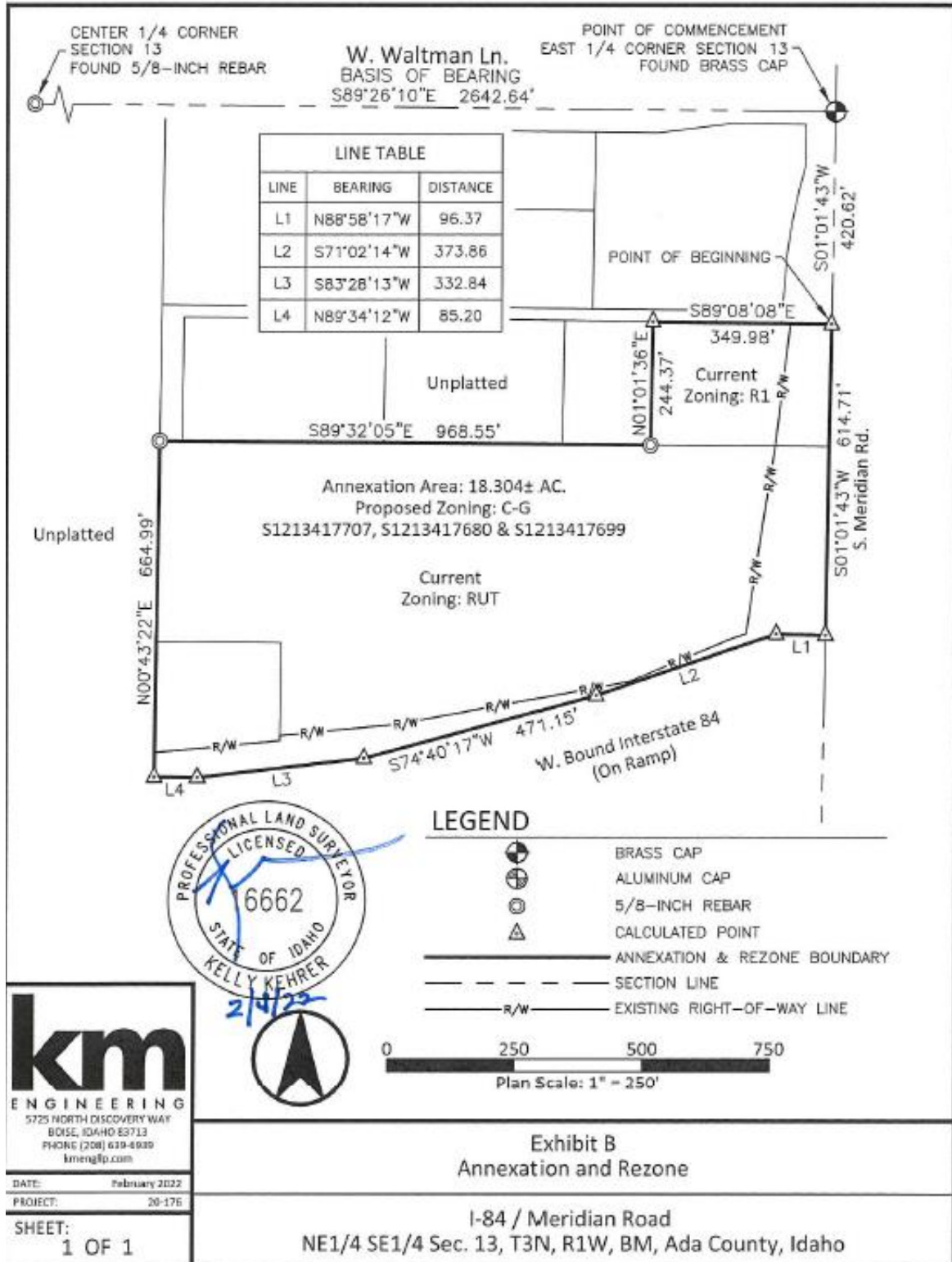
Thence N01°01'36"E a distance of 244.37 feet;

Thence S89°08'08"E a distance of 349.98 feet to the **POINT OF BEGINNING**.

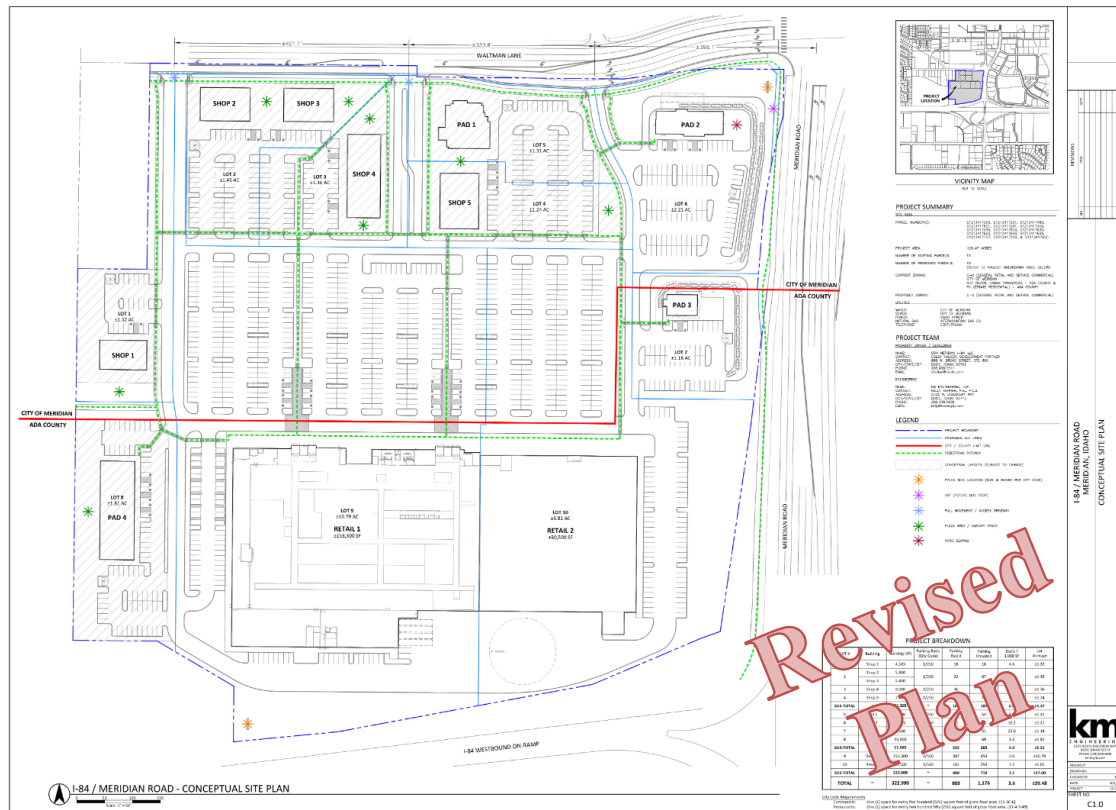
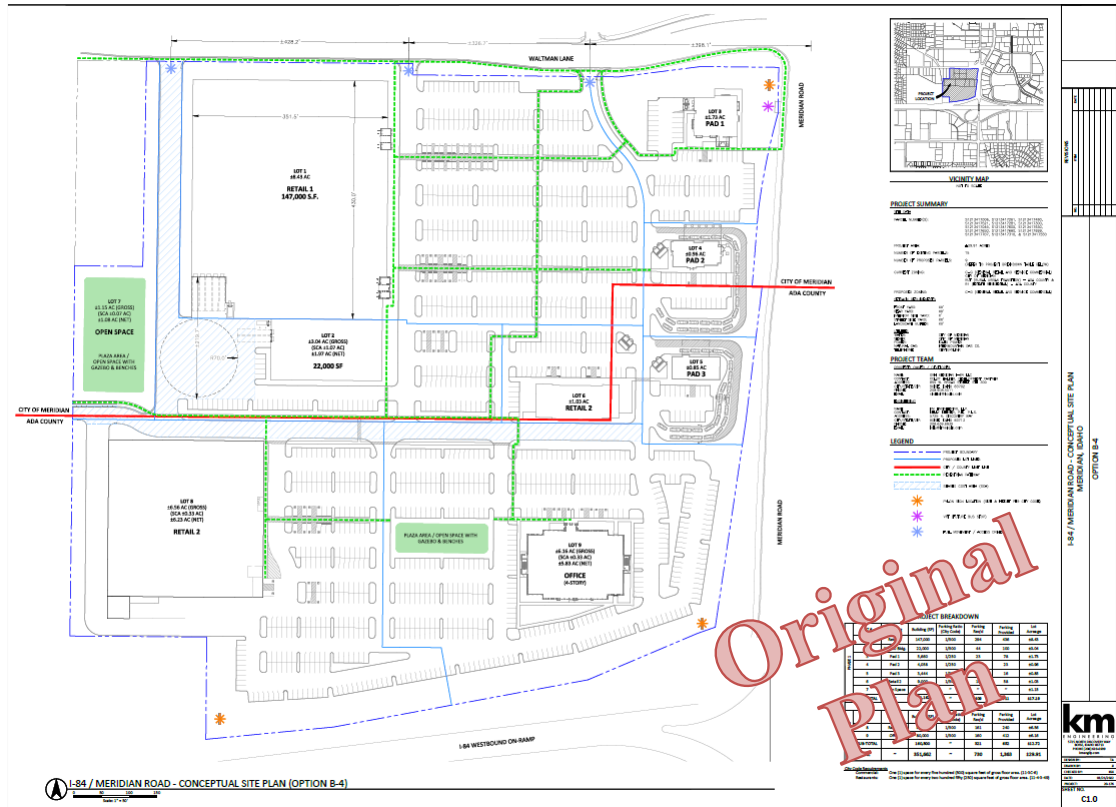
Said parcel contains a total of 18.304 acres, more or less.

Attached hereto is Exhibit B and by this reference is made a part hereof.





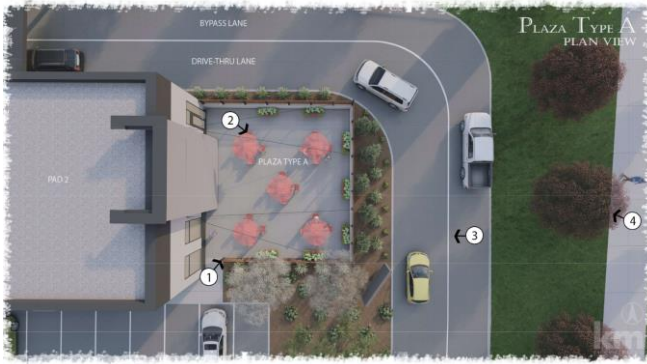
C. Conceptual Development Plan (REVISED) & Renderings



I-84 MERIDIAN DEVELOPMENT

CONCEPTUAL, SUBJECT TO CHANGE

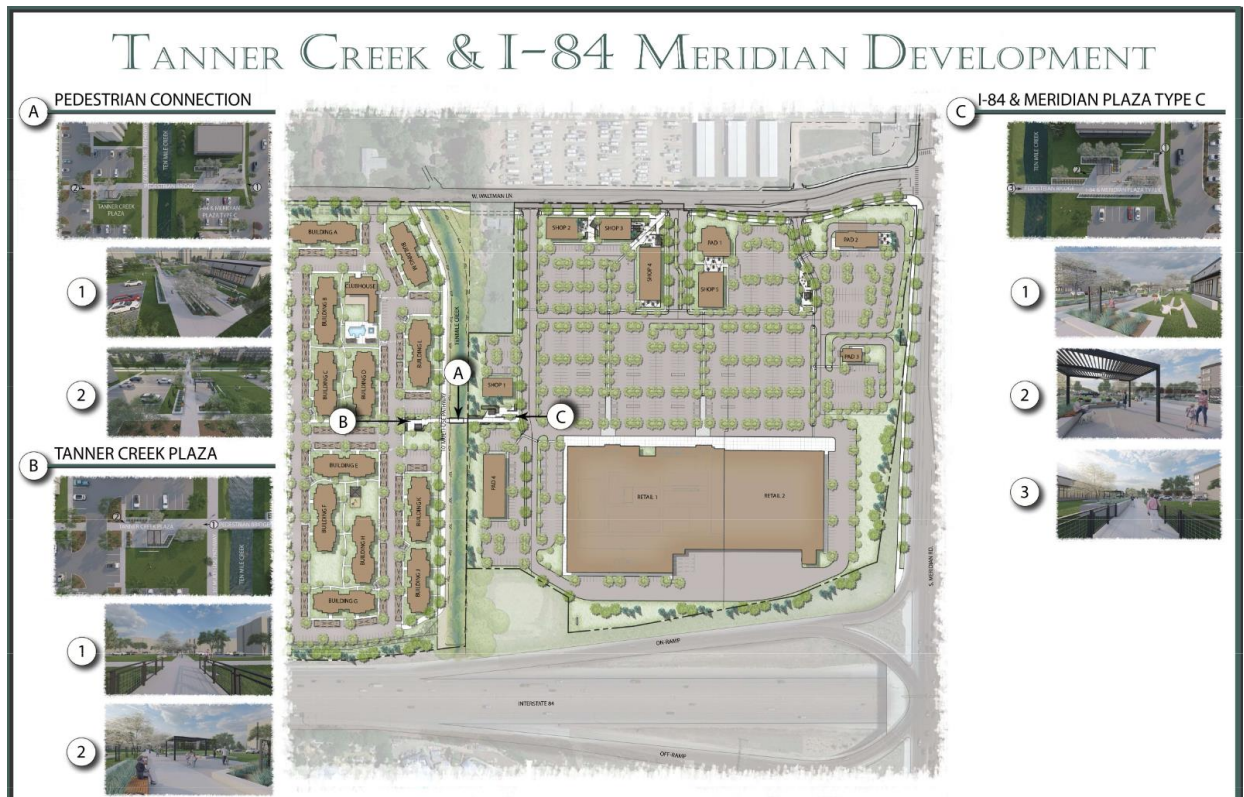




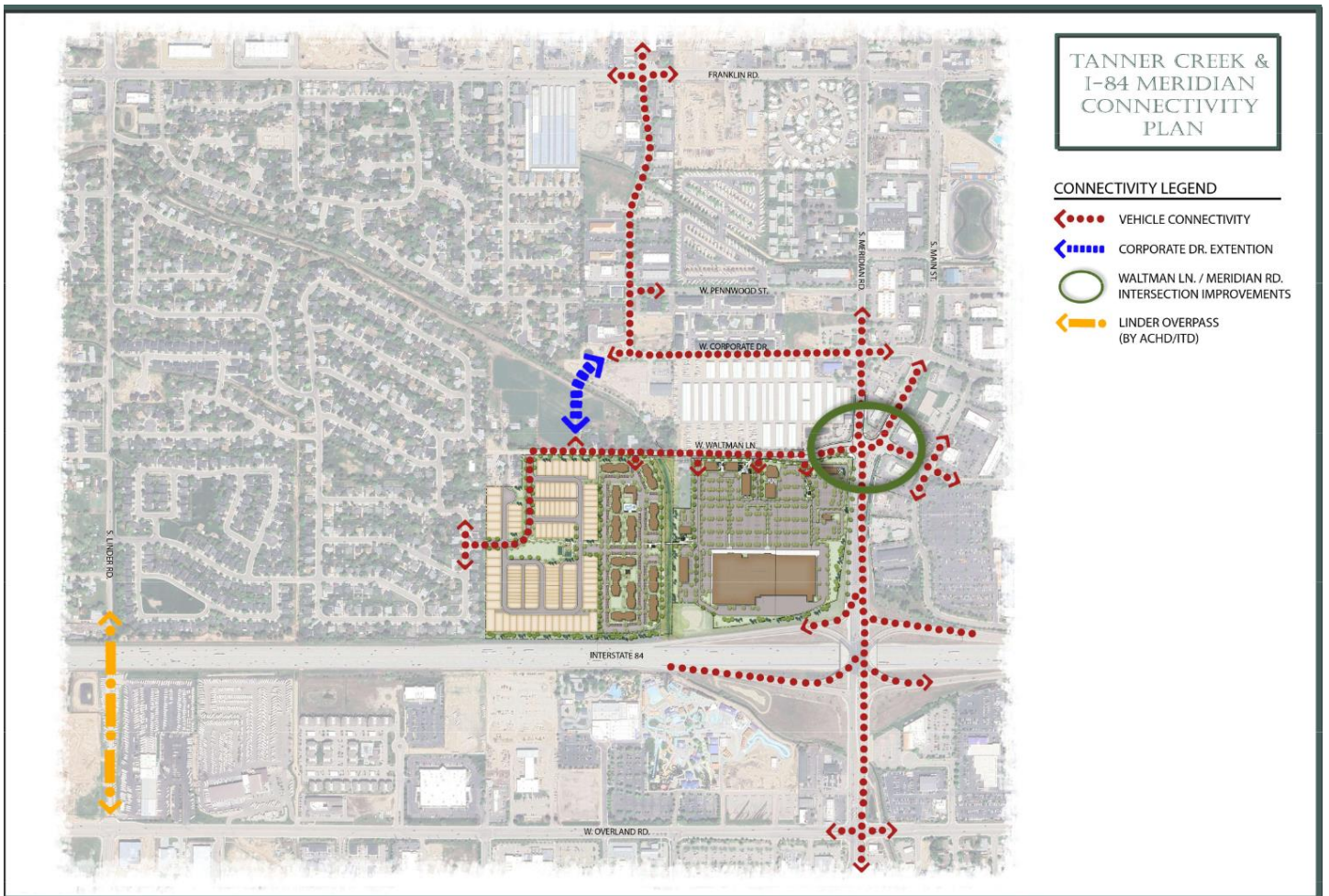




D. Tanner Creek and I-84 & Meridian Road Conceptual Development Plan



E. Vehicular Connectivity Plan



F. Pedestrian Circulation Plan



G. Legal Description & Exhibit Map for Property Subject to the Development Agreement - *forthcoming*

IX. CITY/AGENCY COMMENTS

A. PLANNING DIVISION

~~The Planning Division has no conditions on this application because the recommendation is for denial. If the Commission and/or City Council deems the application appropriate for approval, the project should be continued to a subsequent hearing in order for Staff to prepare conditions and Findings for approval.~~

1. A Development Agreement (DA) shall be required as a provision of annexation of the subject property. The DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council approval of the Findings of Fact, Conclusions of Law and Decision & Order for the Annexation request. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual development plan, renderings, pedestrian circulation plan and vehicular connectivity plan, included in Section VIII and the provisions contained herein. Flexibility in the general configuration and size of the building footprints and orientation, plaza areas and parking on the site shall be allowed with an allowance for up to 20% change in square footages of buildings.
 - b. As proposed by the Developer, a minimum of 10% of the total building square footage for the site shall be reserved for non-retail commercial uses that may include such uses as office, clean industry, entertainment, hospitality/hotel, fitness and/ or recreation, personal services, non drive-through restaurants, health care, daycare, finance and/or banking, and educational and/or training uses.
 - c. A vehicular connection/driveway shall be provided to the west boundary (alongside the pedestrian pathway) of the site for interconnectivity in accord with UDC 11-3A-3A.2, unless otherwise waived by City Council. A cross-access/ingress-egress easement shall be granted to the adjacent property to the west and a recorded copy of the easement submitted to the Planning Division with the first Certificate of Zoning Compliance application for the site.
 - d. A vehicular ~~driveway~~ and cross-access/ingress-egress easement shall be provided to the out-parcel (Parcel #S1213417320) at the northwest corner of the site and a recorded copy of the easement submitted to the Planning Division with the first Certificate of Zoning Compliance application for the site. The easement shall grant consent to the owner/developer of the out-parcel to construct the driveway on the subject property at the time of development.
 - e. A detached 10-foot wide multi-use pathway shall be provided within the street buffer along Waltman Ln.; and a 10-foot wide multi-use pathway shall be provided east/west through the site in accord with the Pathways Master Plan with connections to the pathways along Waltman Ln. and Meridian Rd. and internal pedestrian walkways. Coordinate the location of the pathway through the site with the Park's Department. A 14-foot wide public pedestrian easement shall be required for the multi-use pathways if located outside the public right-of-way; a recorded copy of such shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for the development.
 - f. Internal pedestrian walkways shall be a minimum of 5-feet wide and shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19.
 - g. A bus stop should be provided in the plaza area near Shop 1 or an alternate location acceptable to Valley Regional Transit (VRT).
 - h. At no time shall construction traffic associated with the development of this site be allowed to access this site using Ruddy Dr. through The Landing and Tanner Creek Subdivisions.

- i. If the improvements to Waltman Ln. and Corporate Dr. aren't completed by the developer of the project (Tanner Creek) to the west as planned, these improvements shall be completed by this developer through a Cooperative Development Agreement (CDA) with ACHD, as follows:
- Extend Corporate Dr. off-site from its current terminus north of Ten Mile Creek to Waltman Ln. and construct a new bridge over the Ten Mile Creek, within existing ROW. The roadway north of the bridge should be constructed as a 40-foot wide commercial street section with vertical curb, gutter and 5-foot wide concrete sidewalk. The crossing of Ten Mile Creek will require a 58-foot wide bridge with 2-foot parapets. The roadway south of the bridge to Waltman Lane shall be constructed as a complete street section with detached 10-foot wide multi-use pathways along both sides of the street as required by ACHD. These improvements shall occur with the first phase of development and shall be complete prior to issuance of any Certificate of Occupancy for the site.
 - Construct Waltman Lane as ½ of a 36-foot wide street section with curb, gutter, an 8-foot wide planter strip/parkway and a 10-foot wide detached sidewalk within 29-feet of right-of-way (ROW) from centerline with 7-feet of the sidewalk located outside of the dedicated ROW abutting the site. All improvements shall be constructed south of the existing edge of pavement for Waltman Ln., shifting the centerline 8-feet south to the south. The north side of Waltman shall be constructed with a minimum of 12-feet of pavement from centerline, a 3-foot wide gravel shoulder and a borrow ditch to accommodate the roadway storm run-off. Center turn lanes shall be constructed on Waltman Ln. if determined necessary by ACHD. The improvements to Waltman Ln. shall include reconstruction of the existing bridge over the Ten Mile Creek as a full 36-foot street section with curb and 5-foot wide attached concrete sidewalks. This will require a 54-foot wide bridge with 2-foot parapets. These improvements shall be completed as required by ACHD and shall occur with the first phase of development and be complete prior to issuance of any Certificate of Occupancy for the site.

B. PUBLIC WORKS

Site Specific Comments

1. No Public Works infrastructure was provided as part of this submittal, any changes must be approved by Public Works.
2. Water main must connect to the existing main in Waltman Lane at two locations.
3. Provide a water main connection to the west.
4. Ensure no permanent structures are built within a utility easement including but not limited to tree, shrubs, buildings, carports, trash enclosures, infiltration trenches, light poles, etc.).
5. Ensure no sewer services pass through infiltration trenches.

General Comments

6. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
7. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.

8. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD.
9. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
10. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
11. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
12. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
13. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
14. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
15. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
16. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
17. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
18. Developer shall coordinate mailbox locations with the Meridian Post Office.
19. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
20. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
21. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD.

The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.

22. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
23. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
24. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=257681&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=258727&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=310268&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=258617&dbid=0&repo=MeridianCity>

G. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=257906&dbid=0&repo=MeridianCity>

H. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=259278&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=267371&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=259453&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=309476&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Comprehensive Plan Map Amendment

Upon recommendation from the Commission, the Council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an amendment to the Comprehensive Plan, the Council shall make the following findings:

1. The proposed amendment is consistent with the other elements of the Comprehensive Plan.

The Commission finds the proposed amendment from MU-C to ~~Mixed Use—Regional (MU-R)~~ Commercial and MHDR and conceptual development plan is ~~not~~ generally consistent with ~~the intent of the MU-R designation~~ other elements in the Comprehensive Plan in that it's predominantly a single use development (retail) and does not include any residential uses as desired, including the provision of a transition in uses and compatible uses, as noted in Section V.

2. The proposed amendment provides an improved guide to future growth and development of the city.

The Commission finds that the proposal to change the FLUM designation from Mixed Use – Community (MU-C) to ~~Mixed Use—Regional (MU-R)~~ Commercial and MHDR ~~does not provide~~ an improved guide to future growth and development of the City as the proposed development plan ~~does not include the appropriate mix of uses as desired in the MU-R designation~~ is consistent with the proposed development plan and existing and future uses in the area, as discussed in Section V above.

3. The proposed amendment is internally consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

The Commission finds that the proposed amendment is ~~not~~ consistent with the Goals, Objectives, and Policies of the Comprehensive Plan for the proposed ~~MU-R~~ Commercial and MHDR designations as noted above in Section V.

4. The proposed amendment is consistent with the Unified Development Code.

The Commission finds that the proposed amendment is consistent with the Unified Development Code.

5. The amendment will be compatible with existing and planned surrounding land uses.

The Commission finds the proposed amendment and conceptual development plan will ~~not~~ be compatible with existing and planned surrounding land uses for the reasons as noted in Section V above.

6. The proposed amendment will not burden existing and planned service capabilities.

The Commission finds that the proposed amendment and development will likely burden transportation capabilities in this portion of the city even without significant improvements to Waltman, and the extension of Corporate, and the Meridian/Waltman intersection. Sewer and water services are available to be extended to this site.

7. The proposed map amendment (as applicable) provides a logical juxtaposition of uses that allows sufficient area to mitigate any anticipated impact associated with the development of the area.

The Commission finds the proposed map amendment provides a logical juxtaposition of uses ~~but doesn't meet many of the mixed-use guidelines for development~~ as discussed in Section V above; there should be sufficient area to mitigate any development impacts to adjacent properties.

8. The proposed amendment is in the best interest of the City of Meridian.

For the reasons stated in Section V and the subject findings above, the Commission finds that the proposed amendment is ~~not~~ in the best interest of the City.

B. Annexation and/or Rezone (UDC 11-5B-3E)

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;

The Commission finds the proposed map amendment to the C-G zoning district and plan to develop ~~solely~~ commercial retail and ~~office~~ neighborhood serving uses on the property per the proposed conceptual development plan ~~does not~~ demonstrates consistency with the ~~general mixed use or the MU-R guidelines in the Plan~~ Commercial FLUM as noted above in Section V. (See section V above for more information.)

2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;

The Commission finds the proposed map amendment to C-G and conceptual development plan generally complies with the purpose statement of the C-G district in that it will provide for the retail and service needs of the community.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;

The Commission finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed commercial uses should be conducted entirely within a structure.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and

The Commission finds City services are available to be provided to this development. No residential development is proposed; therefore, enrollment at area schools shouldn't be affected.

5. The annexation (as applicable) is in the best interest of city.

The Commission finds the proposed annexation with the conceptual development plan proposed is ~~not~~ in the best interest of the City per the analysis in Sections V and VI above.

I-84 and Tanner Creek Minutes from PZ

Public Hearing continued from October 19, 2023 for I-84 and Meridian Road (H-2021-0099) by Hawkins Companies, generally located at the northwest corner of S. Meridian Rd. and I-84

- A. Request: Annexation of 18.30 acres of land with a C-G zoning district.
- B. Request: Comprehensive Plan Future Land Use Map Amendment to change the future land use designation on 70.4+/- acres of land from Mixed Use Community (MU-C) to Commercial (34.3) acres and Medium High Density Residential (36.1+/-).

4. Public Hearing continued from October 19, 2023 for Tanner Creek Subdivision (H-2022-0048) by Engineering Solutions, LLP., generally located 1/4 mile west of S. Meridian Rd. on the south side of W. Waltman Ln.

- A. Request: Modification to the existing Development Agreement (Inst. #108131100) to change the development plan from commercial to a mix of residential uses.
- B. Request: Rezone of 41.89 acres of land from the C-G to the R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres) zoning districts.
- C. Request: Preliminary Plat consisting of 130 building lots (83 single-family, 45 townhome & 2 multi-family) and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts.
- D. Request: Conditional Use Permit for a multi-family development consisting of 280 dwelling units on 15.88 acres of land in the R-40 zoning district.

Lorcher: I have some disclosure for the next two applications from -- for the Tanner Creek Subdivision and Hawkins. I have family members who live in the impact area of both of these projects. After consulting with the city attorney I will recuse myself from the conversation for this evening's application. That's -- that area impacts my overall family. So, with that I am going to turn it over to Jared and he will lead these two applications for these discussions.

Smith: Thank you. Thank you, Commissioner Lorcher. Kurt, would you like to say any words about kind of how this --

Starman: Thank you, Chairman. So, a couple of items before we open the public hearings this evening. First, just for the public's benefit and for the record, we have -- we started our meeting with four Commissioners, which establishes a quorum for tonight. As we just heard, Vice-Chair Lorcher is recusing herself for a conflict of interest reason -- is remaining in the building. She's just in the City Council conference room and so a quorum is maintained. So, we will proceed with three members casting votes -- or are eligible to deliberate on these items. But we still maintain quorum is the first observation for the record. The second item is that we have -- as I understand it, a request from the applicants for your next two public hearings, Items 3 and 4 on your agenda this evening, to open those public hearings concurrently and to hear those items concurrently and the rationale for that is that they are very much integrally related to one another and as you noted I'm sure when you read the staff reports, the two projects really go sort of hand in glove in many ways. In addition that City Council in earlier discussions had expressed an interest and desire for these projects to be dealt with at the same time. That is a bit unorthodox. We don't typically do multiple public hearings at the same time. It's certainly not prohibited by -- in a legal manner. It's just a bit unorthodox. And so what I would like to ask is a representative for each applicant to come to the podium before we head down this path, I would just like to have it on the record that the applicants are making this request and that they would prefer to proceed in this manner. So, I will invite our applicants up to confirm that on the record. And, then, we will -- if that is the case I would ask the chairman to open both public hearings and we will proceed accordingly. I have one more announcement after that.

McKay: Becky McKay from Engineering Solutions. 1029 North Rosario, Meridian. Business address. I'm representing Challenger Development for the Tanner Creek project. We do consent to the consolidation of our presentations and being heard kind of as one integrated project

Mansfield: I'm Ethan Mansfield with Hawkins Companies representing that the corner development there to the east of Tanner Creek and we also consent to being heard together. Thank you.

Starman: Thank you. One last announcement and, then, we will turn to the hearings at hand, but that is in order to be as fair as possible and provide due process to all involved, the applicant, the public and others that have an interest in these topics, because we are doing essentially two public hearings concurrently, we will essentially double the allotted time for applicants to present and, then, double the amount of time that we would typically provide to -- for citizen testimony. So, by way of example, we would typically allow applicants 15 minutes initially to make their presentation. In this instance we will allow 30 minutes in total. They may or may not want to use that entire time, but we would make that available and, likewise, for those that want to provide testimony this evening, the public and other interested parties, we would typically provide -- provide three minutes for that purpose, but tonight we will provide six, because we are hearing both items concurrently and so we have more material to cover. So, with that, as -- as preface, I would turn it back to you, Mr. Chairman, to open both of the public hearings and we can

proceed with double staff reports initially. Sonya will discuss both projects back to back and, then, we will turn it over to the applicants.

Smith: Thank you, Kurt. So, per applicants' request, we are going to open for public hearing Item No. H-2023-0099, annexation and future land use map amendment from Hawkins Company concurrently with Item H-2023-0048, a modification to the existing DA agreement, rezone request, preliminary plat and a conditional use permit for multi-family housing for Tanner Creek Subdivision. We will begin with the staff reports.

Allen: Thank you, Mr. Chair. Just a clarification for the record. This file number is H-2021-0099. It is an older file number that's been in the -- been in the process for a little while. So, just like to --

Smith: Thank you.

Allen: -- mention that. Thank you. The subject applications before you tonight are a request for a Comprehensive Plan map amendment and annexation. This project was heard by the Commission on April 28th, 2022, and the recommendation of denial was sent forth to the City Council. City Council heard the application and remanded it back to the Commission for the following reasons: Reference for this property and the abutting property to the west Tanner Creek to come in together or concurrently with a master plan for the overall area that demonstrates consistency with the existing or proposed future land use map designation and that -- that is mixed use community and mixed use regional. Desire for the transportation issues to be addressed before a development plan is approved and desire for changes to be made to the concept plan to be more consistent with the general mixed use guidelines and specifically the requested mixed use regional designation. Some changes were made to the plan, but they were not substantive -- substantive enough to be deemed consistent with the general mixed use development guidelines existing MUC or the proposed MUR guidelines. Therefore, staff recommended the applicant change their map amendment request from MUR to commercial and include the Tanner Creek project to the west in the amendment with a change from MUC to medium high density residential. Revisions to the conceptual development plan and associated exhibits have also been amended to address previous comments in the staff report and discussion from the hearing. The property associated with the amendment to the future land use map consists of approximately 70 acres of land and the portion associated with the annexation consists of 18 acres of land. The general location of the property is at the northwest corner of South Meridian Road and I-84 on the south side of Waltman Lane. The map on the left there shows the existing -- on the top there the existing future land use map designations for this property and the general area around the property. The map on the bottom shows the requested change to the future land use map. The applicant is requesting, as I mentioned, an amendment to the future land use map to change the land use designation on 70.4 acres of land from mixed use community to commercial. I'm echoing here. Excuse me just a second. The commercial designation is requested to be 34.3 acres and the medium high density residential is proposed to be 36.1 acres approximately. Based on the analysis in the staff report staff finds the proposed development plan is generally consistent with the requested future land use

designation of commercial for the subject property and medium high density residential for the adjacent property to the west, which is Tanner Creek. Further, the proposed future land use designations provide for a better transition and uses from existing and future residential uses to the west and northwest and are compatible with adjacent future land use designations and land uses in this area. The applicant also proposes to annex 18.3 acres of land as shown there on the exhibit on the right with the C-G general retail and service commercial zoning district consistent with the proposed future land use amendment to commercial. The subject property is part of an enclave area surrounded by city annexed property. The plan on the left is the original development plan that you reviewed on this project when it was before you the last time. The one on the right is the proposed revised plan. This is a little -- a little easier to see here. So I will flip to this plan. The revised conceptual development plan submitted as shown depicts how the property proposed to be annexed, as well as the area currently zoned C-G to the north is planned to develop with two big box retail stores. Retail one, which is approximately 153,300 square feet and retail two, which is approximately 80,500 square feet, four pads and five shops. The area shown on the concept plan on the bottom portion -- and that's just -- let's see. I don't have this one. Everything south of this red line is proposed to be annexed. Everything north is already annexed in the city and zoned C-G. The portion of the site currently in the city is entitled to develop in accord with UDC standards regardless of whether or not the proposed annexation is approved, as there is not a development agreement and effect for that property. I will note, though, as part of the new development agreement for the property proposed to be annexed, the applicant has agreed to enter into a development agreement on the entire property. Sole access for the development is proposed via three accesses from Waltman Lane, a collector street, in accord with UDC 11-3A-3A2, which supports limiting access points to collector streets and requires a cross-access ingress-egress easement to be granted to adjoining properties where access to a local street is not available. Staff recommends a driveway is provided along side the proposed pathway across the Ten Mile Creek to the west, unless otherwise waived by City Council, which will provide interconnectivity between these two developments. The applicant has submitted an emergency access easement agreement with the property owner to the west for secondary emergency access via Ruddy Drive and Waltman Lane. At no time should construction traffic associated with the development of this site be allowed to access the site using Ruddy Drive through The Landing and Tanner Creek Subdivisions. Other than, like I said, emergency access. Improvements are required to Waltman Lane, including reconstruction of the bridge over the Ten Mile Creek west of this site with the Tanner Creek project. Improvements to the section of Waltman that abuts this site will be determined by ACHD with a future development application, since this is only an annexation request. The extension of Corporate Drive to the northwest of this site designated as a collector street on the master street map, including construction of a bridge over the Ten Mile Creek from the north to Waltman Lane is proposed to be completed with the first phase of development with the Tanner Creek project prior to issuance of building permits. If the Tanner Creek project does not go forward and complete the improvements to Waltman and Corporate as planned, staff is recommending that these improvements are completed by this developer through a cooperative development agreement with Ada County Highway District as noted in the staff report. Based on the findings of the traffic impact study for the proposed project,

which includes the Tanner Creek project, the Meridian Road-Waltman Lane intersection would exceed ACHD's acceptable level of service thresholds. With previous development applications for the Tanner Creek property ACHD did not recommend any mitigation at the intersection due to right of way constraints impacting -- impacts to existing businesses and substantial intersection redesign and construction making the recommended mitigation infeasible. A letter prepared by Six Mile Engineering dated January 23rd of this year, in response to comments and feedback during the City Council hearing for this project, was submitted to ACHD proposing phased alternative improvements at the Meridian Road and Waltman Lane intersection to address traffic impacts from these developments. A three phase concept design was proposed in which the first few designs did not require any additional right of way dedication and the final phase did. ACHD reviewed their proposal and does not recommend any modifications to the intersection as under all concept designs these modifications would negatively impact existing operations at both the interchange and ramps. ACHD concern also extended to the impacts the proposed modifications would have to the Central Drive and Corporate Drive intersections at Main Street and Progress Avenue. While the proposed improvements may benefit both of the proposed developments in the short term, they will likely negatively impact the already congested area roadways and intersections. These improvements without significant widening increased corridor travel times and interchange queue lengths, further compounding existing congestion in this area. ACHD believes that there are alternatives that may be considered, such as converting Central Drive and Waltman Lane and Corporate Drive to a one way couplet, which is anticipated to reduce both queue lanes and the impacts to the Meridian Road and I-84 interchange system. Construction of the Linder Road overpass, which is three quarters of mile to the west, is scheduled in ACHD's five year work plan for construction in 2026 and '27, which should improve traffic conditions on Meridian Road by providing another north-south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not consideration should be given to the inclusion of a provision in the development agreement which limits development to the large retail -- retail one store at this time and delays the retail two building and pads three and four and the shops until such time as the Linder Road overpass is completed or other improvements occur that allow for an acceptable level of service to be provided as determined by ACHD. There has been no written testimony from the public received on this application. Staff is recommending approval with the requirement of a development agreement and just with a caveat. If Council does not approve the requested amendment to the future land use map, staff is recommending denial of the annexation request based on incompatibility of the proposed development with the existing mixed use community future land use map designation. The applicant is here tonight to present. I guess we are going to hold the applicant testimony -- okay. Excuse me. I will roll right into the Tanner Creek project then. The applications before you on the Tanner Creek project are a development agreement modification, a rezone, a preliminary plat and a conditional use permit. This site consists of 38 acres of land. It's zoned C-G and it's located west of South Meridian Road on the south side of Waltman Lane and the north side of I-84. Two previous development applications similar to this were denied for this property in 2018 and 2020. The Comprehensive Plan future land use map designation, as I mentioned before, is mixed use community. We have a request

for an amendment to medium high density residential with the I-84 and Meridian Road project. The applicant requests a modification to the existing development agreement, which allows commercial and office and hotel uses to develop on the site as shown here on these concept plans -- two -- two different concept plans were included in the existing development agreement for this site and the applicant is proposing to replace it with a new development agreement allowing a mix of residential uses, including single family residential, detached and attached dwellings, townhouse dwellings and multi-family residential apartments. There we go. Problems with my clicker here. As shown on the concept plan here before you. A rezone of 41.89 acres of land is proposed from the C-G to the R-8 zoning district, which consists of 12.16 acres, to the R-15 district, which consists of 12.27 acres and to the R-40 zoning district, which consists of 17.46 acres. A preliminary plat is proposed as shown consisting of 130 building lots. And I will go through the breakdown of those. Eighty-three single family, 45 townhome and two multi-family and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts. The plat is proposed to develop in four phases as shown on the plan there on the right. I don't know if you can see that very good. The bold lines are the phase lines. This is phase one right here where my pointer is at. Phase two is directly east of that. Phase three is to the south and west. And the last phase by phase four, is on southeast. The applicant is requesting flexibility in the phasing to adjust the number of lots, combination of lots and number of phases to reflect changing market conditions. Staff is amenable to this request, unless otherwise restricted in the cooperative development agreement with ACHD or as otherwise approved by City Council. Because noise from I-84 will greatly affect future residents in this area, staff is recommending noise abatement in the form of a berm and wall is constructed per UDC standards in its entirety with the first phase of development as a provision of the development agreement. Currently it is proposed to be constructed with the associated phases three and four. Access is proposed via the extension of Ruddy Drive at the west boundary the site and via two accesses to and from Waltman Lane at the northern boundary of the site. The applicant is proposing to construct the extension of Corporate Drive, a collector street, off site from its current terminus north of the Ten Mile Creek to Waltman Lane with an existing right of way with the first phase of development. The construction of Corporate will include the construction of a new bridge over the Ten Mile Creek. This will provide additional access to the site and provide for additional access when the Ten Mile Creek Bridge on Waltman is being reconstructed. The road north of the bridge should be constructed as required by ACHD. The staff report recommends the roadway south of the bridge to Waltman Lane is constructed as a complete street section with detached ten foot wide multi-use pathways along both sides of the street and that is DA provision 1-B. Because there is not sufficient right of way at this time staff recommends a change to the staff report to only require a five foot wide detached sidewalk as required by ACHD. That should be in your recommendation tonight if you consider that change, please. These improvements shall be complete prior to issuance of any building permits on this site. The applicant is proposing improvements to Waltman Lane in accord with ACHD requirements, with a ten foot wide detached sidewalk within the street buffer. The improvements to Waltman will require reconstruction of the existing bridge over the Ten Mile Creek and should be completed as required by ACHD in the cooperative development agreement. The proposed qualified open space and site amenities meet and exceed UDC standards.

Conceptual building elevations were submitted for the proposed single family residential homes and townhomes as shown. I'm just going through these quickly, as I know the applicant has -- like a -- or a presentation on these. A conditional use permit is proposed for a multi-family development consisting of 280 residential apartment units on 15.88 acres of land in the R-40 zoning district. Private streets are required for addressing purposes within the development. The proposed qualified open space and site amenities in the multi-family portion also meet and exceed UDC standards. Conceptual elevations were also submitted for the apartment and the clubhouse buildings as shown. As mentioned with the previous application, the construction of Linder Road overpass half a mile to the west is scheduled in that five year work plan for construction in 2026 and '27 should improve traffic conditions on Meridian Road by providing another north-south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not, consideration should be given to the inclusion of a provision in the development agreement which limits development to the single family and townhome portions of the development at this time and delays the multi-family portion of the development until -- until such time as the Linder Road overpass is completed or other area improvements occur that allow for an acceptable level of service to be provided as determined by ACHD. Written testimony has been received on this application from the following. Heath McMahon that the requested project is denied due to the density proposed and the negative impact on traffic in this area and that letter is in the public comments. You should have already seen that. And, then, written testimony from Becky McKay, Engineering Solutions, the applicant's representative, in response to the staff report and I will let Becky go over that in her presentation. Staff is recommending approval per the staff report, just with a caveat as mentioned in the previous application, if the proposed map amendment is not approved staff recommends denial of the proposed development agreement modification and, consequently, the rezone, preliminary plat and conditional use permit applications due to inconsistency of the proposed development plan with the existing MUC designation. Staff will stand for any questions.

