



CITY COUNCIL REGULAR MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, July 13, 2021 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/87593441218>

Or join by phone: 1-669-900-6833

Webinar ID: 875 9344 1218

ROLL CALL ATTENDANCE

___ Jessica Perreault

___ Joe Borton

___ Brad Hoaglund

___ Treg Bernt

___ Liz Strader

___ 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 followup assistance regarding the matter.

RESOLUTIONS [Action Item]

1. Resolution No. 21-2276: A Resolution of the Mayor and the City Council of the City of Meridian, Appointing Tom Otte to Seat 9 of the Solid Waste Advisory Commission from July 13, 2021 through September 30, 2022; and Providing an Effective Date

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. 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.

2. Public Hearing Continued from June 22, 2021 for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.

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

3. Public Hearing for ACHD Ustick Maintenance Facility (H-2021-0029) by Engineering Solutions, LLP, Located at 3764 W. Ustick Rd.

A. Request: Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an Ada County Highway District (ACHD) maintenance facility on 23.7 acres.

ORDINANCES [Action Item]

- 4.** Third Reading of Ordinance No. 21-1933: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance and Providing an Effective Date

FUTURE MEETING TOPICS

EXECUTIVE SESSION

5. Per Idaho Code 74-206(1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need; and (d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code.

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Resolution No. 21-2276: A Resolution of the Mayor and the City Council of the City of Meridian, Appointing Tom Otte to Seat 9 of the Solid Waste Advisory Commission from July 13, 2021 through September 30, 2022; and Providing an Effective Date

CITY OF MERIDIAN

RESOLUTION NO. 21-2276

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERIDIAN, APPOINTING TOM OTTE TO SEAT 9 OF THE SOLID WASTE ADVISORY COMMISSION FROM JULY 13, 2021 THROUGH SEPTEMBER 30, 2022; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Seat 9 of the Meridian Solid Waste Advisory Commission is currently vacant; and

WHEREAS, the City Council of the City of Meridian deems the appointment of Tom Otte to Seat 9 of the Solid Waste Advisory Commission through September 30, 2022 to be in the best interest of the Meridian Solid Waste Advisory Commission and of the City of Meridian.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN CITY, IDAHO:

Section 1. That Tom Otte is hereby appointed to Seat 9 of the Meridian Solid Waste Commission, with a term to expire September 30, 2022.

Section 2. That this Resolution shall be in full force and effect immediately upon passage.

ADOPTED by the City Council of the City of Meridian, Idaho, this 13th day of July, 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this 13th day of July, 2021.

APPROVED:

ATTEST:

Mayor Robert E. Simison

Chris Johnson, City Clerk

Profile

Tom _____
First Name

Otte _____
Last Name

otte.thomas@gmail.com _____
Email Address

3628 W Balducci St _____
Home Address

Meridian _____
City

ID _____
State

83646 _____
Postal Code

Deputy Director, Solid Waste
Ada County _____
Occupation

Which Boards would you like to apply for?

Solid Waste Advisory Commission: Submitted

Question applies to multiple boards

Please select all of the following as applicable

- I have resided in the City of Meridian for two years or greater
- I have industry expertise in solid waste/recycling management

Residency

Are you a resident of the City of Meridian?

Yes No

If not, do you live in Meridian's area of impact? *

N/A (Meridian Resident)

What areas of city government are of most interest to you?

Public Works

Have you participated in any level of volunteer government service in the past?

Yes No

Item #1.

Agree with the Following Statement

I understand the following: Members of these groups serve on a voluntary basis and receive no financial compensation. Participation requires a significant time commitment (approximately 10-15 hours per month). Some groups have a limited number of members; in these instances a vacancy must exist in order for a new applicant to be considered. After all applications have been received and reviewed, the Mayor makes an appointment which must be confirmed by the Meridian City Council.

I Agree

Demographics

Interests & Experiences

Letter of Interest

Why are you interested in serving on a board or commission? You may also submit a letter of interest.

I want to assist in the economical and environmental future of solid waste in the City.

Upload a Resume

TOM OTTE

3628 W Balducci St · 208-869-1701

EXPERIENCE



3/25/19 – 4/9/21

SOLID WASTE COORDINATOR, CITY OF MERIDIAN

10/18 – 3/19

OPERATIONS SUPERVISOR, REPUBLIC SERVICES

EDUCATION



8/08

B.A. HISTORY, BOISE STATE UNIVERSITY

It's okay to brag about your GPA, awards, and honors. Feel free to summarize your coursework too.

To Whom it may concern,

I have a desire to continue to serve the City of Meridian after leaving my post as Solid Waste Coordinator and this seemed like an excellent way to assist in the direction of the Cities' Solid Waste plan in which I assisted in development. I have 11 years in the waste and transportation industries and I feel that I would be a positive asset to the City in this regard.

Thank you,

Tom Otte



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from June 22, 2021 for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.

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



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: July 13, 2021

Topic: **Public Hearing** Continued from June 22, 2021 for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.

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

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

Adrienne Weatherly

From: Sonya Allen
Sent: Tuesday, July 6, 2021 3:02 PM
To: Adrienne Weatherly; Charlene Way; Chris Johnson
Subject: FW: The 10 Meridian - Updated Concept Plan & List of Changes as Directed By City Council
Attachments: Site Plan 7 062821 - EP.pdf

From: Lane R. Borges <lane@Borgesarch.com>
Sent: Monday, June 28, 2021 9:41 AM
To: Sonya Allen <sallen@meridiacity.org>
Cc: Erik Pilegaard <erik@elkventures.net>
Subject: The 10 Meridian

External Sender - Please use caution with links or attachments.

Hi Sonya – We have been working diligently the past several days to revise our Site Development Plan as directed by City Council.

Attached is a draft of what we have come up with. The changes that have been made:

1. We have added about 18,875 sf of commercial space by deleting Flats Bldgs. A-1, A-2 and A-3 and replacing them with stand-alone commercial bldgs. as well as 2 additional Mixed Use Buildings (MU-1 & MU-2);
2. We have changed the labels for the Flats from B-1, B-2 and B-3 to F-1, F-2 and F-3;
3. We have changed the labels for the High Density Bldgs. from C-1, C-2 and C-3 to HDR-1, HDR-2 and HDR-3.
4. We have changed Flats B-1 and B-2 from 3 story to 4 story and have added Flats F-3;
5. We have changed the color of the Mixed Use Buildings so that the commercial component is more readily visible on the site plan;
6. We have relocated the Commercial Bldg. that was in Pod 5 (Grocery Store) to Pod 1 to make access to north bound 10 Mile Road easier;
7. We have labeled all of the commercial buildings as C-1 thru C-9 to make identification easier;
8. We have redesigned and relocated High Density Building C-3 (HDR-3) to make it closer to the open space and Clubhouse facilities;
9. We have eliminated parking between High Density Buildings C-1 and C-2 (HDR-1 & HDR-2) to create an open space that is linked to the large open space and the Clubhouse;
10. We have added an access at the southwest corner of the site to the future extension of Cobalt Drive.

In going thru our notes and the audio of the meeting we believe we have captured all of the major comments but would ask you to let us know if we have missed anything significant.

Please review this with Bill and if either of you see anything that needs our attention please let us know as soon as possible so that we have time to make any other needed changes before the end of this week.

Lane Borges

Project Summary

Commercial

QSR Pad Buildings 1-3	8,450 sf
Commercial C1 - C8	114,400 sf
Mixed Use Commercial MU1 - MU5	28,600 sf
Recreation Center	14,975 sf

Total Commercial Use 166,425 sf

Parking Required 324 spaces
 Parking Provided 505 spaces

Residential

High Density Apartments HD1 - HD3	376 units
1 BR - 242 units = 64 %	
2 BR - 134 units = 36 %	

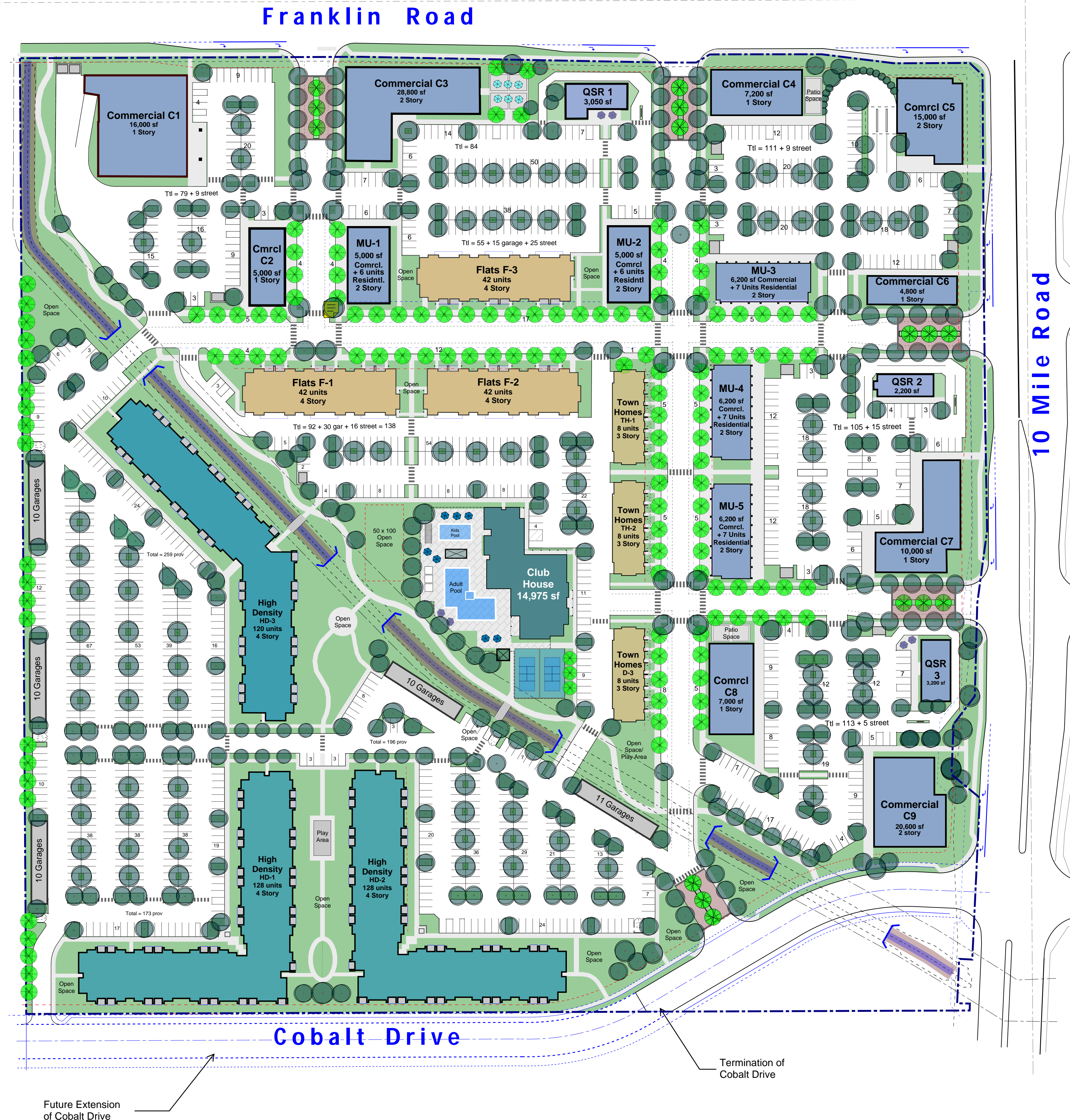
Flats B1 - B3	126 units
1 BR - 84 units = 67 %	
2 BR - 42 units = 33 %	

Townhomes D1 - D3	24 units
3 BR - 24 units	

Mixed Use Apartments	33 units
1 BR - 22 units = 67 %	
2 BR - 11 units = 33 %	

Total Residential Units 559 units

Parking Required 923 spaces
 Parking Provided 956 spaces



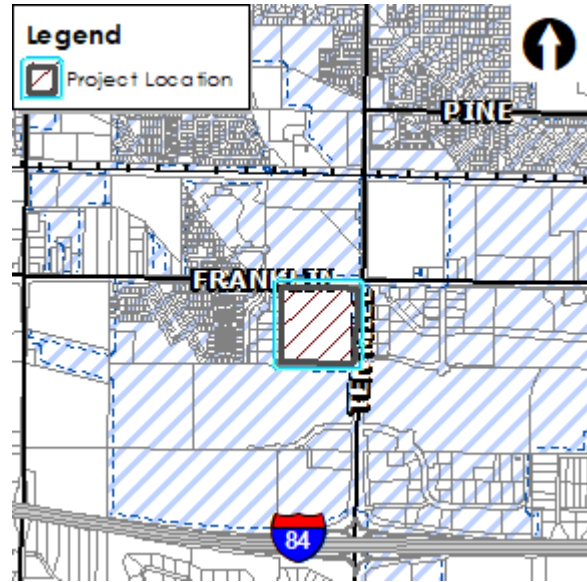
10 Mile Road & Franklin Road Residential & Commercial Mixed Use Center

Scale: 1" = 80'

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: June 22, 2021
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2021-0025
 The 10 at Meridian – AZ
 LOCATION: 75 S. Ten Mile Rd. at the southwest corner of W. Franklin Rd. and S. Ten Mile Rd., in the NE ¼ of Section 15, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

The Applicant requests annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

II. SUMMARY OF REPORT

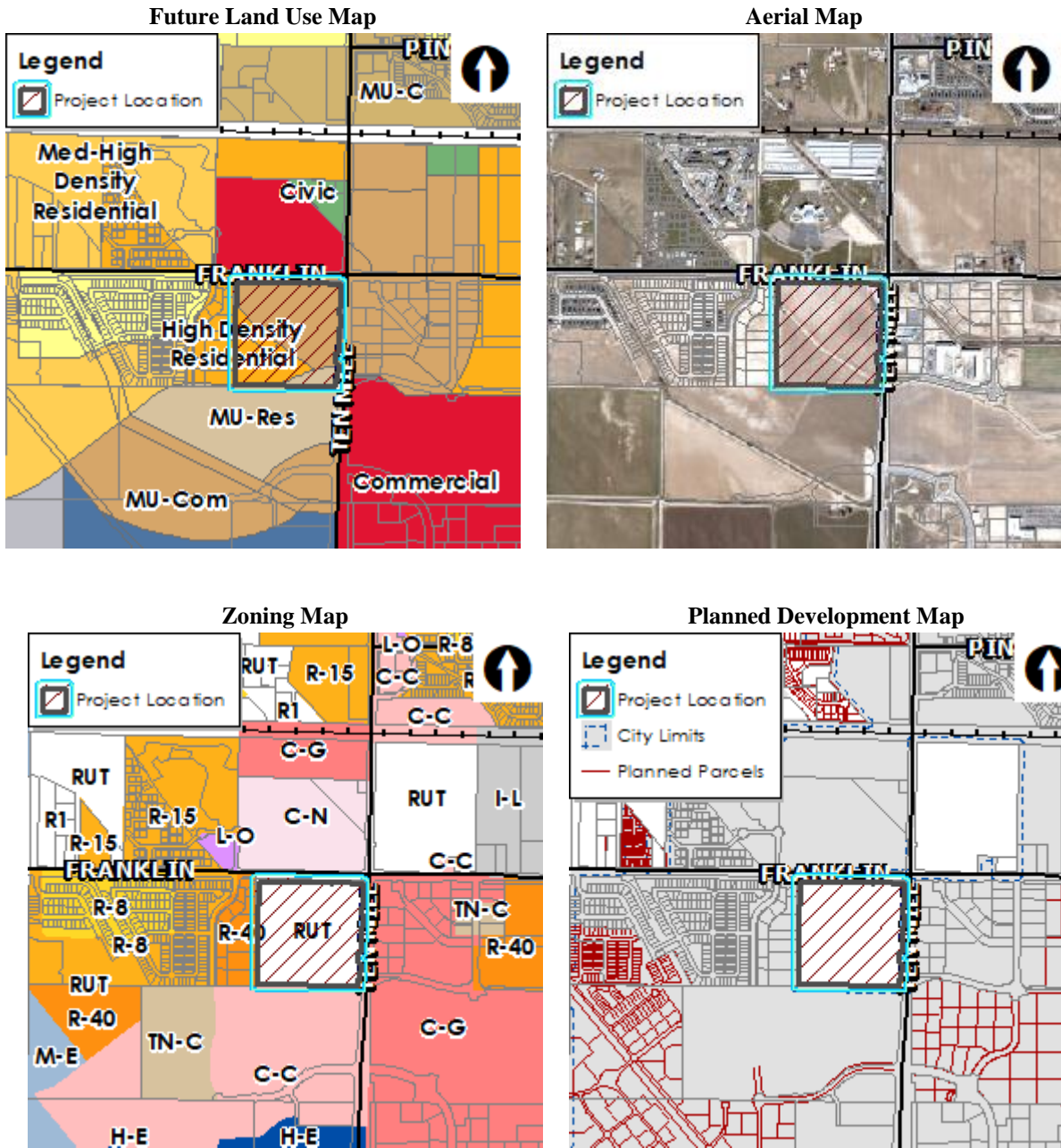
A. Project Summary

Description	Details	Page
Acreage	40.30-acres	
Future Land Use Designation	Mixed Use Commercial (22+/- acres); High Density Residential (11+/- acres); Mixed Use Residential (3+/- acres)	
Existing Land Use	Undeveloped agricultural land	
Proposed Land Use(s)	Mixed use (residential/commercial)	
Current Zoning	RUT in Ada County	
Proposed Zoning	R-40 (High-Density Residential) (13.04-acres) and C-C (Community Business) (27.25-acres)	
Neighborhood meeting date; # of attendees:	3/29/2021; no attendees other than property owner	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	No	
• Requires ACHD Commission Action (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses are proposed via Franklin Rd., two (2) accesses are proposed via Ten Mile Rd., and one (1) access is proposed via Cobalt Dr.	
Fire Service	<i>No comments were submitted.</i>	
Police Service	<i>See comments in Section IX.D.</i>	
Wastewater		
Distance to Sewer Services	Adjacent to parcel	
Sewer Shed	South Black Cat trunkshed	
Estimated Project Sewer ERU's WRRF Declining Balance	See application 14.14	
Project Consistent with WW Master Plan/Facility Plan	Yes	
Impacts/Concerns	None	
Water		
Distance to Water Services	Adjacent to parcel	
Pressure Zone	2	
Estimated Project Water ERU's	See application	
Water Quality	None	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	None	

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Wendy Shrief, J-U-B Engineers, Inc. – 250 S. Beechwood Ave., Ste. 201, Boise, ID 83709

B. Owner:

Erik Pilegaard, Elk Ventures, LLC – 5137 Golden Foothills Parkway, Ste. 100, El Dorado, CA 95762

C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	4/30/2021	6/4/2021
Radius notification mailed to property owners within 300 feet	4/27/2021	6/2/2021
Public hearing notice sign posted on site	5/7/2021	6/9/2021
Nextdoor posting	4/27/2021	6/2/2021

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: The majority of this property is designated Mixed Use Commercial (MU-COM) (northeast 22+/- acres) and High Density Residential (HDR) (southwest 11+/- acres) on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#) with a narrow sliver of Mixed Use Residential (MU-RES) (3+/- acres) along the southern boundary which will mostly be right-of-way for W. Cobalt Dr. This property is located within the area governed by the [Ten Mile Interchange Specific Area Plan](#) (TMISAP).