Smith: Commissioners, do you have any questions for staff?

Rivera: No.

Stoddard: No.

Smith: All right. Then would the applicants like to come forward and, please, state your name and address for the record and, then, one additional thing before you do, given the small number of Commissioners that are available tonight, I want to make sure, especially so that we get this right, so I will ask you to speak -- error on the side of speaking too much too closely into the mic and my fellow Commissioners online, if you are having trouble hearing, please, let us know, so that we can solve that. I want to make sure there is nothing missed. Thank you. Name and address for the record.

McKay: Thank you, Mr. Chairman, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm here this

evening representing Challenger Development for the Tanner Creek application. We have before you this evening a rezone, preliminary plat, a conditional use permit and a development agreement modification. The property -- the subject property that you are looking at is 38.05 acres. It's not me? Thank you. The property -- just to kind of give you an idea of the location, the property is located just on the west side of Meridian Road. It is south of Waltman Lane. To the east is The Landing Subdivision. That's a single family development, which is currently zoned R-4. On our southern boundary is Interstate 84. North of Waltman Lane there are some estate residential. There is some agricultural. Kitty-corner to us is a mini storage facility and, then, obviously, to the east of us is the proposed Hawkins development. This property is currently zoned C-G, general retail and service commercial. The rezone before you this evening we are asking to down zone the property to R-8, medium density residential, R-15, medium high density residential, and R-40, high density residential. Oh, there were go. Okay. It's just slow. So, this particular 31 -- 38.05 acres is a combination of nine parcels. So, historically there were multiple single family dwellings on these properties and, then, an agricultural parcel to the south. So, by consolidating these nine parcels here along Waltman Lane, that's -- that makes up the Tanner Creek property. To kind of give you a little bit of history on this property, it was annexed and zoned in 2008, 15 years ago, as C-G. In the original development agreement it was anticipated -- concept plan was submitted and tied to their DA for a mixture of big box, commercial retail office and hotel use. Obviously, after 15 years the proposed 400,000 square feet of commercial and office development and hotel never transpired. This area has been talked about -- I have been doing work in the City of Meridian for 30 year -- over 30 years and the Waltman Lane area has always been discussed as an area that we -- the city wanted to develop, but there was always a difficulty in trying to get adequate access into this area. In 2018 Matt Schultz submitted an application to the city for the Tanner Creek property that you see there highlighted in blue, asking for comprehensive plan map amendment, development agreement modification and rezone. The application was denied by the City Council. They had some concerns about traffic congestion at Waltman Lane, impact on schools and the lack of a commercial component, because they wanted to see that there was kind of a mixed use within this area. Then in 2020 Mr. Schultz submitted -- Mr. Schultz submitted an application before the city. It was very similar. And the City Council denied it a second time and they indicated we feel it's premature for this application to come through until we know what's going to happen on the adjoining property to the east. Until such time as we know we have the full picture along Waltman Lane, we are reluctant to approve anything and they said we know we want a commercial component in addition to a residential component and if we approve you for residential what happens if the property to the east comes through asking for residential also and we may not get that mixed commercial component employment center that -- that we have kind of envisioned in this area. So, strike two. Then, the Hawkins property came through independently and as Sonya indicated, the City Council reviewed it and said we would like to see you work with staff to make some changes to your site plan and remand it back to the Commission and have the two projects come through concurrently, so that we can see the big picture and see, obviously, the -- the integration of these two properties and the mitigation that can be done with two different developers working to improve the transportation system in this area. One of the problems with this Waltman Lane area is -- as you can see by this larger

aerial map, this section is bounded by Linder Road on the west, Franklin Road on the north, Meridian Road on the east and I-84. And, then, you have Ten Mile Creek that traverses the section creating another boundary or barrier to interconnectivity. Since Linder Road did not have an overpass over I-84, this section was kind of segregated from itself. When The Landing went in they have no vehicular bridges over Ten Mile Creek, so they are basically -- that entire subdivision is coming off of Linder Road without any true secondary access. With the Tanner Creek property developing it provided other transportation opportunities that not -- not only will benefit the projects that are proposed and you are reviewing this evening, but will also enhance the interconnectivity of The Landing Subdivision by the connection of Ruddy Drive, which is a stub street that The Landing has on their eastern boundary, we will be bringing that in as a collector road up to Waltman Lane and, then, with the extension of Corporate Drive down south and building a bridge across Ten Mile Creek, will be providing another interconnectivity that will also allow for traffic not only to go to Meridian Road, but to go north up to Franklin or to go west out to Linder. With the Linder overpass everyone is -- is pretty much in agreement that it is going to really change traffic patterns in this section, because you will have this alternative route south and with the State Highway 16 extension to the interstate creating another interchange and another crossing, that's also going to make a significant difference in the interconnection between north and south Meridian and the City of Meridian and the city of Kuna, because I-84 is a barrier. Here you can see the Tanner Creek rendering, along with the Hawkins commercial development rendering. One of the things that we did is we work closely together to try to integrate the two projects to make them pedestrian friendly, make them inviting for people on bikes, skateboards, scooters, walking back and forth, trying to alleviate the number of trips that would be on the -- the Ada County Highway District network. So, there is the -- you can see the Tanner Creek project there. So, we have, as I indicated, the R-8, the R-15 and the R-40 zones. The overall density that you are looking at here is 10.72 dwelling units per acre. Then we did break the density down within each zone, so that the Commission could see -- like within the R-8 zone where we have our single family dwellings, the density is 4.14 dwelling units per acre and we have those single family dwelling units adjacent to The Landing, so you are seeing a transition from R-4 to R-8. Then in the interior -- in the interior we have R-15 and our density within the R-15 area is 7.09 dwelling units per acre. Then as we go to our eastern side, which is the transition that we have next to Ten Mile Creek and the commercial development proposed by Hawkins, we are at 17.63 dwelling units per acre in the R-40. So, as you can see we are not pushing the density of any particular zone, but, obviously, transitioning from low density to medium density to high density. We feel that this is an ideal location for a mixed residential project, considering that the project is located one quarter mile west of a major arterial roadway, Meridian Road, and south of Waltman on -- which is designated a collector and, then, with the extension of Corporate Drive, which is also a collector. This area will have access to the Meridian Road interchange and I-84. So, we feel that -- that this is an appropriate location for what's being proposed. As far as that original development agreement, the Council had indicated what they wanted to see with that 2008 development agreement we have accomplished with our project by having east-west and north-south pedestrian connections. Your master pathway plan shows a regional multi-use pathway along the west side of Ten Mile Creek, which is on our eastern boundary. So, we will be

constructing that and it will be not just ten feet, but 14 feet in width and, then, we have a ten foot east-west pathway that will connect over to the multi-use pathway and over to the Hawkins development. In looking at the overall project, we feel that the incorporation of the mixed use residential and, then, the mixed use commercial will, obviously, be the best fit for this area by balancing out the traffic generated by the two projects. We have 83 single family lots that will be ranging from 30,850 square feet up to 10,500 square feet. We have 16 alley loaded lots and 67 front loaded homes and we have varying widths for different economic targets. We have 40 foot wide lots, 50 foot wide lots and 60 foot wide lots. We have 45 townhomes that are all alley loaded. They range from 2,400 to 3,884 square feet and with an average of 2,739 square feet. As I indicated our overall density, including the multi-family, 280 units, is 10.72. It's anticipated that we will build this in four phases. I always ask for flexibility in phasing, because we never know what the market conditions are going to do. If market conditions continue to decline, obviously, our phases get smaller. If market conditions improve, then, sometimes the phasing gets larger. So, therefore, what's before you is 128 attached and detached single family dwellings and, then, the 280 units. So, we have a total of 408 dwelling units on the property. We tried to balance out, so we didn't end up with a lot of garage orientation. We have about 47 percent alley loaded where we have front porches and emphasize, you know, the kind of cottage type look with different materials and, then, we have front loaded about 53 percent. Along I-84 where we have the single family dwellings those will all be single level dwellings. We have a 50 foot proposed buffer along I-84 and we will also be building a nine foot high berm and, then, we have a rhino rock type concrete wall as a sound barrier and landscaping along that entire south boundary. Along Waltman Lane your code requires 20 feet for a collector buffer. We have 37 feet. Within the multi-family area and under the conditional use permit we have a total of 12 multi-family buildings of those 12 11 are three story. The building that is adjacent with the side view to Waltman Lane is a two story building. We have balanced our -- our number of bedrooms. We will have about 33 percent one bedrooms or 94 units. Fifty-four percent will be two bedrooms with 152 units and we have 34 three bedroom units. The total parking provided meets your code update, which requires I believe 579 spaces. We have 581 spaces. So, we basically have 1.5 spaces for the one bedroom, two spaces for the two bedroom and three spaces for the three bedroom and, then, we also have guest parking, which is a new requirement under the code. In the -- the single family amenities we wanted to make sure that we hit the mark on our amenities. Our qualified open space within the single family area is 6.49 acres or 17 percent. We have a central common area that's 1.70 acres in the single family and townhome area. We have a large play structure, half basketball court, pickleball court. We have benches. And, then, ten foot pathways that lead over to the multi-use pathway. You will have pedestrian friendly crossings. They will be all striped and signed pedestrian crossings, so we can get people safely across the street if they go east and west through the project. In the multi-family area we have 3.76 acres of open space or 21.35 percent qualified open space. We will have a 5,000 -- about a 5,500 square foot - a clubhouse. It will have a fitness facility, kitchen facilities, conference room, community gathering area. We will have covered patio with a barbecue -- outdoor barbecue area. We will have the greenbelt plaza area where we have sitting areas and plantings and that will be mirrored in the Hawkins development. We will also have a swimming pool with a hot tub. Cabana at the pool deck. Play structure. Picnic gazebo. Pickleball sports court.

And within the clubhouse we will have a bicycle repair station and, then, we also have a separate room, indoor, for a dog wash area. We are going to provide charging stations for EV vehicles and we have provided for linear parks, micro paths and pathways, multiple picnic shelters and, then, obviously, the multi-use pathway. This kind of gives you an idea of the townhome elevations, so we are going to have some diversity. You can see there is a lot of different modulation. When we rear load those townhomes, obviously, the curb appeal along the public streets is very attractive. This -- they have little porches. Very different roof changes. Very cute, very cottage looking. On the single family lots we will have some two story, two car garage. We will have some single story, two car garage. There is another one. And, then, this is the -- an elevation of the two story multi-family building that will have just 16 units that adjoins Waltman. The other building is turned so only the end of the building -- we want to minimize any wall effect next to Waltman Lane.

Starman: Ms. McKay?

McKay: Yes.

Starman: Can I interject? Can we stop the clock just for a second, Madam Clerk. I just want to make sure we all have a common understanding of the time limit. So, I just want you to be aware that we -- so, I meant 30 minutes in total for both applicants and we are about 20 minutes in, so I just --

McKay: Okay. I will wrap it up, sir. Thank you.

Starman: That's between you and your fellow applicant. I just want to make sure we had a common understanding.

McKay: Want to make sure -- thank you. I appreciate that.

Starman: You are welcome.

McKay: Because I never know where I'm at. I will wrap it up here. So, this is the elevation of the two story building. These are elevations of the three story buildings. These renderings. As you can see they are very attractive. They got different roof lines. A lot of modulation. We have covered parking. We have uncovered parking. That's a picture of the clubhouse, swimming pool, cabana, fireplace area. So, we want to make sure that we provide an excellent gathering areas and this kind of gives you the pedestrian connection perspective of the two projects that you see there. So, that's Tanner Creek and, then, if you see to the distance that's the Hawkins property. So, we have been working with the landscape architects, so that each project mirrors the same type of amenity on each side of the creek and, then, we have a pedestrian bridge that takes everyone over and I will stop there and I will turn the time over to --

Mansfield: I will try and -- my name is Ethan Mansfield. Hawkins Companies. We are the commercial portion of this development and, Sonya, if you could bring up the presentation for me. Thank you very much. So, yeah, I will kind of pick up where Becky

left off. This is the commercial. This is the eastern side of the project on the southwest corner of Waltman and Meridian. So, this -- our application includes the comp plan amendment to go to commercial on our section, a comp plan amendment for medium high density residential on Becky's portion of the project and, then, an annexation and a rezone on that small piece to the south. Let just show you here -- not quite yet. Anyway, small piece on the -- to the south of where -- where we are not actually in the city limits. So, I will give you a brief overview. Becky went through most of it. So, we were heard by City Council in June of 2022 and our application was remanded back to Planning and Zoning Commission to be heard concurrently with Tanner Creek and they wanted to ensure that the TIS was accepted by the Ada County Highway District. Later that month ACHD accepted the TIS and drafted some recommendations. So, over the course of the next -- course of the year we spent time, both with Tanner Creek and significant time with Meridian Planning and Zoning staff, to make changes to our site plan. We also worked with our tenants to -- to get our site plan dialed in. That was really important to us to, obviously, meet the requirements of staff and the suggestions of staff in the staff report. So, in July 2023 city staff expresses that they are generally supportive of the new site plan and accepts the site plans together and, then, in October last month, a couple of weeks ago, staff asked us to -- rather than go with a mixed use regional designation, that we change to the commercial land use designation for the Hawkins development, the medium density residential designation for Tanner Creek. The site plans didn't change. So, we still have a -- clearly a mix of uses. We have residential on the Tanner Creek side and we have commercial on our side of the creek and so that looks like this map before you. As you can see it's pretty darn similar to the other corners of the intersection. You know, you have got commercial on the busy corners and, then, you transition into residential as you move inward from those major arterials, especially right around the interchange. So, overall we think that this configuration makes a lot more sense than the previous. The previously approved development agreements, which -- which had commercial on Becky's side and nothing on -- on our corner here. Again -- so, this is kind of what we are looking at. Here is the annexation rezone request down at the bottom -- kind of bottom right southeast corner and showing where Tanner Creek would be and, then, this is -- you have seen this, you know, 15 or 20 times already tonight, so I won't bore you. I would like to talk a little bit about our site plan evolution however. So, on the left side of your screen you will see the old site plan. Right side of the screen you will see what's before you this evening. I would like to thank staff for working with us to dial this in and getting it to a place that we can, you know, approve -- that we can have an approval. We think it's a much better site plan. The drive aisles are oriented in a -- we think a more logical way. Obviously, the transition between Tanner Creek and our development makes a lot more sense. Overall we are really really proud of this site plan. We have got community serving shops uses right up against Waltman. You know, we have got a couple of drive-throughs kind of on the Meridian Road side and we think it kind of meets the needs of, you know, the fact that it is a regional corner, serving the needs of the region, but also having these community serving uses to meet the needs of the immediate surrounding community and providing pedestrian connectivity, so that this immediate surrounding community can -- can walk or bike to the project. That's -- I think this -- I'm really proud of this lifeline. So, anyway, I will stop there. Here is the pedestrian circulation plan. You can see that, you know, if you are a pedestrian you can get pretty much

anywhere on the site, you know, and we provide pretty robust open space amenities and I think, you know, we will go through those in a second, but I think that's very important. Here you can see we have kind of modeled three different concepts of kind of Plaza amenity areas and so I will start with -- with area B. These are kind of designed -- or sorry. Area A. A type plazas. These are kind of designed to be kind of patio seating areas and, you know, these are just kind of illustrative concepts to kind of show what the design intent is. Areas A. These are the B types. These are kind of our main entry plaza when you are turning in off of Waltman. You know, it's kind of designed to be an open space where people can kind of hang out, as well as kind of some patio seating that isn't really -- you know, it kind of merges together seamlessly to provide a really comfortable pedestrian experience. Here is another couple of views of that and, then, I think most importantly -- and Becky hit on this -- is we have our connecting plaza area. The design language is pretty similar across both the multi-family and the commercial side. It's -- it's a really cool feature I think of this project. So, here is looking at just the residential side, kind of modeling it, showing what it's going to look like. I think it's pretty cool. Pretty neat. And, then, the commercial side kind of mirroring that concept to kind of provide that pedestrian and bike comfort as you move between the two developments. Again, it's tough, because there is a creek running through it, so you can't seamlessly merge them, but this site plan I think does a really good job of tying the two together despite the geographic barrier of the creek. One thing I would just like to ask for a condition to be changed is that the city is currently recommending a street with two multi-use pathways be punched through this area. So, the area shown here is about the same amount of area. I think it's actually 74 feet -- we modelled it -- with the Corporate Drive extension, to provide two multi-use pathways, a drive area, 25 foot driveway and the associated buffer widths. So, that's about what you are looking for for your street width. Now, if you look back on this you can see that that's pretty much where our pedestrian amenity -- it's our really nice kind of plaza area connecting the two together. That's where they are located. So, what we would end up having to do to provide this connectivity with the street is remove some of these really nice amenities and we think that since the goal of -- you know, the Comprehensive Plan goals clearly state, right, that -- that the desire for the pedestrian comfort -- the experience of the pedestrian comfort -- we think that it makes a lot more sense to create amenities like this than it does to have a street that -- with just the pathways. One other quick condition we are asking for a modification of and not a removal of, but a modification of, is the construction of a stub driveway to the adjacent out parcel. We worked really hard to try to get this parcel under contract. This is up on the northwest corner of our site. So, this is up adjacent to the creek along Waltman. We were unable to acquire this parcel. They were adamantly opposed to being -- to selling their property. So, the condition from staff was to provide a cross-access agreement to allow any future development to access through our development and to construct a stub driveway to the edge of that development. We are not -- we are amenable to providing a cross- access to the future development. However, when we took a look at where and how we would actually connect that stub in, we --

Smith: You can finish up that thought.

Mansfield: So, we -- we looked at it and there will be some significant grading and drainage issues if we try and construct a stub drive. Mainly we will create kind of a waterfall that goes into this adjacent property in their backyard. So, we don't really want to actually construct the stub street. We would really like to simply provide the cross-access agreement, which protects that.

Smith: Thank you. Do any Commissioners have any questions for the applicants?

Rivera: No.

Stoddard: I don't.

Smith: All right. I have a couple of questions. Thanks for -- and this might also touch on what you were speaking to regarding the staff report and discuss for Becky, too. Just curious about any other issues with the staff report, any other disagreements with staff recommendations. Particularly one that I'm really interested in is the possible recommendation to require phasing based on the Linder overpass completion as part of a development agreement. Just curious about any thoughts on this.

Mansfield: I will -- I will address that. Thanks, Commissioner Smith. We don't have any other issues with the staff report. Those were my only two concerns. Regarding phasing, that puts us in a really -- really challenging position, because we would like this center to develop in a cohesive manner and it takes years sometimes from when we have surety that we can actually develop in a certain way to actually getting a door open, a restaurant open, a shop open. The development process takes a long time and so when we don't have surety that we can do the development it really -- it -- let's say we get surety -- let's say we had surety tonight or even at Council, you know, it might be three to five years before we even finish this center's development in its entirety, simply because of -- of working through deals with tenants -- potential tenants, signing LOI's signing leases -- leases, doing due diligence. All of that development work. So, we really need that surety now to begin to even start figuring out those details. Since the Linder overpass is going to start construction in 2026, we feel that, you know, that's an appropriate timeline given what we are looking to do.

Smith: And, Becky, I will ask you the same -- one I guess thought on that and whether this changes anything -- is whether that might be -- I believe we have in the past made certificate of occupancy contingent upon completion or access or something like that and so I wonder if that could help ameliorate things that you could at least get the ball rolling on some of those things, but that final occupancy wouldn't be granted. But that kind of applies to that question for you, too.

McKay: Yeah. Commissioner Smith, I did discuss that with my client and -- and as Ethan stated, these projects don't pop up overnight. We -- with our first phase of Tanner Creek we have to design the bridge and the Corporate Drive extension and get that online in conjunction with our first phase and, then, after that's done, then, we have to work on Waltman Lane, replacing the bridge, building it out to a collector standard, so there is a

lot of things that -- obviously, improvements that we have to install before we can even bring on phase one. The engineering plan approvals take place, as Ethan said, instead of months now it takes over years. So, my estimation is that -- that you are not going to see a lot of traffic generation before that overpass is installed in fiscal year '26, '27, because we have got a lot of work ahead of us. We will have to be doing LOMARs, 404 permits, no rises, but to -- to impose a condition that you can only build one phase or you can only build the target, that's going to hamper their marketing and my client was concerned about that. We are convinced that our timing is going to -- to, obviously, be within that time frame, but like with our first phase I calc'd it, I'm only generating 850 trips with phase one and you have got 55 homes that have to be built and they are not going to be occupied or built overnight. So, I don't think it's necessary that -- that that condition be imposed on the project, because, like I said, I fear it will hamper their marketing and their ability to create a cohesive retail office and employment center, which, obviously, we are going to be part of as far as the residential component and our residents, hopefully, will work there and support it and I have been told that -- that Linder -- I mean that's the number one priority, that Linder overpass. I mean they are going full bore. They have already -- I did the Kendall Ford Center that's under construction on the west side of where it comes across the freeway, they have already acquired the right of way. I mean they are rocking and they are rolling. So, I don't see that there is going to be any type of delay.

Mansfield: I think one other thing that's helpful to consider is that these other improvements, namely Corporate Drive and the Ruddy extension and the expansion of Waltman Lane, these other improvements will be completed prior to occupancy and I think that -- I mean that will, obviously, add an extreme amount of connectivity to the surrounding area. You know, I put this together -- we all -- you know, this is where we all live. You know, previously you just had this -- this little purple connection here. By opening up that connection to Franklin it really changes the game for not just our development, but for people who live in north Meridian to access the interchange, to access, you know, goods and services and, then, the connection to the adjacent neighborhood, too. So, those blue -- those, you know, blue connections there really have this outsized impact -- they are small connections, but they have a really outsized impact on the ability of the community -- surrounding communities to travel through the area and we think that in and of itself is something that is -- is pretty special with this development.

McKay: And you are going to be capturing --

Mansfield: Right. And we will be capturing trips, you know. You are not really generating -- I mean, you know, a commercial development doesn't necessarily in and of itself create new trips, it mainly captures trips from other households in the valley; right? Because, really, the only way you can get a new trip is by having a new person driving a new car through -- through the area and, really, we are not adding any new people to the network, we are just adding a central location by -- for which to shop and -- and play.

Smith: Thank you. So, you can correct me -- correct me if I'm wrong, if -- I don't want to put any words in anyone's mouth. It seems like it's a question of -- more of whether it's

necessary, rather -- rather -- especially for, Becky, for your development, rather than if it's outright harmful or whether it would prevent the -- it might make things a little bit more of a task, but it wouldn't inherently prevent the project from being completable, but just some --

Mansfield: I would say, Commissioner Smith, that it could be extremely detrimental to our project. We don't know the extent to which it could harm our project, because there is so much uncertainty with tying the ability for us to construct part of our project to a public agency's ability to complete a -- to create and complete an infrastructure project that it -- it really throws the uncertainty -- I should just say it's the amount of uncertainty that it throws into the project. It is so immense that it -- it very well could extremely negatively impact the ability for this project to be constructed.

Smith: Does that -- does that change at all if it -- say -- I know the staff recommendation is -- or staff's potential recommendation is constructing retail one before the Linder overpass and waiting until after the Linder overpass to construct the rest. Does the calculus change at all whether it's -- say the other units and, then, retail one and two after or anything like that in terms of construction times, lease signings, et cetera? Does that make any of that doable at all?

Mansfield: Commissioner Smith, I will say, you know, it is imperative that retail one is there, because that is the driver of other tenants. However, it -- it is, again, really totally uncertain whether or not -- you know, we might -- we might be able to construct retail one, for example, and, then, suddenly the tenants that are interested in the spaces along Waltman, the shops tenants, the -- the shops tenants that are difficult to find already sometimes and the tenants along Meridian Road might just say, no, not interested. We are going somewhere else. Something could happen in the economy. We could find ourselves with a bunch of empty pads. We could find ourselves with an empty retail two. It is -- those are all very -- very realistic scenarios, which is why we are seeking approval for the entire commercial project.

McKay: Yeah. Mr. -- Mr. Chairman, you know, with commercial developments -- I have done quite a few commercial, industrial developments. There has to be certainty. You know, some of these -- these people that -- they may want to lease a building or build a building, if there is some condition where maybe there is uncertainty in which they can bring -- bring their business online that could really hurt the Hawkins Company. Whereas, obviously, with our residential development, you know, that's kind of not the case. It's more that we would prefer, you know, to build this out in a timely fashion. We think the timelines will work and we are adding capacity to the network to compensate for what we are generating. Right now what's approved on the Tanner Creek property is -- would generate 10,300 vehicle trips a day. So, when you combine the Hawkins commercial with their 10,891 at build out, then, you combine the Tanner Creek, which is 3,014 trips, you are talking, basically, a difference of 3,600 vehicle trips per day. Right now Waltman is horribly underutilized at 190 vehicle trips per day. Once we bring Corporate in and you got access to Franklin, you have got other -- you have got secondary access to Meridian Road and we rebuild Waltman -- we have got a lot of work ahead of us, but our clients,

obviously, need to, like I said, have some certainty that -- that they are not going to spend millions of dollars on this infrastructure and, then, find that their hands are tied, because they can only bring on so many uses within a specific time frame.

Smith: Thank you. Understandable. I do have a question for -- and any other Commissioners, do you have any questions respect to this? I just wanted to get staff's response, I guess, to the Tanner Creek -- that the two asks around not requiring that street connectivity in favor of pedestrian and amenities and not requiring the stubbed driveway to that abutting property. Are there any major staff concerns around that?

Allen: Yes, Mr. Chair. You said the timing of the -- did you say the timing of the buffer along I-84 on the Tanner Creek property?

Smith: I believe the two asks specifically were regarding the street connectivity requirement --

Allen: Between the two development --

Smith: The two developments.

Allen: Yeah. Our UDC requires cross-access to be provided when access is not available from a local street. Waltman is going to be reclassified as a collector street. So, that would require a driveway connection interconnectivity. Not necessarily a public street, but a driveway connection. Our code does allow for a waiver by City Council if they deem that appropriate.

Smith: Okay. And, then, as for the stub driveway, are there concerns there?

Allen: On the I-84 and Meridian Road property? Yeah. The only concern I have is how that driveway gets constructed in the future. They will have an access easement, but who would pay for that and, you know, that kind of thing. So, if the applicant has a solution to that I think we would be amenable to it.

Smith: Okay.

Mansfield: Yeah. Sonya, Commissioner Smith, I -- I can say that I think one way to -- to ensure cross-access would be to, right, have us sign a cross-access agreement basically allowing cross-access from them to us and, then, also limiting access from that parcel when it redevelops onto -- onto Waltman. So, if you were to say no access from that parcel onto Waltman, when that parcel comes in to redevelop and they have access to our driveway, that would ensure that access was not taken onto Waltman, but, instead, through our project, that -- that would be my -- you know, if I put on my planner hat that's kind of how I probably would -- would solve it.

Allen: Yeah. But we couldn't -- Chairman, excuse me. We -- we couldn't condition that -- for that property to not take access on Waltman at this time, because it's not part of this application. It's certainly something we would look at in the future.

Smith: So, that will be present in a future staff report for whatever eventually develops here?

Allen: It's always easier to catch it if there is a constructed driveway and access and going on to that property to construct the driveway and -- and I'm assuming the applicant -- I don't think you touched on that, Ethan, on who would pay for that construction of that driveway. I assume that you are -- you are thinking that developer of that property would pay for it.

Mansfield: Ms. Allen and Commissioner Smith, I would assume that they would -- just like as if they were connecting to a public street, they would be responsible for the cost of the driveway. You know, all of the things that I envision are basically just -- when that -- when that parcel redevelops, instead of paying for a connection to the public roadway, they would just pay for the connection to our driveway instead and so, really, we are kind of hung up on just building that stub. We really don't want to have a situation, A, where they have a site plan that just in no way really matches where we happen to have constructed the driveway, because we don't really know what that site plan is going to look like, so we -- we want flexibility to ensure that that connectivity can happen realistically and most efficiently and also that if we did connect something into there, there is a pretty significant grade change between where this driveway is going to end -- sorry -- where this drive that we are constructing is going to go north-south and, then, where the parcel is -- where the existing grade is on the parcel to the west and so if we were to construct a stub it would, essentially, almost like just drain water into the back of their property and we don't really want -- want to do that and it would -- we would end up spending a lot of money and time and engineering head scratching to like figure out how to not drain water into their property and at that point it would probably need to be reconfigured anyway upon the time that the parcel did develop, just to even out grades and to straighten out, you know, drainage and all the stuff that we kind of messed up just to put a stub street in there.

Smith: So, staff and -- and also I guess if this is amenable and if this is possible, I can't seem to remember the discussions we have had in the past round this. Would it be possible to put as a condition in the development agreement that they have money set aside to pay for that stub street when -- if that property gets redeveloped in the future, so they don't have to construct it now, but we have surety that it will be constructed as part of that application?

Allen: Mr. Chairman, you could certainly do that. I'm not sure about the -- I will defer to our city attorney on that.

Starman: Thank you, Mr. Chairman. I think you could craft a condition or a provision within the development agreement that would deal with that general topic. We typically

don't like road sureties, just because of -- number one, there is some questions about the viability of that and, secondly, just the -- I guess the accounting and the administration that goes with something like that to collect and hold a small amount of money in a -- in the scheme of things. So, we typically don't do that. So, I guess a way I answer the question more succinctly is it's -- I think we could do -- have to condition around that topic that would require construction of a date certain or whether -- with a or trigger event. I would probably recommend that we not try to require a financial -- like a deposit or some kind of road surety today. Just administratively it's difficult for us to monitor and maintain.

Allen: Mr. Chair, I believe you suggested that the applicant set aside money for that.

Smith: Yeah. I -- my -- my concern is rather than -- not a surety or anything like that, but could we -- we can -- could we require them -- it sounds like the answer is yes -- to commit to building that road when -- if this property is redeveloped, regardless of where that money is held, et cetera.

Starman: And, Mr. Chairman, I guess there is two topics there. So, one is a development agreement -- to distill it down is really a contract between two parties, the city and the developer in this instance, and so, contractually, I think you can craft a provision that would require some of that nature. So, that's sort of topic one. Topic two is how do you enforce it and so that's really I think -- by the other part of your question is it's nice to know that you have some type of money on deposit, some kind of surety that would ensure that a provision is carried out. That's the part that's a little more difficult just from an administrative perspective. I think the answer to both questions is, yes, that that would be a possibility, but I know -- just know from previous discussions amongst city staff that there is some hesitation about the idea of the surety idea or taking a deposit and monitoring and tracking the deposit over some period of time, yes. Maybe for several years.

Allen: Definitely all those things are a concern of staff. Another alternative I might throw out is that in that cross-access easement agreement that Hawkins provides to that property owner that they provide language in it that authorizes them, the developer of that property, in the future to go onto their property to make improvements and construct that driveway.

Smith: So, sorry, I'm not -- I didn't fully track that. Could you --

Allen: Yeah. As part of that cross-access easement agreement that Hawkins grants to that property, include language in it that would allow that property owner or developer to enter their property to construct those improvements on their property.

Smith: Okay.

Allen: Typically -- like Ethan said, you know, typically we require connection to public streets, but -- but, typically, those are stubbed to the property boundary. That's the difference in this case and this -- this is not a public street, it's just a -- it's an access

driveway. But that's the problem we run into is going -- having that property owner go onto their property to, you know, construct those improvements. So, yeah, there is some issues with all this. Absolutely understand the applicant's concern with drainage on that property. We don't want to create an issue with that either.

Smith: All right. And the applicant -- he seems like -- that seems amenable to some extent?

Mansfield: Commissioner Smith, Ms. Allen, I think that's probably the best solution that we could come to. We aren't a big fan of the surety idea. Having both been on the public sector side of administering those and the private sector side of administering those -- on both sides it's an absolutely miserable experience for both parties. So, I think that this solution is ideal and we can craft easement language that allows the tie in and allows construction to occur on our property for that specific, you know, connection for the driveway.

Smith: All right. That's all the questions I have. Do any other Commissioners, before we open up to public comment, have any additional questions?

Stoddard: I don't have any.

Rivera: I don't have any either.

Smith: All right. Well, thank you. I will now invite the public to comment. Do we have anyone --

Lomeli: We have a Terry Harper signed in.

Smith: Okay. Oh. Sorry.

Starman: I was going to say just for the record, so we can capture that, the -- the -- the citizen indicated that they chose not to -- to testify, they just wanted to hear what was happening.

Smith: Thank you. Is there anyone else on -- that signed in?

Lomeli: Kelsee Lorcher on -- via Zoom.

Smith: All right. Kelsey, are you --

K.Lorcher: Hi. Can you hear me?

Smith: Yes, we can.

K.Lorcher: Hi. My name is Kelsee Lorcher. I live at 2099 West Meta Drive. First and foremost, I'm very not for this application. Very against it. One of the biggest issues that

wasn't really talked about was the traffic impact study and how there is going to be almost 14,000 vehicle trips -- daily vehicle -- vehicle trips on Waltman Lane and also there is going to be over 950 vehicles per hour during peak hours and that's just with the Hawkins development. I wanted to go over one of the things I found that the ACHD submitted on to the application with their review. They talk about Waltman Lane. I'm just going to go ahead and quote them. It says: The traffic impact study did not evaluate Waltman Lane abutting the site, but the Tanner Creek traffic impact study indicated that Waltman Lane abutting the Meridian site is projected to exceed ACHD thresholds for a three lane collector road under the total build out conditions in the p.m. peak hours and would need to be widened to five lanes to meet ACHD's acceptable LLS planning thresholds. However, there is not enough existing right of way off site to construct this. This would not be consistent with the existing intersection configuration at Meridian Road/Waltman Lane and tapering from a five lane road to a two lane road would create confusion for drivers. Staff recommends that the City of Meridian take this into consideration when evaluating this application, as ACHD cannot require additional improvement with this development application for Waltman Lane beyond widening the segment to the three lanes abutting the site. So, basically, what that's saying is it's going to be LOS F. It's going to be a grade F even with three lanes and they recommend -- they can't enforce, but ACHD recommends that needs to be widened to five lanes and if that neighborhood to the west that will be coming through Ruddy Drive once that's open, that's not even part of the traffic impact study. There is no numbers on how many people are going to be coming through those neighborhoods to get to the Hawkins' side or to get to I-84 from Meridian onto the ramps if they are going to Boise or whatever. So, you are talking about 14,000 just from -- from Waltman Lane and Corporate and, then, not -- we don't even know the number of the neighborhood going through Ruddy Drive onto Waltman. And another thing is that Ruddy Drive -- with all the people coming in they are going -- into Tanner Creek neighborhood out onto Waltman and that creates a safety issue for the local street inside the neighborhood and the park is right there. It's near and there is -- that's a whole other situation. So, I just wanted to talk about just how wild and crazy our intersection at Meridian and -- and Waltman Lane is already. It's way over -- over jam packed with traffic and this is just going to create so much chaos and just the grid -- everything -- if you look at the traffic impact studies, once Tanner Creek and once Hawkins is built almost every intersection from Franklin and Meridian to Overland is F. F down the board. F. F. F. F everywhere. So, this is not the smartest development to be -- it's not -- that's not the smartest location for this development. This development would be great somewhere else. But since our intersection is landlocked and there is not much we can do to improve it for new construction to modify it, we are pretty much landlocked with all the neighborhood commercial, the roads, the bridge, the ramps. I-84. There is like no improvement. So, this wouldn't -- to my opinion would not be very smart to approve due to future traffic. It's already out of failing rates. This is going to make it even worse and I think it said about like 2040 we are going to have a million people in the Treasure Valley and, honestly, I don't think the Linder overpass is going to really do much once we have a million people. I think it's going to be just as bad, if not worse within the next 20 years and that's all I have to say on that. So, I would ask you to, please, deny this application.

Smith: Thank you. Do we have anyone else signed up?

Lomeli: Yes. Clair Manning.

Smith: Is that also via Zoom?

Johnson: Mr. Manning, you should be able to share your screen when you are ready.

Manning: I am getting ready here to share my screen. Oh. So, it's not going to let me share my screen until someone else stops sharing.

Johnson: We are fixing it right now.

Manning: But my name is Clair Manning. I live at 650 Waltman Lane. You should be seeing a screen right now. Is that --

Smith: We can see it.

Manning: Can you, please, confirm? Okay. So, while -- while it is tempting to take a look at this area and think that it belongs is, you know, commercial or a regional use, you know, the simple fact of the matter is -- is you do not have the infrastructure to support it and there really is no path from the developers to support that infrastructure. So, I wanted to take a few moments to share some of the nuances of the area with you guys, since, you know, I live here and I am pretty familiar with -- with that area. So, right to the north you already have some monstrous high density apartments here. This is the area next to the freeway where you would like to put more commercial and 17 acres of, you know, high density apartments here and this development. It makes for a lot going down Waltman Lane. So, let's take a look at how someone actually has to get into Waltman Lane. So, you have -- over here you have that high density developments that are existing that will spill out here into Meridian Road going towards the freeway; right? And more importantly what you have going into the development for a left turn is this small little sliver of a buffer and once that fills up that will choke off an entire lane into the city and it does not take much to -- to fill that up. So, I mean if we looked at it a little closer, I have kind of parked here towards the end, so I think you will notice it's not very big and I also want to point out that to the right here you can even clearly see that there is no path to where you can open that to the left and there is no path -- path for them to widen the street on the other side and, you know, here you can see four -- you know, four cars here in the -- in the area. It fills up quite a bit of that. So, there really isn't much buffer to get in -- to get into the area. So, it's -- it's extremely -- extremely problematic to get into the -- into the subdivision to -- what's proposed as the subdivision and the commercial. So, I mean I think Kelsee has mentioned that it's already a little overrun, but maybe you are wondering like what it really looks like today. So, this is -- this is what I see every day on my morning commute to Micron. So, this is pretty common. You probably all experienced it as well and let's say I'm so lucky as to like actually get home off work during rush hour and have a bad picture, but you can see it's -- it's even challenging to get like in today into this area with a green light with like, you know, traffic still coming over here where I -

- where I still have a green light and I'm completely blocked going in. So, you know, it's pretty clear from -- from this that it shouldn't be a surprise to you that it really is going to be a level of service F when they put this in and, you know, this -- this kind of -- this small little sliver -- Linder overpass will do nothing to help this. Linder overpass is never going to fix this. There is no path to fix this. The developer has no plan and there never can be a plan, because they are blocked by the -- blocked by ACHD and they are blocked by, you know, the state of Idaho. So, you know, I think it's pretty clear that a -- you know, a zoning mess to -- to allow this would be -- you know, as a commission would be completely irresponsible. So, I would ask you to deny this. Can I answer any questions?

Smith: Any Commissioners have any questions for Mr. Manning?

Stoddard: No.

Rivera: No.

Smith: Thank you. We -- we have no one else signed up, so anyone on Zoom if you would like to testify, please, raise your hand or anyone else from the audience if you would like to come up and speak on this.

Lomeli: We have one more Joe Lorcher.

Smith: Okay. Joe, are you there?

J.Lorcher: Can you hear me? Can you hear me now?

Smith: Yes, we can hear you now.

J.Lorcher: Okay. My name is Joe Lorcher. I live at 740 Waltman Lane. I'm the agricultural triangle at the north of the Tanner project. My main concern for this project is just the safety of the residents. They are all talking about connectivity and walking paths, but I have got some questions on the ten foot walking path along Waltman Lane. What happens there where Mrs. Lee didn't sell her parcel, does the ten foot path stop and you have to walk out into Waltman Lane and, then, come back once you get past Tanner and, then, go out into Waltman Lane and, then, come back into where Hawkins is developing? Also the -- just the -- right now Waltman Lane is used as a walking path for a lot of residents in The Landing Subdivision and they walk up to Winco and so a lot of concerns on just safety of the residents. When Ruddy drive is opened up all those cars are going to be coming down Waltman Lane and that park is right there. There is no parking for the park. So, people are going to park along the street next to that park, because there is no assigned parking spots for the park. The Linder overpass, like Clair just said, it's not going to impact this at all. If you live in The Landing Subdivision and you want to go to Boise you are going to go through Ruddy Drive, Waltman Lane and get stuck at that intersection. They talked about how many cars -- 190 cars a day. That's 15 cars per minute. Right now there is six families that live on Waltman Lane and we get stuck in that subdivision. Six families. I can't remember what the count was. I think it was -- current

count was -- Becky said it. I can't remember what it was. But we get stuck and Clair showed that picture. This is every day we get stuck in that -- that intersection to turn left onto Waltman Lane. We have to watch that light turn at least twice before the traffic coming from Winco turning in front of us and stops in front of us, so that we can get across. Ada County Highway District has done nothing to help this. They -- all plans that have been sent to them they have denied. They -- they are not going to fix it, so why would we want more cars onto an intersection that's already graded F. The Corporate Drive through my place connecting up, it still comes back to the same intersection. They can go up Corporate Drive, turn right onto Meridian and, guess what, it's the same intersection. Until the highway district decides -- figures out somehow to fix the overpass, to fix the Waltman Lane, there is just no way that this project can handle the density that's being offered because of the intersection. So, I strongly suggest public concern, public safety. There was no officer -- last time we had this meeting there was a police officer and -- and it would be nice if we could get their opinions on this. But, please, deny this just for the public safety. Thank you.

Smith: Thank you. Is there anyone else with the hand raised?

Lomeli: One more. Joey Lorcher.

Joey Lorcher: Can you hear me?

Smith: Yes, we can.

Joey Lorcher: Okay. My name is Joey Lorcher and I live at 5110 Dandridge Way. But at one point in time I lived off of Pelican Way, which is in The Landing -- the neighboring -- next door neighborhood and when I lived there if -- if the road would have been punched through to Waltman Lane I would have took it every day to get to the freeway. So, it's -- it -- it will be a big problem for Waltman Lane and also this wasn't touched at all, but the Tanner project is going to overrun Peregrine Elementary with kids, especially with the new high density apartments off of Ten Mile and Franklin, which is in Peregrine's area. So, that's a whole other issue at hand. But I would -- I strongly am against this, both developments, because like everybody said before, Waltman Lane can't handle it. The City of Meridian really can't handle it. So, please, vote against it. And that's all.

Smith: All right. Thank you. Is there anyone else with a hand raised?

Lomeli: No one else.

Smith: Is there anyone in the audience that would like to come up and testify? All right. Would the applicant like to come back up?

McKay: Thank you, Mr. Chairman, Members of the Commission. Becky McKay. Engineering Solutions. Waltman in its current condition is isolated. It's limited. What we have the ability to do with these two projects is changed that with spending a significant amount of money, six to eight hundred thousand for a bridge over Ten Mile Creek and extending Corporate Drive down to Waltman. That's going to allow -- traffic can go north

up to Franklin or it has alternative access points onto Meridian Road. By opening up Ruddy Drive we will get some inner connection with the prop -- the subdivision to the west, but even Ada County Highway District in the memo written by Mindy Wallace on October 18, she talks about the Linder ACHD and the Linder Road overpass project and she states: It is likely that the intersection at Waltman and Meridian Road will operate better than reported in the traffic impact studies once the stub streets to the adjacent neighborhoods are connected and Corporate Drive is extended to intersect with Waltman. So, we are going to see a change in traffic patterns. With that Linder overpass we are going to see alternative routes and not just one point of access to Meridian Road from Waltman. These -- these roadway improvements that we are proposing are not cheap. They are very expensive and time consuming. We are willing to take on that task and we believe that it's going to help add alternative routes to this Waltman area and this is recommended by ACHD. The level of service during the p.m. peak hour, it does go to a level of service F with us or without us and that's due to the fact that you have a single point urban interchange that was built by ITD when they did the Meridian interchange update and that complicates the signal timing of the upstream and downstream intersections. Leah Kelsey is here from Six Mile Engineering and if you guys have questions for her -- they designed the Meridian one way couplet. They also did an analysis and provided three options for ACHD to allow us to extend some of those turn lanes and improve the capacity of the intersection at Meridian and Waltman. You also can't ignore the fact that the Tanner Creek project is already annexed. It's already zoned C-G. Somebody could come in and buy it and put a Fred Meyer there tomorrow if they wanted to with just a building permit, because in the DA that's what it's approved for is some big box, a hotel, retail, restaurants. Part of Hawkins Properties already zoned C-G. They said they could pull a permit basically for a big box user also. We are not going that route. We are downsizing. We are working together to solve the issues and as far as the infrastructure there is sewer out there, there is water out there. All of the police, the fire department, all their response times are significantly lower than what they average. So, all of your facilities are available out there now and I guess my thought is if not now, then, when and if not these projects where we are willing to make all of these system improvements, then what? We have good projects. I will turn it over to --

Mansfield: Thanks, Becky. I -- Commissioner Smith, I don't have a lot to add, but I would just say, you know, Becky's correct, there is a 400,000 square foot shopping center entitled for the Tanner Creek site right now. We are proposing to build about 325,000 square feet. So, it's significantly less than what is currently entitled. About 75,000 square feet less. I think that we are -- you know, we hired Leah to come up with some concept designs for the intersection. We are trying -- we are making as many improvements to the transportation network in this area as ACHD will let us and I think, you know, if we could do more we absolutely would and so that's all I really have to say. I think, you know, it's a -- it's a tricky situation, but this is an in-fill site. We are not extending services out into the hinterlands. We are filling in. That's going to capture trips. It's going to reduce travel times for many people and overall I think that's a very good thing for the community. Thank you.

Smith: I do have a quick question for one of you, but I will ask real quick first. Do any of you other Commissioners have any questions for applicants or any other individuals who were in the public testimony?

Stoddard: I do not.

Smith: All right. Mr. -- Commissioner Rivera, do you have any? I see he just come off mute.

Rivera: I just have a quick question. In terms of maximizing the, you know, solutions as best as to what ACHD allows you -- so, you have had these discussions -- discussions with ACHD and they also feel that this is the best implementation for -- you know, for that street and -- and the solution, just to make it more accessible and free up as much as you can to -- at the best capacity available?

Mansfield: Commissioner Rivera, that is correct. We have had extensive discussions with ACHD to try and increase capacity at the Waltman intersection and they have staunchly rejected that option.

Rivera: And these -- these improvements -- sorry. Follow up. And these improvements are -- are there any different from the past -- you know, I think, what was it, 2018 or the past submissions -- submitted applications, has anything changed or --

Mansfield: Commissioner Rivera, we are actually bringing up the -- kind of the proposal that we brought to ACHD that Leah helped us design. Again, Leah is with Six Mile Engineering and she completed the original traffic engineering for this entire area and so, you know, I think that -- her firm -- she and her firm know more about this area than any -- anybody else. So, you know, here is the proposed improvements. Two northbound left turns from Meridian into Waltman. Two eastbound right turns from Waltman to Meridian. We are actually increasing bike-pedestrian facilities by pulling the bike lane off of Meridian Road, putting it in a multi-use pathway separated with an eight foot buffer and we are also allocating space for an additional southbound lane on Meridian Road. The idea would be ACHD could come and, then, construct in the future the remaining improvements to the intersection to -- to allow it to, then, operate at an efficient level. So, that's a -- you know, this is what we proposed to ACHD and they were not interested at this time. So, we are moving forward with what we have got and appreciate them taking a look at it.

Smith: Could you -- Commissioner Rivera, any follow-up question?

Rivera: No. That -- that answered my question, Commissioner. Thank you.

Smith: Thank you. I do have a follow-up question. Could you speak a little bit to why ACHD -- or the reason they gave you why they weren't interested in that? And, yeah, if you would like to come up from Six Mile or to anyone.

Mansfield: Yeah. Commissioner Smith, if you don't mind I'm going to have Leah come up and talk a little bit about her understanding of that, because it is a very technical response from ACHD.

Smith: And to be clear, my question is -- I guess this might help inform kind of your response. My question is based -- trying to get to the root of is this something that there is some inherent, you know, law of nature type of thing that ACHD is citing as a reason for not or is it just not at this time? Is there -- you know, what was kind of their reasoning around that?

Kelsey: Yeah. I would be happy to answer your question. I'm Leah Kelsey with Six Mile Engineering, 704 East United Heritage Court in Meridian. And so we received the letter from ACHD in response to our January technical memo where we came up with three phased ideas -- or concepts to improve the intersection and level of service and in their reply, which Sonya also touched on and I believe Becky as well, they thought it would be detrimental -- these improvements would be detrimental to the operation of the SPUI interchange and they didn't provide any technical analysis, so I can't speak to the -- the actual -- or I can't quantify their -- their qualms with the improvements. It was just kind of a broad statement. Their feeling that it -- it would have some impacts to the SPUI and, then, again, they touched on Linder and how that would relieve some of the pressure on Meridian and improve the intersection operations, which I do agree with that. And if I can add something, I think that what Hawkins is proposing with their site plan doesn't preclude making these improvements in the future. They are setting their pathways back and allowing for additional right of way in Waltman. So, at some time if ACHD allows for these phased improvements they -- it will be possible.

Smith: Thank you.

Parsons: Mr. Chair, I can add a little bit to the conversations, too, because I had a conversation with ACHD staff this morning on the same topic. Because Sonya and I didn't want to be too nearsighted on this topic either, because we know -- I go home this way every night, so I know exactly what all of these residents are dealing with. I -- I'm stuck in traffic for -- I mean it takes me 40 minutes to go two miles home. So, I understand that and that's what ACHD's report says is you just -- city, if you are going to approve something here just be prepared to wait longer and I think we all recognize that. Where ACHD is concerned is if these improvements -- or that extra stacking lane happens we are queuing up more cars closer to the intersection. So, my conversations with ACHD is they would prefer to have the ability, if that -- if they keep that a single lane at the Waltman intersection, it would force cars potentially to go far deeper into Meridian and, then, turn left onto Corporate Drive or Central and, then, circle back from behind those apartments on Corporate and drop down in. That's why it's so critical that we get Waltman widened and that Corporate Drive extension done with this project and that's why ACHD said, yes, this -- and the city said, yes, we need this now, because that's the most critical piece right now is to get that built and get the -- all those roads extended and improved. So, that was the -- the intent -- the discussion that I had with -- with Mindy today is like even if we put it in the DA to say do it at a later date can you get behind this and she said, no, we

don't want to lose that functionality of the interchange that the applicant testified to. So, that's really their rationale is they really feel like it will degrade how that -- that SPUI -- or at least that interchange functions and they don't want to make it any worse. So, it's -- it really -- and that's why we even brought up to you in the staff report tonight. Are you willing to wait for other things to happen before too much development occurs on the site. Example Linder Road overpass. And we know that's -- that's a fair -- that's a stretch with this particular application, because they do have some sort of entitlement on it, but we thought if the applicant was willing to work with us and hold off on some of those -- some of that intensification that we could possibly continue to work on solutions as this project continues -- continues to progress through the city's process.

Smith: Thank you. That actually answered some -- my other question for you. The only question that I have remaining, I guess, is for Becky on -- and it's going to kind of bring up the issue we already talked about that you mentioned around phasing, et cetera. I think for me the -- the main concern right now -- I tend to actually -- this probably is one of the better plans that we could have for this kind of area, but I really am concerned about the timing and especially relative to that Linder overpass. I understand the concerns about whether it's necessary or not, whether it might hinder -- I know for -- for the Hawkins side of things it's a little bit more of an issue. Question for you, then, regarding occupancy of maybe the multi-family housing. Would that be possible to include in a DA, you know, requirement of waiting for that Linder overpass. I guess what I'm trying to get at is anything we can do to just kind of soften things a little bit, maybe just notch down the impact until that Linder overpass is done -- is completed. Are there any thought -- I mean during testimony haven't had time to think over it. Are there any kind of thoughts around how we can make that work?

McKay; Mr. Chairman, Members of the Commission, Becky McKay. I did go through that condition. The -- the way staff -- because they highlighted it in the staff report and I said if -- if -- if asked directly by the Commission, you know, would -- would you agree to, you know, not -- holding off on the multi-family component and, you know, their comment was that, you know, they -- they need to be able to make the project progress. Obviously it's very heavy front loaded and they said they would be reluctant to -- to be saddled with that type of condition. Now, if it's occupancies and not like final, you know -- then, that pushes that -- you know, when, that -- those units come online further out, you know, because, realistically, if this is approved by the end of the year, we will be in design for a year, then, the first phase comes online, then, the next year you start infrastructure on the second phase and -- I mean, you know, pretty soon before you know it we are into 2026 and 2027. That's -- logistically that's kind of how it works.

Smith: Yeah. But my main concern, to be clear is, again, regarding the necessity versus detriment is, you know, we talked about, you know, what if market conditions shift, et cetera. What if for some reason Linder gets delayed or what if, you know, things go great and you are ahead of build schedule, you know, considering all these other kind of these -- these marginal cases, what my main concern is -- and it seems like this might not be feasible with the retail side, if you are just kind of not amenable to that, but maybe we can reach something on the residential side to, you know, kind of just ensure that there is a

little bit more peace of mind around, you know, us not -- you know, there is going to be some strain in the interim while -- while Linder overpass is being constructed and there is going to be some strain regardless until ACHD can kind of figure this out, whether that development is there or not, but how can we reduce the impacts where possible is kind of my concern. If we can have some peace of mind around, you know, if things get delayed or ahead -- behind schedule, et cetera, how can we make sure that, you know, that worst case scenario doesn't happen.

McKay: Yeah. I get it and I guess I would be reluctant -- I don't -- I'm not authorized, based on the question I asked them and the answer I received, I'm not authorized to make a commitment that, you know, we are only going to build phase one until the Linder overpass is -- is completed. I'm not authorized to say that. Obviously, you know, the Commission has to understand that when we are putting out millions of dollars in improvements off site and on-site improvements and, then, we are -- we have to stop, then, you lose momentum in a project for marketing and so forth. Logistically, do I think that everything's going to fall into place in the way that will match up with that overpass construction? I think logistically it will. But I can't make that commitment on part of my client, because I was not authorized to do that, sir. But, obviously, it's the purview of the Commission and the Council in what they want to stipulate. Thank you.

Smith: Thank you very much. Appreciate it. Any other Commissioners have any additional questions? No? All right. Hearing none, I would -- can I get a motion to close the public hearing on items H-2021-0099. I think I got that. And H-2023-0048. If we can get a motion on that.

Rivera: So moved.

Stoddard: Second.

Smith: It's been moved and seconded. Can I -- all those in favor, please, say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Smith: So, discussion? I will kind of start off.

Starman: Mr. Chairman, two -- two quick housekeeping items --

Smith: Yes.

Starman: -- with your permission. One is I wanted to -- for the Commission as a whole, the recommendation both from the city attorney's office and from the planning staff would be as you get to the point of making a decision and recommendation to the City Council, we would recommend that the Commission first take up the Hawkins Company project, because that includes an amendment to the Comprehensive Plan that also incorporates Tanner Creek. So, it would be logical for the Commission to deal with that topic first as

you take action and, then, do Tanner Creek second. So, that -- that would be the recommendation in terms of order and I just wanted for -- for the Commission, but mostly for the public and the record, as we have stated earlier, Commissioner Lorcher has recused herself, so we have three Commissioners acting on this item and just for a base general -- still on the same page, this requires a majority of those voting on the items. A two-one vote would carry a motion. Obviously, a three-oh vote would carry a motion as well. But stated differently, two affirmative votes is required to pass a motion.

Smith: Thank you. Yeah. So, like I said, I will -- I will kind of lead off on just my thoughts is -- I mean I think it's kind of been made clear throughout some of the discussion and questioning. I do tend to think that this is -- you know, given what these developers or future developers have the right to do, it seems like this is -- this is probably near as good as -- as a developer is going to get in this area and, you know, save for this -- this sitting kind of dormant forever, I don't really know what this looks like in a way that looks better than this. My main concern, like I said, is -- really around timing is -- I think we kind of worked through this and to work -- we are going to start with Hawkins first, but I will speak to Tanner Creek as well for this kind of portion -- that it seems like we kind of reached somewhat of an agreement on the stub driveway issue. The -- the pedestrian amenities versus street connectivity issue, it seems like Council can -- can grant a waiver and so that can be part of a recommendation if anyone wants to include that in the motion. My main thought at the moment regarding timing and regarding requests, especially for the Tanner Creek Subdivision is I believe -- just want to make sure. Yes. Regarding Tanner Creek is the requirement at Linder -- my thought is I wouldn't mind seeing in a -- any motion something that errors on the side of including that request that that phrasing be there and that could be a discussion point for Council. The applicants can -- can speak to the owners that they are representing to maybe kind of formulate whether they can find something to make that workable or if they have a compelling agreement -- compelling argument for Council. But I would like to maybe see that personally, knowing that I can't make that motion, I would like to maybe see that in there personally as a preference. But that's kind of where my head is at the moment. It seems like this in-fill being what it is, especially right off of, you know, a freeway entrance -- it's tough and it does seem though that this is a really good faith attempt to meet all those requirements that Council made - - those recommendations Council made on remand and I think that this is a good faith effort by developers in -- and, yeah, regardless of -- not regardless, but even considering some of the issues that this maybe creates or exacerbates in some cases, I think net -- especially in the long- term future for Meridian this seems to be a solid project that I would support. Any other Commissioners have any thoughts, concerns, motions, et cetera?

Stoddard: I actually agree with --

Smith: Commissioner Rivera, do you have any thoughts on this or any -- would you like to express anything?

Rivera: Yeah. It's -- it's a -- it's a tough project at a -- at a tough location. I appreciate the developers putting in the effort to -- to make the best accommodations possible for the -- for the road and under the constraints of that -- of that location. Overall I understand

-- I mean I -- I use that intersection on my commute in the morning and in the evening. It's definitely congested. But I also appreciate the -- the project going to your -- your statements, Commissioner Smith, on -- before that -- that it's for the City of Meridian, too, for that -- that project to go there, since it's a well thought out project. I wish I -- it's a lot of information in two hours to digest. That's -- that's -- that's tough. I wish I had more from the ACHD side to have been able to review. But overall I look -- I support the project. But, yeah, that's what I have to say right now.

Starman: One last clarifying comment. I just want to go back. You made a comment -- you made a remark maybe three or four minutes ago and I have heard this from others as well. I just wanted to clarify. It is certainly sort of custom and protocol that the chairperson allows other Commissioners to make motions and second and so forth. I just wanted to just say from a legal perspective there is no prohibition against the chairperson making a motion or certainly no prohibition on voting on items for sure. But I do think there is a little bit of misunderstanding that the chairperson is like legally prohibited from making a motion. That is not the case. It's more for custom and protocol. But when you have a small commission like we do tonight, that's something you could consider.

Smith: Thank you very much, sir. I appreciate that. Given that -- and, again, with the knowledge that we are going to be moving on the Hawkins application first, does anyone have any additional comments or a motion that they would like to throw out? I might hand -- let's see. So, with Hawkins -- sorry. Let me make sure I'm -- have all my T's crossed and I's dotted. I'm sorry. So -- yeah. Okay. Yes.

Allen: Excuse me. If I may. I am not sure that on this application I mentioned staff's request to modify DA provision A-1-I to require the extension of Corporate Drive to be constructed as required by ACHD. I know I did with Tanner Creek and I'm not sure if I did with this application. So, if you could also consider staff's request on that, please. Thank you.

Smith: Could you say -- you say DA -- DA provision A-1-I?

Allen: Yes. To require the extension of Corporate to be constructed as required by ACHD. That was where staff had recommended a complete street section and there is not -- there is not enough right of way for that. Thank you.

Smith: All right. I will try my hand and you all can let me know if I missed anything. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2021-0099 as presented in the staff report for the hearing date of November 2nd, 2023, with the following modifications: To modify the DA Section A-1-I to require an extension of Corporate to be completed up to ACHD requirements and -- sorry. I have this mixed up. To grant a waiver for the street connectivity requirements under UDC and, then, to -- instead of requiring a stub driveway to the abutting property, allow a CDA with a requirement to allow the property owner to -- or the future property owner to enter the Hawkins property in order to construct improvements.

Stoddard: Second.

Smith: I have a motion. Any second? Any -- or I have -- all those in favor say aye. None opposed. The motion carries.

MOTION CARRIED: THREE AYES. ONE RECUSE. THREE ABSENT.

Smith: All right. As for Item No. H-2023-0048, is there any additional discussion? Are there any motions, et cetera?

Stoddard: No discussion from me.

Smith: All right. I will try my hand at motion number two here. After considering all staff, applicant and public testimony, I move to recommend to the City Council File No. H -- want a clarification. Is this 2023 or 2022? There are different numbers here. Two? Okay. I move to recommend approval to City Council of File No. H-2022-0048 as presented in the staff report for the hearing date of November 2nd, 2023, with the following modifications: To also modify the development agreement, Section A-1-I to require the extension of Corporate to be completed per ACHD requirements and to include a provision requiring that Linder -- the Linder overpass be completed prior to occupancy of the multi-family housing development.

Rivera: So moved -- I second.

Smith: I have a motion and a second. Any discussion? Seeing none, all in favor, please, say aye. Any opposed? None opposed. I guess that motion carries.

MOTION CARRIED: THREE AYES. ONE RECUSE. THREE ABSENT.

Smith: It is at this time that I think we can grab Commissioner Lorcher to come back in I believe.

Starman: Madam Clerk, would you mind asking Commissioner Lorcher to join us?

Smith: And as part of that I would like to -- I don't know what the official word is, but the chairmanship is now yours again. Yeah.

Lorcher: Back in the room. So, are we going for one more motion?

Smith: I do believe we are.

Lorcher: All right. One more motion for the evening.

Smith: Madam Chair, I move to adjourn.

Lorcher: Do I have a second? Is that a second?

Stoddard: Second.

Lorcher: Okay. All those in favor to adjourn say aye. Any opposed? Meeting adjourned.
Thank you very much.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Tanner Creek Subdivision (H-2022-0048) by Engineering Solutions, LLP., generally located 1/4 mile west of S. Meridian Rd. on the south side of W. Waltman Ln.

Application Materials: <https://bit.ly/H-2022-0048>

A. Request: Modification to the existing Development Agreement (Inst. #108131100) to change the development plan from commercial to a mix of residential uses.

B. Request: Rezone of 41.89 acres of land from the C-G to the R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres) zoning districts.

C. Request: Preliminary Plat consisting of 130 building lots (83 single-family, 45 townhome & 2 multi-family) and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts.

D. Request: Conditional Use Permit for a multi-family development consisting of 280 dwelling units on 15.88 acres of land in the R-40 zoning district.

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



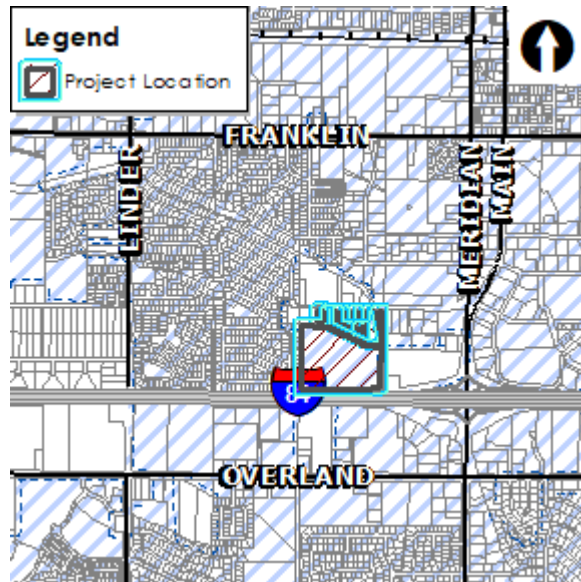
HEARING DATE: November 21, 2023

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2022-0048
Tanner Creek

LOCATION: 675 W. Waltman Ln., in the SE ¼ of Section 13, Township 3N., Range 1W. (Parcels: S1213428050; S1213428301; S1213428010; S1213427890; S1213427880; S1213427872; S1213427860; S1213428020; S1213427840)



I. PROJECT DESCRIPTION

The Applicant has submitted applications for the following:

- Modification to the existing Development Agreement (DA) (Inst. #108131100), which allows commercial/office/hotel uses to develop on the site, to replace it with a new DA allowing a mix of residential uses to develop on the site, including single-family detached and attached dwellings, townhouse dwellings, and multi-family residential apartments;
- Rezone of a total of 41.89 acres of land from the C-G to the R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres) zoning districts;
- Preliminary plat consisting of 130 buildable lots [83 single-family, 45 townhome and two (2) multi-family] and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts; and,
- Conditional use permit for a multi-family development consisting of 280 residential apartment units on 15.88 acres of land in the R-40 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	38.05
Future Land Use Designation	Medium-Density Residential (MDR) (3+/- acre strip along west boundary) & Mixed-Use Community (MU-C) on the remaining 35+/- acres of the property [Note: An application is in process (H-2021-0099 I-84 & Meridian Road) to amend the FLUM for this property from MU-C to MHDR.]

Existing Land Use	Vacant/undeveloped land (pasture)
-------------------	-----------------------------------

Proposed Land Use(s)	Residential (single-family detached/attached, townhome and multi-family apartments)
Current Zoning	C-G
Proposed Zoning	R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres)
Lots (# and type; bldg/common)	130 buildable/20 common
Phasing plan (# of phases)	4
Number of Residential Units (type of units)	408 units [83 single-family (attached/detached), 45 townhome & 280 multi-family/apartment]
Density (gross & net)	10.72 gross (overall); 16.44 net (overall)
Open Space (acres, total [%] / buffer / qualified)	SFR - 3.66 acres (16.6%) – street buffers, parkways, internal common open space areas MFR – 4.06 acres – street buffer, linear open space, open space areas greater than 5,000 s.f. in area, areas greater than the dimensions of 20' x 20'
Amenities	Children's playground, ½ basketball court, pickleball court, pathways (SFR); clubhouse, swimming pool, playground with covered sitting area, internal pathways and a 10' wide multi-use pathway, plaza, shade structure & benches, pickleball court (MFR)
Physical Features (waterways, hazards, flood plain, hillside)	The Ten Mile Creek runs along east boundary, a small portion of the site is within the floodplain
Neighborhood meeting date	6/30/22 & 9/27/23
History (previous approvals)	AZ-06-063 (DA #108131100); PP-08-001; TE-10-028; TEC-12-008; TEC-14-005; H-2016-0008 (PP exp. 4/7/18); H-2018-0023 (CPAM, CUP, MDA, PP, RZ – denied); H-2020-0024 (CPAM, CUP, MDA, PP, RZ – denied)

B. Community Metrics

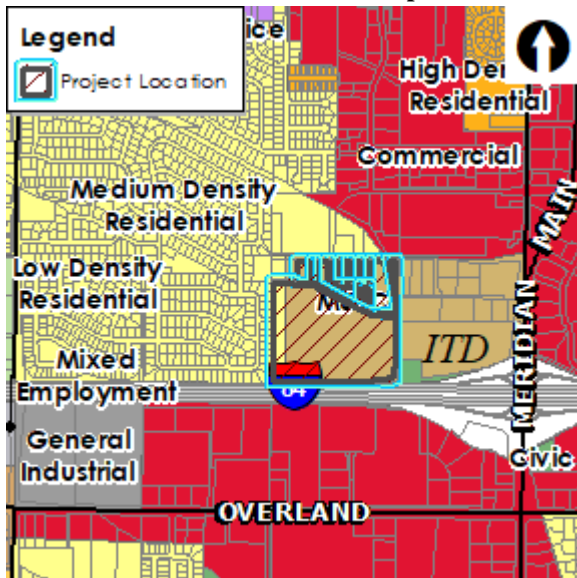
Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No
<ul style="list-style-type: none"> TIS (yes/no) 	Yes
<ul style="list-style-type: none"> Level of Service (LOS) 	The TIS in 2018 noted that all studied roadways and intersections were anticipated to operate at an acceptable level of service at build-out of the development.
<ul style="list-style-type: none"> Existing Conditions 	Waltman Ln. is improved with 2-travel lanes, 25' of pavement & no curb, gutter or sidewalk abutting the site.
<ul style="list-style-type: none"> CIP/IFYWP 	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): <ul style="list-style-type: none"> Linder Road is scheduled in the IFYWP to be widened to 5-lanes from Overland Road to Franklin Road with an undetermined date. This does not include funding for ITD's portion of the I-84 overpass. The intersection of Franklin Road and Linder Road is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 7-lanes east, and 7-lanes on the west leg, and signalized between 2021 and 2025.

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) access is proposed via Ruddy Dr., a local street stubbed at the site's west boundary; two (2) accesses (1 public street, 1 driveway) are proposed via Waltman Ln, a local street along the site's north boundary.
Proposed Road Improvements	Corporate Dr. is proposed to be extended from its current terminus north of Ten Mile Creek south to Waltman Ln. within existing right-of-way; this will include construction of a new bridge over the creek. Waltman Ln. is proposed to be widened and reconstruction

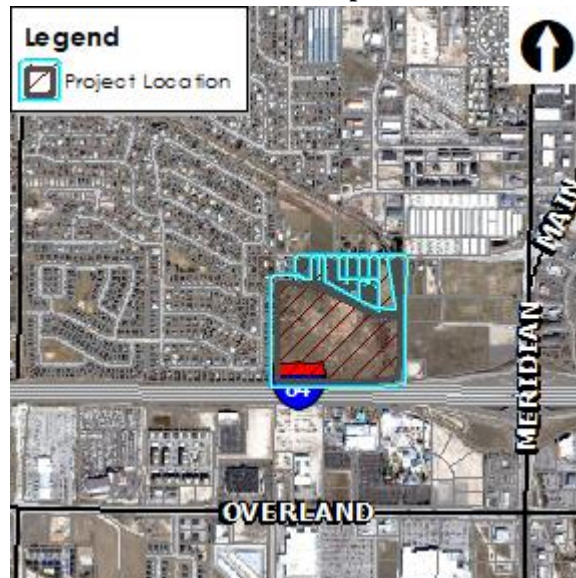
	of the bridge over the Ten Mile Creek is required. <i>See the ACHD report in Section IX.J for more info.</i>
Fire Service	
• Distance to Fire Station	1.3 miles from Fire Station #1
• Fire Response Time	
• Resource Reliability	82% (meets target goal of 80% or greater)
• Risk Identification	4 (current resources would not be adequate to supply service)
• Accessibility	Meets all required access, road widths and turnarounds as proposed
• Special/resource needs	Aerial device (can meet this need if required); hazmat event will require mutual aid; structure fire will require an additional truck company; water rescue teams would require mutual aid
• Water Supply	1,000 gallons/minute for 1-hour (maybe less for sprinklered buildings)
• Other Resources	
Police Service	
• Distance to Police Station	1.6 miles
• Police Response Time	2:46 minutes (expected); 3:58 minutes (average)
• Calls for Service	5,176 within 1-mile (6/1/21-5/31/23)
• % of calls for service split by priority	See comments
• Accessibility	See comments
• Specialty/resource needs	None
• Crimes	665 (6/1/21-5/31/23)
• Crashes	88 (6/1/21-5/31/23)
• Other Reports	
West Ada School District	<i>No comments received</i>
Wastewater	
• Distance to Sewer Services	Directly adjacent
• Sewer Shed	Ten Mile
• Estimated Project Sewer ERU's	See application
• WRRF Declining Balance	13.91
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/Concerns	Flow is committed – see Public Works Site Specific Conditions
Water	
• Distance to Services	Directly adjacent
• Pressure Zone	3
• Estimated Project Water ERU's	See application
• Water Quality Concerns	None
• Project Consistent with Water Master Plan	Yes
• Impacts/concerns	See Public Works Site Specific Conditions

C. Project Maps

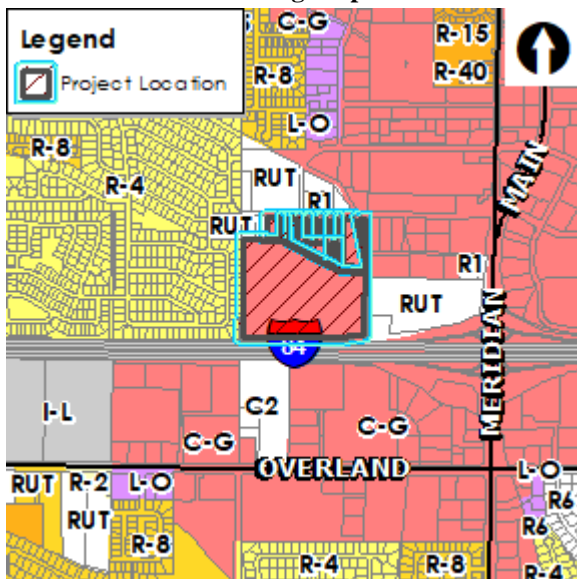
Future Land Use Map



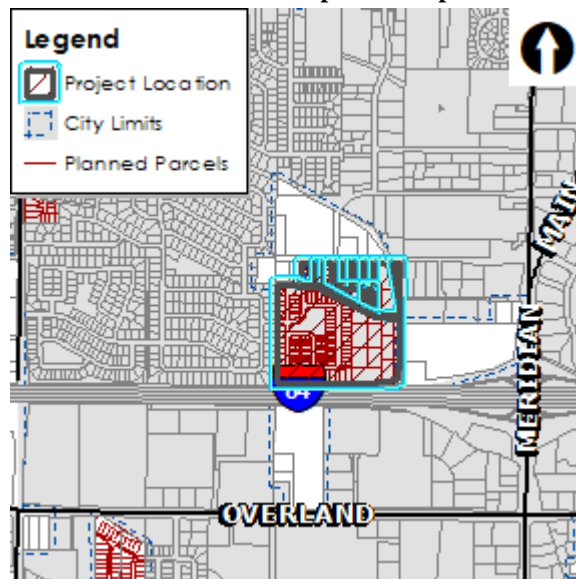
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Becky McKay, Engineering Solutions, LLP – 1029 N. Rosario, Meridian, ID 83680

B. Owner:

Corey D. Barton – 1977 E. Overland Rd., Meridian, ID 83642

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	10/3/2023	11/5/2023
Radius notification mailed to properties within 300 feet	9/29/2023	11/3/2023
Public hearing notice sign posted on site	10/7/2023	11/5/2023
Nextdoor posting	9/28/2023	11/3/2023

V. COMPREHENSIVE PLAN ANALYSIS (<https://www.meridiancity.org/compplan>)

LAND USE:

Existing Future Land Use Map (FLUM) designations: This property is primarily designated MU-C (Mixed Use – Community) on the FLUM with a narrow sliver of Medium Density Residential (MDR) along the western portion of the site consisting of approximately three (3) acres.

The purpose of the MU-C designation is to allocate areas where community-servicing uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in MU-N (Mixed-Use Neighborhood) designated areas but not as large as in MU-R (Mixed Use – Regional) designated areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged.

The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

Proposed FLUM designations: The I-84 and Meridian Road application ([H-2021-0099](#)), currently in process for the adjacent property to the east, requests an amendment to the FLUM from MU-C to Commercial for that property and from MU-C to Medium High-Density Residential (MHDR) for the subject property (see exhibit in Section VIII.J). *The narrow sliver of MDR is proposed to remain along the west boundary to ensure transition of uses as previously desired by the Comprehensive Plan Committee which is accounted for on the proposed plat.*

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from eight to twelve dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high-quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

Note: The initial FLUM amendment request for the property to the east was from MU-C to Mixed-Use Regional (MU-R). The Commission recommended denial to City Council based on their belief the proposed use isn't consistent with the general mixed-use development guidelines, the existing MU-C or the proposed MU-R

guidelines; they also felt a Traffic Impact Study (TIS) was needed. Council heard the application and remanded it back to the Commission in order to be reviewed concurrently with the subject application in an effort to determine consistency with the Comprehensive Plan for the overall property.

After review of these applications, it's Staff's opinion the proposed development plans for both projects are largely inconsistent with the purpose statements and development guidelines in the Comprehensive Plan for the general mixed use and specific land uses (i.e. MU-C and MU-R) for the following reasons: 1) functional and physical integration of land uses is desired – these are two separate residential and commercial developments with only a pedestrian pathway proposed for interconnectivity – no integration of uses is proposed; 2) a mixed use project should include at least three (3) types of land uses – only two (2) are proposed [i.e. residential and commercial (includes retail, restaurants, etc.)]; 3) community serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are desired – none are proposed; 4) supportive and proportional public and/or quasi-public spaces and places, including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected – none are proposed; 5) mixed-use areas should be centered around spaces that are well-designed and integrated public and quasi-public centers of activity that are activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play – no such public/quasi-public areas are proposed; 6) a mixed use project should serve as a public transit location for future park-and-ride lots, bus stops, shuttle bus stops and/or other innovative or alternate modes of transportation – no such stops or lots are proposed; 7) community-serving uses and dwellings should be seamlessly integrated into the urban fabric for an integration of a variety of uses to avoid mainly single-use and strip commercial type buildings (MU-C) – single-use developments are proposed that are not well-integrated; 8) vertically integrated structures are encouraged – none are proposed (MU-C); 9) integration of a variety of uses together, including residential as a supporting use, to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses (MU-R) – no residential uses are included in the proposed MU-R designated area, which creates a single use development with only commercial uses; and 10) retail commercial uses should comprise a maximum of 50% of the development area (MU-R) – most if not all of the proposed MU-R designated area consists of commercial/retail uses, no residential, office, civic or other uses are proposed.

For this reason, Staff recommended the Applicant of the adjacent project (i.e. I-84 & Meridian Rd.) change their request for a map amendment from the MU-R to the Commercial designation and include a map amendment on the subject property from MU-C to MHDR, as agreed to by both Applicants. This change better aligns with the proposed development plans for both properties and in Staff's opinion is more compatible with adjacent existing and future residential development in the area and provides a good transition between these uses to the proposed commercial uses to the east and is more appropriate than the existing and previously proposed designation.

Proposed Use: A mix of residential uses (i.e. single-family detached and attached and townhouse dwellings and multi-family apartments) is proposed at an overall gross density of 10.72 units/acre, which is consistent with the proposed MHDR FLUM designation.

Pathways and sidewalks are proposed throughout the development for internal pedestrian connectivity as well as to the multi-use pathway planned along the Ten Mile Creek and to the proposed commercial development to the east. The proposed site design provides a good transition of uses with larger lots on the periphery of the development and smaller lots internal to the development, and higher density residential uses (i.e. apartments) on the eastern portion of the site adjacent to proposed commercial uses.

DESTINATION: DOWNTOWN

The subject property is located within the downtown urban renewal district. Future development of this area is guided by the [Destination: Downtown](#) vision plan, which was adopted as part of the Comprehensive Plan. *Note: This plan is currently mid-way through an 18-month update process; however, Meridian Development Corporation (MDC) does not anticipate the vision changing much for this area.*

The subject property is part of the Southern Gateway Entertainment & Hospitality District, which consists of 260 acres generally located between Franklin Rd. and I-84. Major characteristics of this district are as follows: 1) bike paths and trails; 2) hotel and upscale restaurant uses; 3) expand and upgrade park & speedway; 4) extensive landscaping; 5) locate a multi-purpose sports facility; and 6) gateway features. Land uses desired in this area include retail/dining (25%), office (25%), light industry (25%) and roads/utilities/institutional (25%).

The proposed use of the property is not consistent with the vision of the Plan for this district. Bike/pedestrian paths and trails are proposed along the frontage of the property along Waltman Ln. and along the Ten Mile Creek as desired. While the existing conceptual development plan that was approved with annexation of the property in 2006 is largely consistent with the vision of the Plan, it doesn't seem feasible as the property has sat vacant for the past 17+ years, largely due to access and transportation issues associated with such a high intense commercial development.

Other considerations exist that have a part in contemplation of a different, less intense, land use in this area, as follows:

- The amendment to the FLUM to MU-C in 2019 supersedes the commercial elements envisioned under the Plan.
- Regional entertainment uses have instead developed south of I-84 with several major expansions (i.e. Wahooz, Pinz, Roaring Springs and the Galaxy Event Center).
- Growth in the downtown district has evolved differently than initially expected. MDC hasn't reserved funding originally planned to support large-scale public-private partnerships, and no public improvements were made in advance to incentivize development in alignment with the Plan. Additional land consolidation has also not occurred to accomplish the vision of the Plan.
- Recently, City Council showed some willingness to consider the type of development proposed when they remanded the I-84 and Meridian Rd. project back to the Commission to be heard concurrently with the subject application. The desire was for both properties to come in with a master plan for the entire area to be more consistent with the mixed use development guidelines and specifically the MU-R designation they were requesting and for the transportation issues to be addressed.
- A lesser intense land use such as residential will result in less traffic congestion in this area and will be more compatible with existing and future adjacent residential land uses.

TRANSPORTATION:

Access is proposed via Waltman Lane, a local street, at the project's north boundary and via the extension of W. Ruddy Dr., a local street, at the project's west boundary. ACHD's Master Street Map (MSM) designates Waltman Ln. as a collector street from Meridian Rd. west to the future extension of Corporate Dr. Due to the increased traffic anticipated with this development, ACHD recommends the collector street designation is extended to the west to Kearney Ave. Improvements are required to Waltman Ln., including reconstruction of the bridge over the Ten Mile Creek, with the second phase of development as outlined in the [ACHD staff report](#).

The extension of Corporate Drive, designated as a collector street on the MSM, including construction of a bridge over the Ten Mile Creek, from the north to Waltman Lane is proposed to be completed with the first phase of development prior to issuance of a building permit. This will provide additional access to the site while the bridge across the Ten Mile Creek on Waltman Lane is being reconstructed with the improvements to Waltman Ln. *See [ACHD report](#) for more information.*

The proposed change to the FLUM from MU-C to MHDR and development agreement modification to allow for residential uses to develop on the site instead of commercial uses as currently entitled, will greatly reduce the overall traffic impacts in this area on Waltman Ln., at the Waltman Ln./Meridian Rd. intersection and the Meridian Rd./I-84 interchange. For comparison, the ACHD report states this development is estimated to

generate 2,884 vehicle trips per day (VTD) (260 vehicle trips per hour in the PM peak hour). In the ACHD report from 2008 for the Browning Plaza preliminary plat (PP-08-001) application, the entitled commercial development was estimated to generate approximately 10,300 VTD (975 vehicle trips per hour in the PM peak hour) at buildout according to the TIS submitted at that time. **Although traffic impacts will be reduced if the proposed change to the FLUM is approved, there is still existing congestion in this area that will worsen significantly if this property and the adjacent property to the east develop at this time as proposed.**

Based on the findings of The Traffic Impact Study (TIS) for the proposed I-84 & Meridian Road project to the east, which included the subject proposed development, the Meridian Rd./Waltman Ln. intersection would exceed ACHD's Acceptable Level of Service thresholds. With previous development applications for these properties, ACHD did not recommend any mitigation at the intersection due to right-of-way (ROW) constraints, impacts to existing businesses, and substantial intersection redesign and construction, making the recommended mitigation infeasible.

A [letter](#) prepared by Six Mile Engineering, dated 1/23/23, in response to comments and feedback during the City Council hearing for the Meridian Rd. & I-84 project was submitted to ACHD proposing phased alternative improvements at the Meridian Rd./Waltman Ln. intersection to address traffic impacts from these developments. A three-phase concept design was proposed in which the first two designs did not require any additional ROW dedication and the final phase did. ACHD reviewed their proposal and does not recommend any modifications to the intersection as under all concept designs, these modifications would negatively impact existing operations of both the interchange and ramps. ACHD's concerns also extended to the impacts the proposed modifications would have to the Central Dr. and Corporate Dr. intersections at Main St. and Progress Ave. While the proposed improvements may benefit both of these proposed developments in the short-term, they'll likely negatively impact the already congested area roadways and intersections. These improvements without significant widening increase corridor travel times and interchange queue lengths, further compounding existing congestion in this area. ACHD believes there are other alternatives that may be considered such as converting Central Dr./Waltman Ln. and Corporate Dr. to a one-way couplet, which is anticipated to reduce both queue lengths and the impacts to the Meridian Rd. and the I-84 interchange system (see ACHD's [letter](#) for more information).

The construction of the Linder Road overpass (1/2 mile to the west), scheduled in ACHD's IFYWP for construction in 2026-2027, should greatly improve traffic conditions on Meridian Rd. by providing another north/south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not, consideration should be given to the inclusion of a provision in the Development Agreement, which limits development to the single-family and townhome portions of the development at this time and delays the multi-family portion of the development until such time as the Linder Road overpass is completed or other area improvements occur that allow for an acceptable level of service to be provided, as determined by ACHD.