The purpose of the MU-COM designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multi-family or single-family attached residential uses (see pg. 3-9 in the TMISAP for more information).

HDR designated areas are multiple-family housing areas where relatively larger and taller apartment buildings are the recommended building type. HDR areas should include a mix of housing types that achieve an overall average density target of at least 16-25 dwelling units per gross acre (see pg. 3-7 in the TMISAP for more information).

The purpose of the MU-RES designation is to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, employment, and other miscellaneous uses (see pg. 3-8 in the TMISAP for more information).

Mixed use designated areas in the TMISAP are recommended locations for development of activity centers that are specifically planned to include both residential and non-residential uses. Mixed use areas are anticipated to have 3 or more significant income producing uses (i.e. retail, office, residential and lodging facilities) with significant functional and physical integration in conformance with a coherent plan (pgs. 3-7 & 3-8).

The site is proposed to develop with a mix of uses (horizontal and vertical) as shown on the conceptual development plan in Section VIII.B. High-density 4-story multi-family residential apartments (380 1- and 2-bedroom units) are proposed in the HDR & MU-RES designated portions of the site with 3-story multi-family flats (137 1- and 2-bedroom units) and townhouse style (24 3-bedroom units) units with a clubhouse/recreation center [14,000 square feet (s.f.)], 3-story vertically integrated mixed use [primarily retail uses on the 1st floor (20,025 s.f.) with residential (42 1- and 2-bedroom units) on the 2nd and 3rd floors] and single-story financial institution (5,000 s.f.), mixed use service retail buildings (52,775 s.f.) and restaurants (9,250 s.f.) with drive-throughs with 2-story office buildings (46,600 s.f.) proposed in the MU-COM designated portion of the site adjacent to Franklin and Ten Mile Roads. A total of 559 residential units and 147,650 s.f. of commercial uses are proposed to develop in the overall site.

Staff finds the mix of income producing uses proposed as well as the vertical and horizontal integration of such uses and residential densities interconnected by pedestrian walkways and amenities is generally consistent with the goals of the TMISAP for this area.

Transportation: Cobalt Drive is proposed to be extended as a collector street from S. Ten Mile Rd. at the southeast corner and along the southern boundary of the site consistent with the Master Street Map in the Comprehensive Plan and the Transportation System Map in the TMISAP. *The proposed collector street network approved with the annexation of the Janicek property to the south (AZ-11-001, DA Inst. #112073616) depicts the extension of Cobalt as proposed with this application with the western segment lying off-site on the adjacent property to the south.*

Design: Conceptual building elevations were submitted for the multi-family residential structures and the associated clubhouse building. The design of the proposed multi-family structures appear to be of a high quality and are generally consistent in style, materials and colors. Elevations weren't submitted for the commercial portion of the development as tenants are unknown at this time. **Final design of the site and all structures is required to comply with the design elements of the TMISAP per the Application of Design Elements matrix on pg. 3-49 of the TMISAP and the design standards in the Architectural Standards Manual. The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.**

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)

A variety of multi-family housing is proposed in this development consisting of flats, townhome and apartment style units, which will contribute to the variety of housing types in the City, specifically in the Ten Mile area as desired, that should cater to different financial capabilities.

- “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.

- “Locate higher density housing near corridors with existing or planned transit, Downtown, and in proximity to employment centers.” (2.01.01H)

The site is located at a major intersection along two major mobility arterials (Franklin and Ten Mile Roads) and in close proximity to employment centers. Transit services exist in the Ten Mile Crossing development to the east at the intersection of Vanguard/Wayfinder to serve this area – other transit stops may be added in the future.

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The proposed project with multi-family residential and a grocery store with nearby employment (retail/office uses) and restaurant uses, should provide a good mix of uses that residents won't have to travel far for, thus reducing vehicle trips and enhancing overall livability and sustainability.

- “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)

This property is an enclave surrounded by City annexed land. Annexation and development of this property will maximize public services.

- “Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to the City’s vision and the necessary extension of public services and infrastructure is provided.” (3.03.03)

The proposed development plan is generally consistent with the City’s vision for this property through the Comprehensive Plan; the developer will extend public services and infrastructure as needed for the development.

VI. STAFF ANALYSIS

A. ANNEXATION & ZONING

The Applicant proposes to annex 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts. A conceptual development plan was submitted as shown in Section VIII.B that proposes offices, a financial establishment, retail pads, a grocery store, vertically integrated residential and multi-family residential in accord with the associated MU-COM, HDR and MU-RES, FLUM designations for the property.

A phasing plan was not submitted; however, the Applicant states the 3-story flats and townhome style multi-family residential and clubhouse would develop in the first phase along with the associated infrastructure; the 4-story high-density multi-family would follow with the commercial last as tenants commit.

The proposed C-C zoning district is listed as a possible zoning choice in the MU-COM and MU-RES; and the R-40 zoning district is listed as the best choice in the HDR and possible choice in the MU-RES FLUM designation, per the Zoning District Compatability Matrix in the TMISAP (pgs. 2-4 & 2-5).

The Kennedy Lateral bisects this site and is proposed to be tiled in certain areas and left open in others as shown on the conceptual development plan. The UDC (11-3A-6B.3) required all laterals crossing or lying within the area being developed to be piped or otherwise covered unless left open and used as a water amenity or linear open space as defined in UDC 11-1A-1. The decision making body may waive the requirement for covering such lateral if it finds that the public purpose requiring such will not be served and public safety can be preserved. **A waiver from Council is requested for portions of the lateral proposed to be left open; if not approved, the lateral is required to be piped.**

Access to the site is proposed as shown on the conceptual development plan in Section VIII.B. ACHD has reviewed the proposed accesses and supports the following: Access A – full access; Access B – right-in/right-out only; Access C – right-out only; Access D – right-in/right-out only; and Cobalt – right-in/right-out/left-in only. **Staff recommends access is restricted through the Development Agreement as supported by ACHD per the comments in Section IX.K.**



Off-street parking is depicted on the concept plan to serve the mixed use development. Based on (291) 1-bedroom units, (250) 2- and 3-bedroom units and 42 vertically integrated residential units, a minimum of 979 spaces consisting of 541 covered spaces and 396 uncovered spaces are required per UDC Table 11-3C-6; a total of 1,034 spaces are depicted. Based on 138,400 s.f. of non-residential uses, a minimum of 277 spaces are required per UDC 11-3C-6B.1 and based on 9,250 s.f. of restaurant uses, a minimum of 37 spaces are required per UDC 11-4-3-49A.1, for a total of 314 spaces; a total of 448 spaces are proposed in excess of the minimum standards.

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. A legal description and exhibit map for the annexation area is included in Section VIII.A.

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 a DA is required as a provision of annexation (see provision in Section IX.A).**

VII. DECISION

A. Staff:

Staff recommends approval of the proposed Annexation & Zoning with the requirement of a Development Agreement per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard this item on May 20, 2021. At the public hearing, the Commission moved to recommend approval of the subject AZ request.

1. Summary of Commission public hearing:
 - a. In favor: Wendy Shrief, JUB Engineers; Lane Borges; Hethe Clark
 - b. In opposition: None
 - c. Commenting: Cody Black (representing property owner directly to the south)
 - d. Written testimony: Cody Black; Wendy Shrief, JUB Engineers
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:

- a. The property owner to the south requests the western portion of Cobalt Dr. be located on the subject property and not on their property.
- 3. Key issue(s) of discussion by Commission:
 - a. The location and alignment of Cobalt Dr. to the west.
 - b. Opinion that too much residential may be proposed – that the northern “flats” should be converted to commercial.
- 4. Commission change(s) to Staff recommendation:
 - a. None
- 5. Outstanding issue(s) for City Council:
 - a. The Applicant requests a waiver to UDC 11-3A-6B.3 for portions of the Kennedy Lateral, which bisects this site, to remain open and not be piped.

VIII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map

EXHIBIT __
DESCRIPTION FOR
THE 10 AT MERIDIAN
CITY OF MERIDIAN ANNEXATION

The NE1/4 of the NE1/4 of Section 15, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

BEGINNING at NE corner of said Section 15 from which the N1/4 corner of said Section 15 bears North 89°15'23" West, 2640.72 feet;

thence along the East boundary line of said Section 15 South 00°33'16" West, 1,329.09 feet to the N1/16 corner of said Section 15;

thence along the South boundary line of the NE1/4 of the NE1/4 of said Section 15 North 89°15'02" West, 1,321.18 feet to the NE1/16 of said Section 15,

thence along the West boundary line of NE1/4 of the NE1/4 of said Section 15 North 00°35'22" East, 1,328.96 feet to the E1/16 corner of said Section 15;

thence along the North boundary line of said Section 15 South 89°15'23" East, 1,320.37 feet to the **REAL POINT OF BEGINNING**. Containing 40.30 acres, more or less.



Item #2.

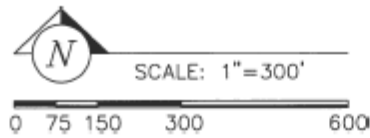
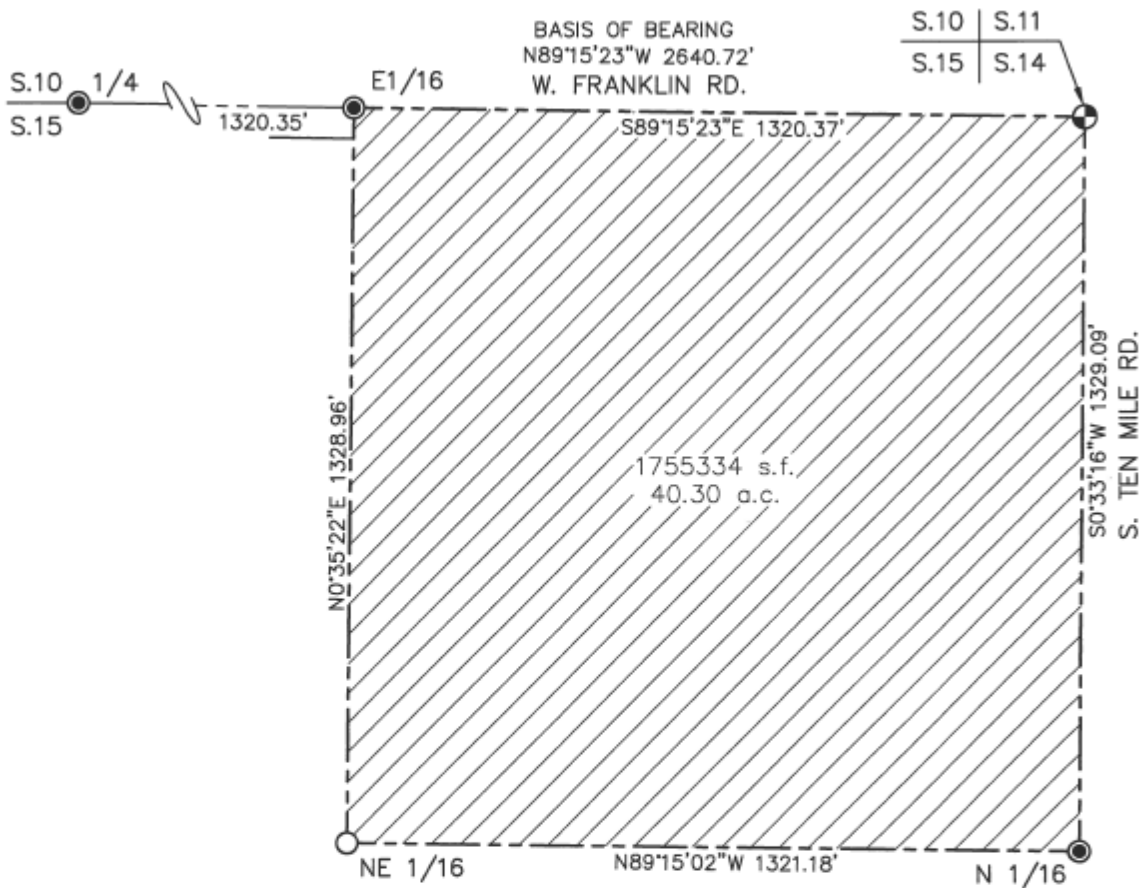


EXHIBIT __
DESCRIPTION FOR
THE 10 AT MERIDIAN
CITY OF MERIDIAN ZONE CC

A portion of land located in the NE1/4 of the NE1/4 of Section 15, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

BEGINNING at NE corner of said Section 15 from which the N1/4 corner of said section 15 bears North 89°15'23" West, 2640.72 feet;

thence along the East boundary line of said Section 15 South 00°33'16" West, 1,329.09 feet to the N1/16 corner of said Section 15;

thence along the South boundary line of the NE1/4 of the NE1/4 of said Section 15 North 89°15'02" West, 20.27 feet;

thence leaving said South boundary line North 57°06'08" West, 149.94 feet;

thence North 60°22'50" West, 293.40 feet;

thence North 58°00'44" West, 371.54 feet;

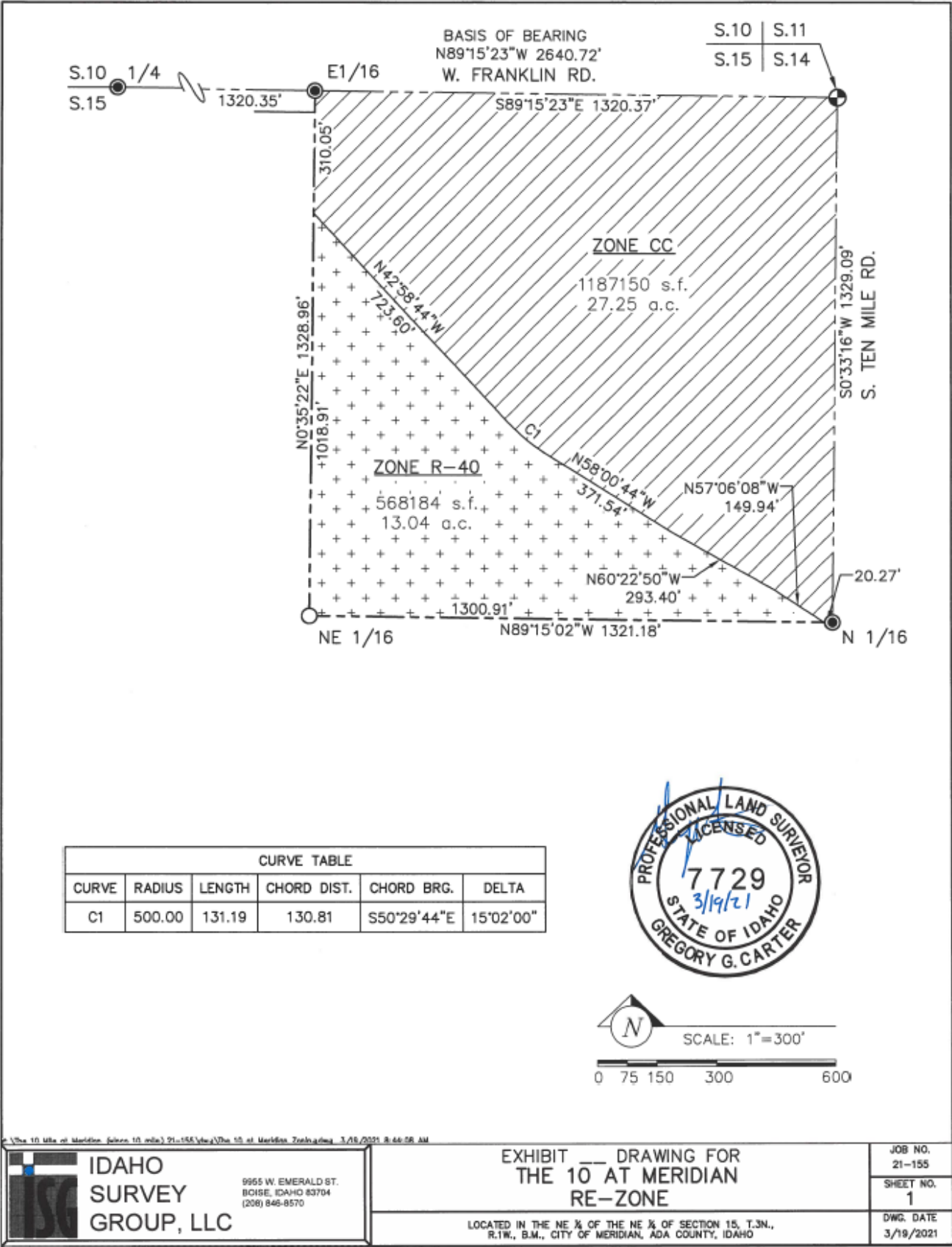
thence 131.19 feet along the arc of curve to the right, said curve having a radius of 500.00 feet, a central angle of 15°02'00" and a long chord which bears North 50°29'44" West, 130.81 feet;

thence North 42°58'44" West, 723.60 feet to a point on the West boundary line of NE1/4 of the NE1/4 of said Section 15;

thence along said West boundary line North 00°35'22" East, 310.05 feet to the E1/16 corner of said Section 15;

thence along the North boundary line of said Section 15 South 89°15'23" East, 1,320.37 feet to the **POINT OF BEGINNING**. Containing 27.25 acres, more or less.