COMPREHENSIVE PLAN POLICIES (<https://www.meridiancity.org/compplan>):

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)
The proposed single-family detached/attached and townhome dwellings and multi-family apartments will contribute to the variety of housing types in the City as desired. A mix of alley- and front-loaded units are proposed for added variety in the style of the units.
- “Improve and protect creeks and other natural waterways throughout commercial, industrial, and residential areas.” (4.05.01D)

The Ten Mile Creek, which runs along the project's east boundary, is proposed to be re-vegetated and improved with development on the west side that lies within the subject property. The creek should also be protected during construction.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer services are available and can be extended by the developer with development in accord with UDC 11-3A-21.

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)

Four (4) different residential housing types are proposed in this development (i.e. single-family detached, single-family attached, townhome and multi-family apartments). A range of lot sizes are proposed for these units, which will accommodate a variety of housing styles consisting of 1- and 2-story units.

- “Limit canal tiling and piping of creeks, sloughs, laterals, and drains to man-made facilities where public safety issues cannot be mitigated or are not of concern.” (4.05.01C)

The Ten Mile Creek, which runs along the project's east boundary, is required to remain open as a natural amenity and not be piped.

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

The proposed single-family, townhome and multi-family residential uses should be compatible with existing and future medium-density residential uses to the west and north. The proposed design, with larger lots for single-family detached homes on the periphery and smaller lots for single-family attached and townhomes on the interior, transitions well to existing and future adjacent residential uses and the multi-family apartments on the east side of the site adjacent, which in turn transitions well to planned commercial uses to the east. The proposed design should minimize conflicts and maximize use of land.

- “With new subdivision plats, require the design and construction of pathway connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A)

Pedestrian pathways are proposed to the amenities in the central common area in the single-family portion of the development, which connect to pathways in the central common area in the multi-family portion of the development and extend to the multi-use pathway along the Ten Mile Creek. The large central common area in the single-family portion and the linear open space in the multi-family portion of the development provide much usable open space with quality amenities as desired.

- “Encourage the incorporation of creek corridors as amenities in development design.” (4.05.02C)

The Ten Mile Creek corridor is proposed to be improved as an amenity with a segment of the City's regional pathway system along the west side of the creek.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development will connect to City water and sewer systems; services are proposed to be provided to and through this development in accord with current City plans.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

Although there are some County zoned properties at the northwest corner and to the north of this site, the larger area is surrounded by properties that have been annexed and developed in the City. Development of this infill property will result in more efficient provision of public services. (Note: The County zoned property to the east is part of the I-84 and Meridian Road annexation application that's currently in process.)

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development as proposed.

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the Area of City Impact.” (6.01.03B)

The MSM depicts the extension of Corporate Dr. and the portion of Waltman Ln. east of Corporate Dr. to Meridian Rd. as a collector street. Due to the increased traffic anticipated with this development, ACHD recommends the collector street designation is extended to the west to Kearney Ave.

- “Slow the outward progression of the City's limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)

The proposed vacant parcels are within the City limits and the larger area is surrounded by properties already developed in the City. The development of this property will result in better provision of City services.

Based on the analysis above, Staff finds the proposed development plan is generally consistent with the requested FLUM designation of MHDR for this site and is compatible with adjacent existing and future residential land uses. *Note: If the proposed amendment to the FLUM is not approved with H-2021-00099, Staff finds the proposed development is not consistent with the existing MU-C FLUM designation for the reasons noted above.*

VI. STAFF ANALYSIS

A. DEVELOPMENT AGREEMENT MODIFICATION (MDA)

The existing Development Agreement (DA) (Boise Waltman – Inst. #[108131100](#)), approved in 2008, allows for the development of commercial/office/hotel uses on this site. Because that development plan has not been viable and the property has sat vacant since that time, the Applicant proposes a change to the development plan for the site. A modification to the DA is proposed for the purpose of replacing the agreement with a new agreement allowing for the development of a mix of single-family detached and attached dwellings, townhome dwellings and multi-family residential apartments on the site consistent with the plan included in Section VIII.I.

The existing DA includes two (2) different conceptual development plans for the site as shown in Section VIII.A. These plans depict approximately 400,000 square feet of professional office, hotel, big box retail and smaller retail spaces.

The proposed development plan with single-family detached homes adjacent to existing single-family detached homes to the west in The Landing subdivision and future medium-density residential uses to the north across Waltman Ln., single-family attached and townhome dwellings internal to the development, and multi-family apartments on the eastern portion of the development provides a good transition to proposed commercial/retail uses to the east across the Ten Mile Creek with the concurrent I-84 and Meridian Road application (H-2021-0099) (see Section VIII.C).

History: Two (2) previous development applications for this site were denied by City Council, one in 2018 ([H-2018-0023](#)) and another in 2020 ([H-2020-0024](#)). The first, which included a request for an amendment to the

FLUM from Commercial to MHDR, was denied due to the finding that the proposed amendment wasn't in the best interest of the City for the following reasons: 1) Concern that the property will not be maintained consistently due to different ownership of the structures and associated areas; 2) Desire for the applicant to participate in the Comprehensive Plan update that's currently in process, rather than requesting an amendment to the FLUM outside of that process; 3) Preference for commercial employment type uses to develop on this property rather than residential as the original plan proposed; 4) Concern related to impact on area schools, proposed density and traffic (i.e. resulting safety hazards); and 5) Conclusion that the timing wasn't right for an amendment to the FLUM (a City initiated update to the plan was in process at that time) and the development of the property as proposed. *Note: Between the application in 2018 and the one in 2020 the FLUM designation for this property was changed from Commercial to Mixed-Use Community (MU-C) with the City's update to the Comprehensive Plan, which allowed the subsequent application to be submitted without an amendment to the FLUM.* With the second application, Council found the proposed rezone was not in the best interest of the City because the sole residential use of the property was not consistent with the MU-C designation. Further, Council didn't want to set a precedent by "floating" a FLUM designation (i.e. MDR) and burdening the adjacent property to the east with providing only the non-residential component of the mix of uses desired for this area per the Comprehensive Plan.

The proposed residential development plan is largely the same as those previously submitted for this site. However, the key difference is that a development application is concurrently in process for the 70+/- acres of land directly to the east across the Ten Mile Creek as mentioned above (i.e. I-84 & Meridian Rd. [H-2021-0099](#)) and an amendment to the FLUM is proposed to MHDR, which supports the proposed uses and is compatible with adjacent existing and future development.

Because the proposed development plan for this site has completely changed from the conceptual commercial development previously approved and the terms of the agreement are no longer applicable, Staff is supportive of the request for a new DA to replace the existing agreement based on the proposed development plan. Staff's recommended provisions for the new DA are included in Section VIII.A.1 and the development plans for the overall site are included in Section VIII. *Note: If the amendment to the FLUM proposed with H-2021-0099 is not approved, Staff is not supportive of the proposed MDA (and consequently the RZ, PP and CUP applications) per the analysis above in Section V due to inconsistency of the proposed development plan with the MU-C designation.*

B. REZONE (RZ)

A rezone of a total of 41.89 acres of land, including adjacent right-of-way, from the C-G to the R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres) zoning districts is proposed for the development of a mix of single-family detached and attached dwellings, townhouse dwellings and multi-family apartments. The proposed uses and zoning districts are consistent with the amendment to the FLUM proposed with H-2021-0099 to the MHDR designation. Legal descriptions and exhibit maps for the areas proposed to be rezoned are included below in Section VIII.B.

The Allowed Uses table in UDC [Table 11-2A-2](#) for residential districts lists single-family detached and attached dwellings and townhouse dwellings as principal permitted uses in the proposed R-8 and R-15 zoning districts; and multi-family developments as a conditional use in the R-40 zoning district, subject to the specific use standards listed in UDC [11-4-3-27](#).

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Because a DA already exists on this property, the Applicant requests a modification to the DA (MDA) to replace the existing agreement with a new agreement consistent with the proposed development plan as discussed in Section VI.A above. **To ensure the site develops as proposed with this application, staff recommends the provisions included in Section VIII are included in a new DA for the subject property.**

C. PRELIMINARY PLAT (PP)

A preliminary plat is proposed consisting of 130 buildable lots [83 single-family (16 alley-loaded, 67 front-loaded), 45 alley-loaded townhome and 2 multi-family] for a variety of housing types and 20 common lots on 38.05 acres of land in the proposed R-8, R-15 and R-40 zoning districts. The single-family lots range in size from 3,850 to 10,536 square feet (s.f.) with an average lot size of 5,132 s.f. A total of 16 alley-loaded homes and 67 front-loaded homes are proposed with lot widths of 40, 50 and 60 feet. A total of 45 alley-loaded townhomes are proposed with lot sizes ranging from 2,400 to 3,884 s.f. with an average lot size of 2,739 s.f. The proposed plat results in an overall gross density of 10.72 units/acre and a net density of 16.44 units/acre, which is consistent with the FLUM amendment proposed with H-2021-0099.

Phasing: The plat is proposed to develop in four (4) phases as shown in Section VIII.C. The Applicant requests flexibility in the phasing to adjust the number of lots, combination of lots and number of phases to reflect changing market conditions. Staff is amenable to this request unless otherwise restricted in the Cooperative Development Agreement with Ada County Highway District (ACHD) or as otherwise approved by City Council.

Because noise from I-84 will greatly affect future residents in this area, Staff recommends noise abatement in the form of a berm and wall is constructed per the standards listed in UDC [11-3H-4D](#) in its entirety with the first phase of development as a provision of the Development Agreement. The Applicant requests these improvements be constructed with Phases 3 and 4, prior to issuance of Certificates of Occupancies within each phase.

Existing Structures/Site Improvements:

There are several existing structures on this site that are required to be removed prior to signature on the final plat for the phase in which they are located.

Dimensional Standards (UDC [11-2](#)):

The proposed plat and subsequent development is required to comply with the UDC dimensional standards for the associated zoning districts is required, as follows: [Table 11-2A-6](#) for the R-8 zoning district; [Table 11-2A-7](#) for the R-15 zoning district; and [Table 11-2A-8](#) for the R-40 zoning district. The standards for all development in residential districts are listed in [11-2A-3](#). **Depict zero (0) lot lines where single-family attached and townhome units are proposed to span over property lines.**

Access (UDC [11-3A-3](#)):

One (1) public street access is proposed via the extension of W. Ruddy Dr., a local street, at the west boundary of the site and two (2) accesses (one public street and one driveway) are proposed via W. Waltman Ln., an existing local street to be designated a collector street from Meridian Rd. to S. Kearney Ave. with this development.

A stub street (S.W. 7th Ave.) is proposed to the out-parcel (Cooper property #S1213428090) at the northwest corner of the site for future extension and/or access.

UDC [11-3A-3A.3](#) requires all subdivisions to provide local street access to any use that currently takes direct access from a collector street unless otherwise waived by City Council. **Because the adjacent property to the east only has access via Waltman Ln., a collector street, a local street with a vehicular bridge over the Ten Mile Creek that includes a minimum 5-foot wide pedestrian walkway on at least one side, should be provided in lieu of the proposed pedestrian connection.**

Three (3) common driveways are proposed off internal public streets that are required to be constructed in accord with the standards listed in UDC [11-6C-3D](#). Exhibits for these driveways are included in Section VIII.D that demonstrate compliance with the required standards. **The landscape plan submitted with the final plat application should be revised to depict 5-foot wide landscape buffers planted with shrubs, lawn or other vegetative groundcover where solid fencing is proposed adjacent to the common driveway as set forth in UDC [11-6C-3D.5](#). A perpetual ingress/egress easement is required to be noted on the final plat, which**

shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.

Three (3) alleys are proposed off internal public streets that are required to comply with and be constructed in accord with the standards listed in UDC [11-6C-3B.5](#). **Include a cross-section of the typical alley on the plat.**

For addressing purposes and for wayfinding in the event of an emergency, the Fire Dept. is requesting private streets are provided within the multi-family portion of the development. **A private street application shall be submitted that demonstrates compliance with the standards listed in UDC [11-3F-4](#).**

Road Improvements: The Applicant proposes to construct the extension of Corporate Dr., a collector street, off-site from its current terminus north of Ten Mile Creek to Waltman Ln. within existing ROW with the first phase of development (54 building lots). The construction of Corporate Dr. will include the construction of a new bridge over the Ten Mile Creek. This will provide additional access to the site and provide for additional access while the Ten Mile Creek bridge on Waltman is being reconstructed. The roadway north of the bridge should be constructed as a 40-foot wide commercial street section with vertical curb, gutter and 5-foot wide concrete sidewalk. The crossing of Ten Mile Creek will require a 58-foot wide bridge with 2-foot parapets. **Staff recommends the roadway south of the bridge to Waltman Lane is constructed as a complete street section with detached 10-foot wide multi-use pathways along both sides of the street.** These improvements will occur with the first phase of development (54 lots) and shall be complete prior to issuance of any building permits.

The Applicant proposes to construct Waltman Lane as ½ of a 36-foot wide street section with curb, gutter, an 8-foot wide planter strip/parkway and a 10-foot wide detached sidewalk within 29-feet of right-of-way (ROW) from centerline with 7-feet of the sidewalk located outside of the dedicated ROW abutting the site. All improvements are proposed to be constructed south of the existing edge of pavement for Waltman Ln., shifting the centerline 8-feet south to the south. ACHD is requiring the Applicant to construct the north side of Waltman with a minimum of 12-feet of pavement from centerline, a 3-foot wide gravel shoulder and a borrow ditch to accommodate the roadway storm run-off. Center turn lanes are required to be constructed on Waltman Ln. at the apartment driveway. The improvements to Waltman Ln. will require reconstruction of the existing bridge over the Ten Mile Creek as a full 36-foot street section with curb and 5-foot wide attached concrete sidewalks. This will require a 54-foot wide bridge with 2-foot parapets. These improvements should be completed as required by ACHD in the Cooperative Development Agreement.

Pathways (UDC [11-3A-8](#)):

A 14-foot wide segment of the City's regional pathway is depicted on the Pathways Master Plan along the west side of the Ten Mile Creek. A 10-foot wide multi-use pathway is proposed consistent with the Plan with a pedestrian bridge over the creek for connectivity with the proposed commercial development to the east. **A pedestrian easement is required to be submitted to the Planning Division for this pathway in accord with Park's Dept. requirements.**

Sidewalks (UDC [11-3A-17](#)):

Sidewalks are required to be constructed adjacent to all public streets as set forth in UDC 11-3A-17 as proposed. The UDC requires 5-foot wide *detached* sidewalks to be constructed along all collector streets (i.e. W. Waltman Ln. and Corporate Dr.).

Parkways (UDC [11-3A-17](#)):

Parkways are required to be constructed and landscaped per the standards listed in UDC [11-3A-17E](#). Landscaped parkways are proposed along W. Ruddy Dr./S. Kearney Ave. and W. Waltman Ln. in accord with UDC standards.

Landscaping (UDC [11-3B](#)):

Street buffer landscaping is required to be provided as set forth in UDC Tables [11-2A-6](#) for the R-8 district, [11-2A-7](#) for the R-15 district and [11-2A-8](#) for the R-40 district and planted in accord with the updated standards

listed in UDC [11-3B-7C](#). Street buffers are required to be placed in a common lot or on a permanent dedicated buffer easement, maintained by the property owner or homeowner's association.

A 20-foot wide street buffer is required along W. Waltman Ln., to be designated as a collector street with this development; a 37-foot wide buffer is proposed with a 3-foot tall landscaped berm and a 10-foot wide detached sidewalk.

Common open space areas are required to be landscaped per the standards listed in UDC [11-3G-5B](#). Landscaping is proposed in these areas in *excess* of the minimum standards. **The open space landscape requirements on the Landscape Requirements table on the landscape plan should be revised to reflect the updated standard of one (1) deciduous tree for every 5,000 square feet of common open space.**

Landscaping is required to be provided along pathways per the standards listed in UDC [11-3B-12C](#). **Minimum 5-foot wide landscape strips are required along each side of all pathways planted with a mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway; shrubs should be added on the west side of the pathway along the creek in accord with this standard.**

Include mitigation information on the landscape plan submitted with the final plat application as applicable for tree preservation in accord with the standards listed in UDC [11-3B-10C](#).

Qualified Open Space & Site Amenities (UDC [11-3G](#)):

The single-family and townhome portion of the development is subject to the qualified open space and site amenity standards listed in UDC [11-3G-3](#). A minimum of 15% qualified open space is required to be provided for the R-8 and R-15 zone in accord with the quality standards listed in UDC 11-3G-3A.2 and shall comply with the standards listed in UDC 11-3G-3B.

Based on the acreage of the R-8 and R-15 zoned portion of the development (i.e. 22.03-acres), a minimum of 3.30-acres of qualified open space is required. The open space exhibit included in Section VIII.G depicts 3.66-acres of qualified open space, exceeding the minimum standard by 0.36-acre. Proposed qualified areas consist of 100% of the collector street buffer along Waltman Ln. (on the single-family & townhome portion of the development), **which is required to have enhanced landscaping as set forth in UDC [11-3B-7C.3](#) for entryway corridors and comply with the standards listed in UDC [11-3G-3B.2](#).** *The multi-family portion of the development is also required to provide common open space per the standards listed in UDC 11-4-3-27C in addition to this requirement (see analysis below).*

Based on the acreage of the R-8 and R-15 zoned portion of the development (i.e. 22.03-acres), a minimum of four (4) points of site amenities are required per UDC [11-3G-4A](#); a list of qualified site amenities and associated point values are included in UDC [Table 11-3G-4](#). The following amenities and associated point values are proposed: a tot lot with benches (1 point), a half basketball court and a pickleball court with benches (i.e. paved sports court at 4 points each = 8 points), multi-use pathway along Waltman Ln. and along the Ten Mile Creek (1/4+ mile – 2 points), exceeding the minimum standard by 7 points. *The multi-family portion of the development is also required to provide site amenities per the standards listed in UDC 11-4-3-27 in addition to this requirement (see analysis below under Conditional Use Permit).*

Fencing (UDC [11-3A-6](#), [11-3A-7](#)):

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-7. A combination of 6-foot tall solid vinyl fencing and 6-foot tall wrought iron fencing is proposed as shown on the landscape plan.

A 9-foot tall berm with a 6-foot tall rhino rock stamped concrete wall is proposed within the street buffer along the southern boundary of the site as noise abatement to buffer the residential uses from the traffic on I-84 in accord with UDC [11-3H-4D](#); the wall is proposed to be staggered every linear 300' in accord with UDC standards to avoid a monotonous wall (see detail in Section VIII.F). **The detail of the wall should be revised on the landscape plan submitted with the final plat application to include the centerline of the west-**

bound travel to demonstrate compliance with the requirement for the berm/wall to be a minimum of 10 feet higher than the elevation at the centerline of the state highway.

Existing Easements:

There is an existing 100-foot wide irrigation easement (50' each side of centerline) for the Ten Mile Creek held by NMID along the east boundary of the site as depicted on the plat, some of which lies on the adjacent property to the east. A 20-foot wide City sewer easement also exists along the east boundary of the site as depicted on the plat.

Waterways:

The Ten Mile Creek runs along the east boundary of the site and is required to be left open as a natural amenity and not be piped as set forth in UDC [11-3A-6B.1](#) as proposed.

Flood Zone: A portion of the site along the east boundary lies within Flood Zone “A” per FEMA Map #16001C0232H. This site is not within the floodplain.

Utilities:

Connection to City water and sewer services is required in accord with UDC [11-3A-21](#). Street lighting is required to be installed in accord with the City’s adopted standards, specifications and ordinances.

An existing 15-inch sewer main lies along the east half of the Waltman Ln. frontage and along the west top of bank of the Ten Mile Creek through the site. The 8-inch sewer main connection will be in Waltman Ln. and will serve the entire site via gravity sewer. An existing 12-inch water main is located in Waltman Ln. along the full frontage of the site. This subdivision will connect in Waltman at two locations and also to the existing 8” stub located at the Landing Subdivision stub street (Ruddy) at the west boundary. *See Section VIII.B below for Public Works comments/conditions.*

Pressurized Irrigation System:

A regional pressure irrigation pump station is proposed to be constructed with this development to NMID standards with a Ten Mile Creek takeout in the northeast corner of the site near Waltman Ln. Pressure irrigation distribution lines and individual lot services will be provided to all lots in the subdivision. Pressurized irrigation systems should comply with the standards set forth in UDC [11-3A-15](#).

Storm Drainage:

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC [11-3A-18](#). A [Geotech report](#) was submitted for this development. Storm drainage is proposed to be mitigated by underground seepage beds and/or retention ponds in accord with ACHD design criteria. **Stormwater swales incorporated into required landscape areas are required to be vegetated with grass or other appropriate plant materials and designed to accommodate the required number of trees as per [UDC 11-3B-7](#) if located in a street buffer or other required landscape area.**

Building Elevations (UDC [11-3A-19](#) | [Architectural Standards Manual](#)):

Conceptual building elevations were submitted for the proposed residential structures on the site as shown in Section VIII.I. One and two-story single-family detached and townhome dwellings are proposed with a mix of front-loaded and alley-loaded styles in a mix of materials and colors. Single-story homes are proposed along the southern boundary adjacent to I-84 to minimize the sound impact to residents.

In the multi-family portion of the development, one (1) 2-story and 11 3-story apartment buildings are proposed containing 16-units and 24-units, respectively along with a single-story clubhouse. A mix of materials are proposed consisting of stucco and horizontal and vertical siding with stone veneer accents. The 2-story multi-family building is proposed along the northern boundary adjacent to Waltman Ln. to minimize bulk and wall effect.

Staff recommends The rear and/or sides of new homes facing Interstate 84 and W. Waltman Ln. incorporate articulation through changes in two or more of the following: modulation (e.g. projections,

recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public streets. *Single-story structures are exempt from this requirement.*

All single-family attached, townhome and multi-family structures are required to comply with the design standards listed in the Architectural Standards Manual; single-family detached structures are exempt from this requirement. **An administrative Design Review application is required to be submitted for approval of the design of all single-family attached and townhome structures in the development prior to submittal of building permit application for those structures. An application for Certificate of Zoning Compliance is also required to be submitted along with Design Review for the multi-family portion of the development.**

D. CONDITIONAL USE PERMIT (CUP)

Conditional use permit for a multi-family development consisting of 280 residential units on 15.88 acres of land in the R-40 zoning district. A total of (94) 1-bedroom units, (152) 2-bedroom units and (34) 3-bedroom units are proposed in 12 structures on the eastern portion of the site.

Specific Use Standards (UDC 11-4-3): The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

11-4-3-27: MULTI-FAMILY DEVELOPMENT:

Site Design:

Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *The proposed site plan complies with this standard.*

All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The site plan depicts screened trash enclosures not visible from a public street; all proposed transformer/utility vaults and other service areas shall comply with this requirement.*

A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *Floor plans were submitted that depict porches or balconies for each unit in accord with this standard.*

For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*

No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant shall comply with this requirement.*

The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *Ninety-four (94) 1-bedroom units, (152) 2-bedroom units and (34) 3-bedroom units are proposed (parking is not required for the clubhouse). Based on the number of units proposed, a total of 575 spaces are required with 280 of those in a covered carport or garage. A total of 581 spaces are proposed with 280 of those in a covered carport or garage, which exceeds the minimum standard by six*

(6) spaces. Based on the number of vehicle parking spaces proposed, a minimum of 23 bicycle parking spaces should be provided dispersed throughout the development.

Developments with twenty (20) units or more shall provide the following:

- A property management office.
- A maintenance storage area.
- A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
- A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

The property management office and maintenance storage area are depicted on the floor plan for the clubhouse. Central mailbox locations are proposed at the trash enclosures and a directory & map of the development is provided at the clubhouse. The site plan submitted with the Certificate of Zoning Compliance should clearly depict the location of these items.

Common Open Space Design Requirements:

The total baseline land area of all qualified common open space shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. When multi-family is approved concurrently with single-family, the minimum open space requirements in UDC 11-3G-3 shall apply to the gross land area of entire development (i.e. 15%). *Based on 15.88 acres, a minimum of 103,760 s.f. (or 2.38 acres) is required that meets the standards listed in UDC 11-4-3-27C.2, 3, 4 and 5.*

The proposed common open space areas all have direct pedestrian access, high visibility, comply with CPTED standards and support a range of leisure and play activities and uses as desired. Open space is accessible and well-connected throughout the development by pathways and visually accessible along the collector street in accord with UDC 11-4-3-27C.2.

All multi-family projects over 20 units are required to provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages, which may be included in the minimum required open space total. The minimum size of common grassy areas shall be at least 5,000 s.f. in area and is required to increase proportionately as the number of units increase and be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development. Several open grassy areas are provided that exceed 5,000 s.f. in area, which Staff feels is commensurate with the size of the development.

In addition to the baseline open space requirement, a minimum outdoor common open space is required, as follows: 250 s.f. for each unit containing more than 500 and up to 1,200 s.f. of living area (246 units x 250 s.f. = 61,500 s.f. or 1.41 acres) and 350 s.f. for each unit containing more than 1,200 s.f. (34 units x 350 s.f. = 11,900 s.f. or 0.27 acre), which equals 73,400 s.f. or 1.68 acres. With the baseline requirement (i.e. 103,760 s.f. or 2.38 acres), a minimum of 177,160 s.f. or 4.06 acres of qualified common open space is required overall. *A total of 4.37 acres is proposed to be provided as shown in Section VIII.G; however, there are a couple of areas that don't meet the standards for qualified open space as follows: the 10' wide strip along the west boundary of the site consisting of 10,196 s.f. (or 0.23 acre) is below the minimum width dimension of 20'; and the area at the northeast corner of the site on the other side of the creek consisting of 3,802 s.f. (or 0.09 acre) is not well-connected or accessible from this development except by the pathway along Waltman Ln. Without these areas, 4.05 acres is still provided, which rounded down to the whole number, meets the minimum standard.*

Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20') per UDC 11-4-3-27C.5. *The common open space areas depicted on the open space exhibit in Section VIII.G meet this requirement except for the linear area along the west boundary adjacent to parking as mentioned above.*

In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units per UDC 11-4-3-27C.6. *The multi-family component of this project is proposed to be developed in two (2) phases as shown on the phasing plan in Section VIII.C and appears to comply with this standard.*

Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access per UDC 11-4-3-27C.7. ***A 3-foot tall berm is proposed within the street buffer along Waltman Ln., a collector street, which should be increased to 4-feet in height.***

Site Development Amenities: For multi-family developments with 75 units or more, four (4) amenities are required to be provided with at least one (1) from each category listed in UDC 11-4-3-27D (i.e. quality of life, open space, recreation, multi-modal). For developments with more than 100 units, the decision-making body should require additional amenities commensurate to the size of the proposed development.

The applicant proposes amenities from each of the required categories as follows: a 5,750 s.f. clubhouse with a fitness facility, dog washing facilities, a cycle shop and tenant storage closets; a covered patio with BBQ at the clubhouse, a gazebo at the pool deck, a picnic gazebo at play area, greenbelt plaza, swimming pool & spa with changing facilities & restrooms, children's play structure/tot lot, a pickleball sports court, a bicycle repair station and charging stations for electric vehicles. Staff is of the opinion the proposed amenities are commensurate with the 280-unit apartment project proposed and meet and exceed the requirement.

Landscaping Requirements: Landscaping is required in accord with the standards in UDC 11-3B. All street facing elevations are required to have landscaping along their foundation as follows: the landscaped area shall be at least three feet (3') wide; for every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted; and ground cover plants are required to be planted in the remainder of the landscaped area. *Landscaping is depicted along the foundation of elevations that face Waltman Ln. that appears to comply with this standard.*

Maintenance and Ownership Responsibilities: All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. ***The Applicant shall comply with this requirement and submit a recorded copy of this document to the Planning Division prior to issuance of Certificate of Occupancy for the first structure within the development.***

Police access under exigent circumstances: Multifamily developments with units that take access via secured common corridors are required to install and maintain a keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances. The keyless entry system or alternative shall be subject to review and approval by the Meridian Police Department.

Private Streets: As noted above, for addressing purposes and for wayfinding in the event of an emergency, the Fire Dept. is requesting private streets are provided within the multi-family portion of the development. **A private street application shall be submitted that demonstrates compliance with the standards listed in UDC 11-3F-4.**

VII. DECISION

A. Staff:

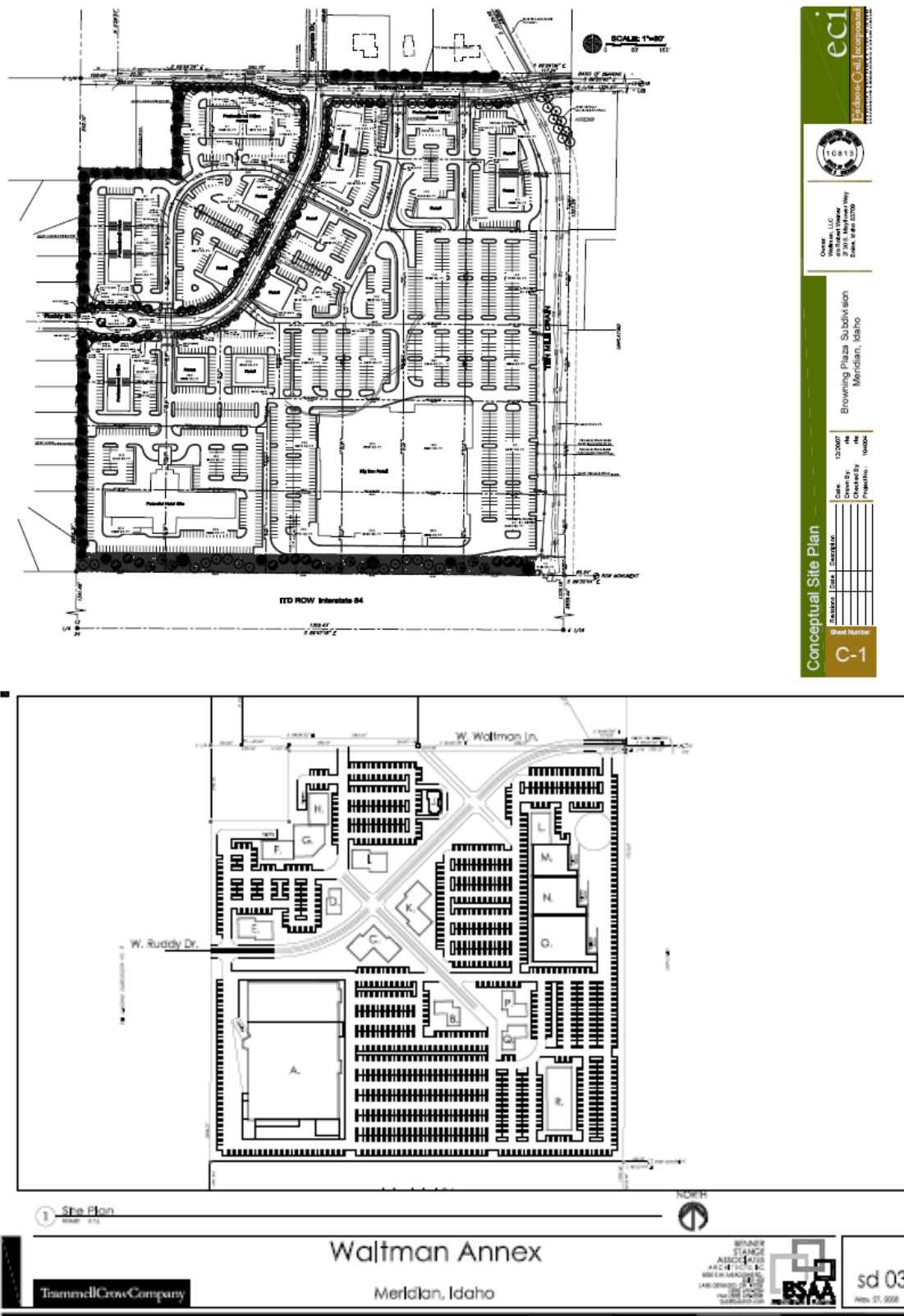
Staff recommends approval of the proposed MDA, RZ, PP and CUP applications per the provisions included in Section VIII in accord with the Findings in Section IX *if* the proposed amendment to the FLUM is approved with H-2021-0099. If the proposed amendment is *not* approved, Staff recommends denial of the proposed MDA, and consequently the RZ, PP and CUP applications per the analysis in Section V due to inconsistency of the proposed development plan with the MU-C designation as noted above.

B. The Meridian Planning & Zoning Commission heard these items on November 2, 2023 (continued from October 19, 2023). At the public hearing, the Commission moved to recommend approval of the subject MDA, RZ, PP and CUP requests.

1. Summary of Commission public hearing:
 - a. In favor: Becky McKay, Engineering Solutions (Applicant's Representative)
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Heath McMahon
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. Not in support of this project due the (high) density proposed and negative impact on traffic in this area.
 - b. Safety of area residents with the traffic that will be generated from this development and the commercial development to the east.
3. Key issue(s) of discussion by Commission:
 - a. The request by the Applicant to *not* be required to provide a vehicular connection to the east across the Ten Mile Creek to the adjacent commercial development. The Commission was in favor of Council granting a waiver to *not* require a connection.
 - b. Concern regarding the phasing of the development in relation to construction of the Linder Road overpass.
4. Commission change(s) to Staff recommendation:
 - a. At Staff's request, modify DA provision #1b to require the extension of Corporate Dr. to be constructed as required by ACHD.
 - b. Include a DA provision that requires the Linder Road overpass to be completed prior to issuance of the first Certificate of Occupancy in the multi-family development (see Section IX. A.1h).
5. Outstanding issue(s) for City Council:
 - a. None

A. Conceptual Development Plans Included in Existing Development Agreement

A. Conceptual Development Plans Included in Existing Development Agreement



B. Rezone Legal Descriptions and Exhibit Map

Legal Description
Tanner Creek Subdivision – Zone R-8

A parcel being located in the SE ¼ of Section 13, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the northwest corner of said SE ¼ (C ¼ Corner), from which a brass cap monument marking the northeast corner of said SE ¼ (¼ Corner) bears S 89°52'43" E a distance of 2642.71 feet;

Thence S 89°52'53" E along the northerly boundary of said SE ¼ a distance of 250.00 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly boundary S 89°52'53" E a distance of 543.81 feet to a point;

Thence leaving said northerly boundary S 0°01'45" W a distance of 196.36 feet to a point;

Thence N 89°56'05" W a distance of 129.13 feet to a point;

Thence N 88°43'36" W a distance of 59.52 feet to a point;

Thence N 89°52'43" W a distance of 305.30 feet to a point;

Thence S 0°04'14" W a distance of 331.54 feet to a point of curvature;

Thence a distance of 199.11 feet along the arc of a 125.00 foot radius curve right, said curve having a central angle of 91°15'53" and a long chord bearing S 44°25'59" W a distance of 178.72 feet to a point of tangency;

Thence N 89°56'05" W a distance of 46.97 feet to a point;

Thence S 0°01'30" W a distance of 422.85 feet to a point of curvature;

Thence a distance of 84.04 feet along the arc of a 53.50 foot radius curve left, said curve having a central angle of 90°00'13" and a long chord bearing S 44°58'37" E a distance of 75.66 feet to a point of tangency;

Thence S 89°58'43" E a distance of 427.00 feet to a point;

Thence N 88°33'04" E a distance of 56.77 feet to a point;

Thence S 89°56'05" E a distance of 129.17 feet to a point;

Thence S 0°00'04" W a distance of 301.28 feet to a point on the centerline of Interstate 84;

Thence along said centerline S 89°59'24" W a distance of 795.12 feet to a point on the westerly boundary of said SE ¼;

Thence along said westerly boundary N 0°03'55" E a distance of 1189.59 feet to a point;



Tanner Creek – R-8 Zone
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Job No. 23-64

Thence leaving said westerly boundary S 89°44'33" E a distance of 249.82 feet to a point;

Thence N 0°06'36" E a distance of 242.69 feet to the **POINT OF BEGINNING**.

This parcel contains 12.158 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
October 19, 2023



Legal Description
Tanner Creek Subdivision – Zone R-15

A parcel being located in the NW ¼ of the SE ¼ of Section 13, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the northwest corner of said NW ¼ of the SE ¼ (C ¼ Corner), from which a brass cap monument marking the northeast corner of the SE ¼ (¼ Corner) of said Section 13 bears S 89°52'43" E a distance of 2642.71 feet;

Thence S 89°52'53" E along the northerly boundary of said NW ¼ of the SE ¼ a distance of 793.81 feet to a point;

Thence leaving said northerly boundary S 0°01'45" W a distance of 196.36 feet to the **POINT OF BEGINNING**;

Thence continuing S 0°01'45" W a distance of 427.80 feet to a point;

Thence N 89°58'17" W a distance of 112.70 feet to a point;

Thence S 0°06'20" E a distance of 104.81 feet to a point;

Thence S 89°59'36" E a distance of 112.51 feet to a point;

Thence S 0°00'04" W a distance of 399.65 feet to a point;

Thence N 89°56'05" W a distance of 129.17 feet to a point;

Thence S 88°33'04" W a distance of 56.77 feet to a point;

Thence N 89°58'43" W a distance of 427.00 feet to a point of curvature;

Thence a distance of 84.04 feet along the arc of a 53.50 foot radius curve right, said curve having a central angle of 90°00'13" and a long chord bearing N 44°58'37" W a distance of 75.66 feet to a point of tangency;

Thence N 0°01'30" E a distance of 422.85 feet to a point;

Thence S 89°56'05" E a distance of 46.97 feet to a point of curvature;

Thence a distance of 199.11 feet along the arc of a 125.00 foot radius curve left, said curve having a central angle of 91°15'53" and a long chord bearing N 44°25'59" E a distance of 178.72 feet to a point of tangency;

Thence N 0°04'14" E a distance of 331.54 feet to a point;

Thence S 89°52'43" E a distance of 305.30 feet to a point;

Thence S 88°43'36" E a distance of 59.52 feet to a point;



Tanner Creek – R-15 Zone
Page 1 of 2
Job No. 23-64

Thence S 89°56'05" E a distance of 129.13 feet to the **POINT OF BEGINNING**.

This parcel contains 12.272 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
October 18, 2023



Legal Description
Tanner Creek Subdivision – Zone R-40

A parcel being located in the SE ¼ of Section 13, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the northwest corner of said NW ¼ of the SE ¼ (C ¼ Corner), from which a brass cap monument marking the northeast corner of the SE ¼ (¼ Corner) of said Section 13 bears S 89°52'43" E a distance of 2642.71 feet;

Thence S 89°52'53" E along the northerly boundary of said NW ¼ of the SE ¼ a distance of 793.81 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly boundary S 89°52'43" E a distance of 527.62 feet to a point marking the northeast corner of said NW ¼ of the SE ¼;

Thence along the easterly boundary of said NW ¼ of the SE ¼ S 0°19'27" W a distance of 1428.67 feet to a point on the centerline of Interstate 84;

Thence leaving said easterly boundary and along said centerline S 89°59'24" W a distance of 519.85 feet to a point;

Thence leaving said centerline N 0°00'04" E a distance of 700.93 feet to a point;

Thence N 89°59'36" W a distance of 112.51 feet to a point;

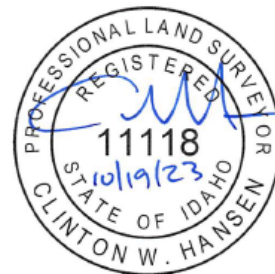
Thence N 0°06'20" W a distance of 104.81 feet to a point;

Thence S 89°58'17" E a distance of 112.70 feet to a point;

Thence N 0°01'45" E a distance of 624.16 feet to the **POINT OF BEGINNING**.

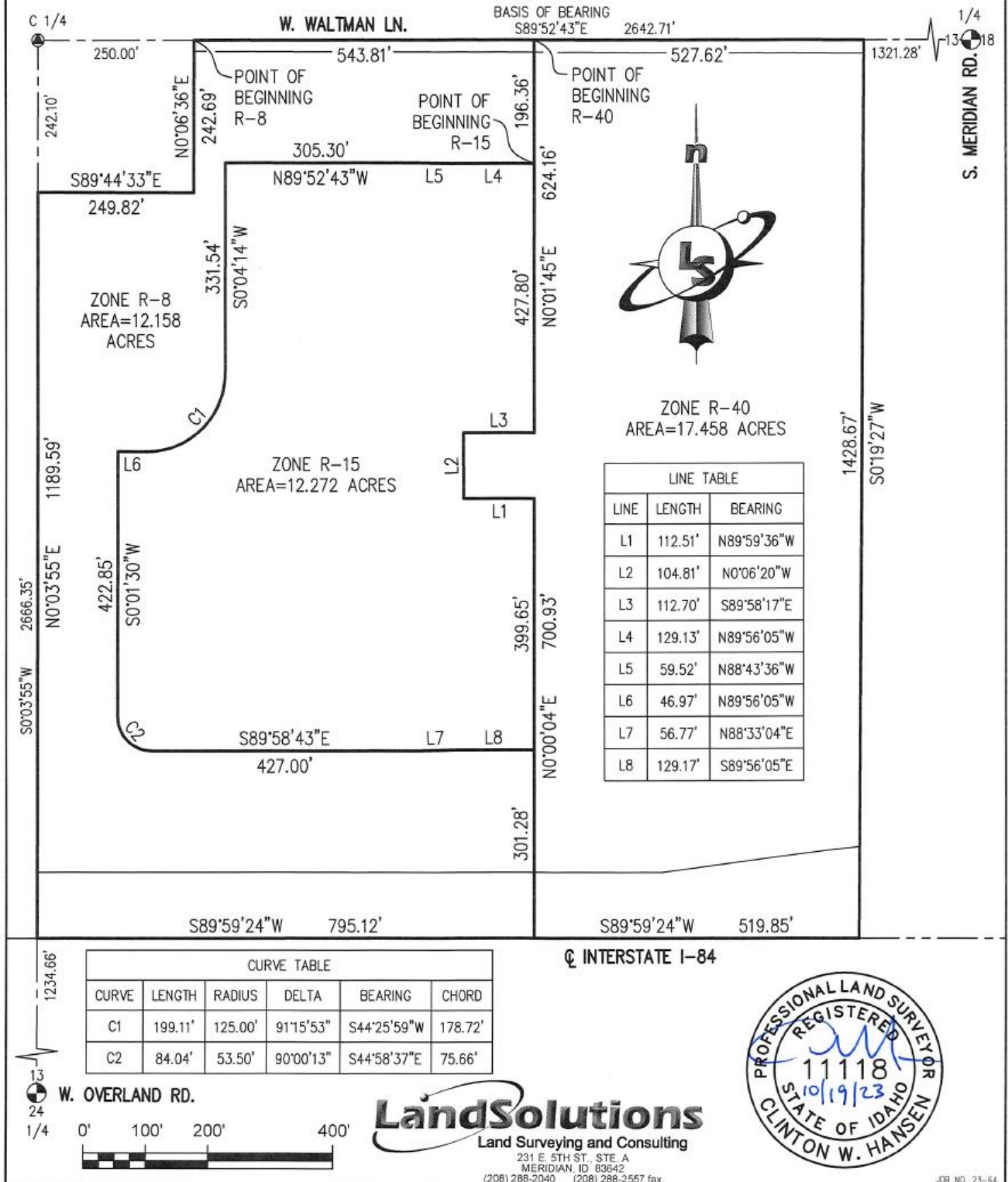
This parcel contains 17.458 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
October 19, 2023

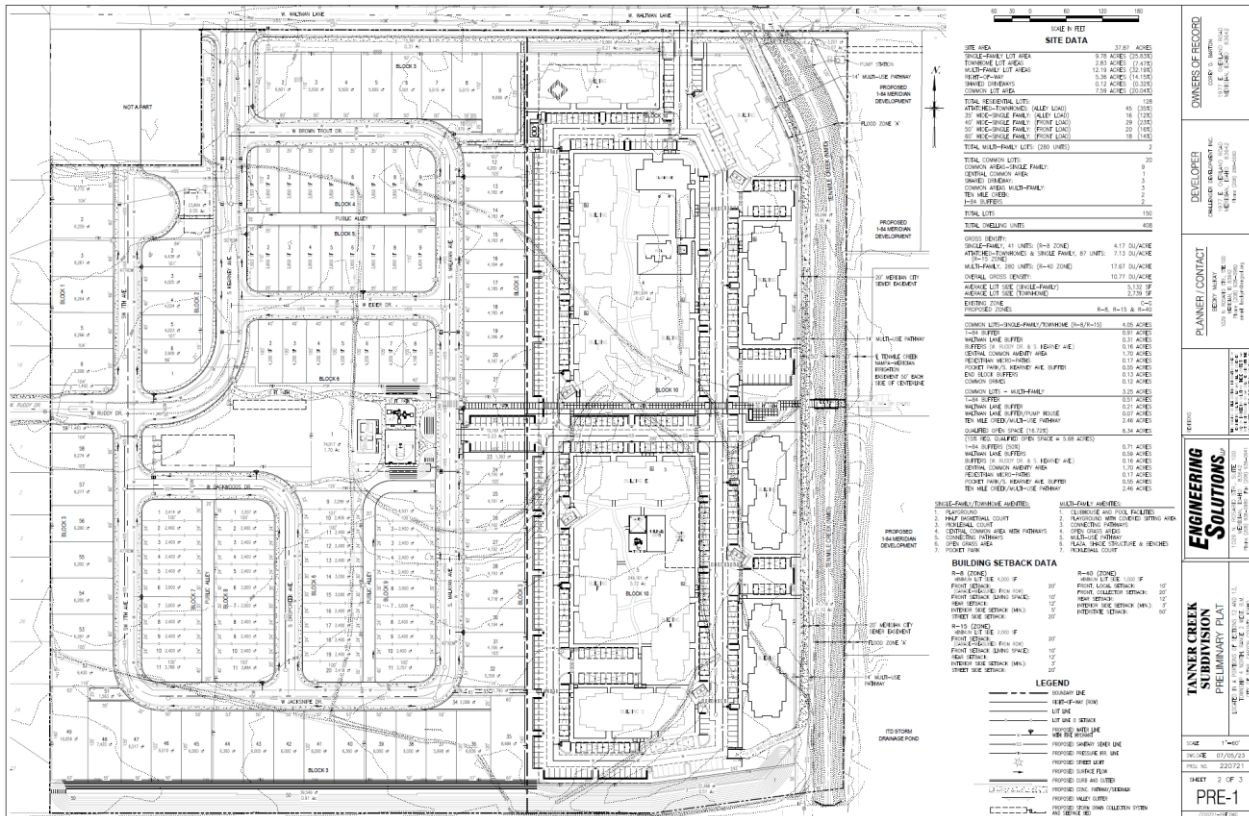
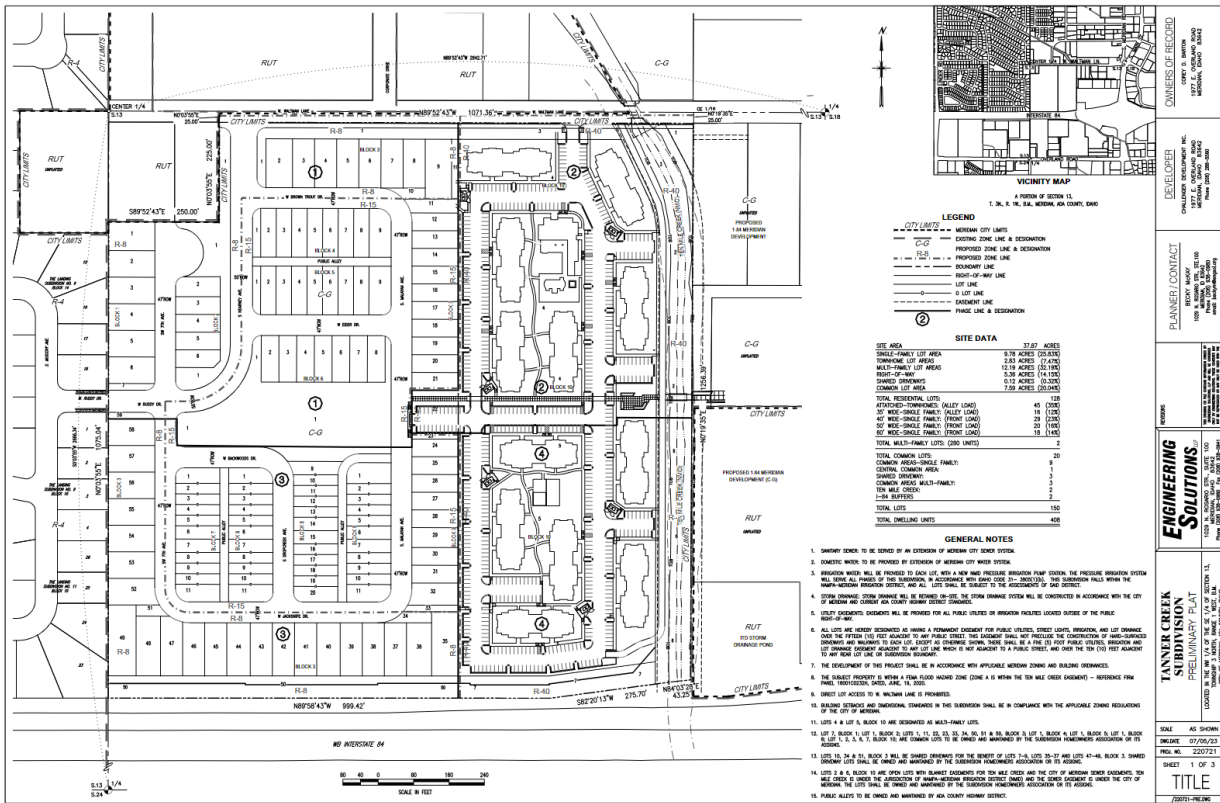


TANNER CREEK SUBDIVISION - ZONING EXHIBIT

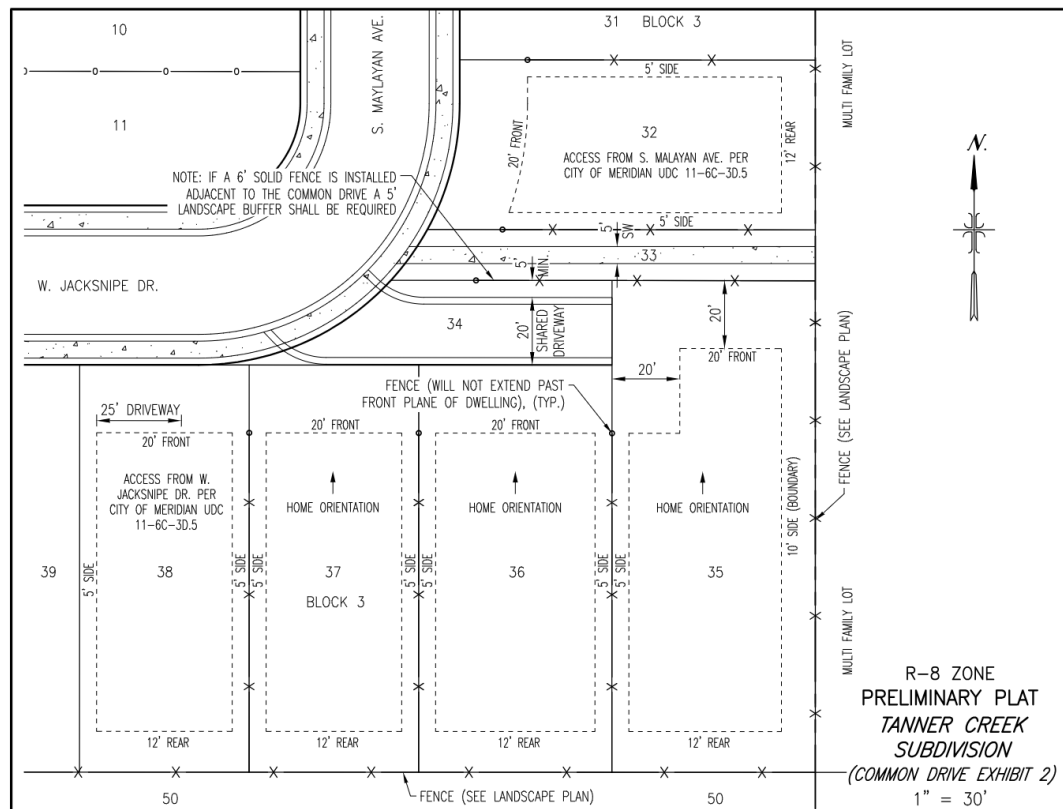
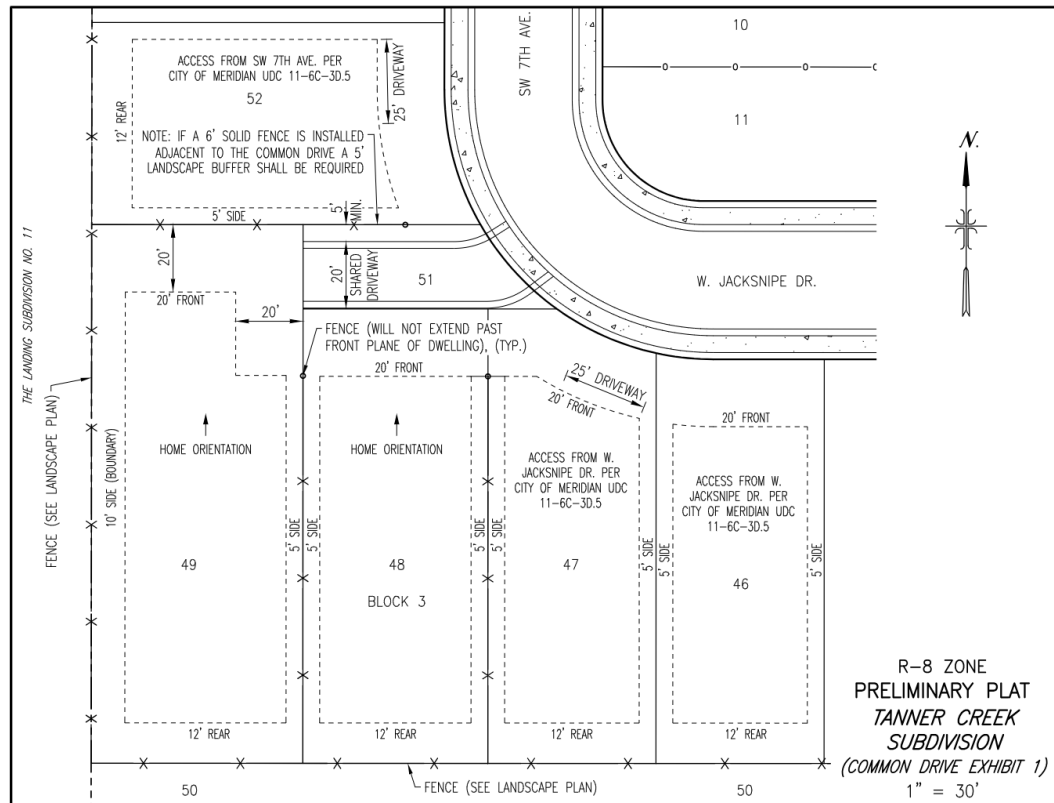
CITY OF MERIDIAN REZONE - R-8, R-15, R-40
 LOCATED IN THE SE 1/4 OF SECTION 13, T3N, R1W, BM, ADA COUNTY, IDAHO



C. Preliminary Plat (date: 7/6/2023) & Phasing Plan



D. Common Driveway Exhibits



E. Preliminary Plat Legal Description & Exhibit Map/Area Subject to Development Agreement

Legal Description
Tanner Creek Preliminary Plat

A parcel being located in the NW ¼ of the SE ¼ of Section 13, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the northwest corner of said NW ¼ of the SE ¼ (C ¼ Corner), from which a brass cap monument marking the northeast corner of the SE ¼ (¼ Corner) of said Section 13 bears S 89°52'43" E a distance of 2642.71 feet;

Thence S 89°52'53" E along the northerly boundary of said NW ¼ of the SE ¼ a distance of 250.00 feet to a point;

Thence leaving said northerly boundary S 0°06'36" W a distance of 17.74 feet to a point on the southerly right-of-way of W. Waltman Lane and the **POINT OF BEGINNING**;

Thence along said southerly right-of-way S 89°42'17" E a distance of 1071.35 feet to a point on the easterly boundary of said NW ¼ of the SE ¼;

Thence along said easterly boundary S 0°19'27" W a distance of 1260.57 feet to a point on the northerly right-of-way of Interstate 84;

Thence leaving said easterly boundary and along said northerly right-of-way the following described courses and distances:

Thence S 84°03'21" W a distance of 43.25 feet to a point;

Thence S 82°20'06" W a distance of 275.70 feet to a point;

Thence N 89°57'23" W a distance of 999.43 feet to a point on the westerly boundary of said NW ¼ of the SE ¼;

Thence leaving said northerly right-of-way and along said westerly boundary N 0°03'55" E a distance of 1082.73 feet to a point;

Thence leaving said westerly boundary S 89°44'33" E a distance of 249.82 feet to a point;

Thence N 0°06'36" E a distance of 224.95 feet to the **POINT OF BEGINNING**.

This parcel contains 38.05 acres and is subject to any easements existing or in use.

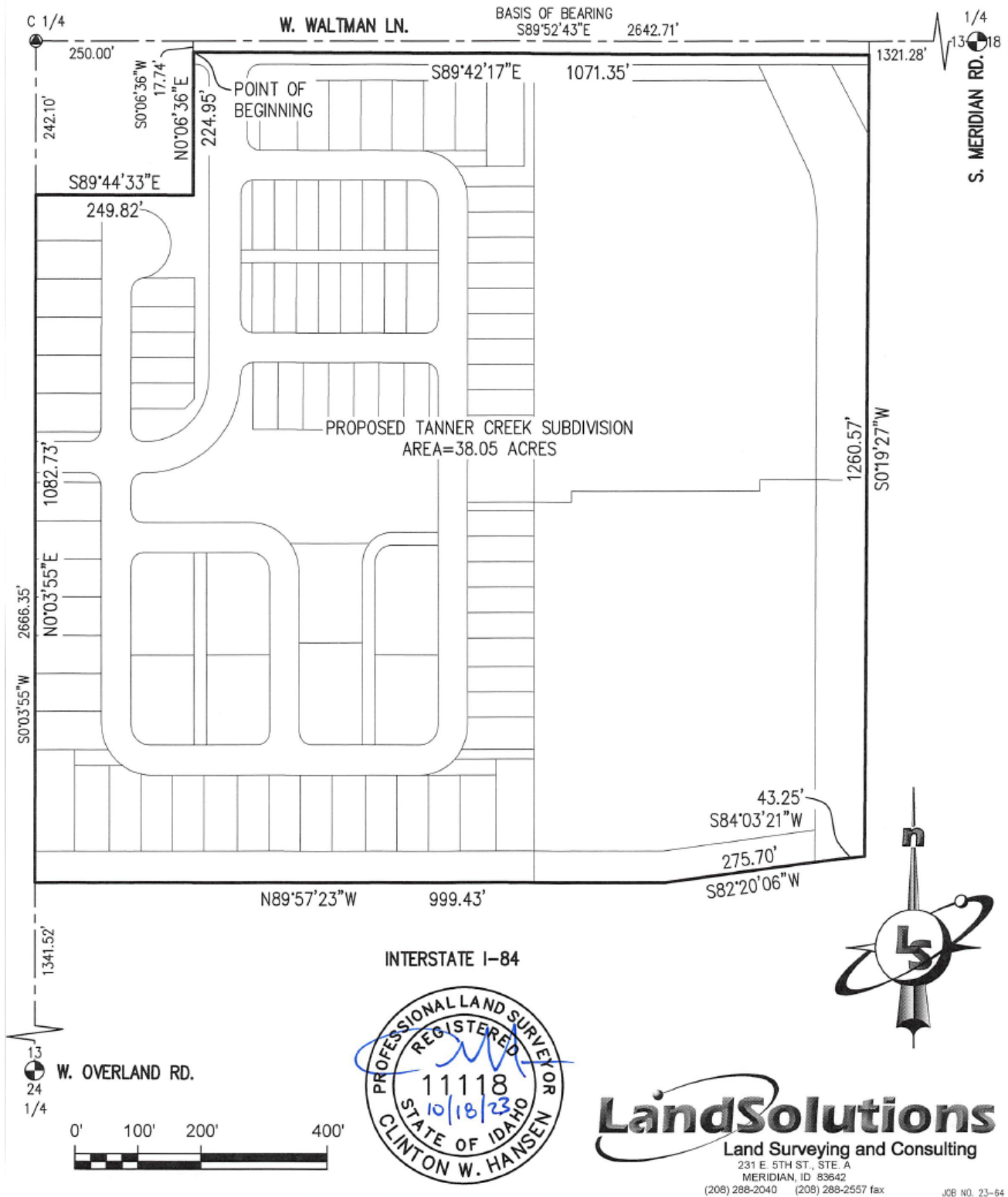
Clinton W. Hansen, PLS
Land Solutions, PC
October 16, 2023



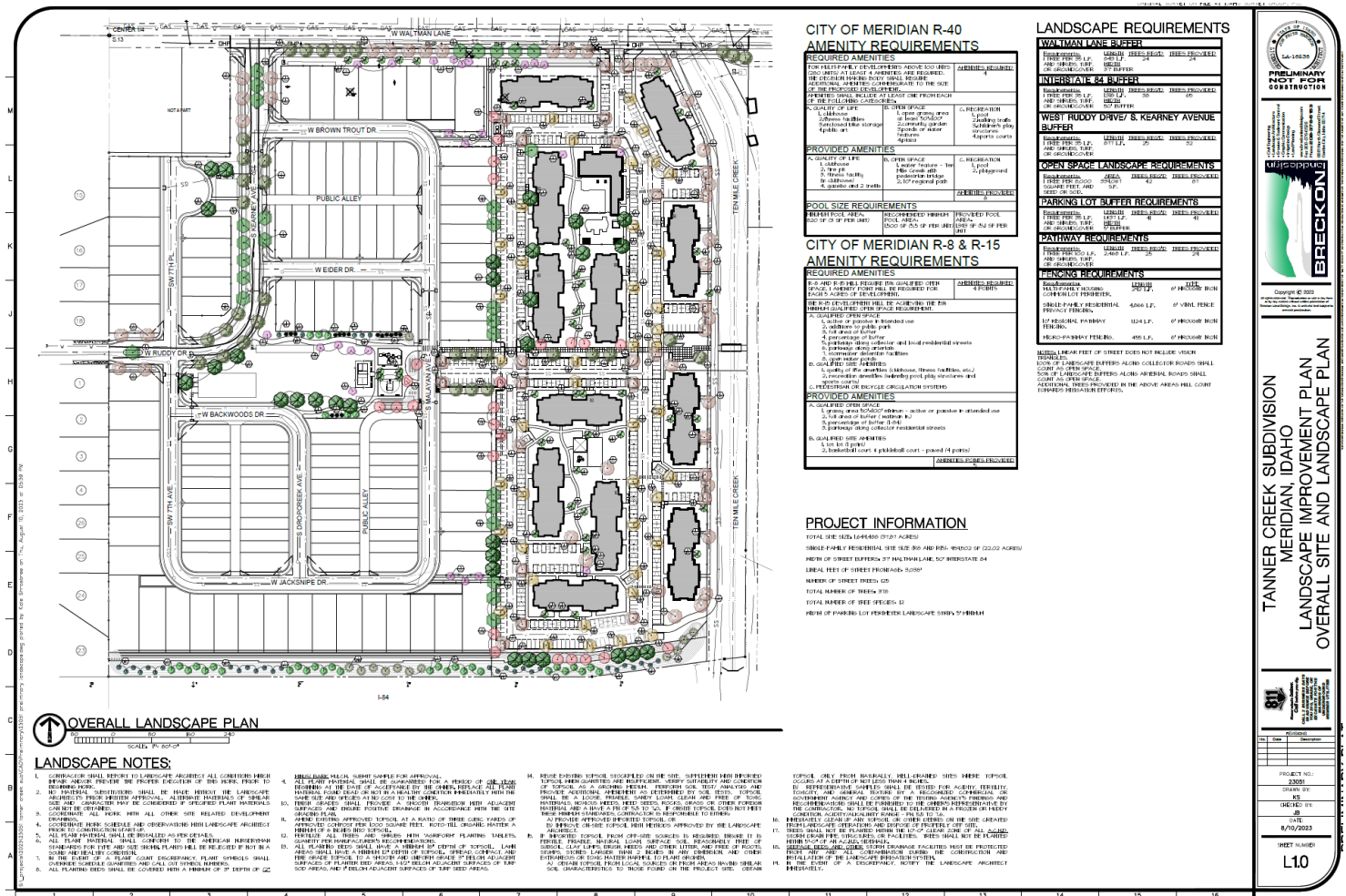
Tanner Creek Preliminary Plat
Job No. 23-64

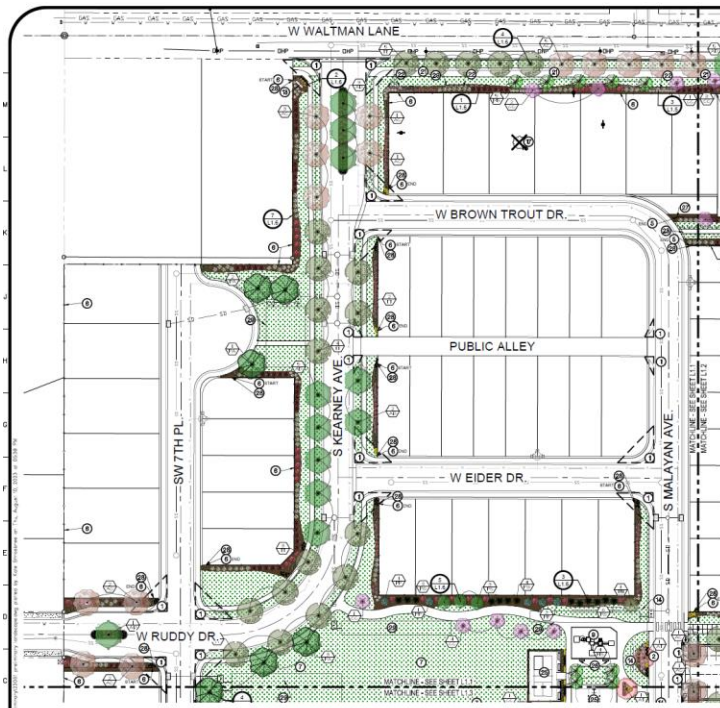
TANNER CREEK SUBDIVISION PRELIMINARY PLAT EXHIBIT

LOCATED IN THE NW 1/4 OF THE SE 1/4 OF SECTION 13, T3N, R1W, BM, ADA COUNTY, IDAHO



F. Landscape Plan (dated: 8/10/23)





LANDSCAPE PLAN - AREA ONE

LANDSCAPE LEGEND



CALLOUT LEGEND



PLANT SCHEDULE

QTY	KEY	PLANT NAME	COMMON NAME	SIZE	NOTES
1	1
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KEY MAP

TANNER CREEK SUBDIVISION
MERIDIAN, IDAHO
LANDSCAPE IMPROVEMENT PLAN
LANDSCAPE PLAN - AREA ONE

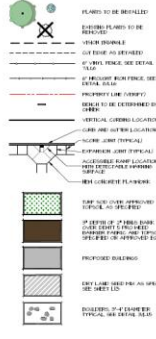
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 DRAWN BY:
 CHECKED BY:
 DATE:
 SHEET NO.:
 TOTAL SHEETS:

BRECKON



LANDSCAPE PLAN - AREA TWO

LANDSCAPE LEGEND



CALLOUT LEGEND



PLANT SCHEDULE

QTY	KEY	PLANT NAME	COMMON NAME	SIZE	NOTES
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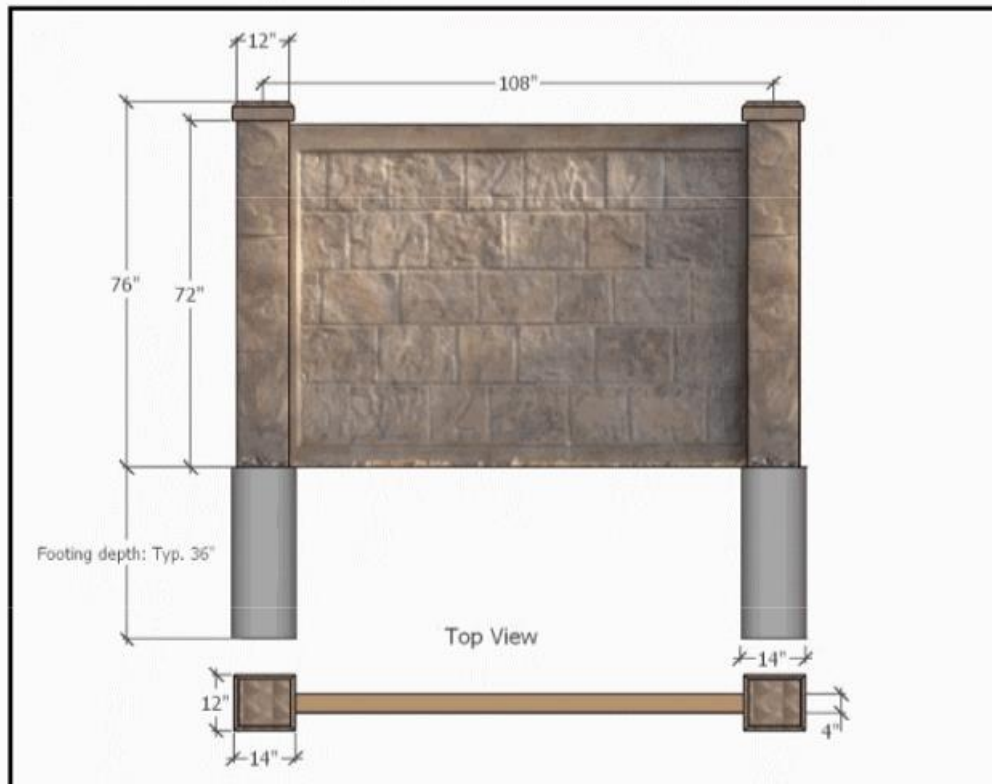
KEY MAP

TANNER CREEK SUBDIVISION
MERIDIAN, IDAHO
LANDSCAPE IMPROVEMENT PLAN
LANDSCAPE PLAN - AREA TWO

PROJECT NO.:
 DRAWN BY:
 CHECKED BY:
 DATE:
 SHEET NO.:
 TOTAL SHEETS:

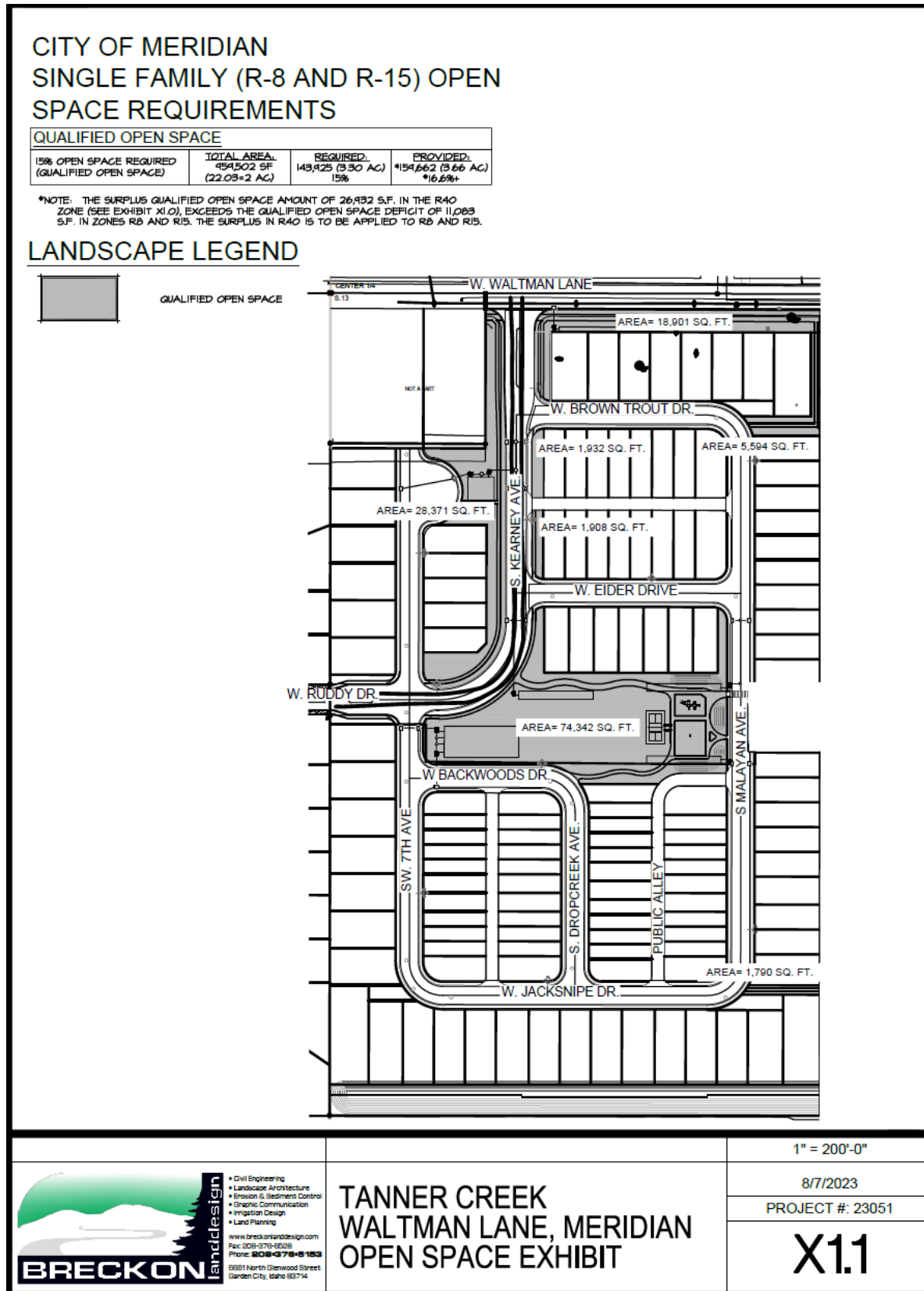
BRECKON

RHINOROCK FENCE SPECIFICATIONS



TECHNICAL INFORMATION: RhinoRock Fence Panel		
Dimension of Panel	182 cm x 259 cm	72"x102"
Weight of Panel	105 Kg	230 lbs
Weight per area	21.5kg/m ²	4.9lbs/ft ²
Thickness of Panel	115mm	4.5"
EPS Foam Core thickness	63-95mm	2.5-3.75"
Glass fiber reinforced concrete shell thickness	9mm	5/16"
% glass fiber by volume	4-4.50%	
Compressive Strength of proprietary concrete mix design	4x10 ⁷ N/m ²	5800 psi
Ultimate tensile strength of glass fiber reinforced concrete	9.6x10 ⁶ - 1.4x10 ⁷ N/m ²	1400-2100 psi
Wind load capacity of panel	225 km/h	140mph with 1.6 safety factor
axial load capacity of panel	1644 kg/lineal meter	1100 lbs/lineal foot
moisture absorption of EPS foam core by total immersion	<4%	
Combustibility of glass fiber reinforced concrete shell	Non-combustible	
Freeze/thaw performance	200 freeze thaw cycles with no damage	
Derby, fungus, or mushroom attack	none	
Termite food source	none	

G. Qualified Open Space Exhibit (dated: 8/7/23) & Site Amenities



CITY OF MERIDIAN HIGH DENSITY RESIDENTIAL (R-40) OPEN SPACE REQUIREMENTS

COMMON OPEN SPACE

250 SF REQUIRED FOR EACH UNIT CONTAINING BETWEEN 500-1,200 SF (280 UNITS).	TOTAL AREA: 545,140 SF (12.51 AC)	REQUIRED: (81,718 AC) (1.81 AC)
350 SF REQUIRED FOR EACH UNIT CONTAINING MORE THAN 1,200 SF (41 UNITS).		
15% OPEN SPACE REQUIRED (QUALIFIED OPEN SPACE)		REQUIRED: 81,718 (1.81 AC) (5%)
TOTAL OPEN SPACE	PROVIDED: 190,468 (4.31 AC) 35%	REQUIRED: 163,556 SF (3.75 AC) 30 %

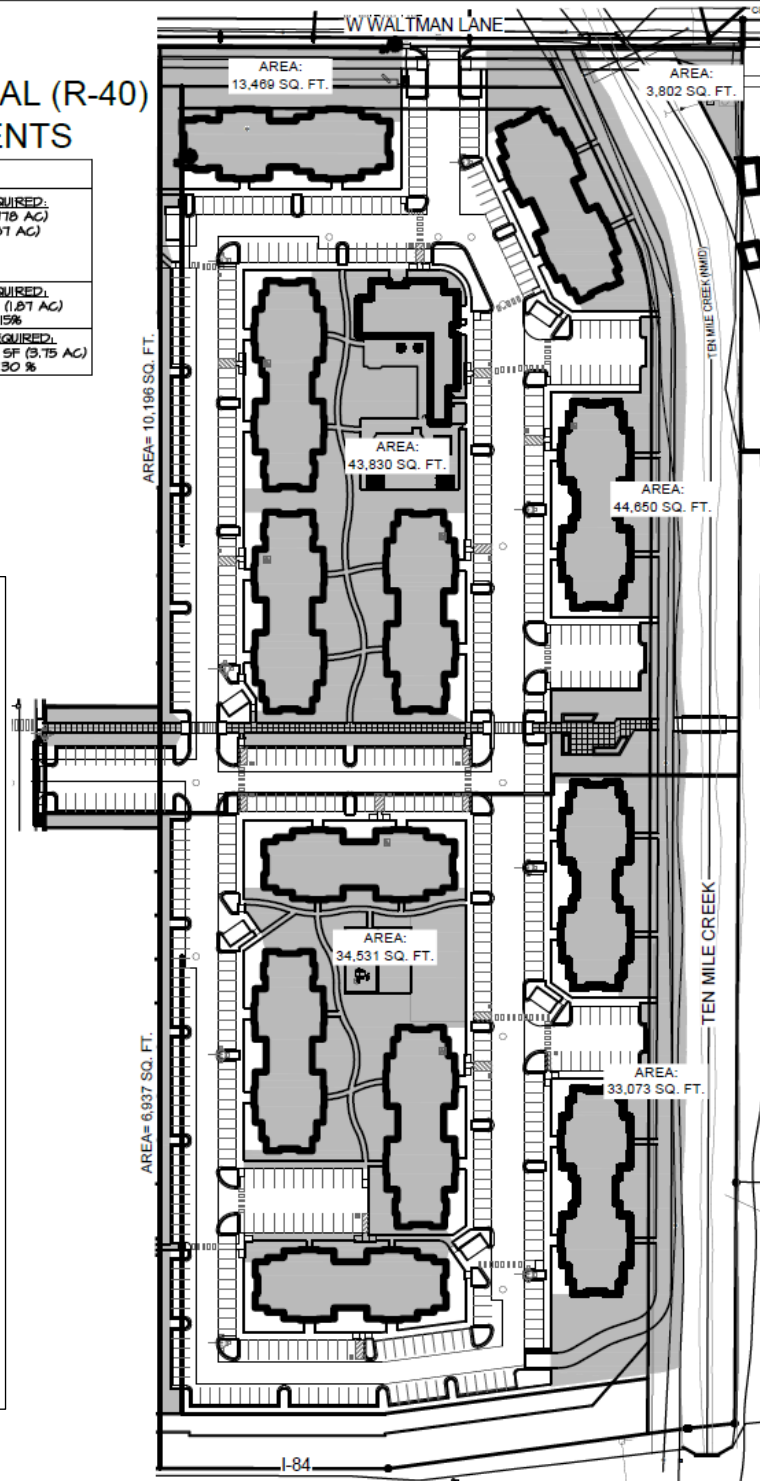
LANDSCAPE LEGEND



QUALIFIED OPEN SPACE

Not Approved
Calc's need to be revised to reflect 246 units @ 250 s.f. & 34 units @ 350 s.f. = 4.07 acres/177,160 s.f. overall

Open space areas that don't meet the minimum width standard of 20' and the area at the northeast corner of the site that is not well-connected or accessible except from the pathway along Waltman should be removed from the qualified open space calc's.



• Civil Engineering
• Landscape Architecture
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• Irrigation Design
• Land Planning
www.breckonlanddesign.com
Fax: (208) 370-6008
Phone: (208) 370-6008
6001 North Glenwood Street
Garden City, Idaho 83714

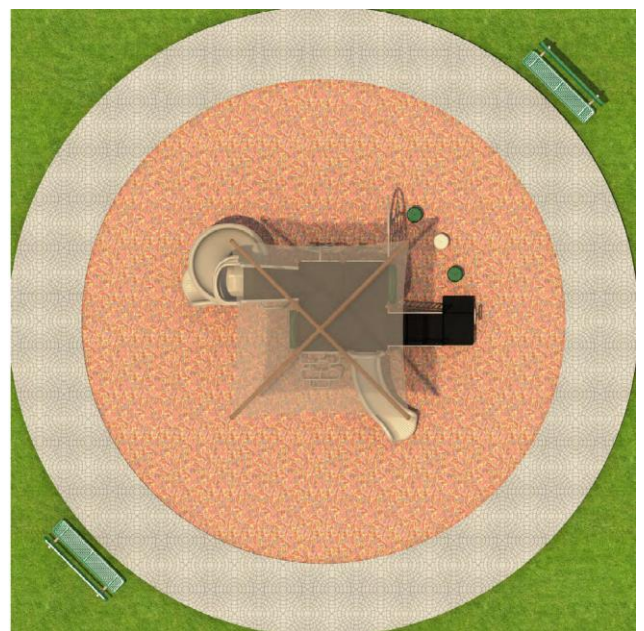
TANNER CREEK
WALTMAN LANE, MERIDIAN
OPEN SPACE EXHIBIT

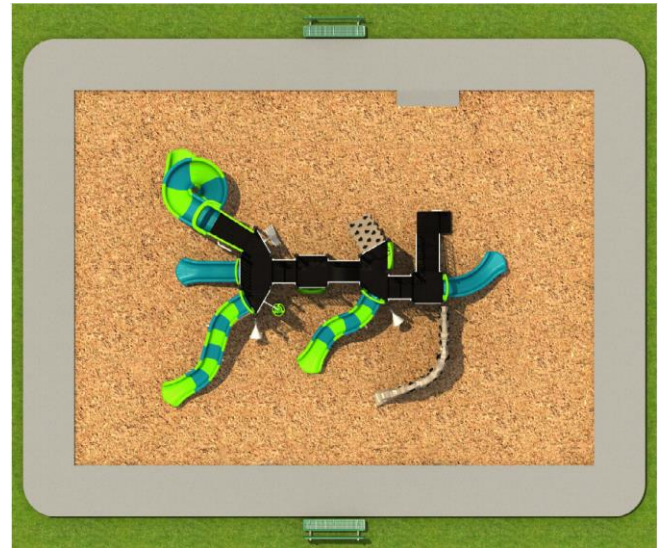
1" = 150'-0"

8/7/2023

PROJECT #: 23051

X1.0





H. Site Plan for Multi-Family Portion of Development (date: 7/12/2023)

TANNER CREEK APARTMENTS

WALTMAN LANE, MERIDIAN, IDAHO

DEVELOPER: CHALLENGER DEVELOPMENT
1977 E. OVERLAND ROAD
MERIDIAN, IDAHO 83642

CIVIL: ENGINEERING SOLUTIONS LLP
1029 N ROSARIO ST., #100
MERIDIAN, IDAHO 83642

SITE DATA

APARTMENT DEVELOPMENT GROSS AREA: 680,470 S.F., 15.85 ACRES
LOT NET AREA⁽¹⁾: 544,950 S.F., 12.51 ACRES
CURRENT ZONING: D-G
PROPOSED ZONING: R-40

R-40 ZONING: REQUIRED: PROPOSED:
STREET LANDSCAPE SETBACK (NORTH): 25 FT. 25 FT.
INTERSTREET LANDSCAPE SETBACK (SOUTH): 50 FT. 50 FT.
FRONT BUILDING SETBACK (NORTH): 20 FT. 20 FT.
REAR BUILDING SETBACK (SOUTH): 12 FT. 80 FT.
SIDE BUILDING SETBACK (EAST): 3 FT. 15 FT.
SIDE BUILDING SETBACK (WEST): 3 FT. 80 FT.
PARKING SETBACK (NORTH): 5 FT. 10 FT.
PARKING SETBACK (SOUTH): 5 FT. 5 FT.
SIDE PARKING SETBACK (EAST): 3 FT. 10 FT.
SIDE PARKING SETBACK (WEST): 3 FT. 10 FT.

⁽¹⁾ USE FOR DETERMINING LOTS: 25 FT. FOR CORNER LOTS AND 30 FT. FOR OTHER LOTS.
⁽²⁾ MEASURED FROM REAR LOT LINE OR PROPERTY LINE.
⁽³⁾ MEASURED FROM SIDE LOT LINE OR PROPERTY LINE.
⁽⁴⁾ DISTANCE BETWEEN ADJACENT LOTS: 1 FT. FOR PERPENDICULAR PARKING DRIVEWAYS.