\\The 10 Mile of Meridian (John 10 mile) 21-155.dwg\\The 10 of Meridian Zone.dwg 3/19/2021 8:44:26 AM

IDAHO SURVEY GROUP, LLC
 9955 W. EMERALD ST.
 BOISE, IDAHO 83704
 (208) 848-8570

EXHIBIT __ DRAWING FOR
 THE 10 AT MERIDIAN
 RE-ZONE

LOCATED IN THE NE ¼ OF THE NE ¼ OF SECTION 15, T.3N.,
 R.1W., B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO

JOB NO. 21-155
SHEET NO. 1
DWG. DATE 3/19/2021

EXHIBIT __
DESCRIPTION FOR
THE 10 AT MERIDIAN
CITY OF MERIDIAN ZONE R-40

A portion of land located in the NE1/4 of the NE1/4 of Section 15, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at NE corner of said Section 15 from which the N1/4 corner of said Section 15 bears North 89°15'23" West, 2640.72 feet;

thence along the East boundary line of said Section 15 South 00°33'16" West, 1,329.09 feet to the N1/16 corner of said Section 15;

thence along the South boundary line of the NE1/4 of the NE1/4 of said Section 15 North 89°15'02" West, 20.27 feet the **REAL POINT OF BEGINNING**;

thence continuing along said South boundary line North 89°15'02" West, 1,300.91 feet to the NE1/16 of said Section 15;

thence along the West boundary line of NE1/4 of the NE1/4 of said Section 15 North 00°35'22" East, 1,018.91 feet;

thence leaving said West boundary line South 42°58'44" East, 723.60 feet;

thence 131.19 feet along the arc of curve to the left, said curve having a radius of 500.00 feet, a central angle of 15°02'00" and a long chord which bears South 50°29'44" East, 130.81 feet;

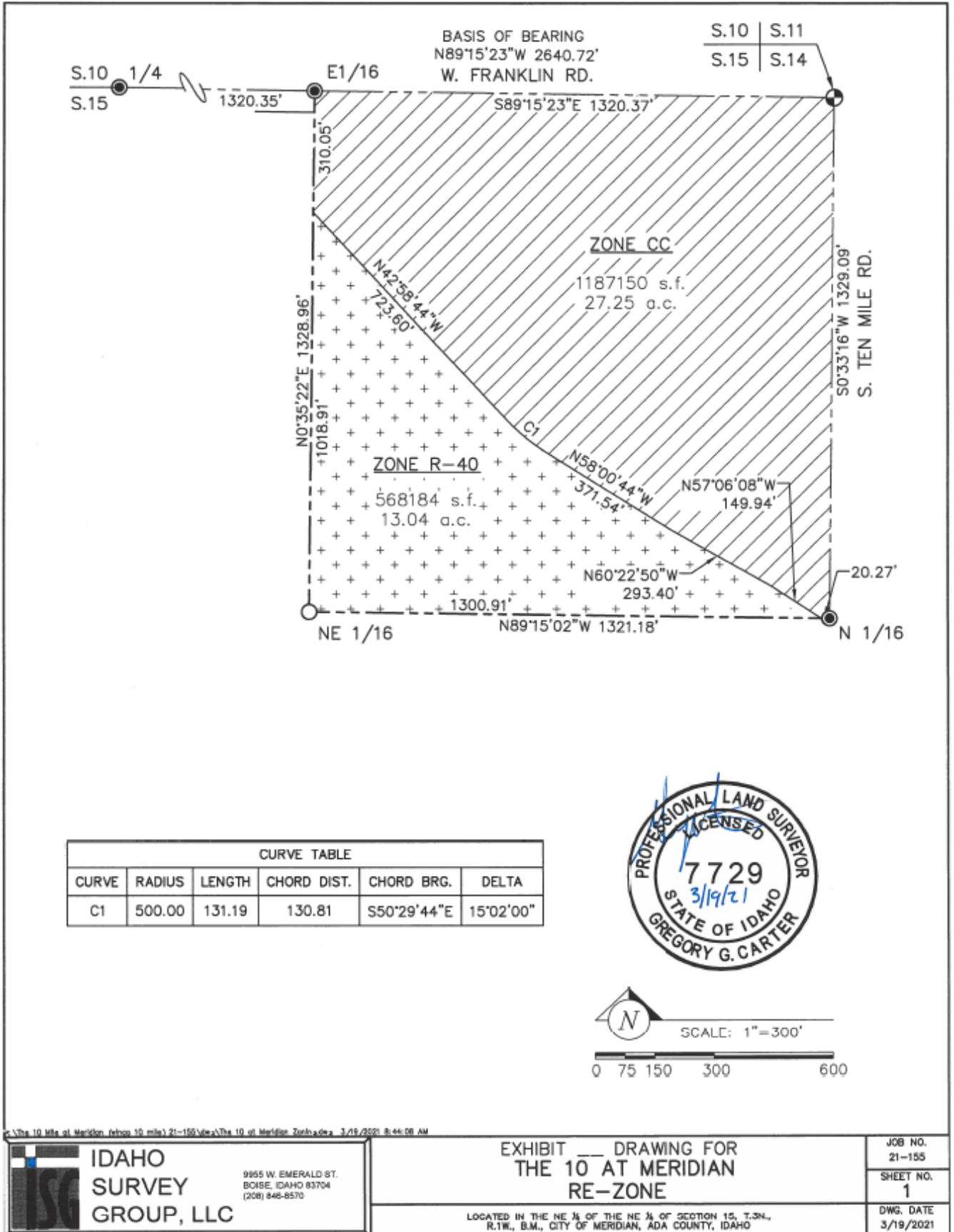
thence South 58°00'44" East, 371.54 feet;

thence South 60°22'50" East, 293.40 feet;

thence South 57°06'08" East, 149.94 feet to the **REAL POINT OF BEGINNING**.
Containing 13.04 acres, more or less.



Item #2.



B. Conceptual Development Plan (dated: March 10, 2021)

Project Summary

Residential	
High Density Apartments	380 units
1 BR - 222 units = 58 %	
2 BR - 157 units = 42 %	
Flats	137 units
1 BR - 88 units = 50 %	
2 BR - 49 units = 50 %	
Townhomes	24 units
3 BR - 24 units	
Mixed Use Apartments	42 units
1 BR - 24 units = 57 %	
2 BR - 18 units = 43 %	
Total Residential Units	559 units
Parking Required	944 spaces
Parking Provided	1,034 spaces
Commercial	
QSR Pad Buildings 1-3	9,250 sf
Financial Pad w Drive Thru	5,000 sf
Office	46,600 sf
Retail	52,775 sf
Mixed Use Service Retail	20,025 sf
Recreation Center	14,000 sf
Total Commercial Use	147,650 sf
Parking Required	298 spaces
Parking Provided	448 spaces



10 Mile Road & Franklin Road Residential & Commercial Mixed Use Center

Scale: 1" = 80'

March 10, 2021

C. Conceptual Building Elevations
Multi-Family (Flats):

A-1 | BLDG



B-1 | BLDG









Multi-Family (Townhome Style):





Multi-Family (High-Density Apartments):



Clubhouse:







IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. The subject property shall develop in substantial compliance with the conceptual development plan and building elevations in Section VIII.B and the land use, transportation, and design elements of the Ten Mile Interchange Specific Area Plan (TMISAP).
- b. The project shall comply with the applicable design elements as noted in the Application of Design Elements matrix in the TMISAP (see pg. 3-49) and the design standards in the Architectural Standards Manual.
- c. Access to the site via W. Franklin Rd., S. Ten Mile Rd. and W. Cobalt Dr. shall be restricted as recommended by ACHD in Section IX.K.
- d. The subject property shall be subdivided prior to any development occurring on the site.
- e. The Kennedy Lateral shall be piped in its entirety where it crosses the subject property as required by UDC 11-3A-6B.3 unless otherwise waived by City Council as set forth in UDC 11-3A-6B.3a.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Any unused sanitary sewer and/or water services or mains must be abandoned.
- 1.2 Ensure no permanent structures (trees, bushes, carports, trash enclosures, etc.) are built within any utility easements.

C. FIRE DEPARTMENT

No comments were received.

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=227946&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

No comments were received.

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228197&dbid=0&repo=MeridianCity>

G. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=227634&dbid=0&repo=MeridianCity>

H. CENTRAL DISTRICT HEALTH

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228247&dbid=0&repo=MeridianCity>

I. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228703&dbid=0&repo=MeridianCity>

J. COMMUNITY DEVELOPMENT SCHOOL IMPACT TABLE

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228965&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229278&dbid=0&repo=MeridianCity>

L. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228985&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 annex the subject 40.30-acre property with R-40 and C-C zoning districts consistent with the MU-COM, HDR and MU-RES FLUM designations for this property. (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 complies with the regulations outlined for the R-40 and C-C zoning districts and the purpose statements of the residential and commercial districts.

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

The Commission finds the proposed map amendment will not be detrimental to the public health, safety and welfare in this area.

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 the proposed map amendment will not result in an adverse impact upon the delivery of services by any political subdivision providing public services.

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

The Commission finds the proposed annexation is in the best interest of the City.

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

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

Lorcher: I will give it a go.

Seal: Commissioner Lorcher, go ahead.

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

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

Yearsley: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

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

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

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

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

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

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

Seal: Absolutely.

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

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

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

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

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

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

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

Clark: So I better go fast.

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

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

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

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

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

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

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

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

Borges: Yes.

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

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

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

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

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

Seal: Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

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

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

Lorcher: Thank you.

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

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

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

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

Seal: I cannot.

Black: I think I'm getting closer.

Seal: We can see you now.

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

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

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

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

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

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

Seal: I would wait just a minute.

Black: Okay. Oh. Okay. Great.

Seal: There we go.

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

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

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

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

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

Black: Are you asking me?

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

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

Allen: Mr. Chair?

Seal: Sonya, go ahead.

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

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

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

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

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

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

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

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

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

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

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

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

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

Seal: Any questions?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead..

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

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

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

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

Seal: Go ahead, Commissioner Cassinelli.

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

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

Cassinelli: Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

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

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

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

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

Clark: It sounds like he does. Yes.

Seal: All right. Thank you.

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

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

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

Allen: Yes, it is.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

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

Seal: Annexation and zoning.

Lorcher: Okay.

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

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

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

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

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

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

Cassinelli: Okay.

Seal: More questions?

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

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

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

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

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

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

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

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

Seal: Okay. Hethe, go ahead.

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

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

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

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

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

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

Lorcher: Okay.

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

Lorcher: Thank you.

Seal: Commissioner Wheeler, go ahead.

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

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

Wheeler: Okay. And --

Allen: -- south.

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

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

Seal: Go ahead, Commissioner Yearsley.

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

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

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

Wheeler: Drawing?

Yearsley: -- drawing that he provided.

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

Wheeler: Okay. Thank you, Sonya.

Allen: -- and not work.

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

Wheeler: So moved.

Cassinelli: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

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

Seal: Anybody else want to jump in here?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

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

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

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

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

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

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

Seal: Okay.

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

Lorcher: So far it looks open.

Yearsley: Yeah.

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

Yearsley: Yeah.

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

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

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

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

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

Wheeler: Thank you.

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

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

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

Cassinelli: Mr. -- Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

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

Seal: Go -- go right ahead.

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

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

Lorcher: Mr. Chair?

Seal: Go ahead, Commissioner Lorcher.

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

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

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

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

Yearsley: That's already --

Seal: That's already --

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

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

Wheeler: I agree.

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

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

Seal: Feel free.

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

Seal: Do I have a second?

Wheeler: I will second.

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

Yearsley: We may want to do roll call.

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

Cassinelli: Nay.

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

Cassinelli: That is correct.

Seal: All right. Motion carries.

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

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

Yearsley: Mr. Chair, I move we adjourn.

Wheeler: Second.

Cassinelli: I will second that.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:08 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - VICE-CHAIRMAN
ATTEST:

_____|_____|_____
DATE APPROVED

CHRIS JOHNSON - CITY CLERK

Simison: Council Woman Perreault.

Perreault: I do. It sounds like there is quite a bit of confidence that the city will still be able to access from Meridian Road and that's the preferred method of access on the city's part for construction vehicles and personally I -- I think it would be wise for the city not to take access through the subdivision, so -- it does -- it does have concern if at any point in time -- I don't know if ITD can remove that access from the city. I assume not. That would be my only concern. But, otherwise, it sounds like there is quite a bit of confidence that the city will be able to access it from within -- and I believe that the city should.

Bernt: Call for the question.

Simison: The question has been called. Clerk will call the roll.

Roll call: Borton, absent; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglun, yea; Strader, yea.

Simison: All ayes. Motion carries. The item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

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

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

Simison: Next item is public hearing for The 10 at Meridian, H-2021-0025. We will open with staff -- this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. Sorry for the delay there. The next application before you is a request for annexation and zoning. This site consists of 40.3 acres of land. It's zoned RUT in Ada county and is located at 75 South Ten Mile Road at the southwest corner of West Franklin Road and South Ten Mile Road. The Comprehensive Plan future land use map designations for this site are mixed use commercial, which is approximately 22 acres, high density residential, which is approximately 11 acres, and an approximate three acre portion of mixed use residential, kind of a little sliver there along the southeast boundary of the site. The applicant is proposing to annex 40.3 acres of land with R-40, which is 13.04 acres and C-C zoning, which is 27.25 acres. A conceptual development plan was submitted as shown that proposes a mix of offices, a financial establishment, retail pads, a grocery store, vertically integrated residential and multi-family residential in accord with the associated mixed use commercial, high density residential and mixed use residential future land use map designations of the Ten Mile Interchange Specific Area Plan for this property. A phasing plan was not submitted. However, the applicant states the three story flats and townhome style multi-family residential and clubhouse will develop in the first phase, along with the

associated infrastructure. The four story high density multi-family residential will follow, with the commercial last as tenants commit. A future preliminary plat will be submitted and the final plat -- or it's proposed to be final platted in one phase of development. Access is proposed as shown on the concept plan. ACHD supports the following accesses. Access A, full access. Access B, right-in, right-out only. Access C right out only. Access D right-in, right-out only. And Cobalt, right-in, right-out, left-in only. Staff recommends access is restricted through the development agreement as supported by Ada County Highway District. Cobalt Drive is proposed to be extended to the west from Ten Mile. The eastern portion lies entirely on the subject property and will require construction of a bridge over the Kennedy Lateral and stubs to the south to be extended entirely on the adjacent property to the south. This is generally consistent with the master street map for this area. The applicant requests Council approval of a waiver to UDC 11-3A-6B3 for portions of the Kennedy Lateral, which bisects the site to remain open and not be piped. Conceptual building elevations were submitted for the proposed multi-family flats, townhome style multi-family, high density apartments and clubhouse as shown. Final design is required to comply with the design guidelines in the Ten Mile Interchange Specific Area Plan and the standards in the Architectural Standards Manual. A development agreement is recommended as a provision of annexation that contains certain requirements for development of this property as noted in the staff report. Staff requests Council motion include a revision to the development agreement, Provision A-1-D, which requires the subject property to be subdivided prior to any development occurring on the site, to, instead, require the property to be subdivided prior to issuance of the first certificate of occupancy for the development and this is consistent with what the applicant is asking for tonight. The Commission recommended approval of the subject annexation request with the requirement of a development agreement. Wendy Schrief. JUB Engineers, the applicant's representative, testified in favor, along with Layne Borgess and Hethe Clark. Cody Black commented on the application. He was representing the property owner directly to the south. Written testimony was received from both Cody Black and Wendy Schrief, the applicant's representative. The key issues of discussion by Cody Black -- he was the property owner to the south again -- requests the western portion of Cobalt Drive be located on the subject property and not on their property. Key issues of discussion by the Commission was the location and alignment of Cobalt Drive to the west and opinion that too much residential may be proposed. That the northern flats should be converted to commercial uses. There were no changes made to the staff recommendation by the Commission and the only outstanding issue for Council tonight is the applicant's waiver for portions of the Kennedy Lateral, which bisect the site, to remain open and not be piped as I mentioned. Staff was asked by Council to provide information on residential units in the Ten Mile area that have been constructed. There were -- there are 517 single family units and 1,389 multi-family units that have been constructed in this area and, then, there was some discussion I believe earlier wanting to know what the percentage of the site was proposed to develop with residential uses and that is 64 percent of the site, with 36 percent being commercial and just in the mixed use commercial section there is 41 percent of that area that's proposed for residential uses. Staff will stand for any questions.

Simison: Thank you. Council, questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Sonya. I appreciate some of the follow up and, you know, so we just had a presentation not too long ago kind of -- by a fabulous intern that did some work for us walking us through the pitfalls of mixed use and I -- I think it's important for us to learn our lesson. So, I had a few questions. You know, one of the questions I had was what percentage of commercial would we expect based on the FLUM or the comp plan for this overall area to be consistent with that?

Allen: Mr. Mayor, Council Woman Strader, Council, so the numbers in the -- in the comp plan are -- for mixed use commercial are 20 percent residential with 25 percent office and 50 percent commercial.

Strader: Okay.

Allen: Five percent civic.

Strader: Mr. Mayor, if I may, I had a few --

Simison: Council Woman Strader.

Strader: All right. I will stick with it. Thank you very much. And so that -- that sounds like that maybe a bit off. Another question I had was do you feel like for something of this size that it's typical to go for an annexation and zoning without the final plat? I guess one of the concerns I have -- you know, we have heard that we run into situations where the residential goes in and, then, unfortunately, the commercial may go in last and so we may not actually get the commercial that we want. So, that's a big concern of mine is -- you know, I guess I'm looking for staff's commentary on how we could avoid that situation here if we can.

Allen: Mr. Mayor, Council, clarification on what we just said. That was actually from the Land Use Development Report 2021, the numbers I gave, and in response to Council Woman Strader's comment about the final plat, a final plat is a subdivision of property. Your concept plan is what conceptually locks in the uses for the property. So, that's what we use in determining whether or not a project is consistent with the future land use plan for the area. We did encourage the applicant to submit a subdivision plat, however, though, and they are in the process of getting a preliminary plat together to submit on the heels of this application once it's annexed.

Strader: So, yeah, I guess I need follow up on that. I mean isn't the danger -- not -- not to -- I'm assuming totally positive intentions on everybody's part, but isn't the danger that we would approve this and, then, potentially, you know, something comes, it's not consistent with the vision of what we have for mixed use or there is something that's different and, then, we don't really have a say in that at that point.

Allen: Mr. Mayor, Council Woman Strader, staff is recommending a development agreement as a provision of this annexation that would include this concept development plan. If a development plan came forth after this that's not consistent with that plan it would come back before you for a modification of that agreement and approval of an updated concept plan, at which we would review that and determine its consistency or not with the Comprehensive Plan and the future land use map.