LAND: LOT PER ACRE: 46
LAND: LOT DENSITY: 500
MAXIMUM BUILDING HEIGHT: 45 FT.

VICINITY MAP

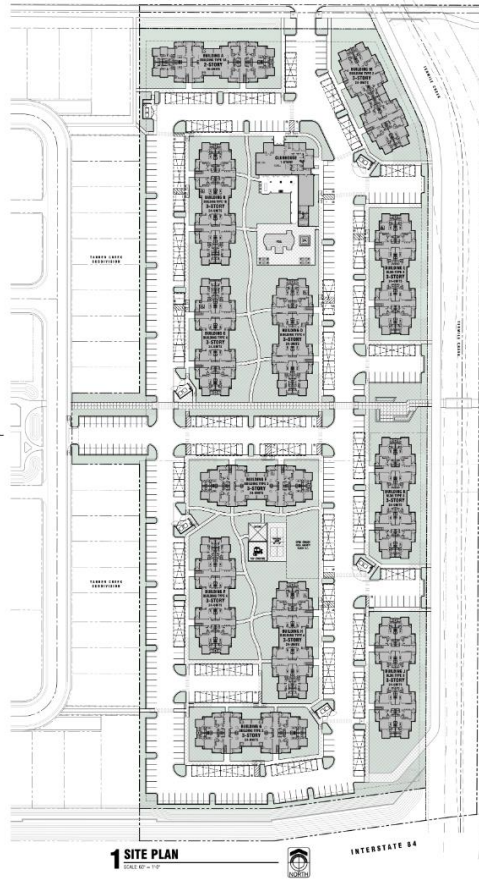


AERIAL MAP



PROJECT AMENITIES

1. SITE DESIGN INCLUDES THE FOLLOWING:
 - A. PROPERTY MANAGEMENT OFFICE AT THE CLUBHOUSE.
 - B. MAINTENANCE STORAGE AREA AT THE CLUBHOUSE.
 - C. CENTRAL WALKWAY LOCATIONS AT THE TRASH ENCLOSURES.
 - D. A DIRECTORY MAP AT THE CLUBHOUSE.
2. SITE DEVELOPMENT AMENITIES:
 - A. QUALITY OF LIFE: CLUBHOUSE, FITNESS FACILITY, TENANT STORAGE CLOSETS.
 - B. OPEN SPACE: COVERED PATIO WITH BBQ AT CLUBHOUSE, GAZEBO AT POOL DECK, POND/GAZEBO AT PLAY AREA, GREENBELT PLAZA.
 - C. RECREATION: POOL, CHILDREN'S PLAY STRUCTURE, PICKLEBALL COURT, BICYCLE RETAIL STATION, CHANGING LOCKERS FOR ELECTRIC VEHICLES.
 - D. ADULT-WORK AMENITY STANDARDS: BICYCLE RETAIL STATION, CHANGING LOCKERS FOR ELECTRIC VEHICLES.



DEVELOPMENT DATA

NUMBER / AREA OF CLUBHOUSE BUILDINGS: 1 / 5,750 S.F.
NUMBER OF APARTMENT BUILDINGS / UNITS: 12 / 280
TOTAL BUILDING FOOTPRINT AREA: 152,918 S.F. (3.52 AC)
TOTAL HARD SURFACE AREA: 253,828 S.F. (5.82 AC)
TOTAL LANDSCAPE AREA: 163,967 S.F. (3.74 AC)

1. BUILDING FOOTPRINTS INCLUDE COVERED PATIOS AND COVERED TERRACES.
2. PAVING IS 4 INCH HOT MIX ASPHALT.
3. AREAS NOT INCLUDED IN ADDITIONAL CLASSED S.F. OF COMMON LOT LANDSCAPE.

APARTMENT BUILDING DATA

APARTMENT BUILDING TYPE 1:
2-STORY, 16 UNITS x 1 BUILDING = 16 UNITS
1-BED x 1-BATH (1x1): 4 UNITS x 1 BUILDING = 4 UNITS
2-BED x 2-BATH (2x2): 8 UNITS x 1 BUILDING = 8 UNITS
3-BED x 2-BATH (2x2): 4 UNITS x 1 BUILDING = 4 UNITS

APARTMENT BUILDING TYPE 2:
3-STORY, 24 UNITS x 1 BUILDING = 24 UNITS
1-BED x 1-BATH (1x1): 6 UNITS x 1 BUILDING = 6 UNITS
2-BED x 2-BATH (2x2): 12 UNITS x 1 BUILDING = 12 UNITS
3-BED x 2-BATH (2x2): 6 UNITS x 1 BUILDING = 6 UNITS

APARTMENT BUILDING TYPE 3:
3-STORY, 24 UNITS x 1 BUILDING = 24 UNITS
1-BED x 1-BATH (1x1): 6 UNITS x 1 BUILDING = 6 UNITS
2-BED x 2-BATH (2x2): 12 UNITS x 1 BUILDING = 12 UNITS
3-BED x 2-BATH (2x2): 6 UNITS x 1 BUILDING = 6 UNITS

APARTMENT BUILDING TYPE 4:
3-STORY, 24 UNITS x 1 BUILDING = 24 UNITS
1-BED x 1-BATH (1x1): 6 UNITS x 1 BUILDING = 6 UNITS
2-BED x 2-BATH (2x2): 12 UNITS x 1 BUILDING = 12 UNITS
3-BED x 2-BATH (2x2): 6 UNITS x 1 BUILDING = 6 UNITS

TOTAL UNIT MIX:
1-BED x 1-BATH (1x1): 24 UNITS (24%)
2-BED x 2-BATH (2x2): 36 UNITS (13%)
3-BED x 2-BATH (2x2): 116 UNITS (41%)
3-BED x 2-BATH (2x2): 34 UNITS (12%)

PARKING ANALYSIS

PARKING REQUIRED PER PLANNING AND ZONING CODE:

UNIT TYPE	NUMBER	PARKING REQUIRED
1-BEDROOM	94	1.5 PER UNIT
2-BEDROOM	152	2.0 PER UNIT
3-BEDROOM	34	2.0 PER UNIT
CLUBHOUSE OFFICE	2,000 S.F.	1 PER 500 S.F.
TOTAL PARKING REQUIRED		579
PARKING TO UNIT RATIO		2.07 PER UNIT

TOTAL PARKING PROVIDED: 581
OPEN ACCESSIBLE SPACES: 3
OPEN VAN ACCESSIBLE SPACES: 10
STANDARD SPACES: 288
OPEN COMPACT SPACES: 0
ACCESSIBLE COMPACT SPACES: 6
STANDARD COMPACT SPACES: 274
PARKING TO UNIT RATIO: 2.08 PER UNIT

OPEN SPACE ANALYSIS

EACH DWELLING UNIT IS PROVIDED A 90 SQ. FT. MIN. PRIVATE USABLE OPEN SPACE WITH A PATIO / DECK.

COMMON OPEN SPACE REQUIREMENTS:
542,917 S.F. NET LAND AREA x 10% = 54,292 S.F.
280 UNITS x 2.00 S.F. PER UNIT = 560 S.F.
TOTAL QUALIFIED COMMON OPEN SPACE REQUIRED: 54,852 S.F.
TOTAL QUALIFIED COMMON OPEN SPACE PROVIDED: 147,855 S.F.

* QUALIFIED COMMON OPEN SPACE HAS A MINIMUM DIMENSION OF 30 FT. IN ANY DIRECTION. IF A MINIMUM OF 30 FT. IS NOT MET, THE SPACE SHALL BE CONSIDERED PRIVATE OPEN SPACE. THIS INCLUDES BALCONY PATIOS OF PRIVATE USABLE OPEN SPACE.

MINIMUM COMMON GROUND AREA REQUIRED: 5,000 S.F.
COMMON AREA GROUND AREA PROVIDED: 5,000 S.F.
20 FT. x 30 FT. MIN.



TANNER CREEK APARTMENTS
WALTMAN LANE
MERIDIAN, IDAHO

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DATE: JULY 12, 2023

BY: TAO THE ARCHITECTS OFFICE

FOR: CHALLENGER DEVELOPMENT

PROJECT: TANNER CREEK APARTMENTS

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DATE: JULY 12, 2023

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FOR: CHALLENGER DEVELOPMENT

I. Building Elevation Photos & Renderings

Alley-loaded single-family detached units:



Alley-loaded single-family attached units:



Alley-loaded townhome units:



Front-loaded single-family detached units:



Multi-Family:





- KEYNOTES**
1. ARCHITECTURAL FINISHES: INTERIORS AND EXTERIORS TO BE FINISHED PER PLAN AND NOT TYPE.
 2. 1. 1/2" THICK CONCRETE FOUNDATION WALLS TO BE FINISHED PER PLAN AND NOT TYPE.
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 18. 1. 1/2" THICK CONCRETE FOUNDATION WALLS TO BE FINISHED PER PLAN AND NOT TYPE.
 19. 1. 1/2" THICK CONCRETE FOUNDATION WALLS TO BE FINISHED PER PLAN AND NOT TYPE.

- GENERAL NOTES**
1. ALL NOTES ON DRAWINGS ARE SPECIFIC AND APPLY TO ALL ELEVATIONS.
 2. NOTES TO CONSTRUCTION ARE SPECIFIC AND APPLY TO ALL ELEVATIONS.
 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
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APARTMENT BUILDING FINISH SCHEDULE									
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TAO
THE ARCHITECTS OFFICE

PROJECT
TANNER CREEK APARTMENTS
WALTMAN LANE
MERIDIAN, IDAHO

DATE
JULY 15, 2023

BY
TAYLOR HARRIS

SCALE
1/8" = 1'-0"

PROJECT
AA5.0
BUILDING TYPE 1A
ELEVATIONS

Clubhouse:

**TANNER CREEK APARTMENTS
EXTERIOR PAINT SCHEME**

CLUBHOUSE ELEVATIONS



STUCCO/BODY Knitting Needles	BOARD & BATTEN SW7673 Pewter Cast	ACCENT BOARD & BATTEN SW6117 Smokey Topaz	TRIM WINDOWS, DOORS, BANDS SW7004 Snowbound	FASCIA/BRACKETS/ DOORS SW7674 Peppercorn	STONE ALPINE LEDGESTONE Black Rundle *Railing to be BLACK IRON



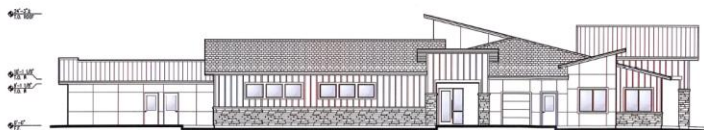
1 BUILDING ELEVATION NORTH
SCALE 1/8" = 1'-0"



2 BUILDING ELEVATION WEST
SCALE 1/8" = 1'-0"



3 BUILDING ELEVATION SOUTH
SCALE 1/8" = 1'-0"



4 BUILDING ELEVATION EAST
SCALE 1/8" = 1'-0"

PROJECT

**TANNER CREEK
APARTMENTS**

WALTMAN LANE
MERIDIAN, IDAHO

SCALE

PRELIMINARY

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FILE

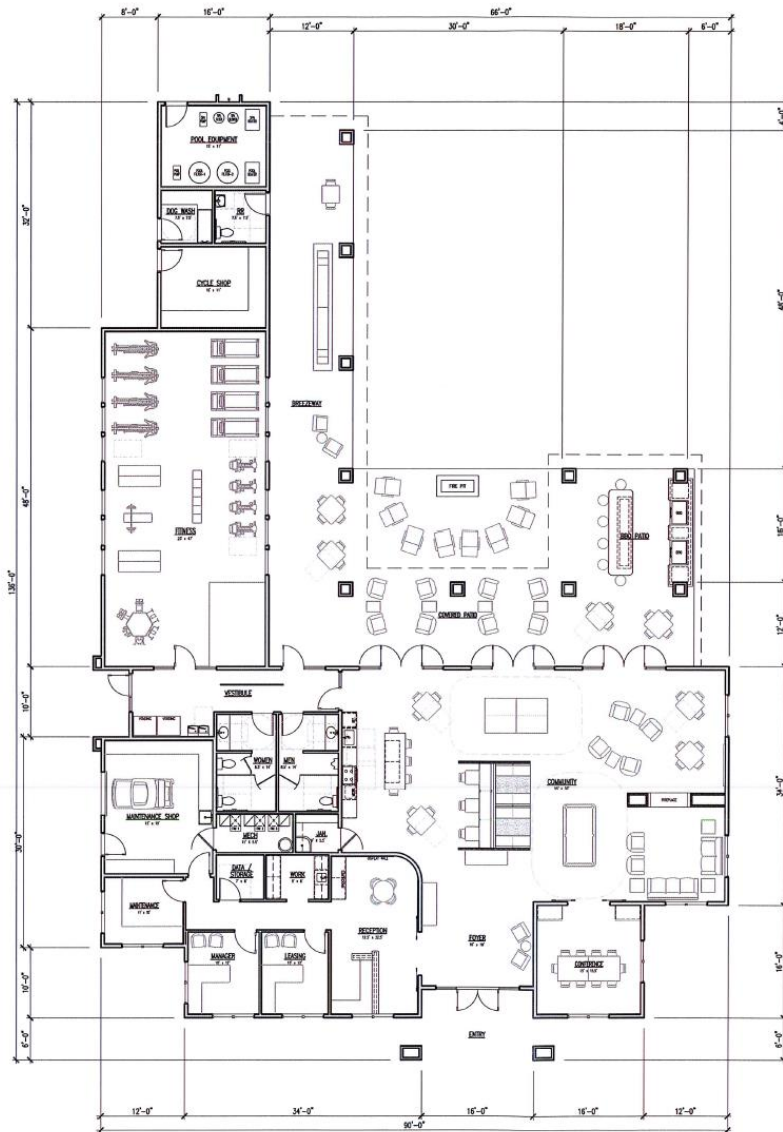
19-204 AC5.0

MATT RIVES

REVISIONS

DATE

AC5.0
CLUBHOUSE
BUILDING ELEVATIONS



1 CLUBHOUSE FLOOR PLAN

SCALE 1/8" = 1'-0"

5.750.01



PROJECT

TANNER CREEK APARTMENTS

WALTMAN LANE
MERIDIAN, IDAHO

SEAL

PRELIMINARY

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FILE

FEBRUARY 28, 2022

FILE NO.

19-304 AC2.0

DESIGN

MATT RHEES

REVISIONS

SHEET

AC2.0

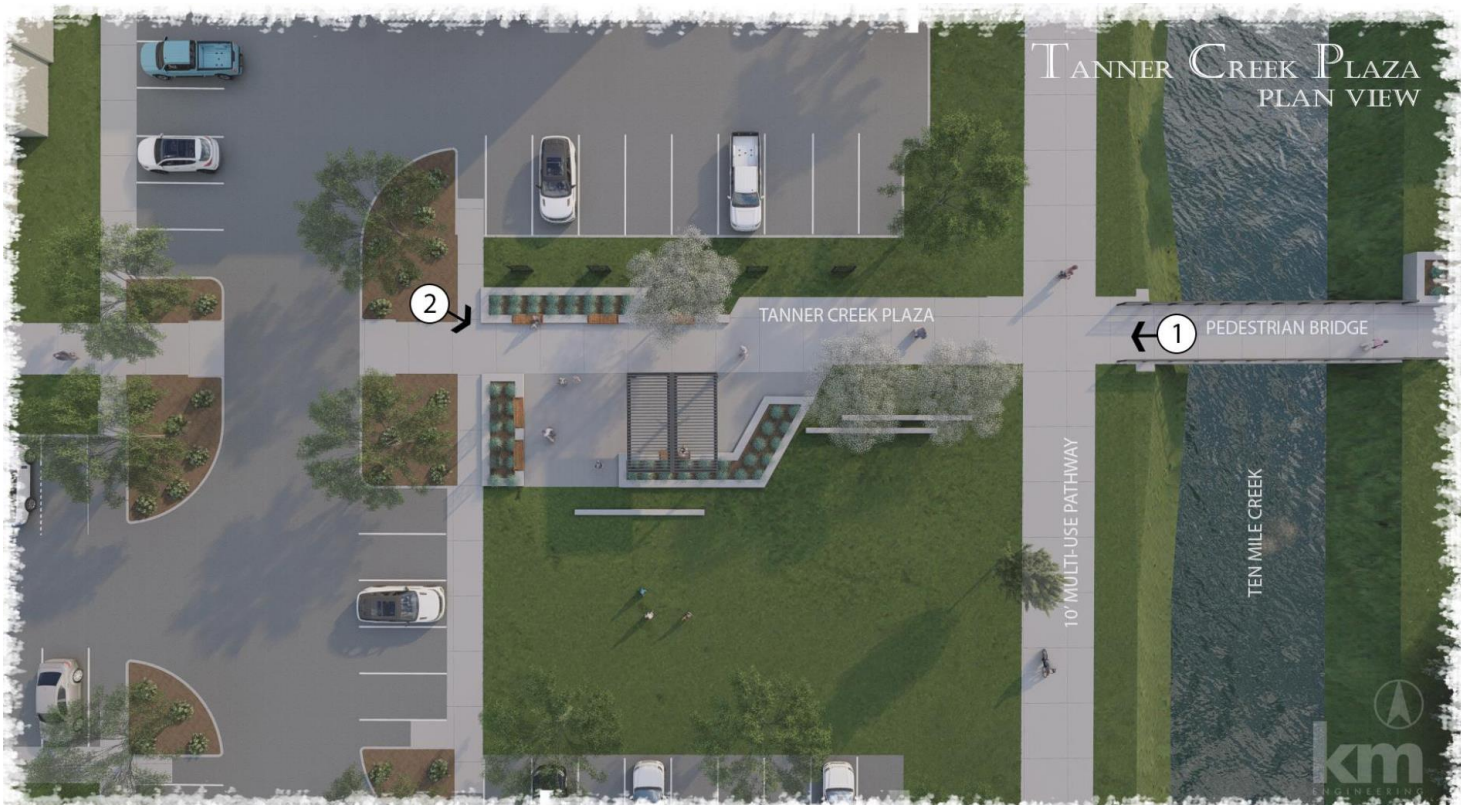
CLUBHOUSE
FLOOR PLAN

J. Architectural Plans/Renderings of Subject Property and I-84 & Meridian Rd. Property



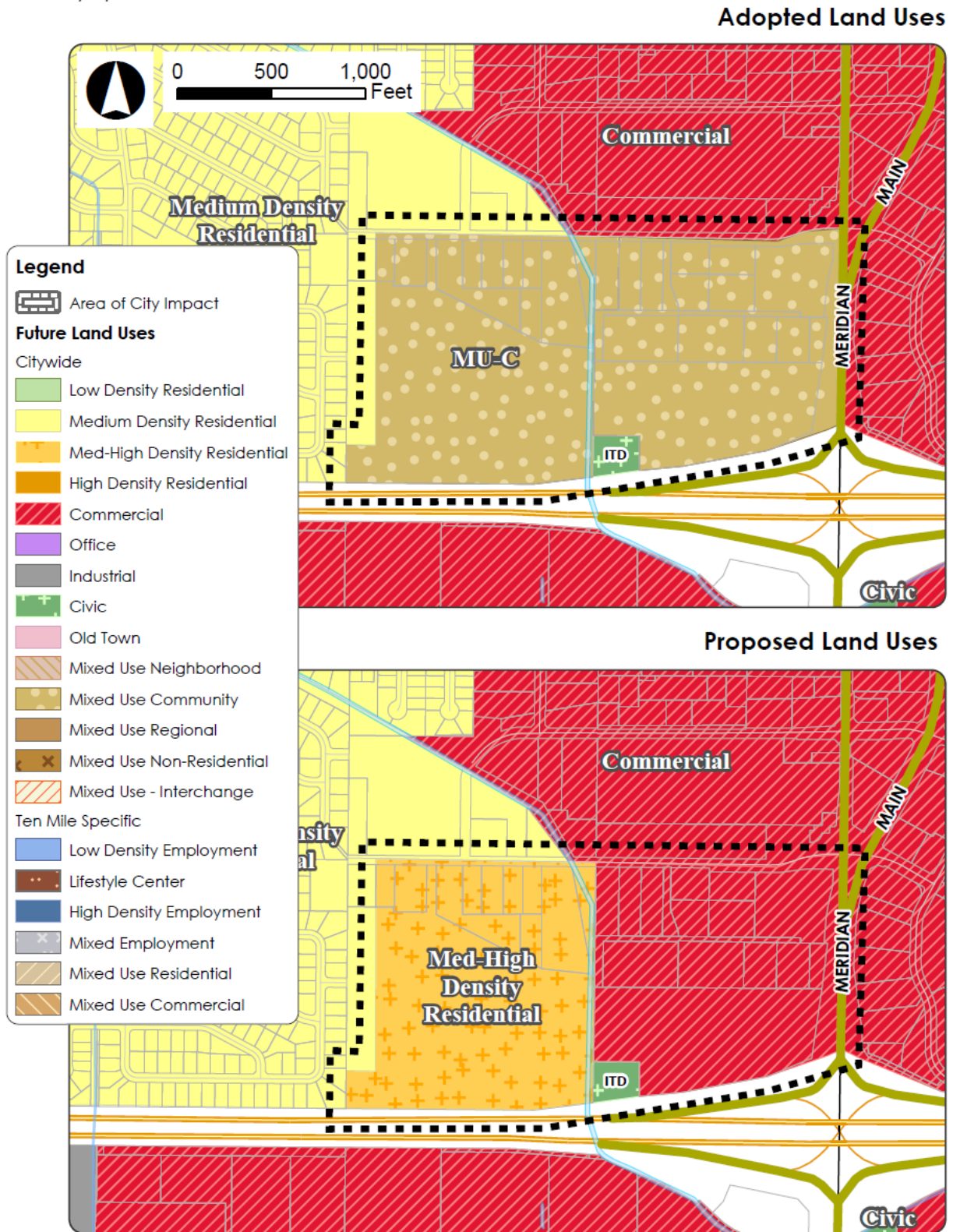






K. Proposed Change to the FLUM with the I-84 & Meridian Road Project (H-2021-0099)

Date: 10/12/2023



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Development Agreement Modification:

1. The subject property shall no longer be subject to the terms of the existing Development Agreement (DA) (Inst. #108131100) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council approval of the Findings of Fact, Conclusions of Law and Decision & Order for the Development Agreement Modification and Rezone request. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual site plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VII and the provisions contained herein. Flexibility in the phasing to adjust the number of lots, combination of lots and number of phases to reflect changing market conditions is permitted unless otherwise restricted herein or in the Cooperative Development Agreement with Ada County Highway District (ACHD).
 - b. The Developer shall construct a bridge across the Ten Mile Creek and extend Corporate Drive from the north to Waltman Lane ~~as a complete street section with detached 10-foot wide multi-use pathways along both sides of the street as required by ACHD,~~ prior to issuance of any building permits within the first phase of development.
 - c. The Developer shall widen W. Waltman Lane and reconstruct and widen the bridge across the Ten Mile Creek after the Phase 1 improvements have been made, which include the Corporate Drive extension, as required in the Cooperative Development Agreement with ACHD.
 - d. Noise abatement shall be provided for residential uses adjacent to Interstate 84 in accord with the standards listed in UDC 11-3H-4D. The berm and wall in its entirety shall be constructed with the first phase of development prior to issuance of the first Certificate of Occupancy within the development.
 - e. The rear and/or sides of new homes facing Interstate 84 and W. Waltman Ln. shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public streets. *Single-story structures are exempt from this requirement.*
 - f. No building permits shall be issued for this development until the property has been subdivided.
 - g. At no time shall construction traffic associated with the development of this site be allowed to access this site using Ruddy Dr. through The Landing Subdivision.
 - h. The Linder Road overpass shall be completed prior to issuance of the first Certificate of Occupancy within the multi-family development.

Preliminary Plat:

2. The final plat shall include the following revisions:
 - a. Depict zero (0) lot lines where single-family attached and townhome units are proposed to span over property lines.
 - b. Include a cross-section of the typical alley that complies with the standards listed in UDC [11-6C-3B.5](#).
 - c. Depict a local street/driveway connection from S. Malayan Ave. to the property to the east with a vehicular bridge over the Ten Mile Creek, that includes at a minimum a 5-foot wide walkway on at least one side, as set forth in UDC [11-3A-3A.3](#), unless otherwise waived by City Council, in lieu of the

pedestrian bridge proposed. If City Council grants the waiver, the applicant shall construct the pedestrian bridge and connection as proposed.

3. The landscape plan included in Section VII.D shall be revised as follows:
 - a. Depict shrubs within the 5-foot wide strip of landscaping on the west side of the multi-use pathway along the creek in accord with the standards set forth in UDC [11-3B-12C](#).
 - b. Depict a driveway across Lot 1, Block 2 to the outparcel at the northwest corner of the site (i.e. Martinez property #S1213428080) in alignment with W. Brown Trout Dr. for future access.
 - c. Revise the detail of the wall along I-84 to demonstrate full compliance with the noise abatement standards listed in UDC [11-3H-4D](#), including the depiction of the centerline of the adjacent highway (i.e. I-84).
 - d. Depict 5-foot wide landscape buffers planted with shrubs, lawn or other vegetative groundcover where solid fencing is proposed adjacent to the common driveway as set forth in UDC [11-6C-3D.5](#).
 - e. The open space landscape requirements on the Landscape Requirements table shall be revised to reflect the updated standard of one (1) deciduous tree for every 5,000 square feet of common open space as set forth in UDC [11-3G-5B.3](#).
 - f. Include mitigation information as applicable for tree preservation in accord with the standards listed in UDC [11-3B-10C](#).
 - g. Stormwater swales incorporated into required landscape areas are required to be vegetated with grass or other appropriate plant materials and designed to accommodate the required number of trees as per [UDC 11-3B-7](#) if located in a street buffer or other required landscape area.
 - h. In the street buffer along Waltman Ln., depict enhanced landscaping as set forth in UDC [11-3B-7C.3f](#) for entryway corridors and comply with the standards listed in UDC [11-3G-3B.3](#).
 - i. Depict a perpetual ingress/egress easement for the common driveways on the plat and include a note with a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8.
4. Address signage needs to be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
5. All alleys shall be constructed per the standards listed in UDC [11-6C-3B.5](#).
6. All common driveways shall be constructed per the standards listed in UDC [11-6C-3D](#) as depicted in the exhibits in Section VIII.D.
7. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
8. All existing structures on this site are required to be removed prior to signature on the final plat for the phase in which they are located.
9. A 14-foot wide public pedestrian easement for the multi-use pathway shall be submitted to the Planning Division for approval by City Council and subsequent recordation.
10. A private street application shall be submitted for the streets within the multi-family portion of the development. All private streets shall comply with the standards listed in UDC [11-3F-4](#).
11. The proposed plat and subsequent development is required to comply with the UDC dimensional standards for the associated zoning districts is required, as follows: [Table 11-2A-6](#) for the R-8 zoning district; [Table 11-2A-7](#) for the R-15 zoning district; and [Table 11-2A-8](#) for the R-40 zoning district. The standards for all development in residential districts are listed in [11-2A-3](#).

Conditional Use Permit:

12. The multi-family development shall have an ongoing obligation to comply with the specific use standards listed in UDC [11-4-3-27](#).
13. For each of the multi-family units, a minimum of eighty (80) square feet of private, usable open space shall be provided for each unit as set forth in UDC 11-4-3-27B.3. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Floor plans with square footage noted for patios and balconies shall be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with this standard.
14. The multi-family development shall record a legally binding document that states the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC 11-4-3-27F. **A recorded copy of said document shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for the development.**
15. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
 - a. Depict bicycle racks capable of holding a minimum of 23 bicycles dispersed throughout the development; include a detail for the bicycle rack that complies with the standards listed in UDC 11-3C-5C.
 - b. All transformer and utility vaults and other service areas shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC 11-4-3-27B.2.
 - c. Depict a directory and map of the development at the entrance or convenient location for those entering the development; and a central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access in accord with UDC [11-4-3-27B.7](#).
 - d. Depict landscaping along the foundations of all street facing elevations adjacent to Waltman Ln as set forth in UDC [11-4-3-27E.2](#).
 - e. The berm along Waltman Ln. shall be at least four feet (4') in height as set forth in UDC [11-4-3-27C.7](#), unless otherwise approved through the conditional use process.
16. Developments with units that take access via secured common corridors shall install and maintain a keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances. The keyless entry system or alternative shall be subject to review and approval by the Meridian Police Department.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=307656&dbid=0&repo=MeridianCity>

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=309297&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=305428&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=305439&dbid=0&repo=MeridianCity&cr=1>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=306794&dbid=0&repo=MeridianCity>

G. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=306844&dbid=0&repo=MeridianCity>

H. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=305961&dbid=0&repo=MeridianCity>

I. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=305608&dbid=0&repo=MeridianCity>

J. MERIDIAN DEVELOPMENT CORPORATION (MDC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=308453&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=308348&dbid=0&repo=MeridianCity>

Traffic Impact Study (updated):

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=308355&dbid=0&repo=MeridianCity>

Response to Review Comments on TIS Update:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=308356&dbid=0&repo=MeridianCity>

Traffic Trip Generation Study (2018) & Updated Calculations:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187103&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=308358&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Annexation and/or Rezone (UDC 11-5B-3E)

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;

The Commission finds the Applicant's proposal to rezone and develop the subject property with a variety of residential uses is consistent with the associated FLUM amendment to MHDR with H-2021-0099 for the property and the applicable provisions of the Comprehensive Plan as noted above in Section V above.

2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;

The Commission finds the proposed map amendment/rezone and development complies with the purpose statement of the residential districts in that it will provide for a range of housing opportunities for the community consistent with the Comprehensive Plan.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The Commission finds the proposed map amendment/rezone should not be detrimental to the public health, safety and welfare as the proposed residential uses should be compatible with adjacent existing residential properties to the west, north and east and provide a good transition to proposed commercial uses to the east.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
The Commission finds City services are available to be provided to this development. Comments were not received from West Ada School District.
5. The annexation (as applicable) is in the best interest of city.
The Commission finds the proposed rezone is in the best interest of the City.

B. Preliminary Plat (UDC 11-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)
The Commission finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the Development Agreement provisions and conditions of approval in Section VIII.
2. Public services are available or can be made available and are adequate to accommodate the proposed development;
The Commission finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;
The Commission finds the proposed plat is in substantial conformance with scheduled public improvements in accord with the City's CIP.
4. There is public financial capability of supporting services for the proposed development;
The Commission finds there is public financial capability of supporting services for the proposed development.
5. The development will not be detrimental to the public health, safety or general welfare; and
The Commission finds the proposed development will not be detrimental to the public health, safety or general welfare.
6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)
The Commission is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

C. Conditional Use Permit (UDC 11-5B-6E)

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. **That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.**

The Commission finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 district (see Analysis, Section V for more information).

2. **That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.**

The Commission finds that the proposed use is consistent with the proposed future land use map designation of MHDR and is allowed as a conditional use per UDC Table 11-2A-2 in the R-40 zoning district.

3. **That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.**

The Commission finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the area.

4. **That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.**

The Commission finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area. The Commission should weigh any public testimony provided to determine if the development will adversely affect other properties in the vicinity.

5. **That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.**

The Commission finds that essential public services are available to this property and that the use will be adequately served by these facilities.

I-84 and Tanner Creek Minutes from PZ

Public Hearing continued from October 19, 2023 for I-84 and Meridian Road (H-2021-0099) by Hawkins Companies, generally located at the northwest corner of S. Meridian Rd. and I-84

- A. Request: Annexation of 18.30 acres of land with a C-G zoning district.
- B. Request: Comprehensive Plan Future Land Use Map Amendment to change the future land use designation on 70.4+/- acres of land from Mixed Use Community (MU-C) to Commercial (34.3) acres and Medium High Density Residential (36.1+/-).

4. Public Hearing continued from October 19, 2023 for Tanner Creek Subdivision (H-2022-0048) by Engineering Solutions, LLP., generally located 1/4 mile west of S. Meridian Rd. on the south side of W. Waltman Ln.

- A. Request: Modification to the existing Development Agreement (Inst. #108131100) to change the development plan from commercial to a mix of residential uses.
- B. Request: Rezone of 41.89 acres of land from the C-G to the R-8 (12.16 acres), R-15 (12.27 acres) and R-40 (17.46 acres) zoning districts.
- C. Request: Preliminary Plat consisting of 130 building lots (83 single-family, 45 townhome & 2 multi-family) and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts.
- D. Request: Conditional Use Permit for a multi-family development consisting of 280 dwelling units on 15.88 acres of land in the R-40 zoning district.

Lorcher: I have some disclosure for the next two applications from -- for the Tanner Creek Subdivision and Hawkins. I have family members who live in the impact area of both of these projects. After consulting with the city attorney I will recuse myself from the conversation for this evening's application. That's -- that area impacts my overall family. So, with that I am going to turn it over to Jared and he will lead these two applications for these discussions.

Smith: Thank you. Thank you, Commissioner Lorcher. Kurt, would you like to say any words about kind of how this --

Starman: Thank you, Chairman. So, a couple of items before we open the public hearings this evening. First, just for the public's benefit and for the record, we have -- we started our meeting with four Commissioners, which establishes a quorum for tonight. As we just heard, Vice-Chair Lorcher is recusing herself for a conflict of interest reason -- is remaining in the building. She's just in the City Council conference room and so a quorum is maintained. So, we will proceed with three members casting votes -- or are eligible to deliberate on these items. But we still maintain quorum is the first observation for the record. The second item is that we have -- as I understand it, a request from the applicants for your next two public hearings, Items 3 and 4 on your agenda this evening, to open those public hearings concurrently and to hear those items concurrently and the rationale for that is that they are very much integrally related to one another and as you noted I'm sure when you read the staff reports, the two projects really go sort of hand in glove in many ways. In addition that City Council in earlier discussions had expressed an interest and desire for these projects to be dealt with at the same time. That is a bit unorthodox. We don't typically do multiple public hearings at the same time. It's certainly not prohibited by -- in a legal manner. It's just a bit unorthodox. And so what I would like to ask is a representative for each applicant to come to the podium before we head down this path, I would just like to have it on the record that the applicants are making this request and that they would prefer to proceed in this manner. So, I will invite our applicants up to confirm that on the record. And, then, we will -- if that is the case I would ask the chairman to open both public hearings and we will proceed accordingly. I have one more announcement after that.

McKay: Becky McKay from Engineering Solutions. 1029 North Rosario, Meridian. Business address. I'm representing Challenger Development for the Tanner Creek project. We do consent to the consolidation of our presentations and being heard kind of as one integrated project

Mansfield: I'm Ethan Mansfield with Hawkins Companies representing that the corner development there to the east of Tanner Creek and we also consent to being heard together. Thank you.

Starman: Thank you. One last announcement and, then, we will turn to the hearings at hand, but that is in order to be as fair as possible and provide due process to all involved, the applicant, the public and others that have an interest in these topics, because we are doing essentially two public hearings concurrently, we will essentially double the allotted time for applicants to present and, then, double the amount of time that we would typically provide to -- for citizen testimony. So, by way of example, we would typically allow applicants 15 minutes initially to make their presentation. In this instance we will allow 30 minutes in total. They may or may not want to use that entire time, but we would make that available and, likewise, for those that want to provide testimony this evening, the public and other interested parties, we would typically provide -- provide three minutes for that purpose, but tonight we will provide six, because we are hearing both items concurrently and so we have more material to cover. So, with that, as -- as preface, I would turn it back to you, Mr. Chairman, to open both of the public hearings and we can

proceed with double staff reports initially. Sonya will discuss both projects back to back and, then, we will turn it over to the applicants.

Smith: Thank you, Kurt. So, per applicants' request, we are going to open for public hearing Item No. H-2023-0099, annexation and future land use map amendment from Hawkins Company concurrently with Item H-2023-0048, a modification to the existing DA agreement, rezone request, preliminary plat and a conditional use permit for multi-family housing for Tanner Creek Subdivision. We will begin with the staff reports.

Allen: Thank you, Mr. Chair. Just a clarification for the record. This file number is H-2021-0099. It is an older file number that's been in the -- been in the process for a little while. So, just like to --

Smith: Thank you.

Allen: -- mention that. Thank you. The subject applications before you tonight are a request for a Comprehensive Plan map amendment and annexation. This project was heard by the Commission on April 28th, 2022, and the recommendation of denial was sent forth to the City Council. City Council heard the application and remanded it back to the Commission for the following reasons: Reference for this property and the abutting property to the west Tanner Creek to come in together or concurrently with a master plan for the overall area that demonstrates consistency with the existing or proposed future land use map designation and that -- that is mixed use community and mixed use regional. Desire for the transportation issues to be addressed before a development plan is approved and desire for changes to be made to the concept plan to be more consistent with the general mixed use guidelines and specifically the requested mixed use regional designation. Some changes were made to the plan, but they were not substantive -- substantive enough to be deemed consistent with the general mixed use development guidelines existing MUC or the proposed MUR guidelines. Therefore, staff recommended the applicant change their map amendment request from MUR to commercial and include the Tanner Creek project to the west in the amendment with a change from MUC to medium high density residential. Revisions to the conceptual development plan and associated exhibits have also been amended to address previous comments in the staff report and discussion from the hearing. The property associated with the amendment to the future land use map consists of approximately 70 acres of land and the portion associated with the annexation consists of 18 acres of land. The general location of the property is at the northwest corner of South Meridian Road and I-84 on the south side of Waltman Lane. The map on the left there shows the existing -- on the top there the existing future land use map designations for this property and the general area around the property. The map on the bottom shows the requested change to the future land use map. The applicant is requesting, as I mentioned, an amendment to the future land use map to change the land use designation on 70.4 acres of land from mixed use community to commercial. I'm echoing here. Excuse me just a second. The commercial designation is requested to be 34.3 acres and the medium high density residential is proposed to be 36.1 acres approximately. Based on the analysis in the staff report staff finds the proposed development plan is generally consistent with the requested future land use

designation of commercial for the subject property and medium high density residential for the adjacent property to the west, which is Tanner Creek. Further, the proposed future land use designations provide for a better transition and uses from existing and future residential uses to the west and northwest and are compatible with adjacent future land use designations and land uses in this area. The applicant also proposes to annex 18.3 acres of land as shown there on the exhibit on the right with the C-G general retail and service commercial zoning district consistent with the proposed future land use amendment to commercial. The subject property is part of an enclave area surrounded by city annexed property. The plan on the left is the original development plan that you reviewed on this project when it was before you the last time. The one on the right is the proposed revised plan. This is a little -- a little easier to see here. So I will flip to this plan. The revised conceptual development plan submitted as shown depicts how the property proposed to be annexed, as well as the area currently zoned C-G to the north is planned to develop with two big box retail stores. Retail one, which is approximately 153,300 square feet and retail two, which is approximately 80,500 square feet, four pads and five shops. The area shown on the concept plan on the bottom portion -- and that's just -- let's see. I don't have this one. Everything south of this red line is proposed to be annexed. Everything north is already annexed in the city and zoned C-G. The portion of the site currently in the city is entitled to develop in accord with UDC standards regardless of whether or not the proposed annexation is approved, as there is not a development agreement and effect for that property. I will note, though, as part of the new development agreement for the property proposed to be annexed, the applicant has agreed to enter into a development agreement on the entire property. Sole access for the development is proposed via three accesses from Waltman Lane, a collector street, in accord with UDC 11-3A-3A2, which supports limiting access points to collector streets and requires a cross-access ingress-egress easement to be granted to adjoining properties where access to a local street is not available. Staff recommends a driveway is provided along side the proposed pathway across the Ten Mile Creek to the west, unless otherwise waived by City Council, which will provide interconnectivity between these two developments. The applicant has submitted an emergency access easement agreement with the property owner to the west for secondary emergency access via Ruddy Drive and Waltman Lane. At no time should construction traffic associated with the development of this site be allowed to access the site using Ruddy Drive through The Landing and Tanner Creek Subdivisions. Other than, like I said, emergency access. Improvements are required to Waltman Lane, including reconstruction of the bridge over the Ten Mile Creek west of this site with the Tanner Creek project. Improvements to the section of Waltman that abuts this site will be determined by ACHD with a future development application, since this is only an annexation request. The extension of Corporate Drive to the northwest of this site designated as a collector street on the master street map, including construction of a bridge over the Ten Mile Creek from the north to Waltman Lane is proposed to be completed with the first phase of development with the Tanner Creek project prior to issuance of building permits. If the Tanner Creek project does not go forward and complete the improvements to Waltman and Corporate as planned, staff is recommending that these improvements are completed by this developer through a cooperative development agreement with Ada County Highway District as noted in the staff report. Based on the findings of the traffic impact study for the proposed project,

which includes the Tanner Creek project, the Meridian Road-Waltman Lane intersection would exceed ACHD's acceptable level of service thresholds. With previous development applications for the Tanner Creek property ACHD did not recommend any mitigation at the intersection due to right of way constraints impacting -- impacts to existing businesses and substantial intersection redesign and construction making the recommended mitigation infeasible. A letter prepared by Six Mile Engineering dated January 23rd of this year, in response to comments and feedback during the City Council hearing for this project, was submitted to ACHD proposing phased alternative improvements at the Meridian Road and Waltman Lane intersection to address traffic impacts from these developments. A three phase concept design was proposed in which the first few designs did not require any additional right of way dedication and the final phase did. ACHD reviewed their proposal and does not recommend any modifications to the intersection as under all concept designs these modifications would negatively impact existing operations at both the interchange and ramps. ACHD concern also extended to the impacts the proposed modifications would have to the Central Drive and Corporate Drive intersections at Main Street and Progress Avenue. While the proposed improvements may benefit both of the proposed developments in the short term, they will likely negatively impact the already congested area roadways and intersections. These improvements without significant widening increased corridor travel times and interchange queue lengths, further compounding existing congestion in this area. ACHD believes that there are alternatives that may be considered, such as converting Central Drive and Waltman Lane and Corporate Drive to a one way couplet, which is anticipated to reduce both queue lanes and the impacts to the Meridian Road and I-84 interchange system. Construction of the Linder Road overpass, which is three quarters of mile to the west, is scheduled in ACHD's five year work plan for construction in 2026 and '27, which should improve traffic conditions on Meridian Road by providing another north-south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not consideration should be given to the inclusion of a provision in the development agreement which limits development to the large retail -- retail one store at this time and delays the retail two building and pads three and four and the shops until such time as the Linder Road overpass is completed or other improvements occur that allow for an acceptable level of service to be provided as determined by ACHD. There has been no written testimony from the public received on this application. Staff is recommending approval with the requirement of a development agreement and just with a caveat. If Council does not approve the requested amendment to the future land use map, staff is recommending denial of the annexation request based on incompatibility of the proposed development with the existing mixed use community future land use map designation. The applicant is here tonight to present. I guess we are going to hold the applicant testimony -- okay. Excuse me. I will roll right into the Tanner Creek project then. The applications before you on the Tanner Creek project are a development agreement modification, a rezone, a preliminary plat and a conditional use permit. This site consists of 38 acres of land. It's zoned C-G and it's located west of South Meridian Road on the south side of Waltman Lane and the north side of I-84. Two previous development applications similar to this were denied for this property in 2018 and 2020. The Comprehensive Plan future land use map designation, as I mentioned before, is mixed use community. We have a request

for an amendment to medium high density residential with the I-84 and Meridian Road project. The applicant requests a modification to the existing development agreement, which allows commercial and office and hotel uses to develop on the site as shown here on these concept plans -- two -- two different concept plans were included in the existing development agreement for this site and the applicant is proposing to replace it with a new development agreement allowing a mix of residential uses, including single family residential, detached and attached dwellings, townhouse dwellings and multi-family residential apartments. There we go. Problems with my clicker here. As shown on the concept plan here before you. A rezone of 41.89 acres of land is proposed from the C-G to the R-8 zoning district, which consists of 12.16 acres, to the R-15 district, which consists of 12.27 acres and to the R-40 zoning district, which consists of 17.46 acres. A preliminary plat is proposed as shown consisting of 130 building lots. And I will go through the breakdown of those. Eighty-three single family, 45 townhome and two multi-family and 20 common lots on 38.05 acres of land in the R-8, R-15 and R-40 zoning districts. The plat is proposed to develop in four phases as shown on the plan there on the right. I don't know if you can see that very good. The bold lines are the phase lines. This is phase one right here where my pointer is at. Phase two is directly east of that. Phase three is to the south and west. And the last phase by phase four, is on southeast. The applicant is requesting flexibility in the phasing to adjust the number of lots, combination of lots and number of phases to reflect changing market conditions. Staff is amenable to this request, unless otherwise restricted in the cooperative development agreement with ACHD or as otherwise approved by City Council. Because noise from I-84 will greatly affect future residents in this area, staff is recommending noise abatement in the form of a berm and wall is constructed per UDC standards in its entirety with the first phase of development as a provision of the development agreement. Currently it is proposed to be constructed with the associated phases three and four. Access is proposed via the extension of Ruddy Drive at the west boundary the site and via two accesses to and from Waltman Lane at the northern boundary of the site. The applicant is proposing to construct the extension of Corporate Drive, a collector street, off site from its current terminus north of the Ten Mile Creek to Waltman Lane with an existing right of way with the first phase of development. The construction of Corporate will include the construction of a new bridge over the Ten Mile Creek. This will provide additional access to the site and provide for additional access when the Ten Mile Creek Bridge on Waltman is being reconstructed. The road north of the bridge should be constructed as required by ACHD. The staff report recommends the roadway south of the bridge to Waltman Lane is constructed as a complete street section with detached ten foot wide multi-use pathways along both sides of the street and that is DA provision 1-B. Because there is not sufficient right of way at this time staff recommends a change to the staff report to only require a five foot wide detached sidewalk as required by ACHD. That should be in your recommendation tonight if you consider that change, please. These improvements shall be complete prior to issuance of any building permits on this site. The applicant is proposing improvements to Waltman Lane in accord with ACHD requirements, with a ten foot wide detached sidewalk within the street buffer. The improvements to Waltman will require reconstruction of the existing bridge over the Ten Mile Creek and should be completed as required by ACHD in the cooperative development agreement. The proposed qualified open space and site amenities meet and exceed UDC standards.

Conceptual building elevations were submitted for the proposed single family residential homes and townhomes as shown. I'm just going through these quickly, as I know the applicant has -- like a -- or a presentation on these. A conditional use permit is proposed for a multi-family development consisting of 280 residential apartment units on 15.88 acres of land in the R-40 zoning district. Private streets are required for addressing purposes within the development. The proposed qualified open space and site amenities in the multi-family portion also meet and exceed UDC standards. Conceptual elevations were also submitted for the apartment and the clubhouse buildings as shown. As mentioned with the previous application, the construction of Linder Road overpass half a mile to the west is scheduled in that five year work plan for construction in 2026 and '27 should improve traffic conditions on Meridian Road by providing another north-south connection over I-84. The Commission and City Council should consider if higher levels of traffic and congestion in this area are acceptable when acting on this application. If not, consideration should be given to the inclusion of a provision in the development agreement which limits development to the single family and townhome portions of the development at this time and delays the multi-family portion of the development until -- until such time as the Linder Road overpass is completed or other area improvements occur that allow for an acceptable level of service to be provided as determined by ACHD. Written testimony has been received on this application from the following. Heath McMahon that the requested project is denied due to the density proposed and the negative impact on traffic in this area and that letter is in the public comments. You should have already seen that. And, then, written testimony from Becky McKay, Engineering Solutions, the applicant's representative, in response to the staff report and I will let Becky go over that in her presentation. Staff is recommending approval per the staff report, just with a caveat as mentioned in the previous application, if the proposed map amendment is not approved staff recommends denial of the proposed development agreement modification and, consequently, the rezone, preliminary plat and conditional use permit applications due to inconsistency of the proposed development plan with the existing MUC designation. Staff will stand for any questions.

Smith: Commissioners, do you have any questions for staff?

Rivera: No.

Stoddard: No.

Smith: All right. Then would the applicants like to come forward and, please, state your name and address for the record and, then, one additional thing before you do, given the small number of Commissioners that are available tonight, I want to make sure, especially so that we get this right, so I will ask you to speak -- error on the side of speaking too much too closely into the mic and my fellow Commissioners online, if you are having trouble hearing, please, let us know, so that we can solve that. I want to make sure there is nothing missed. Thank you. Name and address for the record.

McKay: Thank you, Mr. Chairman, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm here this

evening representing Challenger Development for the Tanner Creek application. We have before you this evening a rezone, preliminary plat, a conditional use permit and a development agreement modification. The property -- the subject property that you are looking at is 38.05 acres. It's not me? Thank you. The property -- just to kind of give you an idea of the location, the property is located just on the west side of Meridian Road. It is south of Waltman Lane. To the east is The Landing Subdivision. That's a single family development, which is currently zoned R-4. On our southern boundary is Interstate 84. North of Waltman Lane there are some estate residential. There is some agricultural. Kitty-corner to us is a mini storage facility and, then, obviously, to the east of us is the proposed Hawkins development. This property is currently zoned C-G, general retail and service commercial. The rezone before you this evening we are asking to down zone the property to R-8, medium density residential, R-15, medium high density residential, and R-40, high density residential. Oh, there were go. Okay. It's just slow. So, this particular 31 -- 38.05 acres is a combination of nine parcels. So, historically there were multiple single family dwellings on these properties and, then, an agricultural parcel to the south. So, by consolidating these nine parcels here along Waltman Lane, that's -- that makes up the Tanner Creek property. To kind of give you a little bit of history on this property, it was annexed and zoned in 2008, 15 years ago, as C-G. In the original development agreement it was anticipated -- concept plan was submitted and tied to their DA for a mixture of big box, commercial retail office and hotel use. Obviously, after 15 years the proposed 400,000 square feet of commercial and office development and hotel never transpired. This area has been talked about -- I have been doing work in the City of Meridian for 30 year -- over 30 years and the Waltman Lane area has always been discussed as an area that we -- the city wanted to develop, but there was always a difficulty in trying to get adequate access into this area. In 2018 Matt Schultz submitted an application to the city for the Tanner Creek property that you see there highlighted in blue, asking for comprehensive plan map amendment, development agreement modification and rezone. The application was denied by the City Council. They had some concerns about traffic congestion at Waltman Lane, impact on schools and the lack of a commercial component, because they wanted to see that there was kind of a mixed use within this area. Then in 2020 Mr. Schultz submitted -- Mr. Schultz submitted an application before the city. It was very similar. And the City Council denied it a second time and they indicated we feel it's premature for this application to come through until we know what's going to happen on the adjoining property to the east. Until such time as we know we have the full picture along Waltman Lane, we are reluctant to approve anything and they said we know we want a commercial component in addition to a residential component and if we approve you for residential what happens if the property to the east comes through asking for residential also and we may not get that mixed commercial component employment center that -- that we have kind of envisioned in this area. So, strike two. Then, the Hawkins property came through independently and as Sonya indicated, the City Council reviewed it and said we would like to see you work with staff to make some changes to your site plan and remand it back to the Commission and have the two projects come through concurrently, so that we can see the big picture and see, obviously, the -- the integration of these two properties and the mitigation that can be done with two different developers working to improve the transportation system in this area. One of the problems with this Waltman Lane area is -- as you can see by this larger

aerial map, this section is bounded by Linder Road on the west, Franklin Road on the north, Meridian Road on the east and I-84. And, then, you have Ten Mile Creek that traverses the section creating another boundary or barrier to interconnectivity. Since Linder Road did not have an overpass over I-84, this section was kind of segregated from itself. When The Landing went in they have no vehicular bridges over Ten Mile Creek, so they are basically -- that entire subdivision is coming off of Linder Road without any true secondary access. With the Tanner Creek property developing it provided other transportation opportunities that not -- not only will benefit the projects that are proposed and you are reviewing this evening, but will also enhance the interconnectivity of The Landing Subdivision by the connection of Ruddy Drive, which is a stub street that The Landing has on their eastern boundary, we will be bringing that in as a collector road up to Waltman Lane and, then, with the extension of Corporate Drive down south and building a bridge across Ten Mile Creek, will be providing another interconnectivity that will also allow for traffic not only to go to Meridian Road, but to go north up to Franklin or to go west out to Linder. With the Linder overpass everyone is -- is pretty much in agreement that it is going to really change traffic patterns in this section, because you will have this alternative route south and with the State Highway 16 extension to the interstate creating another interchange and another crossing, that's also going to make a significant difference in the interconnection between north and south Meridian and the City of Meridian and the city of Kuna, because I-84 is a barrier. Here you can see the Tanner Creek rendering, along with the Hawkins commercial development rendering. One of the things that we did is we work closely together to try to integrate the two projects to make them pedestrian friendly, make them inviting for people on bikes, skateboards, scooters, walking back and forth, trying to alleviate the number of trips that would be on the -- the Ada County Highway District network. So, there is the -- you can see the Tanner Creek project there. So, we have, as I indicated, the R-8, the R-15 and the R-40 zones. The overall density that you are looking at here is 10.72 dwelling units per acre. Then we did break the density down within each zone, so that the Commission could see -- like within the R-8 zone where we have our single family dwellings, the density is 4.14 dwelling units per acre and we have those single family dwelling units adjacent to The Landing, so you are seeing a transition from R-4 to R-8. Then in the interior -- in the interior we have R-15 and our density within the R-15 area is 7.09 dwelling units per acre. Then as we go to our eastern side, which is the transition that we have next to Ten Mile Creek and the commercial development proposed by Hawkins, we are at 17.63 dwelling units per acre in the R-40. So, as you can see we are not pushing the density of any particular zone, but, obviously, transitioning from low density to medium density to high density. We feel that this is an ideal location for a mixed residential project, considering that the project is located one quarter mile west of a major arterial roadway, Meridian Road, and south of Waltman on -- which is designated a collector and, then, with the extension of Corporate Drive, which is also a collector. This area will have access to the Meridian Road interchange and I-84. So, we feel that -- that this is an appropriate location for what's being proposed. As far as that original development agreement, the Council had indicated what they wanted to see with that 2008 development agreement we have accomplished with our project by having east-west and north-south pedestrian connections. Your master pathway plan shows a regional multi-use pathway along the west side of Ten Mile Creek, which is on our eastern boundary. So, we will be

constructing that and it will be not just ten feet, but 14 feet in width and, then, we have a ten foot east-west pathway that will connect over to the multi-use pathway and over to the Hawkins development. In looking at the overall project, we feel that the incorporation of the mixed use residential and, then, the mixed use commercial will, obviously, be the best fit for this area by balancing out the traffic generated by the two projects. We have 83 single family lots that will be ranging from 30,850 square feet up to 10,500 square feet. We have 16 alley loaded lots and 67 front loaded homes and we have varying widths for different economic targets. We have 40 foot wide lots, 50 foot wide lots and 60 foot wide lots. We have 45 townhomes that are all alley loaded. They range from 2,400 to 3,884 square feet and with an average of 2,739 square feet. As I indicated our overall density, including the multi-family, 280 units, is 10.72. It's anticipated that we will build this in four phases. I always ask for flexibility in phasing, because we never know what the market conditions are going to do. If market conditions continue to decline, obviously, our phases get smaller. If market conditions improve, then, sometimes the phasing gets larger. So, therefore, what's before you is 128 attached and detached single family dwellings and, then, the 280 units. So, we have a total of 408 dwelling units on the property. We tried to balance out, so we didn't end up with a lot of garage orientation. We have about 47 percent alley loaded where we have front porches and emphasize, you know, the kind of cottage type look with different materials and, then, we have front loaded about 53 percent. Along I-84 where we have the single family dwellings those will all be single level dwellings. We have a 50 foot proposed buffer along I-84 and we will also be building a nine foot high berm and, then, we have a rhino rock type concrete wall as a sound barrier and landscaping along that entire south boundary. Along Waltman Lane your code requires 20 feet for a collector buffer. We have 37 feet. Within the multi-family area and under the conditional use permit we have a total of 12 multi-family buildings of those 12 11 are three story. The building that is adjacent with the side view to Waltman Lane is a two story building. We have balanced our -- our number of bedrooms. We will have about 33 percent one bedrooms or 94 units. Fifty-four percent will be two bedrooms with 152 units and we have 34 three bedroom units. The total parking provided meets your code update, which requires I believe 579 spaces. We have 581 spaces. So, we basically have 1.5 spaces for the one bedroom, two spaces for the two bedroom and three spaces for the three bedroom and, then, we also have guest parking, which is a new requirement under the code. In the -- the single family amenities we wanted to make sure that we hit the mark on our amenities. Our qualified open space within the single family area is 6.49 acres or 17 percent. We have a central common area that's 1.70 acres in the single family and townhome area. We have a large play structure, half basketball court, pickleball court. We have benches. And, then, ten foot pathways that lead over to the multi-use pathway. You will have pedestrian friendly crossings. They will be all striped and signed pedestrian crossings, so we can get people safely across the street if they go east and west through the project. In the multi-family area we have 3.76 acres of open space or 21.35 percent qualified open space. We will have a 5,000 -- about a 5,500 square foot - a clubhouse. It will have a fitness facility, kitchen facilities, conference room, community gathering area. We will have covered patio with a barbecue -- outdoor barbecue area. We will have the greenbelt plaza area where we have sitting areas and plantings and that will be mirrored in the Hawkins development. We will also have a swimming pool with a hot tub. Cabana at the pool deck. Play structure. Picnic gazebo. Pickleball sports court.

And within the clubhouse we will have a bicycle repair station and, then, we also have a separate room, indoor, for a dog wash area. We are going to provide charging stations for EV vehicles and we have provided for linear parks, micro paths and pathways, multiple picnic shelters and, then, obviously, the multi-use pathway. This kind of gives you an idea of the townhome elevations, so we are going to have some diversity. You can see there is a lot of different modulation. When we rear load those townhomes, obviously, the curb appeal along the public streets is very attractive. This -- they have little porches. Very different roof changes. Very cute, very cottage looking. On the single family lots we will have some two story, two car garage. We will have some single story, two car garage. There is another one. And, then, this is the -- an elevation of the two story multi-family building that will have just 16 units that adjoins Waltman. The other building is turned so only the end of the building -- we want to minimize any wall effect next to Waltman Lane.

Starman: Ms. McKay?

McKay: Yes.

Starman: Can I interject? Can we stop the clock just for a second, Madam Clerk. I just want to make sure we all have a common understanding of the time limit. So, I just want you to be aware that we -- so, I meant 30 minutes in total for both applicants and we are about 20 minutes in, so I just --

McKay: Okay. I will wrap it up, sir. Thank you.

Starman: That's between you and your fellow applicant. I just want to make sure we had a common understanding.

McKay: Want to make sure -- thank you. I appreciate that.

Starman: You are welcome.

McKay: Because I never know where I'm at. I will wrap it up here. So, this is the elevation of the two story building. These are elevations of the three story buildings. These renderings. As you can see they are very attractive. They got different roof lines. A lot of modulation. We have covered parking. We have uncovered parking. That's a picture of the clubhouse, swimming pool, cabana, fireplace area. So, we want to make sure that we provide an excellent gathering areas and this kind of gives you the pedestrian connection perspective of the two projects that you see there. So, that's Tanner Creek and, then, if you see to the distance that's the Hawkins property. So, we have been working with the landscape architects, so that each project mirrors the same type of amenity on each side of the creek and, then, we have a pedestrian bridge that takes everyone over and I will stop there and I will turn the time over to --

Mansfield: I will try and -- my name is Ethan Mansfield. Hawkins Companies. We are the commercial portion of this development and, Sonya, if you could bring up the presentation for me. Thank you very much. So, yeah, I will kind of pick up where Becky

left off. This is the commercial. This is the eastern side of the project on the southwest corner of Waltman and Meridian. So, this -- our application includes the comp plan amendment to go to commercial on our section, a comp plan amendment for medium high density residential on Becky's portion of the project and, then, an annexation and a rezone on that small piece to the south. Let just show you here -- not quite yet. Anyway, small piece on the -- to the south of where -- where we are not actually in the city limits. So, I will give you a brief overview. Becky went through most of it. So, we were heard by City Council in June of 2022 and our application was remanded back to Planning and Zoning Commission to be heard concurrently with Tanner Creek and they wanted to ensure that the TIS was accepted by the Ada County Highway District. Later that month ACHD accepted the TIS and drafted some recommendations. So, over the course of the next -- course of the year we spent time, both with Tanner Creek and significant time with Meridian Planning and Zoning staff, to make changes to our site plan. We also worked with our tenants to -- to get our site plan dialed in. That was really important to us to, obviously, meet the requirements of staff and the suggestions of staff in the staff report. So, in July 2023 city staff expresses that they are generally supportive of the new site plan and accepts the site plans together and, then, in October last month, a couple of weeks ago, staff asked us to -- rather than go with a mixed use regional designation, that we change to the commercial land use designation for the Hawkins development, the medium density residential designation for Tanner Creek. The site plans didn't change. So, we still have a -- clearly a mix of uses. We have residential on the Tanner Creek side and we have commercial on our side of the creek and so that looks like this map before you. As you can see it's pretty darn similar to the other corners of the intersection. You know, you have got commercial on the busy corners and, then, you transition into residential as you move inward from those major arterials, especially right around the interchange. So, overall we think that this configuration makes a lot more sense than the previous. The previously approved development agreements, which -- which had commercial on Becky's side and nothing on -- on our corner here. Again -- so, this is kind of what we are looking at. Here is the annexation rezone request down at the bottom -- kind of bottom right southeast corner and showing where Tanner Creek would be and, then, this is -- you have seen this, you know, 15 or 20 times already tonight, so I won't bore you. I would like to talk a little bit about our site plan evolution however. So, on the left side of your screen you will see the old site plan. Right side of the screen you will see what's before you this evening. I would like to thank staff for working with us to dial this in and getting it to a place that we can, you know, approve -- that we can have an approval. We think it's a much better site plan. The drive aisles are oriented in a -- we think a more logical way. Obviously, the transition between Tanner Creek and our development makes a lot more sense. Overall we are really really proud of this site plan. We have got community serving shops uses right up against Waltman. You know, we have got a couple of drive-throughs kind of on the Meridian Road side and we think it kind of meets the needs of, you know, the fact that it is a regional corner, serving the needs of the region, but also having these community serving uses to meet the needs of the immediate surrounding community and providing pedestrian connectivity, so that this immediate surrounding community can -- can walk or bike to the project. That's -- I think this -- I'm really proud of this lifeline. So, anyway, I will stop there. Here is the pedestrian circulation plan. You can see that, you know, if you are a pedestrian you can get pretty much

anywhere on the site, you know, and we provide pretty robust open space amenities and I think, you know, we will go through those in a second, but I think that's very important. Here you can see we have kind of modeled three different concepts of kind of Plaza amenity areas and so I will start with -- with area B. These are kind of designed -- or sorry. Area A. A type plazas. These are kind of designed to be kind of patio seating areas and, you know, these are just kind of illustrative concepts to kind of show what the design intent is. Areas A. These are the B types. These are kind of our main entry plaza when you are turning in off of Waltman. You know, it's kind of designed to be an open space where people can kind of hang out, as well as kind of some patio seating that isn't really -- you know, it kind of merges together seamlessly to provide a really comfortable pedestrian experience. Here is another couple of views of that and, then, I think most importantly -- and Becky hit on this -- is we have our connecting plaza area. The design language is pretty similar across both the multi-family and the commercial side. It's -- it's a really cool feature I think of this project. So, here is looking at just the residential side, kind of modeling it, showing what it's going to look like. I think it's pretty cool. Pretty neat. And, then, the commercial side kind of mirroring that concept to kind of provide that pedestrian and bike comfort as you move between the two developments. Again, it's tough, because there is a creek running through it, so you can't seamlessly merge them, but this site plan I think does a really good job of tying the two together despite the geographic barrier of the creek. One thing I would just like to ask for a condition to be changed is that the city is currently recommending a street with two multi-use pathways be punched through this area. So, the area shown here is about the same amount of area. I think it's actually 74 feet -- we modelled it -- with the Corporate Drive extension, to provide two multi-use pathways, a drive area, 25 foot driveway and the associated buffer widths. So, that's about what you are looking for for your street width. Now, if you look back on this you can see that that's pretty much where our pedestrian amenity -- it's our really nice kind of plaza area connecting the two together. That's where they are located. So, what we would end up having to do to provide this connectivity with the street is remove some of these really nice amenities and we think that since the goal of -- you know, the Comprehensive Plan goals clearly state, right, that -- that the desire for the pedestrian comfort -- the experience of the pedestrian comfort -- we think that it makes a lot more sense to create amenities like this than it does to have a street that -- with just the pathways. One other quick condition we are asking for a modification of and not a removal of, but a modification of, is the construction of a stub driveway to the adjacent out parcel. We worked really hard to try to get this parcel under contract. This is up on the northwest corner of our site. So, this is up adjacent to the creek along Waltman. We were unable to acquire this parcel. They were adamantly opposed to being -- to selling their property. So, the condition from staff was to provide a cross-access agreement to allow any future development to access through our development and to construct a stub driveway to the edge of that development. We are not -- we are amenable to providing a cross- access to the future development. However, when we took a look at where and how we would actually connect that stub in, we --

Smith: You can finish up that thought.

Mansfield: So, we -- we looked at it and there will be some significant grading and drainage issues if we try and construct a stub drive. Mainly we will create kind of a waterfall that goes into this adjacent property in their backyard. So, we don't really want to actually construct the stub street. We would really like to simply provide the cross-access agreement, which protects that.

Smith: Thank you. Do any Commissioners have any questions for the applicants?

Rivera: No.

Stoddard: I don't.

Smith: All right. I have a couple of questions. Thanks for -- and this might also touch on what you were speaking to regarding the staff report and discuss for Becky, too. Just curious about any other issues with the staff report, any other disagreements with staff recommendations. Particularly one that I'm really interested in is the possible recommendation to require phasing based on the Linder overpass completion as part of a development agreement. Just curious about any thoughts on this.

Mansfield: I will -- I will address that. Thanks, Commissioner Smith. We don't have any other issues with the staff report. Those were my only two concerns. Regarding phasing, that puts us in a really -- really challenging position, because we would like this center to develop in a cohesive manner and it takes years sometimes from when we have surety that we can actually develop in a certain way to actually getting a door open, a restaurant open, a shop open. The development process takes a long time and so when we don't have surety that we can do the development it really -- it -- let's say we get surety -- let's say we had surety tonight or even at Council, you know, it might be three to five years before we even finish this center's development in its entirety, simply because of -- of working through deals with tenants -- potential tenants, signing LOI's signing leases -- leases, doing due diligence. All of that development work. So, we really need that surety now to begin to even start figuring out those details. Since the Linder overpass is going to start construction in 2026, we feel that, you know, that's an appropriate timeline given what we are looking to do.

Smith: And, Becky, I will ask you the same -- one I guess thought on that and whether this changes anything -- is whether that might be -- I believe we have in the past made certificate of occupancy contingent upon completion or access or something like that and so I wonder if that could help ameliorate things that you could at least get the ball rolling on some of those things, but that final occupancy wouldn't be granted. But that kind of applies to that question for you, too.

McKay: Yeah. Commissioner Smith, I did discuss that with my client and -- and as Ethan stated, these projects don't pop up overnight. We -- with our first phase of Tanner Creek we have to design the bridge and the Corporate Drive extension and get that online in conjunction with our first phase and, then, after that's done, then, we have to work on Waltman Lane, replacing the bridge, building it out to a collector standard, so there is a

lot of things that -- obviously, improvements that we have to install before we can even bring on phase one. The engineering plan approvals take place, as Ethan said, instead of months now it takes over years. So, my estimation is that -- that you are not going to see a lot of traffic generation before that overpass is installed in fiscal year '26, '27, because we have got a lot of work ahead of us. We will have to be doing LOMARs, 404 permits, no rises, but to -- to impose a condition that you can only build one phase or you can only build the target, that's going to hamper their marketing and my client was concerned about that. We are convinced that our timing is going to -- to, obviously, be within that time frame, but like with our first phase I calc'd it, I'm only generating 850 trips with phase one and you have got 55 homes that have to be built and they are not going to be occupied or built overnight. So, I don't think it's necessary that -- that that condition be imposed on the project, because, like I said, I fear it will hamper their marketing and their ability to create a cohesive retail office and employment center, which, obviously, we are going to be part of as far as the residential component and our residents, hopefully, will work there and support it and I have been told that -- that Linder -- I mean that's the number one priority, that Linder overpass. I mean they are going full bore. They have already -- I did the Kendall Ford Center that's under construction on the west side of where it comes across the freeway, they have already acquired the right of way. I mean they are rocking and they are rolling. So, I don't see that there is going to be any type of delay.

Mansfield: I think one other thing that's helpful to consider is that these other improvements, namely Corporate Drive and the Ruddy extension and the expansion of Waltman Lane, these other improvements will be completed prior to occupancy and I think that -- I mean that will, obviously, add an extreme amount of connectivity to the surrounding area. You know, I put this together -- we all -- you know, this is where we all live. You know, previously you just had this -- this little purple connection here. By opening up that connection to Franklin it really changes the game for not just our development, but for people who live in north Meridian to access the interchange, to access, you know, goods and services and, then, the connection to the adjacent neighborhood, too. So, those blue -- those, you know, blue connections there really have this outsized impact -- they are small connections, but they have a really outsized impact on the ability of the community -- surrounding communities to travel through the area and we think that in and of itself is something that is -- is pretty special with this development.

McKay: And you are going to be capturing --

Mansfield: Right. And we will be capturing trips, you know. You are not really generating -- I mean, you know, a commercial development doesn't necessarily in and of itself create new trips, it mainly captures trips from other households in the valley; right? Because, really, the only way you can get a new trip is by having a new person driving a new car through -- through the area and, really, we are not adding any new people to the network, we are just adding a central location by -- for which to shop and -- and play.

Smith: Thank you. So, you can correct me -- correct me if I'm wrong, if -- I don't want to put any words in anyone's mouth. It seems like it's a question of -- more of whether it's

necessary, rather -- rather -- especially for, Becky, for your development, rather than if it's outright harmful or whether it would prevent the -- it might make things a little bit more of a task, but it wouldn't inherently prevent the project from being completable, but just some --

Mansfield: I would say, Commissioner Smith, that it could be extremely detrimental to our project. We don't know the extent to which it could harm our project, because there is so much uncertainty with tying the ability for us to construct part of our project to a public agency's ability to complete a -- to create and complete an infrastructure project that it -- it really throws the uncertainty -- I should just say it's the amount of uncertainty that it throws into the project. It is so immense that it -- it very well could extremely negatively impact the ability for this project to be constructed.

Smith: Does that -- does that change at all if it -- say -- I know the staff recommendation is -- or staff's potential recommendation is constructing retail one before the Linder overpass and waiting until after the Linder overpass to construct the rest. Does the calculus change at all whether it's -- say the other units and, then, retail one and two after or anything like that in terms of construction times, lease signings, et cetera? Does that make any of that doable at all?

Mansfield: Commissioner Smith, I will say, you know, it is imperative that retail one is there, because that is the driver of other tenants. However, it -- it is, again, really totally uncertain whether or not -- you know, we might -- we might be able to construct retail one, for example, and, then, suddenly the tenants that are interested in the spaces along Waltman, the shops tenants, the -- the shops tenants that are difficult to find already sometimes and the tenants along Meridian Road might just say, no, not interested. We are going somewhere else. Something could happen in the economy. We could find ourselves with a bunch of empty pads. We could find ourselves with an empty retail two. It is -- those are all very -- very realistic scenarios, which is why we are seeking approval for the entire commercial project.

McKay: Yeah. Mr. -- Mr. Chairman, you know, with commercial developments -- I have done quite a few commercial, industrial developments. There has to be certainty. You know, some of these -- these people that -- they may want to lease a building or build a building, if there is some condition where maybe there is uncertainty in which they can bring -- bring their business online that could really hurt the Hawkins Company. Whereas, obviously, with our residential development, you know, that's kind of not the case. It's more that we would prefer, you know, to build this out in a timely fashion. We think the timelines will work and we are adding capacity to the network to compensate for what we are generating. Right now what's approved on the Tanner Creek property is -- would generate 10,300 vehicle trips a day. So, when you combine the Hawkins commercial with their 10,891 at build out, then, you combine the Tanner Creek, which is 3,014 trips, you are talking, basically, a difference of 3,600 vehicle trips per day. Right now Waltman is horribly underutilized at 190 vehicle trips per day. Once we bring Corporate in and you got access to Franklin, you have got other -- you have got secondary access to Meridian Road and we rebuild Waltman -- we have got a lot of work ahead of us, but our clients,

obviously, need to, like I said, have some certainty that -- that they are not going to spend millions of dollars on this infrastructure and, then, find that their hands are tied, because they can only bring on so many uses within a specific time frame.

Smith: Thank you. Understandable. I do have a question for -- and any other Commissioners, do you have any questions respect to this? I just wanted to get staff's response, I guess, to the Tanner Creek -- that the two asks around not requiring that street connectivity in favor of pedestrian and amenities and not requiring the stubbed driveway to that abutting property. Are there any major staff concerns around that?

Allen: Yes, Mr. Chair. You said the timing of the -- did you say the timing of the buffer along I-84 on the Tanner Creek property?

Smith: I believe the two asks specifically were regarding the street connectivity requirement --

Allen: Between the two development --

Smith: The two developments.

Allen: Yeah. Our UDC requires cross-access to be provided when access is not available from a local street. Waltman is going to be reclassified as a collector street. So, that would require a driveway connection interconnectivity. Not necessarily a public street, but a driveway connection. Our code does allow for a waiver by City Council if they deem that appropriate.

Smith: Okay. And, then, as for the stub driveway, are there concerns there?

Allen: On the I-84 and Meridian Road property? Yeah. The only concern I have is how that driveway gets constructed in the future. They will have an access easement, but who would pay for that and, you know, that kind of thing. So, if the applicant has a solution to that I think we would be amenable to it.

Smith: Okay.

Mansfield: Yeah. Sonya, Commissioner Smith, I -- I can say that I think one way to -- to ensure cross-access would be to, right, have us sign a cross-access agreement basically allowing cross-access from them to us and, then, also limiting access from that parcel when it redevelops onto -- onto Waltman. So, if you were to say no access from that parcel onto Waltman, when that parcel comes in to redevelop and they have access to our driveway, that would ensure that access was not taken onto Waltman, but, instead, through our project, that -- that would be my -- you know, if I put on my planner hat that's kind of how I probably would -- would solve it.

Allen: Yeah. But we couldn't -- Chairman, excuse me. We -- we couldn't condition that -- for that property to not take access on Waltman at this time, because it's not part of this application. It's certainly something we would look at in the future.

Smith: So, that will be present in a future staff report for whatever eventually develops here?

Allen: It's always easier to catch it if there is a constructed driveway and access and going on to that property to construct the driveway and -- and I'm assuming the applicant -- I don't think you touched on that, Ethan, on who would pay for that construction of that driveway. I assume that you are -- you are thinking that developer of that property would pay for it.

Mansfield: Ms. Allen and Commissioner Smith, I would assume that they would -- just like as if they were connecting to a public street, they would be responsible for the cost of the driveway. You know, all of the things that I envision are basically just -- when that -- when that parcel redevelops, instead of paying for a connection to the public roadway, they would just pay for the connection to our driveway instead and so, really, we are kind of hung up on just building that stub. We really don't want to have a situation, A, where they have a site plan that just in no way really matches where we happen to have constructed the driveway, because we don't really know what that site plan is going to look like, so we -- we want flexibility to ensure that that connectivity can happen realistically and most efficiently and also that if we did connect something into there, there is a pretty significant grade change between where this driveway is going to end -- sorry -- where this drive that we are constructing is going to go north-south and, then, where the parcel is -- where the existing grade is on the parcel to the west and so if we were to construct a stub it would, essentially, almost like just drain water into the back of their property and we don't really want -- want to do that and it would -- we would end up spending a lot of money and time and engineering head scratching to like figure out how to not drain water into their property and at that point it would probably need to be reconfigured anyway upon the time that the parcel did develop, just to even out grades and to straighten out, you know, drainage and all the stuff that we kind of messed up just to put a stub street in there.

Smith: So, staff and -- and also I guess if this is amenable and if this is possible, I can't seem to remember the discussions we have had in the past round this. Would it be possible to put as a condition in the development agreement that they have money set aside to pay for that stub street when -- if that property gets redeveloped in the future, so they don't have to construct it now, but we have surety that it will be constructed as part of that application?

Allen: Mr. Chairman, you could certainly do that. I'm not sure about the -- I will defer to our city attorney on that.

Starman: Thank you, Mr. Chairman. I think you could craft a condition or a provision within the development agreement that would deal with that general topic. We typically

don't like road sureties, just because of -- number one, there is some questions about the viability of that and, secondly, just the -- I guess the accounting and the administration that goes with something like that to collect and hold a small amount of money in a -- in the scheme of things. So, we typically don't do that. So, I guess a way I answer the question more succinctly is it's -- I think we could do -- have to condition around that topic that would require construction of a date certain or whether -- with a or trigger event. I would probably recommend that we not try to require a financial -- like a deposit or some kind of road surety today. Just administratively it's difficult for us to monitor and maintain.

Allen: Mr. Chair, I believe you suggested that the applicant set aside money for that.

Smith: Yeah. I -- my -- my concern is rather than -- not a surety or anything like that, but could we -- we can -- could we require them -- it sounds like the answer is yes -- to commit to building that road when -- if this property is redeveloped, regardless of where that money is held, et cetera.

Starman: And, Mr. Chairman, I guess there is two topics there. So, one is a development agreement -- to distill it down is really a contract between two parties, the city and the developer in this instance, and so, contractually, I think you can craft a provision that would require some of that nature. So, that's sort of topic one. Topic two is how do you enforce it and so that's really I think -- by the other part of your question is it's nice to know that you have some type of money on deposit, some kind of surety that would ensure that a provision is carried out. That's the part that's a little more difficult just from an administrative perspective. I think the answer to both questions is, yes, that that would be a possibility, but I know -- just know from previous discussions amongst city staff that there is some hesitation about the idea of the surety idea or taking a deposit and monitoring and tracking the deposit over some period of time, yes. Maybe for several years.

Allen: Definitely all those things are a concern of staff. Another alternative I might throw out is that in that cross-access easement agreement that Hawkins provides to that property owner that they provide language in it that authorizes them, the developer of that property, in the future to go onto their property to make improvements and construct that driveway.

Smith: So, sorry, I'm not -- I didn't fully track that. Could you --

Allen: Yeah. As part of that cross-access easement agreement that Hawkins grants to that property, include language in it that would allow that property owner or developer to enter their property to construct those improvements on their property.

Smith: Okay.

Allen: Typically -- like Ethan said, you know, typically we require connection to public streets, but -- but, typically, those are stubbed to the property boundary. That's the difference in this case and this -- this is not a public street, it's just a -- it's an access

driveway. But that's the problem we run into is going -- having that property owner go onto their property to, you know, construct those improvements. So, yeah, there is some issues with all this. Absolutely understand the applicant's concern with drainage on that property. We don't want to create an issue with that either.

Smith: All right. And the applicant -- he seems like -- that seems amenable to some extent?

Mansfield: Commissioner Smith, Ms. Allen, I think that's probably the best solution that we could come to. We aren't a big fan of the surety idea. Having both been on the public sector side of administering those and the private sector side of administering those -- on both sides it's an absolutely miserable experience for both parties. So, I think that this solution is ideal and we can craft easement language that allows the tie in and allows construction to occur on our property for that specific, you know, connection for the driveway.

Smith: All right. That's all the questions I have. Do any other Commissioners, before we open up to public comment, have any additional questions?

Stoddard: I don't have any.

Rivera: I don't have any either.

Smith: All right. Well, thank you. I will now invite the public to comment. Do we have anyone --

Lomeli: We have a Terry Harper signed in.

Smith: Okay. Oh. Sorry.

Starman: I was going to say just for the record, so we can capture that, the -- the -- the citizen indicated that they chose not to -- to testify, they just wanted to hear what was happening.

Smith: Thank you. Is there anyone else on -- that signed in?

Lomeli: Kelsee Lorcher on -- via Zoom.

Smith: All right. Kelsey, are you --

K.Lorcher: Hi. Can you hear me?

Smith: Yes, we can.

K.Lorcher: Hi. My name is Kelsee Lorcher. I live at 2099 West Meta Drive. First and foremost, I'm very not for this application. Very against it. One of the biggest issues that

wasn't really talked about was the traffic impact study and how there is going to be almost 14,000 vehicle trips -- daily vehicle -- vehicle trips on Waltman Lane and also there is going to be over 950 vehicles per hour during peak hours and that's just with the Hawkins development. I wanted to go over one of the things I found that the ACHD submitted on to the application with their review. They talk about Waltman Lane. I'm just going to go ahead and quote them. It says: The traffic impact study did not evaluate Waltman Lane abutting the site, but the Tanner Creek traffic impact study indicated that Waltman Lane abutting the Meridian site is projected to exceed ACHD thresholds for a three lane collector road under the total build out conditions in the p.m. peak hours and would need to be widened to five lanes to meet ACHD's acceptable LLS planning thresholds. However, there is not enough existing right of way off site to construct this. This would not be consistent with the existing intersection configuration at Meridian Road/Waltman Lane and tapering from a five lane road to a two lane road would create confusion for drivers. Staff recommends that the City of Meridian take this into consideration when evaluating this application, as ACHD cannot require additional improvement with this development application for Waltman Lane beyond widening the segment to the three lanes abutting the site. So, basically, what that's saying is it's going to be LOS F. It's going to be a grade F even with three lanes and they recommend -- they can't enforce, but ACHD recommends that needs to be widened to five lanes and if that neighborhood to the west that will be coming through Ruddy Drive once that's open, that's not even part of the traffic impact study. There is no numbers on how many people are going to be coming through those neighborhoods to get to the Hawkins' side or to get to I-84 from Meridian onto the ramps if they are going to Boise or whatever. So, you are talking about 14,000 just from -- from Waltman Lane and Corporate and, then, not -- we don't even know the number of the neighborhood going through Ruddy Drive onto Waltman. And another thing is that Ruddy Drive -- with all the people coming in they are going -- into Tanner Creek neighborhood out onto Waltman and that creates a safety issue for the local street inside the neighborhood and the park is right there. It's near and there is -- that's a whole other situation. So, I just wanted to talk about just how wild and crazy our intersection at Meridian and -- and Waltman Lane is already. It's way over -- over jam packed with traffic and this is just going to create so much chaos and just the grid -- everything -- if you look at the traffic impact studies, once Tanner Creek and once Hawkins is built almost every intersection from Franklin and Meridian to Overland is F. F down the board. F. F. F. F everywhere. So, this is not the smartest development to be -- it's not -- that's not the smartest location for this development. This development would be great somewhere else. But since our intersection is landlocked and there is not much we can do to improve it for new construction to modify it, we are pretty much landlocked with all the neighborhood commercial, the roads, the bridge, the ramps. I-84. There is like no improvement. So, this wouldn't -- to my opinion would not be very smart to approve due to future traffic. It's already out of failing rates. This is going to make it even worse and I think it said about like 2040 we are going to have a million people in the Treasure Valley and, honestly, I don't think the Linder overpass is going to really do much once we have a million people. I think it's going to be just as bad, if not worse within the next 20 years and that's all I have to say on that. So, I would ask you to, please, deny this application.

Smith: Thank you. Do we have anyone else signed up?

Lomeli: Yes. Clair Manning.

Smith: Is that also via Zoom?

Johnson: Mr. Manning, you should be able to share your screen when you are ready.

Manning: I am getting ready here to share my screen. Oh. So, it's not going to let me share my screen until someone else stops sharing.

Johnson: We are fixing it right now.

Manning: But my name is Clair Manning. I live at 650 Waltman Lane. You should be seeing a screen right now. Is that --

Smith: We can see it.