Strader: Thanks. I think it makes sense. I guess, you know, my concern is -- you know, we see these DA waivers come through and it just feels like there is a little bit of a slippery slope where we end up with something very different than what we thought when we started the process. So, that's just my overall concern, but I bet the applicant could address that. And, then, just my final question I guess from staff's perspective would be -- I was concerned about some of the comments in the ACHD agency report, particularly regarding that they didn't agree with the traffic impact study. Would it be typical that -- that a different study would be done or from staff's perspective how -- how would that be handled if there was a difference of opinion about the traffic impact study?

Allen: Mr. Mayor, Council Woman Strader, I -- I'm unsure how ACHD handles that, to be honest with you. I know sometimes they ask for additional information with the TIS, but beyond that I'm not sure.

Strader: Perhaps if they are available at some point they could answer that question. Thank you.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member Strader, if it helps to add a little bit more to what Sonya said, a DA with a concept plan like this that has a higher level of detail is a lot easier for enforcement to deal with for staff in the future if they want to bring in something that is substantially different. The ones that we have done a while ago and happened recently is sometimes referred to as bubble plans are a little more problematic, because they just identified large blocks of property into commercial, general, office, residential and so it doesn't really tell us what it's supposed to be or look like. But this type of development with this application is a lot easier to put into a DA.

Strader: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I think Council Woman Strader and I are thinking right along the same lines, because I had written down very similar questions. So, if I'm understanding the percentages correctly, Sonya, with what you shared is what is expected in that mixed

use commercial area and what the percentages are that we have here on the application they are fairly different. Does the percentage -- are the percentages that -- that we have showing ideal percentages we are showing for mixed use commercial, it's the same in the Ten Mile Interchange Area as they are in other parts of the city or is it different, especially -- I know that -- that when the Ten Mile Interchange Plan came to be there was -- it's definitely intended to be an employment area with an additional amount of multi-family, maybe more than we see in other parts of the city. However, based on the numbers you just shared, there is a significant amount of multi-family in this area and so I really want to get an understanding of whether adding this much more multi-family is beneficial to this location or not. It just seems like it would really tip the scales within the Ten Mile Interchange Plan area which moves I think from all the way to Black Cat and, then, east over to maybe the mid mile, something like that. So, any of that information that you have that might help us with that analysis would be great.

Allen: Mr. Mayor, Council Woman Perreault, Council, those numbers are future mixed use assumptions and, yes, you are right, I think more residential is important in the -- in the mixed use designated areas and especially the Ten Mile Plan for the -- to support the employment and commercial uses. To answer your question more than that it's really out of my realm. I'm not sure if Caleb or Brian is on the line tonight that could better speak to that --

Simison: And, unfortunately, we also don't have ACHD on the line, to the best of my knowledge. Council, further questions for staff? Okay. Ask the applicant to, please, come forward.

Schrief: Good evening, Mayor, Council Members. My name is Wendy Schrief. I'm a planner with JUB Engineers and my business address is 2760 West Excursion Lane here in Meridian. 83642. And we have got a team that is going to be presenting tonight. I'm just going to kind of work on a little bit of the front end here. If I can get my PowerPoint up. It's up. And I want to look at my -- do you move the slides or can I move it? Let's see. Okay. I want to talk a little bit about why this project makes sense in this location. We are at the southwest corner of Franklin and Ten Mile and as you alluded to we are located -- we are inside the area for the Ten Mile Specific Area Plan. We have several different future land use designations and I think when you were talking about the percentages I think we need to look at kind of how those are weighed and what those acreages are. Mixed use -- we have a 40 acre site where we are looking at -- we have 22 acres of mixed use commercial for a designation. We have an additional 11 acres of high density residential and three acres of mixed use residential. Because I think when you look at those percentages we need to look at also kind of how that breaks out between those three different designations and, then, this is also -- this is -- this document is a guide for development in the area. I think -- and that in this area overall we have seen more commercial development than we have seen residential development. So, I think we are kind of helping to bring that into balance with -- with this project and I want to kind of reiterate the purpose statement of the -- this area for mixed use commercial is to encourage a mix of office, retail, employment and multi-family and single family attached. So, I think the project we are presenting to you tonight we have -- we have really done a

lot I think to address those goals. We worked -- staff has been great. We have done probably three or four pre-application meetings with Sonya and Bill to really tighten up our plan. We have been directed quite a bit by staff on our mix of uses and how we are proposing this project that we have here this evening and I wanted to address -- you had a couple questions about the TIS and how we deal with development agreements and I can tell you the majority of the larger projects I'm working on in the Treasure Valley we are the front end doing annexation and zoning and doing the preliminary plat later on. That gives you a concept plan and in this case with Meridian a very detailed concept plan and part of this is part of -- it's a practical reason, especially during COVID, it's at least a six month process to have a TIS approved and finished up through ACHD. So, this allows you to get a project started and kind of get it moving while concurrently you are working on your TIS. So, it enables you to get a project going and saves three to four months in your project schedule. So, it's -- if it was faster to do TIS's probably that order would be a little bit different. In -- in Canyon county we do it differently. If it was a development agreement I can tell you absolutely Meridian staff does a really good job of holding your feet to the fire. When you have a concept plan -- Sonya goes through it and when you come in with a preliminary plat she's absolutely going through and looking at your open space requirements and your project breakdown and she is not shy about having you go back and make changes to make sure you are in compliance and if there is something that has changed, then, you have to come back and do a modification of your development agreement and I think you see that more often in commercial areas where you have a different tenant with a different need who comes in, that's more often where you see that happen. But I wanted to introduce the rest of our team here this evening. We have Layne Borgess, who is our architect, and, then, we have Hethe Clark, who is a land use attorney. He has also worked on the project. I'm going to introduce Layne.

Borgess: Good evening, Mr. Mayor, Members of the Council. Thank you for the opportunity to be here tonight and present to you the design concept for The 10 Meridian. My name is Layne Borgess. I'm representing Elk Ventures who are the project proponents. My address is 11500 Armor Court in Gold River, California. We are very excited about this project and we hope the Council will be also as we feel that the project represents the true intent of the Comprehensive Plan and the specific plan for this area. Staff has already given you a brief overview. I would like just to walk you through a little bit of the components of the design and a little bit of our goals and how we executed the project. Try not to take up too much time, because I know we have a little bit of a limit. As staff had indicated our project consists of mixed use commercial element. Depicted on the screen now you will see the commercial component, which is a combination mixture about 150,000 square feet of one and two story office, commercial, and retail, as well as restaurant uses. The second component is our vertically integrated residential mixed use buildings. We have our -- are proposing four different types of residential components and this is one of them. These will be three story buildings with commercial space at the ground level of these three buildings and, then, two floors above of residential units. This area depicts our medium density residential type one. These are three story buildings, internally loaded, meaning the units are accessed from the inside, as well as the outside at ground level. They do have parking also at ground level. Three stories. One and two bedroom units. The third type of residential component we have is the

townhomes and these are three story individual townhomes attached in groups of eight. So, each unit consists of three floors with garages also. The fourth component is the portion of our site that will be zoned for high density residential and these are our four story buildings also internally loaded and this represents the majority -- about 68 percent of the total residential units proposed are located in this area, which is south of the canal. And the last element is what we kind of look at as being as our kind of the heart of the community and this is our recreation center and our co-work facilities and within this area we have significant amount of indoor and exterior site amenities, such as swimming pools. We actually have a couple of pickleball courts. So, take the strain a little bit off the existing ones. Fitness centers. Community kitchens. Internet cafe. Conference rooms. Work areas for people that are now concentrating their work efforts away from an office environment. So, if they want to work from home, but not be in their apartment the entire time we have a significant portion of the second floor of this building that will be designated for co-work areas, private offices, meeting rooms and such. So, I want to talk just a little bit about the goals and the execution of the project. What we were trying to achieve with this was a cohesive dynamic mixed use project with multiple housing types, with compatible commercial that is suitable to be used by the residents of the project, as well as by the community and an emphasis on integrating the pedestrian and bicycle circulation throughout and providing extensive on-site services and recreational opportunities and I will explain a little bit more about those as we go. So, how did we get there, how do we achieve that. We really looked to the Comprehensive Plan and to the specific plan as to ways to achieve it. One way was using basically the idea of developing this mixed use community that's livable, vibrant, and connected, using a lot of open space and pathways that I will show in a moment. By using building design and character that identify the project as unique. By providing circulation that's cohesive for automobiles, bicycles, and pedestrians and making it friendly and easily to move throughout the entire site for all elements. From the Ten Mile Specific Plan we focused a lot with staff's assistance on the concept of street design and complete streets and how the buildings relate to the streets and how the streets relate to circulation. We looked at the concept of street oriented design and streets as public spaces, enhanced landscaping, mixed housing stock opportunities and, then, of course, ultimately, the building design and architecture. So, this next slide illustrates the primary concept of how we are integrating the concept of complete streets into the project and those red lines indicate our major circulation elements through the site and you will see on some of the following slides how the execution of that occurs. Am I the only one that lost my slide? Because I don't see anything on my screen anymore. Anyway can I get that back?

Hoaglund: Are we on the vehicular and bicycle circulation slide still or are we moving to another one?

Borgess: I was moving to one that illustrated pedestrian circulation. Do you see them on your screen that shows a series of yellow lines? Oh. Okay. Okay.

Simison: Why don't we go ahead and take a ten minute break, if that's okay.

(Recess: 7:50 p.m. to 8:02 p.m.)

Simison: All right. We will go ahead and come out of recess and we will re-recognize the applicant. Did you want to reset the timer to six and a half minutes.

Weatherly: Yes, Mr. Mayor, I will.

Simison: Okay. You have six and a half minutes left.

Borgess: Okay. Thank you, Mr. Mayor, Members of the Council. I will try and move through quickly, so we can get the rest of our presentation. The slide that you see shows our major circulation that I will explain in a little -- in a moment for vehicles. This slide shows the circulation for pedestrians through the site. Again, achieving our goal of connectivity of the residential and commercial components. These next three depictions show our vision of what our street system within the project will look like. This is patterned after the concepts in the specific plan for complete streets that include vehicular circulation, bicycle paths within our project, parallel parking, street trees, closely spaced landscaping and, then, buildings along the street edges. These depictions show circulation through the major elements of the project. And, then, I want to give you an example of some of the character and design of the residential components. This being our high density component. Again, four story buildings of one and two bedroom apartments, utilizing variation and variety in materials, stone, plaster, wood, wood timbers, steel beams, a lot of variation in articulation in the architecture. Next element we will look at is our medium density flats. We have five buildings proposed. Three stories. And you can see, again, how they are designed with placement of the buildings up near the streets, parking, access from the rear, parallel parking, bicycle paths in front of all the buildings, closely spaced street -- street trees to create the semi-urban environment that we are trying to achieve and, then, the exteriors. Again, a lot of articulation and variation in roof forms and in building materials and, then, the townhome -- townhome design concepts. Again, the same idea. Straightforward design. And, then, the last element is our recreation center and co-work facility. All designed with similar materials and architecture, but a little variation in how the palette is utilized. And with that I would like to turn over our presentation to Hethe Clark, who will finish up for us. If you have any questions after I would be happy to try to help.

Clark: Members of the Council, Hethe Clark. 251 East Front Street in Boise. Good to see everyone again. So, I'm just going to wrap up briefly and focus for a moment on a couple of standards. Of course, this is an annexation with an initial zone and I think everyone's going to hit the Comprehensive Plan elements of this. I would just emphasize that it's located -- this project is located on the -- the hard corner of two principal arterials. You know, this is exactly where we want to see high density housing, office, commercial, living together, breathing together and you can see that there has been a lot of effort that's been put into making this an integrated whole. This is an extremely detailed concept plan for this step -- stage in the process and as Bill mentioned, that gives the city a lot of tools from the perspective of knowing what it is that you can expect with this project. Now, we still have a few hoops to jump through as we go through all of this. We obviously still need to submit our preliminary plat application and that preliminary plat application will be coming here in the next little bit and it's going to -- we are going to have to prove up that

all of these dimensional standards and fine grained details have been satisfied. But what we have -- and the reason we went this way was to be able to say, hey, we -- we know generally what is going to be approved here with this detailed concept plan. We know where our accesses are. We know how this is going to function. So, now let's go do all the -- complete all the engineering associated with that preliminary plat. But the city is going to see this in multiple steps moving forward with the pre-plat at CZC, at design review, all of those steps. I wanted to talk about two items -- and I'm going to change my order here a little bit. One item that came up at the last hearing that I just want to mention is that there was some conversation about the inner relationship with our property -- with our neighbor to the south and I know that they are here to talk. We have had a number of conversations with them since the Planning and Zoning Commission hearing. I think we are in a good place in terms of trying to get all of the concerns resolved. But a couple of contextual points for you. Cobalt is the -- the public street that's on the south. It's designated as a -- as a collector both on the ACHD master street map and on the Ten Mile Interchange Specific Area Plan. There are really three hinge points with Cobalt that you have to keep in mind. One is that we need to align Cobalt with the other intersection of Cobalt across the street from Ten Mile. So, that -- that point is set. Then we need to get across the Kennedy Lateral, which means we have got to -- we have got to start moving down, so that we can get perpendicular to the -- to the lateral and try to minimize the width of that crossing for maintenance purposes and, then, the last element of it is that the western boundary -- the western terminus of Cobalt has to be south of our property line and that is driven by the development that was approved to the west of us. So, Cobalt can't -- if it remained on our property it would dead end into a parking lot and so it needs to come south and get -- get around that. So, what we have proposed is we have approximately a third of Cobalt on our property that has the crossing on it. There is a lot more construction that's associated with that. The remainder of Cobalt we have shown stubbing to our neighbor to the south. ACHD has approved that layout as being consistent with the master street map and with the Ten Mile Interchange Specific Area Plan. The Planning and Zoning Commission recommended approval with this layout. We have had conversations with our neighbors and what we are going to be doing moving forward between now and the preliminary -- preliminary plat stage is that we are going to work on a memorandum of agreement that includes a couple of components. One of them is that we are going to offset some of this with a conveyance with some property to offset the portion that's on their side. Generally speaking that's the area in green there on the south side and, then, we are going to cooperate with them in terms of construction costs and construction arrangements for the portion of Cobalt that's on their side. So -- and I know Joanne Butler is here and she will provide some additional detail on that piece as well.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Hethe, could you -- are you in agreement with the dollar figure of what you are going to contribute to the -- to the cost of what you just spoke about with the neighbors?

Clark: Council Member Bernt, we are -- I don't -- we don't have a specific dollar number, but we are very close in terms of proportion and where that number is going to be, because we have had engineering analysis done of what the road costs are -- are at this point. So, we will lock that down with our -- with our neighbor between now and the pre-platting phase. I know my time is wrapped. So, I just want to confirm that, you know, I -- I had written notes that for most of it was my justification as to why we should change condition 1-B. Generally speaking I find that if Sonya and I -- if Sonya and I have enough time we can get on the same wavelength and we did. So, I won't put you through all of that. I just want to say that we are in agreement with the language that staff identified earlier, replacing condition 1-D, that the property would be subdivided prior to issuance of the first certificate of occupancy within the development. So, with that we are happy to answer questions.

Simison: Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Could I fire them all off at once or take it slower?

Simison: Just go for it. You are recognized for the duration of your questions.

Perreault: Thank you very much, Mr. Clark, for your presentation. So, along the lines of Council Woman Strader's concerns I think -- and we have seen this in the past, you know, you -- you have buyers and tenants that you are going to be discussing -- discussing these properties with over the next several years most likely and you may have users that are going to come in and want a different size, shape, location and the concern, of course, then, is in order to accommodate that, whether it's the concept plan is what it is now and it's -- you know, this is approved, not tied to a preliminary plot and we are coming in and making modifications to the DA because of the users, who are requesting different types of properties, sizes, structures, locations and whatnot. So, can you alleviate for us concerns about that, because it -- it's something that we have seen and, then, no longer is the project looking like what was originally intended and oftentimes we have a different Council then that's making that decision from -- from what we had intended and some of that gets lost in translation. So, a significant concern -- concern of mine. It sounds like it's a significant concern of Council Woman Strader's. Would you like me to ask these questions one by one or just --

Clark: Why don't we try one by one and see how it goes.

Perreault: Sounds good.

Clark: So, I understand the concern. You know, I -- I have been in front of this Council before on development agreement modifications. You guys know that I have -- you have put me through the paces on a number of those before, including in the last couple

months. It's definitely -- I definitely feel the love whenever it happens for sure. So, I think I would separate two concepts there, Council Member Perreault. One of them is the -- the preliminary plat and I would point to what Sonya said about that. The preliminary plat is really there to carve up the property, identify the dimensions and for, you know, purposes of future conveyance. What we are really talking about here is the development agreement and the concept plan and what is the possibility of having to come back with a modification in the future. In this case we have got a group that has done extensive market research, is in conversations with a number of commercial users with regard to that exterior ring of commercial in particular and so we feel very comfortable that this is going to develop in the way that we anticipated developing. But I absolutely understand the point of your question and that is why you have the development agreement modification process, so that you were able to look at this or as future Council is able to look at this and decide, hey, does this meet the original intent, do we still like this and there is still an additional public hearing process that we have to jump through. We wouldn't go to this much detail if we didn't feel very comfortable that this is going to play out the way that we anticipate it playing out, because for that exact reason, we have to come back and jump through another public hearing process.

Perreault: So, forgive my assumption, then, that the delay in presenting a preliminary plat was to make modifications to it. That's what I assumed. Otherwise, is -- can you share with us the purpose of it? Is -- is there a concern that it will expire before the two years? Can you go into more detail about that then?

Clark: Council Member Perreault, that process of doing just the DA and the rezone is becoming more and more common and one of the reasons that we decided to do with in this instance is we wanted to get in front of you, see what your comments were on the concept plan, see what your take is on our access points in particular, because you guys have to look at access points on the arterials and we have got a condition of approval that speaks to that and, then, understand where we are at and, then, go finish the engineering on the preliminary plat to make sure it all works. So, that's the thought process for doing the bifurcated steps here.

Perreault: Okay. Thank you. So, I -- I have lived in this area for 12 years. I have driven by this nearly every day for 12 years and have been through and heard and participated in, as a Planning and Zoning Commissioner and as a Council Member conversations regarding the Comprehensive Plan, the Ten Mile Interchange, and have, you know, lots of conversations regarding just the -- just the general idea of what we want to see in this area and I have to say I -- I'm -- I'm kind of underwhelmed with the concept plan and I think I was in my mind's eye hoping for maybe just a little bit more creativity and what I mean by that is so -- and these are conversations that have come out a lot -- a lot from the -- from the eastern side of the development and what we -- the applications we have seen come in there. So, when we have had numerous applications over these years and every single one of them has had conversations about walkability and -- and trees and landscaping; right? So, we have -- we have done this on numerous occasions on the east side of the project and so -- and so this is where I'm hoping you can help me understand exactly what your intention is. When I see the three dimensional drawings

that show pedestrian activity, trees, you know, just -- just a lot of interaction between the residents there and, then, I look at the two dimensional plan, it looks to me like it's almost all parking lot. So, help me understand, because what I see in the 3D renderings and what I see in the two dimensional concept plan looks very different in my mind's eye and the reason that's important is because the conversation we have had for -- for a very long time now is that this area be very much pedestrian plazas, you know, people being outside, living and working in the same place. They are -- they are -- you know, they are living in those apartments, they are working in this and this becomes like their center to be and I don't see that in this. So, if that's your intention, please, help me to see it.

Borgess: It may be a little bit of a struggle with the graphical nature of the site plans and the scale of them, because they are prepared at such a small scale because of the size of the property. Everything to this point, thanks to modern technology, though, we are able to replicate in 3D digitally a hundred percent accurately based on an AutoCAD generated site plan. So, what you are seeing in the artist's illustrations are not an exaggerated width in the street or an exaggerated dimension of the landscape or anything. What you see in those images is what the project -- project will look like, obviously, at landscape maturity. We won't be planting 30 foot trees to start. But the images that you see should accurately depict what the project will look like. Now, the areas that you were mentioning, such as public spaces, plazas, outdoor areas, those are all elements that will be developed and defined in more detail as we work through the subsequent portions of the entitlement phase for the project. Those areas are kind of a challenge to develop at such a small scale at an early stage in the process, but we do have, obviously, an intent to pay significant attention to those, because those outdoor areas are what link all the pedestrian circulation together. I hope that helped clarify.

Perreault: Yes, it did. I just -- I don't know that we actually get an opportunity, however, to be involved in that more detailed level once we get past this point and for this particular project I would like to have more specifics, because this is a critical 40 acres in our city and a critical 40 acres in a plan that was -- that, you know, the city went to great lengths to have a specific sub plan for our Comprehensive Plan for this area and so I think for me this -- this 40 acres is just really really important that we understand what your -- your hope is and how it's really, you know, intended to play out, realizing there is -- not everything is completely in your control as far as what your -- your users will be. So -- so, moving on to another topic, then, I just -- can you -- can you help us understand -- you said you had had a marketing team, you had a consultant that had -- had looked into the amount of residential versus commercial, type of commercial, I assume even down to sizes of buildings and whatnot. This area is just getting so heavy on the multi-family. We have got not only what is happening in the east, to the west, but it's my understanding that in the northeast corner of that -- that intersection there is also going to be some additional high density -- high and medium density. So, can you talk to us about why you would put the ratios in that you put and I am in agreement, I would say, with our Planning and Zoning Commission, I feel like it is too heavy on the residential and if so you can help us understand some more about how you got to this placed, so that we don't come out and say, hey, you really need more commercial in there and your market study is saying, hey, we can't support more commercial in there. I mean anticipation, as we know, about

population growth is significant and the way that -- because this is someone in the southeast side -- or southwest side of Meridian, Meridian -- this is not really in Meridian's focus areas right now and so my anticipation is that protecting and developing commercial in this area for when the residential comes to be -- I realize that you need to have rooftops and, then, you need to have commercial and there is this chicken and egg thing that happens with -- with your users. But I personally -- I think I had heard somebody say that it seems like this is a commercial heavy area and not a residential heavy area and I would completely disagree. It's very heavy high density. So, can you share with us some more information about how you got to these specific residential proposals?

Simison: If you can state your name and address for the record, please.

Pilegaard: Council Members, Erik Pilegaard. 10981 Olana Drive, Lake Tahoe, California. So, another associate of mine came before you a few years back and we had built The Enclave, which is 204 units, pinwheel design. I could tell you from experience on that project that is complete working with staff that -- that 204 units were a hundred percent occupied. We have been a hundred percent occupied. We have 47 people on a waiting list for two years to get into the complex. You are familiar with the lots across the street recently just sold, one hundred percent occupied, waiting list to get in. They are pre-leased on their new development behind that as well. But that whole area, like Hethe had mentioned, the core, the work, the walk, we have integrated this and had seven renditions with staff on how to integrate the pedestrian, the access to work and a big factor that also came into play was, you know, the pandemic and the COVID. I mean restaurants have changed the game. Any restaurant that's talking to us wants to have a drive-through, regardless if it's a -- you know, fast food or something of that nature. So, there is financial aspects, dentistry, and so that commercial component comes to our area. But we feel we have a great balance and this clubhouse that we have designed for the community that we are building is almost 20,000 square feet and it has pickleball, bocce ball, it has a lot of amenities for families to come and stay there. But to answer your question as far as -- is there a demand? The demand is outrageous. I think the demand is slow on the commercial side and the big shopping center side. We have got the Winco. We have got the Albertson's, we have got a lot of that already there in place and we are what we call on the go-to-work side of the street, if that makes sense, to where everybody's passing our development and are going to work in the morning. So, they are not necessarily going to come to our retail component and shop when they come back home. I don't know if that helps, but all the indications indicate that we have a great balance and our current, you know, experience in Meridian has demonstrated that for us. But I think, you know, it was difficult today to see the integration that you are talking about as far as pedestrian and what we are going to look like. We had to kind of go through the slide presentations very very rapidly. But if we could put those up and really ask those questions, staff -- they, you know, made us go back to the drawing board six or seven times for the pedestrian access and integration. I think that this is going to be a landmark of that and also architectural design that when you look at it it's -- you know, I love to beat the competition. We are bigger, we are better, we are going to look better and it's where everybody's going to want to call home. So, I agree with you a hundred percent on those -- those questions and I think we have answered them. But, again, it's -- you know, Sonya, Bill, the team

over there forced us to get to this point. So, hopefully that helps.

Perreault: Thank you. They know as well. They have to be our mind readers before you get here and so that your time is utilized efficiently. So, thank you for answers to all of those questions. I appreciate it very much and I know that -- I think I have one or two more, but I will -- I will release my time here. Thank you for allowing me to go question by question.

Pilegaard: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I had some follow-ups on those topics. So, for --

Simison: You are recognized for your time.

Strader: Oh, thank you. So, just -- just a couple things. So, maybe -- maybe we will start with the architectural design and, then, you can pivot to more of the big picture that the gentleman was just discussing. So, maybe if we could bring up, actually, the -- I guess the concept plan real quick. One of my concerns is also the parking and the reason that this concern is coming up is that we had an intern do a tremendous amount of work for us on mixed use projects and we have actually found that having adequate parking is extremely important, but that the location of parking is important, too, and I guess I would challenge you guys -- you know, we have seen some projects recently come through that have actually parking on the interior core of the building and, then, like a pedestrian -- more of a streetscape on the outside. It's actually buildings where the parking is within the interior of the building and is that something that you guys looked at or -- or a possibility for you?

Borgess: On a portion of the project we do have that. On the five buildings -- five of our -- I'm not sure if the mouse is working here. Doesn't appear to be. I don't see the cursor. But on our five mixed use buildings that are kind of north of our clubhouse and south of the commercial on Franklin, those buildings have a -- not entirely, but a significant portion of their parking under the building. All of the townhouses also have parking under the building on the first floor of those. So, the elements that don't are our high density buildings, which are kind of all self contained south and west of the canal that has just surface parking for those particular uses.

Strader: Yeah. I mean I guess I'm looking at it in -- and maybe you can help me understand. I'm sort of seeing this road come through. It looks like you have some pedestrian crossings and stuff, but I guess I'm concerned, it looks like the high density residential is really kind of orphaned out there in the corner, instead of being like really integrated with the other uses. It's just my impression just from looking at them.

Borgess: Well -- and part of it has to do with zoning and the land use. So, the location that the high density buildings are in, essentially, where the land use designation and the zoning for R-40 is located. So, it doesn't really allow us to move those across into the mixed use commercial component that's zoned general commercial. So, that's why we have the other land use -- or the other residential types there.

Strader: Yeah. And I probably will have a follow-up question for staff about that. And, then, I guess my other question on some of the topics that Council Woman Perreault brought up, yeah, I'm just looking here -- right. So, understood that there is a tremendous amount of residential demand. We know there is a housing -- housing shortage. That's not news to us. The challenge I think for us is that we are losing commercial as a city and we can't get it back and so every mixed use project that's overweighted into residential we can't get that commercial back and it's a smart idea to have residential in a transportation corridor, we agree with you there, but we also want the jobs to be there. We don't want people commuting across the city. It's just exacerbating our traffic problem. So, I guess -- you know, I'm just looking, but, you know, it looks like 61 percent of your site is mixed use commercial, 30.5 percent is high density residential and around eight and a half percent or so is mixed use residential. I'm going to be generous and assume the residential ones are just residential in terms of what we would target, but if we thought that 20 percent of the mixed use commercial should be residential, you know, I'm coming up with more like 18 acres of the total site that would ideally be residential compared to, you know, a significant amount more than that. So, I just wanted to give that context to you. Those targets aren't hard targets that we have to meet on every application, but this is pretty far from -- from what I think we are -- we are looking for in general is my impression.

Borgess: Are you looking at the site overall or are you looking at each component of the site relative to the high density versus the mixed use portion?

Strader: Yeah. I'm just taking the acreage that you gave me of each of those three components across the entire site and, then, I'm looking at the percentage that was given that's residential within your mixed use commercial zone and comparing that to the 20 percent target that Sonya mentioned, which it sounds like there is some maybe flexibility around that. I wasn't sure how firm that idea was. But it just feels really far off of what we would normally expect.

Borgess: We may need to work with Sonya a little bit on this, but it was our understanding that in the mixed use portion that the target for the residential was no more than 30 percent of the total ground floor area of the -- of the -- total ground floor area 30 percent maximum of that could be residential. So, we are fairly close to that as a target number, according -- based on our calculations and based on our estimations of the commercial space at this time. So, I'm not sure that we are as far off as I may be understanding what you are saying, but we may need to work with Sonya a little bit to refine the numbers and percentages to make sure we are within or close to the thresholds that the specific plan is anticipating.

Strader: Thank you.

Simison: Council, additional questions?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun is recognized.

Hoaglun: I have a question. I don't know who wants to respond. But, Adrienne, if we can go to the one that shows the ingress and egress. I think it had A, B, C, D.

Borgess: I think that was one of staff's slides.

Hoaglun: Is that one of yours, Sonya? So, if we could pull that up. It just makes it easier referring to which intersect -- which one we are talking about. I just want to make sure I understand the right-in, right-outs. There was one -- I think it was on Cobalt that was going to be right-in, right-out and left only --

Borgess: Left in.

Hoaglun: Yeah. Left -- left-in only. So, if we don't have that one real quick, Sonya, we can just do the concept one and just refer to it by -- by direction, if that's -- if that's -- got the one minute sign. I don't know if -- Layne, if you will be answering that or if it's going to be Hethe, but just -- so if -- if a person wants to go north on Ten Mile, they are going to have to make sure they exit out to Franklin Road, turn right, get across and get in the left-hand turn lanes. So, that's -- that's the plan there, which is -- most likely that would be A. So, there is a -- that's -- intersection A is a full access, left, right -- both ways. Okay? B was right-in, right-out only?

Borgess: Correct.

Hoaglun: Okay. So, A will allow that North Ten Mile Road access. C was right-in, right-out only.

Borgess: No. C was right-out only.

Hoaglun: Right -- right-out. Correct. Yeah. That's right. Right-in, right-out. And what was -- what was B?

Borgess: B was right-in, right-out. C was right-out. There is no in access on C.

Hoaglun: Okay.

Borgess: D is right-in, right-out.

Hoaglun: And intersection two, Cobalt, that was left-in -- right -- right-in, right-out and left-

in.

Borgess: Yeah. And that's from our driveway on Cobalt, which for whatever reason didn't have a letter designation to it.

Hoaglun: And so, Mr. Mayor, I guess you're giving me liberties as well. Okay. Thank you. The -- so, there is no light there at Cobalt?

Borgess: That's correct. And I believe the staff or someone may have pointed out that there were attempts previously under a previous application for a signalization of that intersection and ACHD opposed that strenuously, because I believe of the distance separation between the signal at Vanguard.

Hoaglun: Okay. I understand. And those -- sometimes those -- some you win and some you don't on those, so -- so be it. Okay. That -- that gives me a better understanding of those and that -- that north access -- I mean it's just something that people are going to have to get used to if they are going to want to travel north on Ten Mile to make sure they are going out that A entrance. The access point on Cobalt, where we have the high density -- so, if you come down that intersection two and you are heading west on Cobalt, is their plans -- and that's the future portion that you are planning -- in fact, right where it says Cobalt Drive, just to the south of the high density housing, is -- is that going to be an access point in the future for those apartments off of Cobalt or is that just -- everything else is going to be through A, B, C, D?

Borgess: Well, right now all of the accesses were determined or calculated in transportation analysis based on A, B, C, D and E and we did not at that point for traffic study purposes anticipate any access further down Cobalt. Would it be possible, once Cobalt extension was actually completed? I suppose, you know, from a physical standpoint it's directly there. It could be done. But in our existing proposal -- and this may come up a little bit more when we talk a little bit with our neighbors to the south -- is that the portion of Cobalt along the southern property outside of ours wouldn't be built initially, so that there wouldn't be any access that would be available to us until that extension was done.

Hoaglun: And, Mr. Mayor, just to continue on. Yeah. And -- and I don't know if that's good or bad or necessarily bad, it's just -- I was curious about that, because four stories, the number of units, that -- that's a lot of traffic and having, you know, some choke points there at particular times might -- might occur when you have high density and I thought Councilman Strader raised an interesting point about, you know, it seems like a lot of parking lot, but, then, the number of units for those high density -- what was it? Three hundred and eighty.

Borgess: So, yeah, roughly I think that's about 70 -- 68, 70 percent of the total proposed residential is in the high density component.

Hoaglun: I was just thinking from a car perspective, if you are at four -- that's 800 cars,

so -- I mean you are going to need a lot of ground for parking. If you have that many residences and if you think one to two, two to three, depending on, you know, the sizes of the units, how many vehicles, and, you know, we live in America and we like our cars, so it's -- it's just going to take up a lot of ground for -- for a parking lot.

Borgess: We tried to oriented the parking areas between buildings, create areas that were flexible, so that people parking in them could conveniently go to a building on either side. So, that's why you see kind of what appears to be larger parking areas, because those serve multiple buildings.

Hoaglund: Good. And, then, Sonya, since I guess you are -- you are driving the -- if we can just go to the concept plan. It's a little clearer there. Thank you. I want to talk about the Kennedy Lateral. Personally I like water being open and having access, but tell me a little bit more about the plan for that and it appears you have a walking path, but what -- what -- what is that going to look like? What's your -- your concept plan that you have for -- for that particular stretch?

Borgess: Well, I think concept plan is an accurate description of it. We, obviously, have shown what our intention is and that is to utilize a portion of the canal as an amenity -- as a site amenity for us. So, we have sections that will be covered or enclosed where we have crossings and in some places we have widened those, so we have open green spaces. We anticipate the balance of it will have a walking path and although our particular parcel is not identified on the master trail plan of having a requirement for a path along the canal, we are proposing one that connects Franklin down to Cobalt and out to Ten Mile. So, the -- the canal itself will, obviously, have to be fenced for safety and security reasons with an open decorative -- we are not sure whether it is ornamental iron, is it some other type of design and, then, obviously, have a variety of plantings along it, so it's more than just a strap -- you know, a stretch of grass with a piece of concrete down there. But we will probably have seating areas. Little -- little areas off the side of the path that people could sit and, you know, work with their iPad, contemplate life, or those kinds of things, as we move through the site. But, again, as I mentioned earlier, that level of detail at this scale of a plan we really haven't developed, other than the concept behind trying to make that a site amenity and an enhancement or something for -- that's not only the residents, but in this case the community at large, because that won't be secured or fenced, so it is available for the public to walk through that area.

Hoaglund: Yeah. You talked about commercial being impacted by COVID-19 and, you know, the changes that that has wrought and I think the same thing is true for where people live and the open space and amenities that are available, especially for your high density homes, having that ability to be outside and maybe away from a spouse you work 24/7 with, you know, because you are both working remotely and doing some things like that. I just think that's more important in this day and I like -- I like seeing that -- that -- that concept for that.

Borgess: Well, yeah, and we really took that to heart, too, as we worked through our design. I think I mentioned earlier that in our recreation center we actually call it now a

co-work space. We devoted probably about half of the second floor of that building to co-working spaces, because we recognize the dynamics of working from home are evolving. You know, a lot of people been doing it for three months, six months, 15 months and, as you said, some people they start to feel shut in. As opposed to being in a 5,000 square foot office you are now in your 180 square foot bedroom, it's nice to have an alternative to be able to walk from your apartment over to the community building, go upstairs in a nice space that has all of the amenities, printers, networks, Wi-Fi and be able to have a private space or to work in a co-work space. There are open corrals or those kinds of things. So, we have -- we have committed a significant investment in doing that to create that type of opportunity for the community.

Hoaglund: Okay. And my last question -- I noticed you have a concept for garages there for the high density and I'm assuming -- and staff can correct me on that -- that that -- those garages count towards the required parking spaces that are -- go into for that. My only thought is -- is sometimes garages are used for storage, as opposed to vehicles and so just something to take into account. You know, they are moving and they need a place to store that furniture that they didn't get out of the U-Haul yet and --

Borgess: Understand. And I believe -- and, unfortunately, I don't have the statistic right in front of me, but I do believe that we have the high density area overparked, kind of anticipating that exactly what you are saying is going to happen. We may have a percentage of those that aren't actually used for parking. So, we haven't cut it to the bone and done just the minimum, but actually provided some excess.