Manning: Can you, please, confirm? Okay. So, while -- while it is tempting to take a look at this area and think that it belongs is, you know, commercial or a regional use, you know, the simple fact of the matter is -- is you do not have the infrastructure to support it and there really is no path from the developers to support that infrastructure. So, I wanted to take a few moments to share some of the nuances of the area with you guys, since, you know, I live here and I am pretty familiar with -- with that area. So, right to the north you already have some monstrous high density apartments here. This is the area next to the freeway where you would like to put more commercial and 17 acres of, you know, high density apartments here and this development. It makes for a lot going down Waltman Lane. So, let's take a look at how someone actually has to get into Waltman Lane. So, you have -- over here you have that high density developments that are existing that will spill out here into Meridian Road going towards the freeway; right? And more importantly what you have going into the development for a left turn is this small little sliver of a buffer and once that fills up that will choke off an entire lane into the city and it does not take much to -- to fill that up. So, I mean if we looked at it a little closer, I have kind of parked here towards the end, so I think you will notice it's not very big and I also want to point out that to the right here you can even clearly see that there is no path to where you can open that to the left and there is no path -- path for them to widen the street on the other side and, you know, here you can see four -- you know, four cars here in the -- in the area. It fills up quite a bit of that. So, there really isn't much buffer to get in -- to get into the area. So, it's -- it's extremely -- extremely problematic to get into the -- into the subdivision to -- what's proposed as the subdivision and the commercial. So, I mean I think Kelsee has mentioned that it's already a little overrun, but maybe you are wondering like what it really looks like today. So, this is -- this is what I see every day on my morning commute to Micron. So, this is pretty common. You probably all experienced it as well and let's say I'm so lucky as to like actually get home off work during rush hour and have a bad picture, but you can see it's -- it's even challenging to get like in today into this area with a green light with like, you know, traffic still coming over here where I -

- where I still have a green light and I'm completely blocked going in. So, you know, it's pretty clear from -- from this that it shouldn't be a surprise to you that it really is going to be a level of service F when they put this in and, you know, this -- this kind of -- this small little sliver -- Linder overpass will do nothing to help this. Linder overpass is never going to fix this. There is no path to fix this. The developer has no plan and there never can be a plan, because they are blocked by the -- blocked by ACHD and they are blocked by, you know, the state of Idaho. So, you know, I think it's pretty clear that a -- you know, a zoning mess to -- to allow this would be -- you know, as a commission would be completely irresponsible. So, I would ask you to deny this. Can I answer any questions?

Smith: Any Commissioners have any questions for Mr. Manning?

Stoddard: No.

Rivera: No.

Smith: Thank you. We -- we have no one else signed up, so anyone on Zoom if you would like to testify, please, raise your hand or anyone else from the audience if you would like to come up and speak on this.

Lomeli: We have one more Joe Lorcher.

Smith: Okay. Joe, are you there?

J.Lorcher: Can you hear me? Can you hear me now?

Smith: Yes, we can hear you now.

J.Lorcher: Okay. My name is Joe Lorcher. I live at 740 Waltman Lane. I'm the agricultural triangle at the north of the Tanner project. My main concern for this project is just the safety of the residents. They are all talking about connectivity and walking paths, but I have got some questions on the ten foot walking path along Waltman Lane. What happens there where Mrs. Lee didn't sell her parcel, does the ten foot path stop and you have to walk out into Waltman Lane and, then, come back once you get past Tanner and, then, go out into Waltman Lane and, then, come back into where Hawkins is developing? Also the -- just the -- right now Waltman Lane is used as a walking path for a lot of residents in The Landing Subdivision and they walk up to Winco and so a lot of concerns on just safety of the residents. When Ruddy drive is opened up all those cars are going to be coming down Waltman Lane and that park is right there. There is no parking for the park. So, people are going to park along the street next to that park, because there is no assigned parking spots for the park. The Linder overpass, like Clair just said, it's not going to impact this at all. If you live in The Landing Subdivision and you want to go to Boise you are going to go through Ruddy Drive, Waltman Lane and get stuck at that intersection. They talked about how many cars -- 190 cars a day. That's 15 cars per minute. Right now there is six families that live on Waltman Lane and we get stuck in that subdivision. Six families. I can't remember what the count was. I think it was -- current

count was -- Becky said it. I can't remember what it was. But we get stuck and Clair showed that picture. This is every day we get stuck in that -- that intersection to turn left onto Waltman Lane. We have to watch that light turn at least twice before the traffic coming from Winco turning in front of us and stops in front of us, so that we can get across. Ada County Highway District has done nothing to help this. They -- all plans that have been sent to them they have denied. They -- they are not going to fix it, so why would we want more cars onto an intersection that's already graded F. The Corporate Drive through my place connecting up, it still comes back to the same intersection. They can go up Corporate Drive, turn right onto Meridian and, guess what, it's the same intersection. Until the highway district decides -- figures out somehow to fix the overpass, to fix the Waltman Lane, there is just no way that this project can handle the density that's being offered because of the intersection. So, I strongly suggest public concern, public safety. There was no officer -- last time we had this meeting there was a police officer and -- and it would be nice if we could get their opinions on this. But, please, deny this just for the public safety. Thank you.

Smith: Thank you. Is there anyone else with the hand raised?

Lomeli: One more. Joey Lorcher.

Joey Lorcher: Can you hear me?

Smith: Yes, we can.

Joey Lorcher: Okay. My name is Joey Lorcher and I live at 5110 Dandridge Way. But at one point in time I lived off of Pelican Way, which is in The Landing -- the neighboring -- next door neighborhood and when I lived there if -- if the road would have been punched through to Waltman Lane I would have took it every day to get to the freeway. So, it's -- it -- it will be a big problem for Waltman Lane and also this wasn't touched at all, but the Tanner project is going to overrun Peregrine Elementary with kids, especially with the new high density apartments off of Ten Mile and Franklin, which is in Peregrine's area. So, that's a whole other issue at hand. But I would -- I strongly am against this, both developments, because like everybody said before, Waltman Lane can't handle it. The City of Meridian really can't handle it. So, please, vote against it. And that's all.

Smith: All right. Thank you. Is there anyone else with a hand raised?

Lomeli: No one else.

Smith: Is there anyone in the audience that would like to come up and testify? All right. Would the applicant like to come back up?

McKay: Thank you, Mr. Chairman, Members of the Commission. Becky McKay. Engineering Solutions. Waltman in its current condition is isolated. It's limited. What we have the ability to do with these two projects is changed that with spending a significant amount of money, six to eight hundred thousand for a bridge over Ten Mile Creek and extending Corporate Drive down to Waltman. That's going to allow -- traffic can go north

up to Franklin or it has alternative access points onto Meridian Road. By opening up Ruddy Drive we will get some inner connection with the prop -- the subdivision to the west, but even Ada County Highway District in the memo written by Mindy Wallace on October 18, she talks about the Linder ACHD and the Linder Road overpass project and she states: It is likely that the intersection at Waltman and Meridian Road will operate better than reported in the traffic impact studies once the stub streets to the adjacent neighborhoods are connected and Corporate Drive is extended to intersect with Waltman. So, we are going to see a change in traffic patterns. With that Linder overpass we are going to see alternative routes and not just one point of access to Meridian Road from Waltman. These -- these roadway improvements that we are proposing are not cheap. They are very expensive and time consuming. We are willing to take on that task and we believe that it's going to help add alternative routes to this Waltman area and this is recommended by ACHD. The level of service during the p.m. peak hour, it does go to a level of service F with us or without us and that's due to the fact that you have a single point urban interchange that was built by ITD when they did the Meridian interchange update and that complicates the signal timing of the upstream and downstream intersections. Leah Kelsey is here from Six Mile Engineering and if you guys have questions for her -- they designed the Meridian one way couplet. They also did an analysis and provided three options for ACHD to allow us to extend some of those turn lanes and improve the capacity of the intersection at Meridian and Waltman. You also can't ignore the fact that the Tanner Creek project is already annexed. It's already zoned C-G. Somebody could come in and buy it and put a Fred Meyer there tomorrow if they wanted to with just a building permit, because in the DA that's what it's approved for is some big box, a hotel, retail, restaurants. Part of Hawkins Properties already zoned C-G. They said they could pull a permit basically for a big box user also. We are not going that route. We are downsizing. We are working together to solve the issues and as far as the infrastructure there is sewer out there, there is water out there. All of the police, the fire department, all their response times are significantly lower than what they average. So, all of your facilities are available out there now and I guess my thought is if not now, then, when and if not these projects where we are willing to make all of these system improvements, then what? We have good projects. I will turn it over to --

Mansfield: Thanks, Becky. I -- Commissioner Smith, I don't have a lot to add, but I would just say, you know, Becky's correct, there is a 400,000 square foot shopping center entitled for the Tanner Creek site right now. We are proposing to build about 325,000 square feet. So, it's significantly less than what is currently entitled. About 75,000 square feet less. I think that we are -- you know, we hired Leah to come up with some concept designs for the intersection. We are trying -- we are making as many improvements to the transportation network in this area as ACHD will let us and I think, you know, if we could do more we absolutely would and so that's all I really have to say. I think, you know, it's a -- it's a tricky situation, but this is an in-fill site. We are not extending services out into the hinterlands. We are filling in. That's going to capture trips. It's going to reduce travel times for many people and overall I think that's a very good thing for the community. Thank you.

Smith: I do have a quick question for one of you, but I will ask real quick first. Do any of you other Commissioners have any questions for applicants or any other individuals who were in the public testimony?

Stoddard: I do not.

Smith: All right. Mr. -- Commissioner Rivera, do you have any? I see he just come off mute.

Rivera: I just have a quick question. In terms of maximizing the, you know, solutions as best as to what ACHD allows you -- so, you have had these discussions -- discussions with ACHD and they also feel that this is the best implementation for -- you know, for that street and -- and the solution, just to make it more accessible and free up as much as you can to -- at the best capacity available?

Mansfield: Commissioner Rivera, that is correct. We have had extensive discussions with ACHD to try and increase capacity at the Waltman intersection and they have staunchly rejected that option.

Rivera: And these -- these improvements -- sorry. Follow up. And these improvements are -- are there any different from the past -- you know, I think, what was it, 2018 or the past submissions -- submitted applications, has anything changed or --

Mansfield: Commissioner Rivera, we are actually bringing up the -- kind of the proposal that we brought to ACHD that Leah helped us design. Again, Leah is with Six Mile Engineering and she completed the original traffic engineering for this entire area and so, you know, I think that -- her firm -- she and her firm know more about this area than any -- anybody else. So, you know, here is the proposed improvements. Two northbound left turns from Meridian into Waltman. Two eastbound right turns from Waltman to Meridian. We are actually increasing bike-pedestrian facilities by pulling the bike lane off of Meridian Road, putting it in a multi-use pathway separated with an eight foot buffer and we are also allocating space for an additional southbound lane on Meridian Road. The idea would be ACHD could come and, then, construct in the future the remaining improvements to the intersection to -- to allow it to, then, operate at an efficient level. So, that's a -- you know, this is what we proposed to ACHD and they were not interested at this time. So, we are moving forward with what we have got and appreciate them taking a look at it.

Smith: Could you -- Commissioner Rivera, any follow-up question?

Rivera: No. That -- that answered my question, Commissioner. Thank you.

Smith: Thank you. I do have a follow-up question. Could you speak a little bit to why ACHD -- or the reason they gave you why they weren't interested in that? And, yeah, if you would like to come up from Six Mile or to anyone.

Mansfield: Yeah. Commissioner Smith, if you don't mind I'm going to have Leah come up and talk a little bit about her understanding of that, because it is a very technical response from ACHD.

Smith: And to be clear, my question is -- I guess this might help inform kind of your response. My question is based -- trying to get to the root of is this something that there is some inherent, you know, law of nature type of thing that ACHD is citing as a reason for not or is it just not at this time? Is there -- you know, what was kind of their reasoning around that?

Kelsey: Yeah. I would be happy to answer your question. I'm Leah Kelsey with Six Mile Engineering, 704 East United Heritage Court in Meridian. And so we received the letter from ACHD in response to our January technical memo where we came up with three phased ideas -- or concepts to improve the intersection and level of service and in their reply, which Sonya also touched on and I believe Becky as well, they thought it would be detrimental -- these improvements would be detrimental to the operation of the SPUI interchange and they didn't provide any technical analysis, so I can't speak to the -- the actual -- or I can't quantify their -- their qualms with the improvements. It was just kind of a broad statement. Their feeling that it -- it would have some impacts to the SPUI and, then, again, they touched on Linder and how that would relieve some of the pressure on Meridian and improve the intersection operations, which I do agree with that. And if I can add something, I think that what Hawkins is proposing with their site plan doesn't preclude making these improvements in the future. They are setting their pathways back and allowing for additional right of way in Waltman. So, at some time if ACHD allows for these phased improvements they -- it will be possible.

Smith: Thank you.

Parsons: Mr. Chair, I can add a little bit to the conversations, too, because I had a conversation with ACHD staff this morning on the same topic. Because Sonya and I didn't want to be too nearsighted on this topic either, because we know -- I go home this way every night, so I know exactly what all of these residents are dealing with. I -- I'm stuck in traffic for -- I mean it takes me 40 minutes to go two miles home. So, I understand that and that's what ACHD's report says is you just -- city, if you are going to approve something here just be prepared to wait longer and I think we all recognize that. Where ACHD is concerned is if these improvements -- or that extra stacking lane happens we are queuing up more cars closer to the intersection. So, my conversations with ACHD is they would prefer to have the ability, if that -- if they keep that a single lane at the Waltman intersection, it would force cars potentially to go far deeper into Meridian and, then, turn left onto Corporate Drive or Central and, then, circle back from behind those apartments on Corporate and drop down in. That's why it's so critical that we get Waltman widened and that Corporate Drive extension done with this project and that's why ACHD said, yes, this -- and the city said, yes, we need this now, because that's the most critical piece right now is to get that built and get the -- all those roads extended and improved. So, that was the -- the intent -- the discussion that I had with -- with Mindy today is like even if we put it in the DA to say do it at a later date can you get behind this and she said, no, we

don't want to lose that functionality of the interchange that the applicant testified to. So, that's really their rationale is they really feel like it will degrade how that -- that SPUI -- or at least that interchange functions and they don't want to make it any worse. So, it's -- it really -- and that's why we even brought up to you in the staff report tonight. Are you willing to wait for other things to happen before too much development occurs on the site. Example Linder Road overpass. And we know that's -- that's a fair -- that's a stretch with this particular application, because they do have some sort of entitlement on it, but we thought if the applicant was willing to work with us and hold off on some of those -- some of that intensification that we could possibly continue to work on solutions as this project continues -- continues to progress through the city's process.

Smith: Thank you. That actually answered some -- my other question for you. The only question that I have remaining, I guess, is for Becky on -- and it's going to kind of bring up the issue we already talked about that you mentioned around phasing, et cetera. I think for me the -- the main concern right now -- I tend to actually -- this probably is one of the better plans that we could have for this kind of area, but I really am concerned about the timing and especially relative to that Linder overpass. I understand the concerns about whether it's necessary or not, whether it might hinder -- I know for -- for the Hawkins side of things it's a little bit more of an issue. Question for you, then, regarding occupancy of maybe the multi-family housing. Would that be possible to include in a DA, you know, requirement of waiting for that Linder overpass. I guess what I'm trying to get at is anything we can do to just kind of soften things a little bit, maybe just notch down the impact until that Linder overpass is done -- is completed. Are there any thought -- I mean during testimony haven't had time to think over it. Are there any kind of thoughts around how we can make that work?

McKay; Mr. Chairman, Members of the Commission, Becky McKay. I did go through that condition. The -- the way staff -- because they highlighted it in the staff report and I said if -- if -- if asked directly by the Commission, you know, would -- would you agree to, you know, not -- holding off on the multi-family component and, you know, their comment was that, you know, they -- they need to be able to make the project progress. Obviously it's very heavy front loaded and they said they would be reluctant to -- to be saddled with that type of condition. Now, if it's occupancies and not like final, you know -- then, that pushes that -- you know, when, that -- those units come online further out, you know, because, realistically, if this is approved by the end of the year, we will be in design for a year, then, the first phase comes online, then, the next year you start infrastructure on the second phase and -- I mean, you know, pretty soon before you know it we are into 2026 and 2027. That's -- logistically that's kind of how it works.

Smith: Yeah. But my main concern, to be clear is, again, regarding the necessity versus detriment is, you know, we talked about, you know, what if market conditions shift, et cetera. What if for some reason Linder gets delayed or what if, you know, things go great and you are ahead of build schedule, you know, considering all these other kind of these -- these marginal cases, what my main concern is -- and it seems like this might not be feasible with the retail side, if you are just kind of not amenable to that, but maybe we can reach something on the residential side to, you know, kind of just ensure that there is a

little bit more peace of mind around, you know, us not -- you know, there is going to be some strain in the interim while -- while Linder overpass is being constructed and there is going to be some strain regardless until ACHD can kind of figure this out, whether that development is there or not, but how can we reduce the impacts where possible is kind of my concern. If we can have some peace of mind around, you know, if things get delayed or ahead -- behind schedule, et cetera, how can we make sure that, you know, that worst case scenario doesn't happen.

McKay: Yeah. I get it and I guess I would be reluctant -- I don't -- I'm not authorized, based on the question I asked them and the answer I received, I'm not authorized to make a commitment that, you know, we are only going to build phase one until the Linder overpass is -- is completed. I'm not authorized to say that. Obviously, you know, the Commission has to understand that when we are putting out millions of dollars in improvements off site and on-site improvements and, then, we are -- we have to stop, then, you lose momentum in a project for marketing and so forth. Logistically, do I think that everything's going to fall into place in the way that will match up with that overpass construction? I think logistically it will. But I can't make that commitment on part of my client, because I was not authorized to do that, sir. But, obviously, it's the purview of the Commission and the Council in what they want to stipulate. Thank you.

Smith: Thank you very much. Appreciate it. Any other Commissioners have any additional questions? No? All right. Hearing none, I would -- can I get a motion to close the public hearing on items H-2021-0099. I think I got that. And H-2023-0048. If we can get a motion on that.

Rivera: So moved.

Stoddard: Second.

Smith: It's been moved and seconded. Can I -- all those in favor, please, say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Smith: So, discussion? I will kind of start off.

Starman: Mr. Chairman, two -- two quick housekeeping items --

Smith: Yes.

Starman: -- with your permission. One is I wanted to -- for the Commission as a whole, the recommendation both from the city attorney's office and from the planning staff would be as you get to the point of making a decision and recommendation to the City Council, we would recommend that the Commission first take up the Hawkins Company project, because that includes an amendment to the Comprehensive Plan that also incorporates Tanner Creek. So, it would be logical for the Commission to deal with that topic first as

you take action and, then, do Tanner Creek second. So, that -- that would be the recommendation in terms of order and I just wanted for -- for the Commission, but mostly for the public and the record, as we have stated earlier, Commissioner Lorcher has recused herself, so we have three Commissioners acting on this item and just for a base general -- still on the same page, this requires a majority of those voting on the items. A two-one vote would carry a motion. Obviously, a three-oh vote would carry a motion as well. But stated differently, two affirmative votes is required to pass a motion.

Smith: Thank you. Yeah. So, like I said, I will -- I will kind of lead off on just my thoughts is -- I mean I think it's kind of been made clear throughout some of the discussion and questioning. I do tend to think that this is -- you know, given what these developers or future developers have the right to do, it seems like this is -- this is probably near as good as -- as a developer is going to get in this area and, you know, save for this -- this sitting kind of dormant forever, I don't really know what this looks like in a way that looks better than this. My main concern, like I said, is -- really around timing is -- I think we kind of worked through this and to work -- we are going to start with Hawkins first, but I will speak to Tanner Creek as well for this kind of portion -- that it seems like we kind of reached somewhat of an agreement on the stub driveway issue. The -- the pedestrian amenities versus street connectivity issue, it seems like Council can -- can grant a waiver and so that can be part of a recommendation if anyone wants to include that in the motion. My main thought at the moment regarding timing and regarding requests, especially for the Tanner Creek Subdivision is I believe -- just want to make sure. Yes. Regarding Tanner Creek is the requirement at Linder -- my thought is I wouldn't mind seeing in a -- any motion something that errors on the side of including that request that that phrasing be there and that could be a discussion point for Council. The applicants can -- can speak to the owners that they are representing to maybe kind of formulate whether they can find something to make that workable or if they have a compelling agreement -- compelling argument for Council. But I would like to maybe see that personally, knowing that I can't make that motion, I would like to maybe see that in there personally as a preference. But that's kind of where my head is at the moment. It seems like this in-fill being what it is, especially right off of, you know, a freeway entrance -- it's tough and it does seem though that this is a really good faith attempt to meet all those requirements that Council made - - those recommendations Council made on remand and I think that this is a good faith effort by developers in -- and, yeah, regardless of -- not regardless, but even considering some of the issues that this maybe creates or exacerbates in some cases, I think net -- especially in the long- term future for Meridian this seems to be a solid project that I would support. Any other Commissioners have any thoughts, concerns, motions, et cetera?

Stoddard: I actually agree with --

Smith: Commissioner Rivera, do you have any thoughts on this or any -- would you like to express anything?

Rivera: Yeah. It's -- it's a -- it's a tough project at a -- at a tough location. I appreciate the developers putting in the effort to -- to make the best accommodations possible for the -- for the road and under the constraints of that -- of that location. Overall I understand

-- I mean I -- I use that intersection on my commute in the morning and in the evening. It's definitely congested. But I also appreciate the -- the project going to your -- your statements, Commissioner Smith, on -- before that -- that it's for the City of Meridian, too, for that -- that project to go there, since it's a well thought out project. I wish I -- it's a lot of information in two hours to digest. That's -- that's -- that's tough. I wish I had more from the ACHD side to have been able to review. But overall I look -- I support the project. But, yeah, that's what I have to say right now.

Starman: One last clarifying comment. I just want to go back. You made a comment -- you made a remark maybe three or four minutes ago and I have heard this from others as well. I just wanted to clarify. It is certainly sort of custom and protocol that the chairperson allows other Commissioners to make motions and second and so forth. I just wanted to just say from a legal perspective there is no prohibition against the chairperson making a motion or certainly no prohibition on voting on items for sure. But I do think there is a little bit of misunderstanding that the chairperson is like legally prohibited from making a motion. That is not the case. It's more for custom and protocol. But when you have a small commission like we do tonight, that's something you could consider.

Smith: Thank you very much, sir. I appreciate that. Given that -- and, again, with the knowledge that we are going to be moving on the Hawkins application first, does anyone have any additional comments or a motion that they would like to throw out? I might hand -- let's see. So, with Hawkins -- sorry. Let me make sure I'm -- have all my T's crossed and I's dotted. I'm sorry. So -- yeah. Okay. Yes.

Allen: Excuse me. If I may. I am not sure that on this application I mentioned staff's request to modify DA provision A-1-I to require the extension of Corporate Drive to be constructed as required by ACHD. I know I did with Tanner Creek and I'm not sure if I did with this application. So, if you could also consider staff's request on that, please. Thank you.

Smith: Could you say -- you say DA -- DA provision A-1-I?

Allen: Yes. To require the extension of Corporate to be constructed as required by ACHD. That was where staff had recommended a complete street section and there is not -- there is not enough right of way for that. Thank you.

Smith: All right. I will try my hand and you all can let me know if I missed anything. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2021-0099 as presented in the staff report for the hearing date of November 2nd, 2023, with the following modifications: To modify the DA Section A-1-I to require an extension of Corporate to be completed up to ACHD requirements and -- sorry. I have this mixed up. To grant a waiver for the street connectivity requirements under UDC and, then, to -- instead of requiring a stub driveway to the abutting property, allow a CDA with a requirement to allow the property owner to -- or the future property owner to enter the Hawkins property in order to construct improvements.

Stoddard: Second.

Smith: I have a motion. Any second? Any -- or I have -- all those in favor say aye. None opposed. The motion carries.

MOTION CARRIED: THREE AYES. ONE RECUSE. THREE ABSENT.

Smith: All right. As for Item No. H-2023-0048, is there any additional discussion? Are there any motions, et cetera?

Stoddard: No discussion from me.

Smith: All right. I will try my hand at motion number two here. After considering all staff, applicant and public testimony, I move to recommend to the City Council File No. H -- want a clarification. Is this 2023 or 2022? There are different numbers here. Two? Okay. I move to recommend approval to City Council of File No. H-2022-0048 as presented in the staff report for the hearing date of November 2nd, 2023, with the following modifications: To also modify the development agreement, Section A-1-I to require the extension of Corporate to be completed per ACHD requirements and to include a provision requiring that Linder -- the Linder overpass be completed prior to occupancy of the multi-family housing development.

Rivera: So moved -- I second.

Smith: I have a motion and a second. Any discussion? Seeing none, all in favor, please, say aye. Any opposed? None opposed. I guess that motion carries.

MOTION CARRIED: THREE AYES. ONE RECUSE. THREE ABSENT.

Smith: It is at this time that I think we can grab Commissioner Lorcher to come back in I believe.

Starman: Madam Clerk, would you mind asking Commissioner Lorcher to join us?

Smith: And as part of that I would like to -- I don't know what the official word is, but the chairmanship is now yours again. Yeah.

Lorcher: Back in the room. So, are we going for one more motion?

Smith: I do believe we are.

Lorcher: All right. One more motion for the evening.

Smith: Madam Chair, I move to adjourn.

Lorcher: Do I have a second? Is that a second?

Stoddard: Second.

Lorcher: Okay. All those in favor to adjourn say aye. Any opposed? Meeting adjourned.
Thank you very much.



AGENDA ITEM

ITEM TOPIC: Ordinance No. 23-2039: An Ordinance (Petsche Rezone H-2023-0039) for rezone of a parcel of land within Block 5 of F.A. Nourse's Third Addition to Meridian (a recorded plat in Book 6 at Page 289 of Ada County records) within a portion of the northeast quarter of Section 7, Township 3 North, Range 1 East, Boise Meridian, Meridian, Ada County, Idaho, more particularly described in Exhibit "A," rezoning 0.60 acres of land from C-C (Community Business) zoning district to O-T (Old Town) zoning district in the Meridian City Code; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all applicable official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date.

CITY OF MERIDIAN ORDINANCE NO. 23-2039

BY THE CITY COUNCIL:

**BORTON, CAVENER, HOAGLUN
OVERTON, PERREAULT, STRADER**

AN ORDINANCE (PETSCH REZONE H-2023-0039) FOR REZONE OF A PARCEL OF LAND WITHIN BLOCK 5 OF F.A. NOURSE'S THIRD ADDITION TO MERIDIAN (A RECORDED PLAT IN BOOK 6 AT PAGE 289 OF ADA COUNTY RECORDS) WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," REZONING 0.60 ACRES OF LAND FROM C-C (COMMUNITY BUSINESS) ZONING DISTRICT TO O-T (OLD TOWN) ZONING DISTRICT IN THE MERIDIAN CITY CODE; DIRECTING CITY STAFF TO ALTER ALL APPLICABLE USE AND AREA MAPS AS WELL AS THE OFFICIAL ZONING MAPS AND ALL APPLICABLE OFFICIAL MAPS DEPICTING THE BOUNDARIES AND THE ZONING DISTRICTS OF THE CITY OF MERIDIAN IN ACCORDANCE WITH THIS ORDINANCE; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY TREASURER, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO:

SECTION 1. That the property described in the Legal Description attached hereto as Exhibit "A," which is incorporated herein by reference, is within the corporate limits of the City of Meridian, Idaho, and that the City of Meridian has received a written request for rezoning by Tammy Petsche, the owner of said property.

SECTION 2. That the above-described real property is hereby rezoned from C-C (Community Business) Zoning District to O-T (Old Town) Zoning District.

SECTION 3. That City Staff is hereby directed to alter all applicable use and area maps as well as the official zoning maps and all applicable official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance.

SECTION 4. That the City Clerk is hereby directed to file a certified copy of this ordinance and its exhibits with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission within ten (10) days following the effective date of this ordinance.

SECTION 5. That all ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed.

SECTION 6. That this Ordinance, once passed, shall be in full force and effect upon publication, in accordance with law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this 21st day of November, 2023.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this 21st day of November, 2023.

MAYOR ROBERT E. SIMISON

ATTEST:

CHRIS JOHNSON, CITY CLERK

STATE OF IDAHO,)
) ss:
County of Ada)

On this ____ day of _____, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared **ROBERT E. SIMISON** and **CHRIS JOHNSON** known to me to be the Mayor and City Clerk, respectively, of the City of Meridian, Idaho, and who executed the within instrument, and acknowledged to me that the City of Meridian executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Notary Public for Idaho
My Commission Expires: _____

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 23-2039

An Ordinance (Petsche Rezone H-2023-0039) for rezone of a parcel of land within Block 5 of F.A. Nourse's Third Addition to Meridian (a recorded plat in Book 6 at Page 289 of Ada County records) within a portion of the northeast quarter of Section 7, Township 3 North, Range 1 East, Boise Meridian, Meridian, Ada County, Idaho, more particularly described in Exhibit "A," rezoning 0.60 acres of land from C-C (Community Business) zoning district to O-T (Old Town) zoning district in the Meridian City Code; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all applicable official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date. A full text of this ordinance is available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall be effective as of the date of publication of this summary.

[Publication to include map as set forth in Exhibit B.]

EXHIBIT A

ELS ENGBRITSON LAND SURVEYS, PLLC.

2251 S. Sumac Street, Boise, Idaho 83706

Telephone (208) 859-6032 mike@elsurveys.com

26 June 2023

Revised: 26 July 2023

ELS Project No. 230616 – Tammy Petsche

Land Description for Rezone

Reference Warranty Deed Instrument No. 2019-115758

Contains 26,284 square feet more or less

EXHIBIT A

A portion of land within Block 5 of F.A. Nourse's Third Addition to Meridian (a recorded plat in Book 6 at Page 289 of Ada County records) within a portion of the NE ¼ of Section 7, T. 3 N., R. 1 E., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at a found Brass Cap monument marking the Northwest corner of said Section 7 from which a found Brass Cap monument marking the West ¼ corner of said Section bears S 00°00'00" E a distance of 2651.94 feet, thence southerly along the west boundary line of said Section S 00°00'00" E a distance of 621.20 feet to the POINT OF BEGINNING.

Thence easterly perpendicular to said Section line N 90°00'00" E a distance of 263.60 feet to a found iron pin;
Thence southerly parallel to said Section line S 00°00'00" E a distance of 106.20 feet to a found iron pin on the South line of said Block 5;

Thence westerly along said South line N 90°00'00" W a distance of 73.60 feet to a found square fence post set in concrete;

Thence northerly perpendicular to said South line and parallel to said Section line N 00°00'00" W a distance of 9.00 feet to a point;

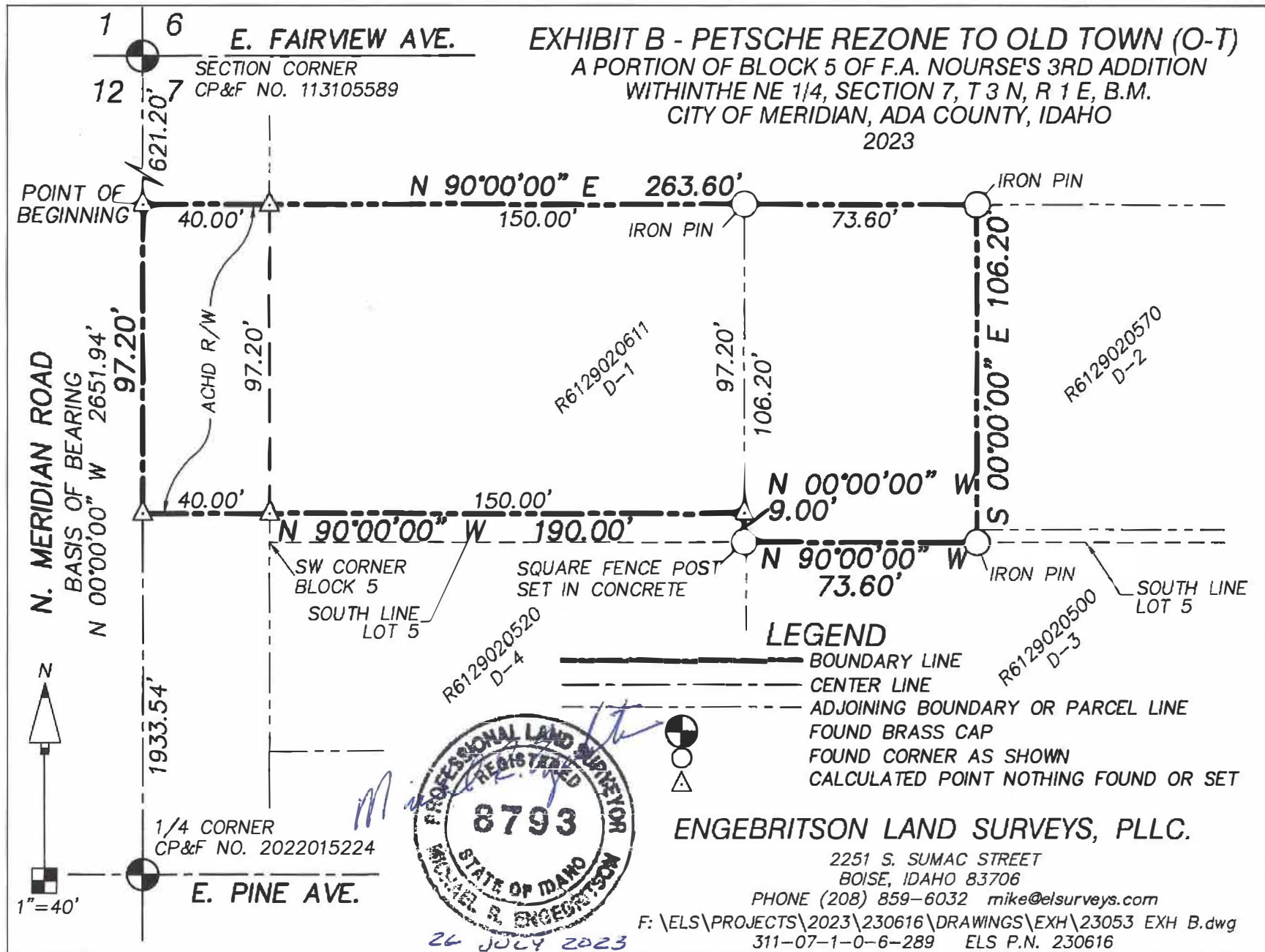
Thence parallel to and 9.00 feet northerly of said South line N 90°00'00" W a distance of 190.00 feet to a point on said Section line;

Thence northerly along said Section line N 00°00'00" W a distance of 97.20 feet to the POINT OF BEGINNING.

The above-described tract of land contains 26,284 square feet more or less subject to all existing easements and rights-of-way.



EXHIBIT B





AGENDA ITEM

ITEM TOPIC: Ordinance No. 23-2040: An ordinance (Ringneck Place Subdivision – H-2023-0009) annexing a parcel of land located in Government Lot 3 of Section 5, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A;” rezoning 1.73 acres of such real property from R1 (Estate Residential) to R-8 (Medium-Density Residential) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

CITY OF MERIDIAN ORDINANCE NO. 23-

BY THE CITY COUNCIL:

**BORTON, CAVENER, HOAGLUN,
OVERTON, PERREAULT, STRADER**

AN ORDINANCE (RINGNECK PLACE SUBDIVISION – H-2023-0009) ANNEXING A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 3 OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED IN EXHIBIT “A;” REZONING 1.73 ACRES OF SUCH REAL PROPERTY FROM R1 (ESTATE RESIDENTIAL) TO R-8 (MEDIUM-DENSITY RESIDENTIAL) ZONING DISTRICT; DIRECTING CITY STAFF TO ALTER ALL APPLICABLE USE AND AREA MAPS AS WELL AS THE OFFICIAL ZONING MAPS AND ALL OFFICIAL MAPS DEPICTING THE BOUNDARIES AND THE ZONING DISTRICTS OF THE CITY OF MERIDIAN IN ACCORDANCE WITH THIS ORDINANCE; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY TREASURER, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Meridian received a written request from property owner *WFG Investments, LLC* to annex and rezone the land described in the legal description attached hereto as Exhibit “A” and the map attached hereto as Exhibit “B” (“Subject Property”), which exhibits are incorporated herein by reference;

WHEREAS, the Subject Property is contiguous to the corporate limits of the City of Meridian, Idaho;

WHEREAS, the City of Meridian is authorized by Idaho Code section 50-222(2) to annex the Subject Property;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO:

SECTION 1. That the City Council of the City of Meridian hereby annexes the Subject Property.

SECTION 2. That the City Council of the City of Meridian hereby rezones 1.73 acres of the Subject Property from R1 (Estate Residential) to the R-8 (Medium-Density Residential) Zoning District.

SECTION 3. That City Staff is hereby directed to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance.

SECTION 4. That the City Clerk is hereby directed to file a certified copy of this ordinance and its exhibits with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, within ten (10) days following the effective date of this ordinance.

SECTION 5. That all ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect upon publication, in accordance with law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this _____ day of _____, 2023.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this _____ day of _____, 2023.

MAYOR ROBERT E. SIMISON

ATTEST:

CHRIS JOHNSON, CITY CLERK

STATE OF IDAHO,)
) ss:
County of Ada)

On this _____ day of _____, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared **Robert E. Simison** and **Chris Johnson** known to me to be the Mayor and City Clerk, respectively, of the City of Meridian, Idaho, and who executed the within instrument, and acknowledged to me that the City of Meridian executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Notary Public
Commission Expiration: _____

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 23-

An ordinance (Ringneck Place Subdivision – H-2023-0009) annexing a parcel of land located in Government Lot 3 of Section 5, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A;” rezoning 1.73 acres of such real property from R1 (Estate Residential) to R-8 (Medium-Density Residential) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date. A full text of this ordinance is available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall be effective as of the date of publication of this summary.

[Publication to include map as set forth in Exhibit B.]

EXHIBIT A

Description for
R-8 Zone
Ringneck Place Subdivision
February 21, 2023

A parcel of land located in Government Lot 3 of Section 5, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the 1/4 corner common to Section 5, T.3N., R.1E., B.M. and Section 32, T.4N., R.1E., B.M., from which the Section corner common to Sections 5 and 6, T.3N., R.1E., B.M., and Sections 31 and 32, T.4N., R.1E., B.M., bears North 89°44'57" West, 2,655.43 feet, thence on the north boundary line of said Section 5, North 89°44'57" West, 167.49 feet to the **POINT OF BEGINNING**;

thence leaving said north boundary line, South 00°28'02" West, 450.00 feet;

thence North 89°44'57" West, 167.50 feet to the east boundary line of Verado Subdivision No. 1 as filed in Book 112 of Plats at Pages 16219 through 16223, records of Ada County, Idaho;

thence on said east boundary line and the northerly extension thereof, North 00°28'02" East, 450.00 feet to the north boundary line of said Section 5;

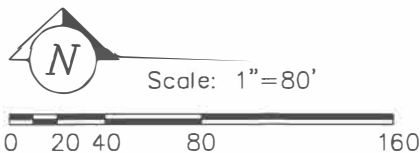
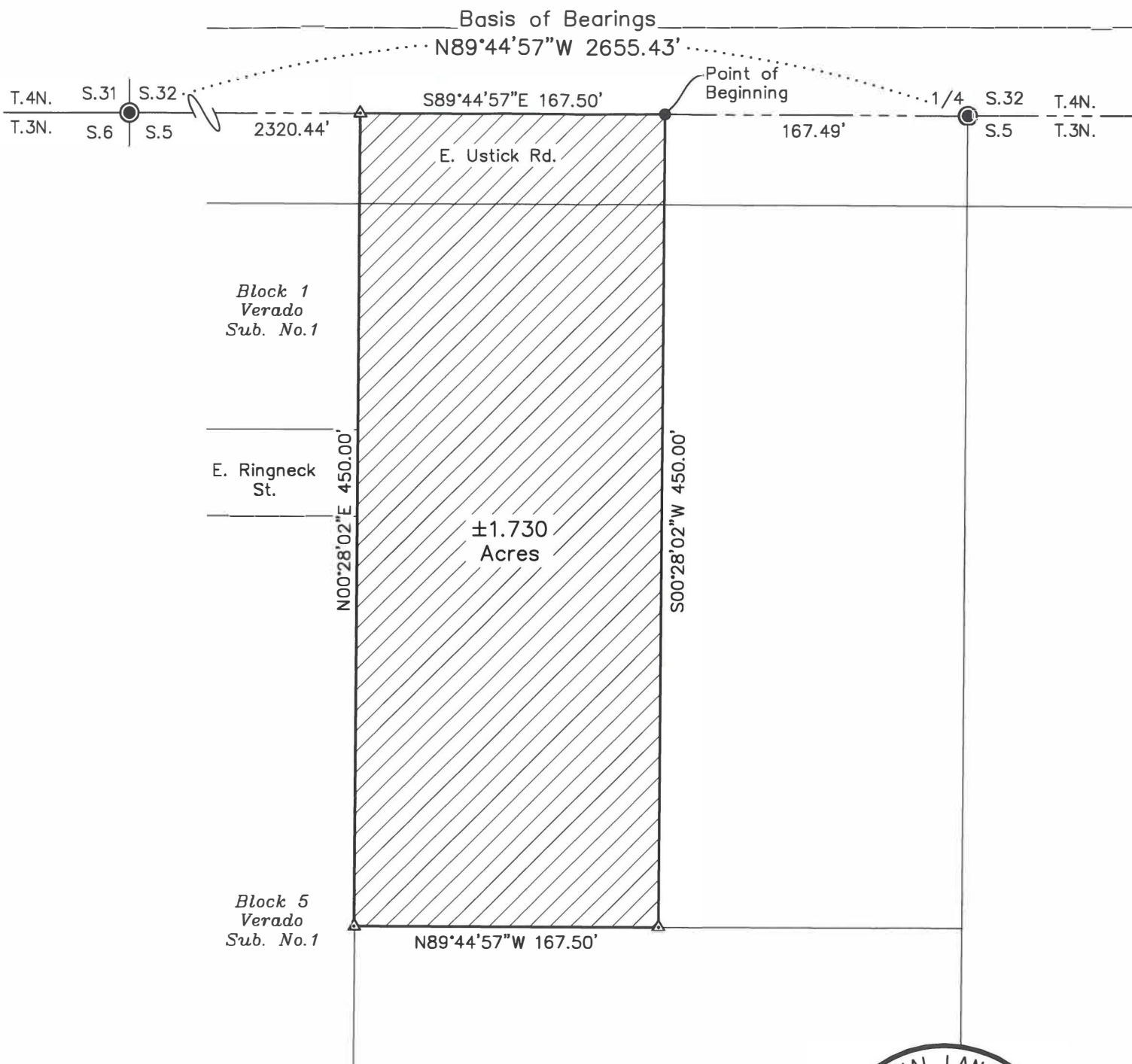
thence on said north boundary line, South 89°44'57" East, 167.50 feet to the **POINT OF BEGINNING**.

Containing 1.730 acres, more or less.

End of Description.



EXHIBIT B



P:\Ringneck Sub (Verado East) 22-216\dwg\Annex Ex.dwg 2/21/2023 8:55:21 AM



**IDAHO
SURVEY
GROUP, LLC**

9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-8570

Exhibit Drawing for
R-8 Zone
Ringneck Place Subdivision

Located in Government Lot 3 of Section 5,
T.3N., R.1E., B.M., Ada County, Idaho.

Job No.
21-486

Sheet No.
1

Dwg. Date
2/21/2023