Hoaglund: Great. Well, I appreciate the time you have taken to -- to focus on this and working with staff and making some changes and coming up with things. There -- there is a lot to like about this -- this concept plan, so -- thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I very much like this concept plan. I think it's definitely different -- and I don't need to elaborate, I think you have heard a lot of talk from us tonight, so I'm not going to elaborate, but the only -- the only thing that I'm looking for is maybe, you know, a little bit more commercial. Whether that's a live-work component, whether that's more commercial and the mixed use commercial aspect of it -- for me I'm needing -- I'm needing that. I'm just needing a little bit more commercial. Every time, as a Council, especially myself, when I -- when I try to design something on the dais it always turns into a huge cluster. All right? And inevitably one asks -- so, Treg, what -- what are you looking for exactly? Well, that's when it gets ugly. And so you are not going to get that from me tonight, because you guys are the professionals, you guys know exactly -- you look at the data, you know what's going to sell, what you need, but that's what I'm looking for. I -- I think that we are almost there. I just need just a little bit more -- more of that.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know we haven't taken any public testimony yet. I was going to kind of keep comments --

Bernt: That's true. That's totally true.

Cavener: -- keeping with the theme. I guess a comment and a question. I agree a lot with what I have -- I have heard from my colleagues tonight. A specific question on this concept plan and -- and we are seeing a little bit more of this and it catches me a little off guard. I don't think there is anything intended. But what I see more and more is the higher density housing is being pulled further and further away from the open space and I really think that's an equity issue. I think the more you stack people in the more open space you should bring closer to them and what I see here is those big high densities are really far away from real usable open space, where the flats, again, less dense, are much closer. So, I'm hoping you can kind of talk me through the why behind that and kind of what the rationale was behind -- and, again, I don't think it was intentional, but I'm just trying to understand the -- the -- the model behind that.

Borgess: Well, I mean it's clear and it's obvious when you look at the concept plan that the majority of the open space is centered around the physical center of the site and along the canal. So, it runs diagonally in an east-west direction and it's toward the center. When you look at how we located the -- at least two out of the three high density buildings, with the exception of the parking that we need to provide, they are almost as physically close as we can get them without pushing them directly up against the easements, which, then, makes the space -- I will call it in the middle of the L, basically you can't access it and you can't utilize it and so it makes it a physical challenge to accommodate the -- anything close to R-40 when you do something like that. So, we have tried to locate the majority of the high density buildings in a reasonably close proximity to all the open space. Yeah, we do have one building, the one in the southwest corner, that is somewhat removed from the open space. From a distance standpoint those two high density buildings -- I can't see their numbers -- are probably as close to the open space as three of the medium density buildings and at least two of the townhouse buildings and probably all of the mixed use residential commercial buildings.

Cavener: So, Mr. Mayor, follow up if I may. Adrienne, sorry, I didn't mean to cut you, but is -- is the podium screen, is it interactive? If they touch it will the screen advance slides?

Weatherly: Mr. Mayor, Luke, if you use the keys on the keyboard it should advance and --

Cavener: Adrienne, sorry, I don't want him to have to advance, I guess I just am asking maybe if the Council and the applicant to kind of humor me with -- with an exercise, which is take your hand and cover -- cover the high density and -- and look at your -- your site plan. Man, that looks really thoughtful. Really creative. I get really excited about that. Now, what I would like you to do is take your hand, cover the commercial, cover the flats,

and look at the high density. And let me ask you if that's something that we are really excited and proud about, because I'm not -- I'm not quite there on that piece.

Borgess: Well, part of that is the nature of -- okay. So, when I cover the high density and I expose the rest of it, then, the open space is, basically, surrounded on two sides. I mean it's a triangular shaped parcel, each of those, by the nature of the canal going through. When I do the opposite I, then, only exposed one side of the open space to the high density housing. So, from a standpoint of looking at it from which is closer, by that illustration, yes, it does appear that way. But, again, the recreational element and the open space is maybe not exactly, but pretty close to the center of the parcel.

Cavener: But what I -- and you had a slide I think that -- I was trying to write down the numbers -- of how many people were living in each one and, again, I saw it fast, but my -- my belief is that the vast majority of the residents are going to live in the high density piece.

Borgess: Oh, sure. Just by virtue of the number of units.

Cavener: So, again -- and I think that's -- that's where some of my challenges are, is that where you are housing the greatest amount of people is the furthest distance from the open space and the amenities and I just -- I think that that's an opportunity to -- to improve this application to better serve the residents that are going to live there. That's just -- just my overall opinion. I think there is a lot to really enjoy and I really like about this project, but that's a piece that I -- I'm just very sensitive to.

Clark: Council Member Cavener, if I could maybe throw a couple pieces onto this. So, one thing that I think we have to keep in mind is the two different comp plan designations that split this property along the Kennedy Lateral. So, the high density residential is everything south and west of the Kennedy Lateral. Mixed use is everything north and east of it. We have more opportunities with the mixed use commercial actually to be creative with that. But one thing to keep in mind is that when you look at the Ten Mile Interchange Specific Area Plan, which we have got to get a good acronym for, is it calls for these public gathering spaces to be centrally located within the development, which is exactly what we have done here and pulled it as far to the -- as close to the high density residential as -- as we could and be able to take advantage of that Kennedy Lateral as an amenity. So, you know, I think what we have done here is -- your -- your point is very well taken. But what we have done is try to create a centrally located open space event area that is available to everyone through the project.

Cavener: And, Mr. Mayor, if I may. Again, I don't -- I'm not trying to assume any ill intentions. I think that you -- you are achieving what you set out to do. I just think unintendedly you have -- you have created a large separation for where the largest amount of people are going to live and I think that as much thought as has been put into this and many of the charrettes that you share show an active community where people are going to want to live. I don't take it away that that's what you are hoping to intend. I said just from my perspective looking where your high density is you are not meeting what

I think you are intending to do with your entire project.

Clark: And I think I would agree with you more, Council Member Cavener, if that open space was located more in the northeast quadrant. I mean if you look at it from the overall scheme of things here, it's -- it's actually southwest of the center of the project, up against the Kennedy Lateral and if you look along here, we do have a number of pedestrian pathways that connect that in and make the whole thing interconnected. But we are dealing with two different comp plan designations and so that -- the high density residential really does need to go right there.

Strader: Mr. Mayor?

Simison: Just to follow up on that one -- I mean on one hand you are saying they are different. On the other hand you are saying it's integrated. You don't get to have it both ways. So, if you -- if you -- if you look at it from a standpoint of, you know, the one might have zero open space in the high density residential portion. So, at least to me you don't get it to -- you don't get to use both arguments in order to make it seem like it's meeting the intentions of the overall plan. That's -- and I'm with Councilman Cavener, that, you know, even having the lateral day lit to a certain extent creates a natural separation that, yeah, you can create bridges, but it doesn't -- it may be a nice amenity, but doesn't even feel -- it makes it seem more separated. You know, it really does seem like the other -- you know, I live in the other side of the tracks, south side, you know --

Cavener: Whoa. Whoa. Sorry, Mr. Mayor, moment of privilege.

Simison: I know. We both live there.

Cavener: I will not let you disparage the --

Simison: I'm not disparaging. I --

Cavener: -- those who live in south Meridian, the other side of the tracks.

Simison: -- love it, but it is the -- there is that natural barrier divide, despite having Locust Grove and, hopefully, Linder Road overpass, it's still a physical barrier no matter how you want cross it, you know, from a practical standpoint, so --

Perreault: Mr. Mayor?

Simison: Council Woman Strader.

Clark: If I could -- I -- I'm not trying to have it both ways here, I'm trying to explain that there is a context that there is two different comp plan designations that are split by a natural barrier and that we have tried to be mindful of that natural barrier and those two Comprehensive Plan designations in the way that we have sited the open space, you know, and we have been creative with that, because when you look at the Ten Mile

Interchange Specific Area Plan it does speak to these centrally located plaza areas and that's exactly what we have done.

Simison: Well, then, to follow up on that question, again, if -- if you take the lateral as the bifurcation of this project, do you have ten percent of your -- ten percent open space in the southern portion of this project?

Clark: Mr. Mayor, I don't think it's calculated that way with -- with respect and the -- we -- it is one integrated whole.

Simison: Correct. But you keep -- I understand it, but it's also you don't get to say, well, it's -- it's -- that's why it's really down there. That's what -- that's meant to be there.

Clark: Okay. I get it.

Simison: That may be what's meant to be there, but you don't have any open space there if you use the laterals, but one percent near that space if you -- if you want to use the comp plan designations differently there is really nothing in that southern portion, if we are going to apply these differences and not with the -- at its whole. Even though I recognize that's where they need to be based upon the comp plan area.

Clark: But that's -- that's my only point I'm making, Mr. Mayor.

Simison: Okay. Council Woman Strader, sorry.

Strader: Oh, that's okay. I mean the good news is you are getting a lot of rich feedback, so you will be able to use that at a future time I'm sure. My question for Sonya. We have a Comprehensive Plan with two different designations. I guess I'm a little surprised, because I have seen people in the past try to float designations and I would think with something like this we will be able to look at it more holistically if we feel like the appropriate amount of different uses is served by the whole project. So, I don't know if Sonya can kind of comment on what flexibility there may be here.

Allen: Mr. Mayor, Council Woman Strader, Council, you are absolutely correct. The Comprehensive Plan is a guide. It's not necessarily written in stone. Some of the designations can float a little bit if deemed appropriate. The applicant is -- is proposing development in the high density residential designated area consistent with the plan. There are a mix of multi-family and vertically integrated mixed use residential, combined with office and commercial uses consistent with the plan in the northeast portion as well. We look at the multi-family development overall so far as open space and site amenities. You know, the comp plan does state in mixed use commercial areas that no more than -- I think Layne mentioned this earlier -- no more than 30 percent of the ground level development should be used for residences. I'm not sure exactly -- I know they are right in there. I'm not sure exactly where they are at on the ground level and they might be able to address that closer.

Strader: Thank you, Sonya. That answered my questions.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Here I thought I was going to be the hardest one on you this evening. So, a couple of questions. Was there consideration made of live-work units? I know there is some other -- there is some other developments in Meridian that are incorporating these. But in a smaller way maybe there is -- maybe there is eight or ten in a project of this size where you have, you know, a small shop in the bottom where you might have a chiropractor's office or nail salon, individual users, and, then, they have residents above. It seems to me like that's been -- I know that there was consideration made of putting that in the Orchard Park development at Linder and Chinden. I know that the Pine 43 development's putting them in. Was there any consideration made? It seems like this would be a really great location for that and I don't know what the -- I don't know how well those have leased in those two. Orchard Park isn't far enough along yet, but that was part of their concept plan was to have those. I like that, because I think it not only brings in some -- an additional variety of uses that are -- that are smaller uses that are more neighborhood uses than these larger commercial properties do and it also goes along with what our, you know, Comprehensive Plan elements, which is -- which is the live and work piece. So, I was really hoping to see something like that when it was talking about sort of the creativity element of it, it was not only do we have places, as you mentioned to come and sit and think and sit there with your dog and, you know, that kind of -- kind of plaza feel, but also this integration of the live and work where -- you know, kind of more of a metropolitan idea where you have residences above and retail -- or shops below or some -- you know, some sort of use below. I would like to see that. I'm curious if you have -- had looked into that, if you are -- if your consulting team had looked into that. That's the first question. Second question is is as Council Member Hoaglun pointed out, you have one area -- so -- so, essentially, you cannot turn left anywhere on Ten Mile Road in any of those exits. So, if you are down here in the grocery store area and you need to get back up to Ten Mile, take me through where you are going and how many residents you are hoping not to hit on the way there. No, I'm kidding. But, please, take me through -- I mean that seems like that grocery store is an anchor and now you -- the assumption for -- for me the assumption is if you are going to the grocery store you are probably not headed south on Ten Mile, you are probably headed back north on Ten Mile, assuming that you don't live in this area -- I mean in this -- in this 40 acres. So, how do I now navigate -- you know, I need to stop at the groceries -- grocery store for five items, how do I now navigate out all the way to Exit A and get back out to Ten Mile Road? We see some of this challenge with the intersection at Chinden and Linder where the -- the Fred Meyer development is and especially in that northwest -- I mean it's almost impossible. There is no way to turn left anywhere and I think it most likely affects those businesses for sure, although I -- I know you guys will do an assessment of that. But help me understand that, why you would put an anchor store down in an area where getting north would be harder to do.

Borgess: Well, to access Ten Mile north from the grocery store we call that area pod five down there. You have two options. One of them is to travel north on -- which I think would have been Access B, if you remember where Access B was, all the way -- that intersection does allow right-in and right-out. It is approximately 450 feet from the intersection. As an alternative to that you could make a left up at -- I will call it Roadway C that was on -- that runs east-west down to Access A and, then, exit the site there at Access A. Does that make sense?

Perreault: No, I don't have the -- is C the -- the northern one that --

Borgess: Yes. C would be the northern most access on Ten Mile.

Perreault: So, run me through that again. You would --

Borgess: Okay. Yeah. This is perfect. Okay. So, from the location that the grocery store is currently proposed, you can either travel up -- I will call it Road D and exit there or you can travel up to Road C, make a left turn onto Road A and, then, exit from that location.

Perreault: Okay.

Borgess: And, then, to answer your first question, before I forget that you placed it, was having to do with the mixed use buildings.

Perreault: Uh-huh.

Borgess: We did do some consideration into the type of vertically mixed use buildings that we could do on this site and what we, obviously, were focusing on is what type -- what type do we have the greatest chance being successful with and being successful means that we find ground floor tenants. We are less concerned with -- with finding the upper floor tenants for the residences, because of the nature of the demand right now and based on our research we felt that the majority of success we have seen with the real live-work where you work downstairs and have an apartment sometimes even attached to it to where you just go upstairs from your shop, are units that in most cases are sold and not rented. So, then, we have a different dynamic of a different type of building, rather than a building that we can lease spaces out and we just felt that our chances of being successful with having something that we could actually achieve the plan that we have proposed would more easily be done with a flexible ground floor that could be service commercial, you know, could it be a dentist, could it be an eyeglass shop, could it be a State Farm Insurance agent or a nail salon -- would be easier to get those kind of tenants, because what we are trying to focus on is -- and I think I said this earlier -- was a type of commercial use that are -- can be supported by this residential community that we are creating. You will notice the grocery store that was proposed is -- I think is 18,000, probably be somewhere between 16 and 18 thousand feet. This isn't a great big 35, 50, 60 thousand foot grocery store where you are going to do three weeks worth of shopping. This is a store that can support the people here that don't want to get in their car and drive down the street to Albertson's or the nearest large market. They need to go to a drugstore,

pick up sundries and various things. They can walk to it within the community and we see that same type of service-related tenants moving into a vertically integrated mixed use more quickly than somebody that says, well, I have got to buy it and given what we are still experiencing with COVID fallout, there is not as much ability to buy, there is a little more apprehension, so that's why we made the decision to use that type.

Perreault: So, this entire development will be managed by one entity?

Borgess: I believe --

Perreault: Individual commercial buildings won't be sold to users?

Borgess: I don't believe that's the intent. The intent is to basically build to suit and I believe Erik and his partner Mark are planning to maintain ownership and operation of all the properties.

Perreault: One more question. When you have a development like this that is in a different area of the city, not near an interstate interchange, I think it will look different, but because this is near the interchange it seems a little light on the sizes or the uses to -- I guess -- I guess I expect or anticipate -- and maybe this is my limited thinking based on just how our whole value is developed -- is that near -- near the interchange you are -- you are going to have just a significant amount of folks coming and going in, so, therefore, your uses would be a little bit less of a neighborhood feel, although I know we have limited -- we had really specific regulations in this area, because we have got the Comp Plan and, then, we have got the Ten Mile Interchange Plan and so we are really trying to specify and narrow down what it is that you are attempting to do. I realized that that -- there is a lot of restriction in that. But just help me understand how you took into account the interchange as you designed this. Obviously, on the east side those are a lot larger buildings, you kind of have that business piece of it, but I just -- I kind of expected -- would expect to see something like this, not near an interchange. So, help me understand how you took that into account as far as number of cars coming and going. Users. This just seems like it's intended to be its own island and we could put it anywhere in the city and not take advantage of the fact that we are near an interchange.

Borgess: Maybe if I get a little clarification. Are you asking specifically about like the sizes of the buildings or -- maybe you can help me understand the question better. I'm sorry.

Perreault: Absolutely. Great question. So, my assumption is is that you -- that because of its -- of this location you will potentially have a lot of people stopping in this area that don't live in -- in this -- in these residences because you are on an interchange. I mean I live off a Ten Mile. That it is an insanely busy street. You are likely going to have people they are going to want to stop in here -- a lot of people wanting to stop here that don't live there and so while you -- the intention is to create this island, you know, development that's focused towards the residents, by the nature of the location of being off an interchange you are going to have a lot of people stopping there that don't live there and

so I think -- you know, I mean I -- I love the fact that we are talking about the pedestrians and the use and that is the intention of the Ten Mile interchange to some extent and we need to consider that. On the other hand, we also have to consider that there is going to be a lot of people stopping here that don't live here, because there isn't a grocery store on the other side -- on the east side. There isn't a grocery store within several miles. There -- there isn't a nail salon -- you know, that -- that -- I know that eastern side still has some development to do and some -- and some buildings to fill up, but in this whole area and -- and how it's playing out and what the plan -- the residential -- the anticipated residential and whatnot, this is going to be the only location that potentially has some of these uses and -- and this is not a -- these sizes are not significant enough to support the amount of traffic that's going to come in off that interchange and potentially attempt to use these services. So -- does that make sense?

Borgess: Yeah. I mean I think I can understand what you are suggesting. I mean the project proponents probably would be thrilled to find out that they have a -- you know, supersized demand for everything right off the bat. I think -- I guess when we looked at it from a master planning standpoint and looked at the specific plan, we found it difficult to maybe marry up the concepts in the specific plan with larger footprint, larger box, either whether it's retail or office buildings, if you, you know, referred back to the illustrations or the renderings that we did of the street atmosphere that we are trying to create and if you look at the way each of the pods are designed -- for example, if you look at the pod between Driveways A and B, you know, it essentially follows the concepts in this specific plan where we kind of wrap the pod with the buildings and we put all the parking on the inside. So, from a visual standpoint these large parking fields don't become the predominant thing you see. As the buildings get bigger and larger, then, obviously, the parking demands get bigger and larger and you end up with large parking fields and it becomes more difficult to achieve this. In addition, you know, all of our street networks -- I keep calling them streets, but they -- they aren't city streets. They are not public, they are all private, although our proposal is to develop them in accordance with, essentially, almost identically the public street standards that are developed in this specific plan. So, these are all things we have done to try to improve and enhance circulation by using public designed infrastructure in a private manner inside, but still create the ambience and the character that we think is what the specific plan is looking for.

Simison: I'm going to hold my questions for later if we can get into the public testimony, if that works. Okay.

Clark: Mr. Mayor, if I could, I don't want to let a potential question hang out there and Council Member Strader had mentioned at one point a question about the -- the ACHD traffic impact study at the beginning of the conversation. So, I wanted to be able to resolve that if there is a question about it. ACHD has approved the traffic impact study and in connection with the report they issued here recommended approval of the accesses that we have identified, but as far as I'm aware there is no disagreement about -- I think your comment was related to disagreement on the traffic impact study, but just wanted to resolve that if that was still outstanding.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess to briefly comment on that. I'm just reading their agency report that says, quote, we do not agree with the traffic impact study. And, then, furthermore that they barely meet the VC ratio of .90 a.m. peak and some other things. So, I think that's okay. I think it's important for us to get to public testimony and we could always loop back on that point.

Simison: Madam Clerk?

Weatherly: Mr. Mayor, we have two people who signed up, one indicating a wish to testify, and that's JoAnn Butler.

Simison: If you could state your name and address for the record and be recognized for three minutes.

Butler: JoAnn Butler. 967 East Park Center Boulevard, Boise. Representing the property owner immediately south of the applicant's property. Brian Black and Hotel SLC and AmericaTel entity. As staff knows, our client -- they have about 105 acres and we have been working with Meridian 118 -- which is 118 acres. A little bit to the west and the south. And we are working on a cooperative agreement to do the development and construction of Vanguard that would lead from Ten Mile all the way over through our client's property and, then, to the western boundary of the Meridian 118. So, we are very active in working with our neighbors on coordinating construction activities, especially road -- road activities. This application is for annexation and rezoning with a development agreement and a preliminary plat application is yet to come before you with specifics about the development and the development at that stage with preliminary plat, the specifics of the roads and the utilities become honed down between the property owners. As you could see on the concept plan that you have in front of you, the development issue that's of most concern to us is the alignment of Cobalt Drive. The alignment of Cobalt is shown on the concept plan and that concept plan will be attached to the development agreement. The conditions of approval on -- especially 1-A on page 23 of your staff report, require the applicant to substantially comply with both the concept plan and the Ten Mile Interchange Specific Area Plan. We are not convinced that the Cobalt alignment meets the guidance of the SAP, because it is shown on the future land use map -- or the map as above the property line and that alignment below the property line doesn't meet ACHD's policy manual to go to and through the applicant's property, but -- and when we originally saw -- you might have noticed sometimes tonight on your maps you have had two different maps in front of you. One where Cobalt straddles a property line and one, like the concept plan that we have here, where Cobalt, after the curve down to the property line, is -- is solely on our property -- our client's property. When we originally saw the -- I'm basically trying to tell you how -- how we got to making these comments to the city's Planning and Zoning Commission and to the applicant. When we originally saw the drawing that showed the Cobalt straddling the property line, we were just -- we expected that. We expected that they would go to and through, dead end at their property, and we talked to

our designers about taking the road from a dead end going straight south. The location of Cobalt solely on our -- our client's property would seem to burden our client's property and it becomes an off-site improvement that is not appropriate or fair. But we did raise these questions with the Planning and Zoning Commission and we did raise these issues with the applicant and I have to say the applicant has been very willing to meet with us and to work towards a resolution of this and they have proposed a way for the adjoining property owners to work together fairly, we hope. The devil is in the details with the development of Cobalt. We haven't been able to put pen to paper yet, but we certainly intend to do that as they make application with their preliminary plat and we would want that complete before you approve that preliminary plat. So, we would add -- we are basically raising this issue, so the Council remembers that the two property owners are going to be working together to equitably attempt to share in the cost of constructing Cobalt.

Simison: JoAnn, if you could wrap up, please.

Butler: Yeah. That's pretty much it. We are looking forward to working with the applicant on making that happen.

Simison: Council, any questions?

Butler: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: JoAnn, if you -- if you wouldn't mind, if -- if we were to have them in here do to and through, at some point, you know, as we have heard from staff, that's going to -- they run into a parking lot or a back end of somebody's home, whatnot, on the property that's still to the west. It would have to curve back onto -- fully on the property of your client. Is that -- is that a correct understanding of how that would work? If --

Butler: From a -- I would -- we would have a couple of things and I -- I can't speak for the traffic design, other than what are -- my -- I can tell you what our designers have mentioned. You can curve down closer to the western area -- to the western boundary or we actually did do a design where we saw Cobalt dead ending at -- dead ending at its western property boundary and, then, taking -- kind of T'ing and, then, going straight south. So, that looked like it was -- it was possible. If we -- if we reach agreement it looks like we won't have to address that at all.

Hoaglund: And that's my hope I guess.

Butler: Yeah. Right.

Hoaglund: Okay. Thank you.

Weatherly: Mr. Mayor, that's all that indicated a wish to testify.

Simison: Okay. This is a public hearing. Is there anybody else who would like to provide testimony? If there is anybody online that would like to provide testimony, please, use the raise your hand feature, so we can allocate your time. Please.

LaFever: Hi. My name is Denise LaFever. I'm at 6706 North Salvia Way. One of the things I noted in here is that there is a cost savings by tiling the canal and it counts towards the open space calculation. With that said, I do like the idea of having that open. But what I would like to see is that if a waiver is granted and approved, I would like to see the amenities locked into the DA. Benches, fences, bike stations and other safety features. I also noted that on the side with the high density apartments, I don't see any pathways or amenities to help out that high density thing. Maybe I'm missing that. Also I'm very concerned about -- there is no left-hand turn, which poses a possible safety concern for travels, both on Franklin and Ten Mile for people pulling out into traffic coming down those roads. We are seeing that really heavily now with Costco and some of the other developments off of Chinden. Given the intensity and density of the development, I'm concerned about the developer using off-street parking for meeting parking requirements for residential and visitors. But my biggest concern comes down to the school district. The school district only reports current enrollments and factors in estimates for this development. It fails to factor into surrounding already annexed and permitted residents for the City of Meridian and the other surrounding cities. This project amplifies the future strain on schools, school budgets, and taxpayers. Did I mention developers pay no impact fees? The burden will be borne by the taxpayers. Is that fair? The school letter stated levies for future school will be done. They -- they are looking for people to donate land. For the fairness of the residents I think this really needs to be looked at. I'm concerned about the lack of services for residents in Meridian and the need for commercial. Much of our commercial keeps getting turned into high density residential through the CUP process. The concept plans have been troublesome in the past. Developers come back and state this was a concept plan. Things change and that opens it up for waivers, CUPs, alternative compliance, UDC changes, rezones and DA changes. These can lead to major depart -- departure from the concept plan, especially over time and in some situations it can go back through and drastically changed what the public was thinking they were getting. Thank you for your time.

Simison: Thank you. Council, any questions? Thank you. Is there anybody else that would like to provide testimony on this item at this time? And we had nobody else online indicate that they wish to testify?

Weatherly: Mr. Mayor, that's correct.

Simison: Okay. So, would the applicant like to come forward for final remarks?

Clark: Mr. Mayor, Members of the Council, Hethe Clark. 251 East Front Street. Just a couple comments here briefly. With regard to schools, West Ada did provide a letter and

it showed that there is capacity at Chaparral Elementary, Meridian Middle School and Meridian High School. So, I think that that has been addressed by the agency that's, obviously, in charge of that. With regard to parking, there is 930 spaces that are required for the residential. We have provided 1,034. So, we have got somewhat excess parking. And, then, I did want to thank JoAnn for her comments and we do look forward to continuing that conversation with our neighbor to the south. We will continue that through to the preliminary plat and, you know, expect that whatever resolution comes out of that would be consistent with the specific area plan. And, then, with regard to -- I think I would just end with a comment about what the standard is here. You know, we want to make sure that we are meeting the vision of the city. The vision of the city is expressed in the comprehensive planning and as the staff report has shown, that comprehensive planning is reflected in the zones that we have identified and the densities that we have identified and the layouts that we have identified and so, you know, a lot of thought and work has gone into this over the past several months. This has gotten a lot more detail at the concept plan level than I think I have ever seen and I would ask for the -- for the Council's approval on this. I just don't want the Council to forget that we are asking for that waiver on the -- on the Kennedy Lateral. So, whatever motion comes out of this we would ask that -- and, hopefully, it's an approval and that it would include that with it. So, happy to answer any final questions for the Council.

Simison: Okay. Thank you. Council Woman Strader.

Strader: Mr. Mayor. Hethe, you know, you have gotten a lot of feedback at this point. Just curious where the applicant's head's at. You know, personally if I -- if I were in your shoes I would consider like a continuance, maybe take a look at some of the hot button issues and come back to us. That's just me. Just curious what your feedback is or if you want us to vote on it tonight, up or down vote. You guys are in the driver's seat, so let us know based on what you have heard so far.

Pilegaard: Good evening, Mayor and Council Members. Erik Pilegaard. 10891 Olana Drive, Truckee, California. If we had the users in tow for your commercial we would be happy to build it. We would be happy to come back and where we have the -- the town flats, where -- on the right side, to add that commercial space. We would be happy to. The demand is not there. Winco passed. They are one of the major -- this is their home base. They passed for the commercial. If there was an office user that came to us we would be happy to come back to get more commercial. The data shows us and tells us that there is not that demand there and I think from the COVID aspects -- I don't want to have to come back later and do like -- I spoke with the planning department, we are losing some of the commercial. Why are we using that -- losing that? Because I don't think there is a demand there. It's more profitable to build commercial and to service a community than to do flats or commercial and residential on top. So, if the demand was there I think we would definitely show more commercial in that particular area. I had under contract the kitty-corner piece that you approved several months back on Ten Mile and Franklin and there was a lot of commercial there. He is the big Costco developer that's fairly successful. I don't know if -- because this is a going-to-work side, with our access issues that we have, right-in, right-outs -- we don't have any left turns. We don't

have a stoplight. If we had those accesses that's what those users want and need. So, if -- ACHD told us there is no future signalization there, so that left turn that Council Member spoke of doesn't exist. We have right-ins and right-outs. Very -- very left turns and, again, commercial needs that to survive for your access to come in and come out. Across the street the Brighton development, they have office, large office, but if you look at their retail commercial it's struggling. They have vacant space that they have spec'd and I don't know if that's from COVID or where it's located, but, you know, we don't want to be that guy that makes mistakes. We want to make something that's successful. We think the -- the commercial development that we have will really help and sustain the residents that we have there at that population base. We don't have any signed commercial deals at this point. Maybe one coffee. And we have the -- we field the best marketing team in town to get that done. There is no big grocery anchor. We slatted a grocer there to accommodate one, but we -- the demand just is not there. So, the accesses I think really drive that. If there was better access to this particular site I think the commercial or a signalization would be huge. Would be huge. So, hopefully, that helps out from where our perspective is. We worked with planning for several months and went through several iterations of the design to conform to what the city wants. The concept plan, the interchangeable plan. We tweaked everything we could to meet their demand. Hey, this is what we want. This is the vision of the city. We tried to illustrate that here on this development. If you are saying, hey, go back and kind of redesign and put some more commercial in there, I'm happy to take the three, you know, light green and make that all commercial, but I don't want to come knocking on your door in five months and say I can't lease it. I'm not going to spec it until I have a tenant. I'm just being honest what the market conditions are. I think the rooftops that we create there for families will help generate some more commercial. The office complexes that we have here, we have had maybe one dentist or two dentists look and that's about what we are seeing from that aspect. So, this is what the market is telling us to do and we have complied with, you know, planning and worked very diligent with them. I mean a lot of renditions. So, I hope that helps explain that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I just want to explain where I'm coming from. I'm just one vote. But just, you know, so you are not -- so, you are not surprised by the decision. You know, look, I -- I totally understand what you are saying about market conditions. I think the challenge is that we are making decisions about the city that will take us decades into the future and so we have to really decide how much land we need for commercial and really looking at that holistically is an important part of our job. So, if the market conditions don't support commercial development today, maybe it won't happen, but that land needs to be available for commercial in my opinion. And I'm also struggling with -- similar to Councilman Cavener, the layout of the high density residential and feeling like there is not kind of fairness of access to the open space and I just think there is -- there is more work to be done. I think if you were to, you know, do -- do some more work on it, perhaps you could work with our economic development team, who are very good, you know, who may

be a resource available to you to help with some potential users and so forth. But I'm not there yet today and I won't be voting for this. So, I just wanted to be clear about where I'm coming from.

Pilegaard: You know, you indicated something earlier -- there is flexibility in the -- flexibility in moving zones back and forth. We had to follow the guidelines from planning, not to be able to pluck a four story building and throw it across the creek or the canal to integrate it more, to make it feel more part of that community, or take the clubhouse section and move it on the other side -- on the high density side. But because we are -- you know, we are constricted with all of the guidelines that you have set forth -- are you telling us that you are willing to move those guidelines around to better integrate the site? I want to understand what I'm hearing, so I can, you know, adapt.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: It's -- it's not -- well, let me say this: What you just explained is exactly the struggle we have every time we do this, right, and as Council Woman Strader said, we have to be very forward thinking about it and you are looking at this as a -- in a point in time and we are looking at this in -- now and in the future, but also, please, understand that we regularly hear from our residents as to what they are looking for and we are -- and part of our Comprehensive Plan and all of the regulations that are put into place, those were all created with citizen groups and individuals who are very interested in the outcome of our community and so, yes, this is the city that's -- that's communicating this to you, but so much of -- as we are sitting here thinking -- thinking about this project, we are also keeping in mind the variety of input and public opinion that we receive and so while it may seem like it's just the six of us having really strong opinions about it, a lot of it is coming -- as you know, you -- you all present before councils and -- and groups all over -- all over the place on a regular basis, so you know this, but as far as the different -- the R-40 versus the mixed use commercial, we have had applicants come before us in the past who have asked us to float those designations to create a more integrated development that would require a different application that would come forward from you, because, then, it would be a -- I don't know exactly, technically, what the difference would be if it -- if it is -- it's not a Comprehensive Plan change, is it? Maybe that's a question for staff. If they were to come and request a different -- in the R-40 section, that they would not be able to meet the limitations of that, if they -- if they were to alter this plan according to the conversation we are having here in Council. Perhaps Sonya can --

Allen: Mr. Mayor, Council Woman Perreault, I'm not sure I was entirely following, but if -- if you are talking about the high density residential designated area in the southwest corner of the property, if -- if they are proposing a development that's not consistent with that, then, generally, it would probably require an amendment to the future land use map. If it's -- if it's -- again, it's a guide. So, it would really depend on what they are proposing, whether or not we could float, so to speak, some of the adjacent future land use designation -- it just -- it just depends what you are -- where you are going.

Perreault: I think if we ask the applicant to go -- to go there that we should be really clear about what it is that we --

Allen: I agree.

Perreault: -- or that's different, because that is -- that's a significant ask from a -- from a cost standpoint from an application. Other public hearing time delay. Obviously, again, as Councilman -- Council President Bernt explained, we are not here to design this for you. That's not the intention. We are just trying to be forward thinking, so --

Clark: Mr. Mayor, Council Member Perreault, you know, I'm in front of you guys all the time, you know, one of the things that we hear most often is, you know, respect the plan -- you know, respect the comp plan. Don't come in with land use -- with FLUM amendments and, you know, what we have tried to do here is exactly that. We have worked extremely hard to -- to align what are a number of competing interests; right? So, when I look at this site I look at it and my initial thought is, wow, two principal arterials; right? There -- there should be something massive there. But, then, you have also got Meridian's policy and ACHD's policy of restriction of access onto arterials; right? You guys have to give us a waiver tonight to be able to get those accesses. ACHD -- we had to -- I don't even want to describe it. Yeah. I mean we had to work really hard to be able to get even the right-ins, right-outs that we got and that constrains commercial. So, you know, absolutely, we -- we want to listen to the Council and, you know, if Council can give us specific direction on things that you would like us to take back to the drawing board and come back to you in a few weeks, then, I -- you know, I -- I would be an idiot if I didn't say, yeah, we will -- we will consider that rather than risking going to the -- you know, having to start the whole thing over. But I -- just I really have to emphasize that -- how much -- how hard we have worked to meet the existing comp plan as it exists and to align all these factors, you know, which I think that the commercial elements of this really have to be taken into account given the limited access, so -- and, obviously, anytime you guys issue a denial you have to give us specific direction per state code as to what to change to -- in order to get an approval. So, you know, in this instance if -- if the Council can give us specific direction, we will -- we will take it back and we will see what we can do and -- and, then, we would have another conversation with you. But we really need specific direction and we really need to know that the rules that are in place at the time we make our application continue to be in place by the time we get to Council.

Simison: So, a couple questions. I don't know who all is best -- Sonya or somebody else, but a light on Franklin. Is it likely that there is going to be a light right on the other side of that canal that aligns with the apartments to the north and the Ten Mile secondary -- I know ACHD eventually does not want Ten Mile turning left out of their main entrance, but if there is going to be a light in the area that's where I would think one would be based on what I'm seeing. So, my question is kind of -- is there a reason why there is no contemplated cross-access to the property to the west, even though these are private? Can you kind of help me answer that? But it's like a connection might help with some, because it could give a potential light access in the area, but I don't know if that would be

contemplated in that location or not by ACHD or others. If it meets our policy. If it's far enough away. But I'm envisioning that someday there is going to be a light at that location. That's just my two cents, so --

Clark: Mr. Mayor, I don't know the answer on the light question, but in terms of the cross-access to the property to the west, that -- the property to our west doesn't have a connection to us, so that's why there is not one shown.

Simison: Okay. Good to know. The second question, minor, if I missed this. Lower right-hand corner, there is nothing in this concept plan. It's on your property, but it's just like -- is there anything -- open space, are you -- oh, swap? Okay. I must have missed that completely then. And, then, the final thing, just as -- it kind of goes back to those three apartments down in that corner, like to me even looking at flipping them, so you take away the parking that's between them and the open space, just gets it closer. Now, I know that's going to create a mass of parking on the -- further away from those buildings, but at least, then, it doesn't feel like you are separated by a parking lot from the access to the open space, you know, and I don't know if that helps or hurts, but what I also heard you say is you got more parking than you need, so perhaps you could take out some parking in order to have more -- in order to put in some green open space for people.

Borgess: I guess the only thing I would add to respond to that is that the specific plan -- I'm sorry? Oh, yes. Layne Borgess. 11500 Armor Court, Gold River. 95670. What I would add to respond to that is that the orientation of the -- two of the three high density buildings are specifically done that way because the specific plan basically dictates the building be placed up to the street with minimum setbacks. So, the plan encourages straightforward buildings, as opposed to pushing the buildings up against our open space and having a parking lot of three or four hundred cars as the frontage to Cobalt Drive. So, that in tandem with the orientation and the location of the canal kind of, in a lot of respects, dictate how those three buildings are oriented and organized on that portion of the site.

Simison: I knew that was the case. I didn't want to suggest a parking garage, but that to me is probably really the solution to create the space down there or a different design. Because, yeah, otherwise, just a lot of parking away from the building. My two cents, but I want to wait. I'm done.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. One of the things that -- because I listened to all the comments and feedback and plans and looking at this and trying to figure things out, you know, one of the things that strikes me is the future land use map does show high density residential on that side of the creek and those are our rules and that's what we put into place. I mean it's a guide, we can change things, but, then, you are going to -- if you look here on the left of that FLUM there is the high density residential. It's right where we wanted it to be.

Then, if we go back to that concept plan, I look at it, go, okay, what can we do to make it closer? Well, what if we have them move that lower right-hand side, high density one, and that's a nice triangle we could have them flip that and put that down there. Now all of a sudden you are on Cobalt Drive, you are far away from all the flats and everything, you are not centrally located, but you are much closer to high density and they can add some flats here and townhouses there and whatnot, but it's like, well, then, that goes against what we want and that's, well, make it centralized. Someone's always going to be farthest away from -- from the open space or clubhouse or something like that. The walk to our big swimming pool is a long ways away and to the big park and to the nice park and everything else where we live in our subdivision. Hey, I'm going there for exercise, so I'm going to walk. Hey, that makes sense, so -- so, it's -- you know, as we try to reconcile these different things and different thoughts, I don't come up with a solution, especially when it's a response -- the design is in response to what we require and -- and that's, you know, a light on Ten Mile and Cobalt would make sense, but I get how close it is to Franklin. Right-in, right-out, I -- I had noticed growing up in Meridian, it didn't matter where you go you could -- you could access, left, right, didn't matter. I now think in terms of what is on the right side, what can I do business wise that takes me this way at some point that I can turn and, then, I'm going to come back and do business on the other side, when if I have to go back and forth. You just have to plan ahead now. It has changed. Not that I like it, but it is what it is and we are not going back. The clock's not turning back. So, now we have to deal with these factors of, yeah, this is going to work traffic. I mean that's -- when I go up Ten Mile Road I am going to work and, yeah, if there is a coffee shop they might stop there. Dry cleaners. I don't know. We are going more casual. I don't know if dry cleaners are going to last really. But anyway. There is some specialty things that need drycleaning. But, yeah, all -- all these things that -- that we would like to see -- I would love to see more commercial there. But at the same time I think about what skin do we have in the game for that? We don't have any. We want that. Okay. Where is our market study? What tells us that it will support more commercial? I don't have that. You guys have the skin in the game and I think you are paying a lot closer attention to that than -- than we do. Council Woman Strader's point is -- is spot on, that point long term, if things turn around and we needed more commercial, that would be great to have more commercial there. But how do we balance that of time and money and -- it's not our money. It's not our -- you know. That's -- that's a tough one. Do you just scrap the whole thing and say, well, we are going to wait five years? Well, then, what? Well, things could change. What's the market dynamic? It could change this again. I don't know if there is any perfect time. I -- we try really hard to get it right and it's -- it's not easy. It's -- it's really not easy. So, just -- just my thoughts. I -- there is a lot of elements about this I like, trying to create that sense of place of people that the clubhouse I think is going to be an amazing amenity with -- with the extra things that you have. Yes, there are specific tweaks we can provide you to come back and say, okay, here is what I see. You know, is it more open space in some of these corners of high density where there is a tot lot or something that I think Councilman Cavener was alluding to that, you know, what -- what can be a little closer, you know. Maybe that's something that could be worked on. But I would like to see us get kind of more specific than -- you know, I -- because I even thought, Mayor, the same thing, turn -- turn the buildings, but our plan doesn't allow that. I mean we don't want the parking lot up to the street. Okay.

So, we have to live with that. So, yeah, I just -- if there is ways we can make it better I'm all for that, but I'm kind of hard pressed to say, okay, move high density over here, because now we have to change our whole planning process to do that. So, I'm kind of stuck here.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I do you have a suggestion. We hate designing projects for you and I don't want -- but I have a suggestion. Why not? It's a creative process maybe. So -- and I think part of my struggle is if this was a high density residential project and it had to stand on its own two feet I wouldn't vote for it right now, because I feel like these buildings are orphaned off on their own. But a suggestion I would have -- I mean we have these two bottom high density buildings along Cobalt Drive and what we have seen other developers do is actually move those buildings a little bit closer together and potentially lose some of that parking in the middle and put green space, a giant MEW something there, maybe, that would serve those residents. You know, you have an excess of parking. We have seen that kind of a design. We have seen -- and I don't underestimate your creativity a bit. If you can make the financials work, recently we have seen developers put parking on the core of the building and we have seen that very successfully in other projects, so I have to think part of the market would support that product. I don't know if a full blown parking garage would work, but I think there are things you could do that would make that high density residential piece more palatable personally and still adhere to the Comprehensive Plan. I personally believe that we should give flexibility to float a little bit if the overall amount of commercial is in alignment with the total acreage and the space and if staff believes it's appropriate, but I do want to see a little bit more commercial. I think I understand your point about the market and I wonder if -- if, you know, those light green buildings perhaps became commercial and they took longer to develop if this would still pencil or not, but I'm hesitant to let go of commercial land at this point given the decisions we have made on some mixed use properties and feedback we have heard. So, I don't know, just some suggestions. But I don't -- I don't think it's unworkable or undoable, but I think you could retool this a bit personally.

Clark: And, Mr. Mayor, if I could just -- just one comment. I appreciate that, Council Member Strader. You know, the -- the mix -- those green buildings are -- would be second tier, you know, behind other commercial and they would be behind other commercial that's access controlled. So, you know, I think, you know, maybe, you know, something to consider there and I will take it back to my team and we will talk about it, but, you know, if there is some flexibility there to allow for commercial in a later date, but go with this, you know, as part of a redevelopment, I -- I just hate coming in front of you guys and asking for a development agreement modification later on when we are setting ourselves up for failure, you know, when -- and that's what I'm trying to avoid. But I definitely appreciate the --

Hoaglun: Mr. Mayor?

Simison: Mr. Hoaglun.

Hoaglun: I think we just had an application request for that on Overland Road where the secondary commercial did not go.

Clark: Hethe Clark might have been the applicant or the attorney for the applicant on that, so --

Hoaglun: I think so. And because it -- it was quite a while. I mean it was --

Clark: It was in Movado and it had been going for -- you know, had been sitting vacant for years and years and years and it was tier commercial similar to that.

Hoaglun: Yeah. That's -- that's -- that's the difficulty of these things and, like I said, I, too, would like more commercial here, but it's just that -- when will that market change? We don't know. And how do we -- how do we deal with that? How long do we wait? What do we do in the meantime? That's -- that's the difficulty.

Simison: Well, what does Hethe Clark, the attorney of record, think about how long -- you know, The Village is a great example. You -- that's a generally successful commercial area that had a fair amount of turnover, but they have also not been able to develop all their pads and we are nine -- eight years into that project. I don't know what's appropriate time to ask people to wait to get the right thing for a developing community. I would love to have that academic conversation offline some other time, you know, from that standpoint, but -- because that's -- you know, not everything is expected to develop right away. Or should. And a lot of people don't get it right when they think it's right the first time anyways.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Hethe, I appreciate the willingness, I guess, for a continuance. It sounds weird. How much time would your team want?

Clark: So, looking at calendars, we get into the middle -- I think Council is meeting during the middle of July; correct?

Cavener: Uh-huh. We have a couple of big hearing, though.

Clark: I think we could have something in like a three week range we can probably be back with an updated plan.

Cavener: The 13th?

Weatherly: Mr. Mayor, at this time on July 13th there is one hearing for an ACHD Ustick

maintenance facility. I won't have time to notice Planning and Zoning hearings on July 13th, so that would be a date you could consider.

Nary: The Oasis is on that night, too.

Weatherly: Oasis is July 20th.

Nary: Oh, yeah. It moved. That's right. Sorry.

Allen: Excuse me. Another consideration, Mr. Mayor, would be if revised plans are submitted they would have to be submitted -- we would like them submitted a minimum of ten days before the hearing.

Simison: I was waiting for that one. Which is why -- once I heard the 20th, then, I thought, well, maybe the 27th. But I don't know Council's viewpoint on how they think the Oasis is going to go, how late they want this one to go.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm open to suggestions. I -- I will not be here on the 27th, not that I have to be, but I think it's important for Council know that at least now, since we are at least contemplating a continuation maybe to that date.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You have given the guide -- you know, the time frame. What -- what's -- what's the date? What do you think?

Clark: Well, I would love to have as many of you here as possible. You know, I think -- I didn't -- I didn't quite catch the -- is there an issue on the 20th? Is it a full agenda on the 20th?

Cavener: So, the 20th is the -- yeah, we have a very -- we anticipate a very lengthy --

Simison: That's the 20th.

Cavener: 20th. On the 20th we are expecting a very lengthy public hearing process on an application with a lot of residential involvement -- citizen involvement.

Clark: Well, I would prefer not to lose six weeks.

Cavener: I don't blame you.

Clark: So -- and I'm just -- I guess I'm just collaborating with everyone out loud here right now. So, the other option would be potentially the 13th. But we would need to get something to Sonya before the holiday weekend for you to be able to -- why don't we -- this is me being as optimistic as I can. Let's -- let's try for the 13th. We will get you a new updated -- get Sonya an updated plan. That would mean we need to have it to her by the 3rd. You know, obviously, we wouldn't be able to have the -- the detailed renderings of all the buildings and all of that, so I'm anticipating that Council's request is to focus just on the site plan and some of these different arrangements that have been discussed, which were to -- some green space in the high density residential area. Look at potentially replacing some of the mixed use buildings and -- let me make sure that I have in my notes the other thing. I think that's it. Just the commercial -- some commercial on the second tier. Those are the two items I'm hearing.

Simison: One other very minor thing. I don't know where this would come in, but do you feel like that this even creates connection to the corner to cross over to the east side of Ten Mile? And I always -- I know that there was some -- a lot of thought put into the pedestrian connectivity on the other side, but I just don't know if -- if this is intended -- if this area is intended to be integrated in that manner, but just that corner doesn't even really show even any pathways to the corner, if that's an intention or not.

Clark: Mr. Mayor, are you talking about the southeast corner?

Simison: Northeast corner.

Clark: Northeast corner.

Simison: Yeah. That's -- when we -- when we had conversations about others talking about -- and I know this is not pertaining to pedestrian connectivity that was on the other side of the road, but I don't know if the intention is to try to get people to even cross in this area, but it doesn't seem like there is a path to move people if they want to go across the street or anything in the future. That's all -- that's really my main point.

Clark: Sorry, Mr. Mayor. So, you are -- you are saying a pedestrian crossing it -- looking at getting people across --

Simison: Yeah. I'm looking at your circulation. Does your circulation pattern here allow for pedestrian, bicycles, to find a way to exit this development to go into another one of the quadrants of this area and maybe it's not intentional to do that from that standpoint, but --

Clark: Yeah. It's, obviously, a challenge, because you would be crossing an arterial, but you know, we can -- we can look at that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I also think another piece of feedback would be, you know, to the extent you can get this arrangement on Cobalt ironed out, I think that would also be extremely helpful.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would just like to say that, in general, I know we are really being tough on this and I really appreciate that your -- your humble willingness to take our feedback on this and truly I want you to know that it is because we -- we want all of this to be successful for you and for our residents and it is not to be -- it sounds like it's coming from a place of -- of criticism, because we have sat here and sort of picked this apart. But, please, know that the intention -- I can unequivocally say on behalf of this Council is for this to work well and -- and truly keeping in mind the conversations that we weekly have with residents. As you experienced this evening we had somebody come and give public testimony about the Orchard Park development where Winco currently is. We do have residents that are -- that are intimately affected by these projects and so we are always trying to balance that and yet still honor our development community as best as we can. So, I know we are being tough, but, please, know it's coming from a good -- a place of goodwill.

Clark: Thank you.

Simison: Council, anything else or is there a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we continue file number H-2021-0025 to July 13th.

Strader: Second the motion.

Simison: I have a motion and second to continue to item to July 13th. Is there any discussion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Hethe, just a quick comment. Your client's are very lucky to have you.

Clark: That's nice of you --

Cavener: A comment I heard from your client is we don't want to make mistakes. Council doesn't want to make mistakes. When I hear comments, though, from the applicant they

aren't sure that commercial can be successful here, that definitely gives me a big pause. You are an honest broker. I trust you will bring back something that's workable and doable and look forward to seeing that in a few weeks. So, appreciate you.

Clark: Thank you.

Simison: Is there any further discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it and the item is continued.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

- 7. First Reading of Ordinance No. 21-1933: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance, and Providing an Effective Date**

Simison: Next item on the agenda is Ordinance No. 21-1933. Clerk will read this ordinance by title.

Weatherly: Thank you, Mr. Mayor. This is the first reading of Ordinance No. 21-1933. An ordinance of the City Council of the City of Meridian approving the second amendment to the Meridian Revitalization Plan Urban Renewal Project, which second amendment seeks to de-annex certain areas from the existing Meridian Revitalization Project Area, which second amendment amends a plan that includes revenue allocation financing provisions, authorizing the City Clerk to transmit a copy of this ordinance and other required information to the county, affected taxing entities, and state officials, providing severability, approving the summary of the ordinance and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read. Would anybody like it read in its entirety? I don't know if we do that on the first reading. But I don't know why I have people standing up here either, so -- I'm going to say no one wants it read further, so we will stop there. And I will ask you what are you doing here?

Perreault: Staff just love to be here at 10:00 o'clock at night.

Arial: Yeah. It's our favorite.



AGENDA ITEM

ITEM TOPIC: Public Hearing for ACHD Ustick Maintenance Facility (H-2021-0029) by Engineering Solutions, LLP, Located at 3764 W. Ustick Rd.

A. Request: Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an Ada County Highway District (ACHD) maintenance facility on 23.7 acres.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: July 13, 2021

Topic: **Public Hearing** for ACHD Ustick Maintenance Facility (H-2021-0029) by Engineering Solutions, LLP, Located at 3764 W. Ustick Rd.

- A. Request: Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an Ada County Highway District (ACHD) maintenance facility on 23.7 acres.

Information Resources:

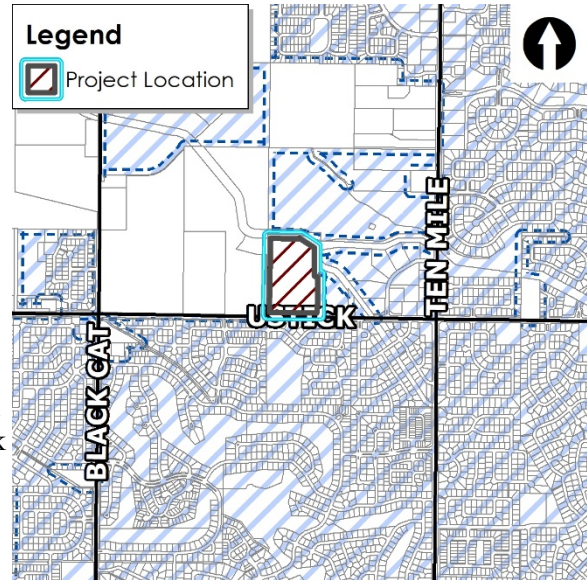
[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 7/13/2021
 TO: Mayor & City Council
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2021-0029
 ACHD Ustick Maintenance Facility
 LOCATION: The site is located at 3764 W. Ustick Road, approximately ½ mile west of Ten Mile Road on the north side of W. Ustick Road, in the SW ¼ of the SE ¼ of Section 34, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an ACHD maintenance facility on 23.7 acres, by Engineering Solutions, LLP.

Note: Sewer services are not currently available to the site. Therefore, the Applicant is also requesting a City Council Waiver to delay connection to City sewer; City water is readily available. Further discussion of this is located throughout the staff report below.

II. SUMMARY OF REPORT

A. Project Summary

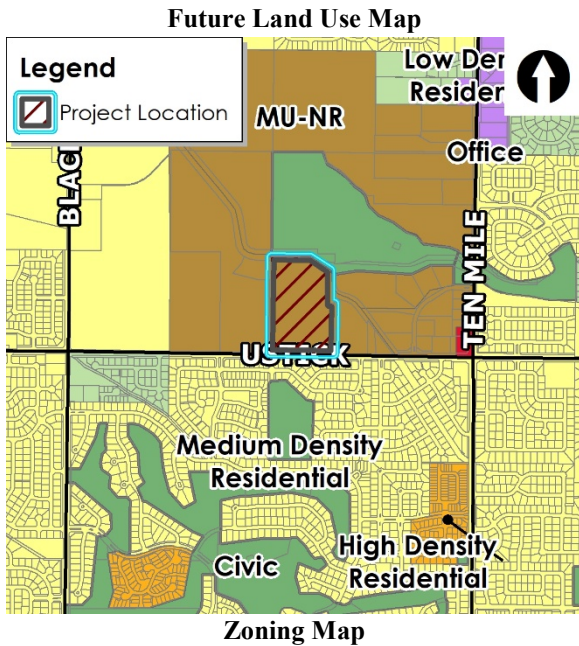
Description	Details	Page
Acreage	AZ – 30.27 acres; Project Site – 23.7 acres	
Future Land Use Designation	Mixed-Use Non-Residential (MU-NR)	
Existing Land Use(s)	County Residential (home is no longer occupied)	
Proposed Land Use(s)	ACHD Maintenance Facility	
Lots (# and type; bldg./common)	One (1) building lot	
Phasing Plan (# of phases)	Proposed as eight (8) phases over eight (8) years.	
Physical Features (waterways, hazards, flood plain, hillside)	Fivemile Creek abuts the north property boundary; Ninemile Creek abuts the northeast property boundary. A large area of the site lies within the floodplain along the north third of the site, both Zone “AE” and Zone “X.” See further analysis in Section V.N.	
Neighborhood meeting date; # of attendees:	March 25, 2021 – 3 attendees	
History (previous approvals)	N/A	

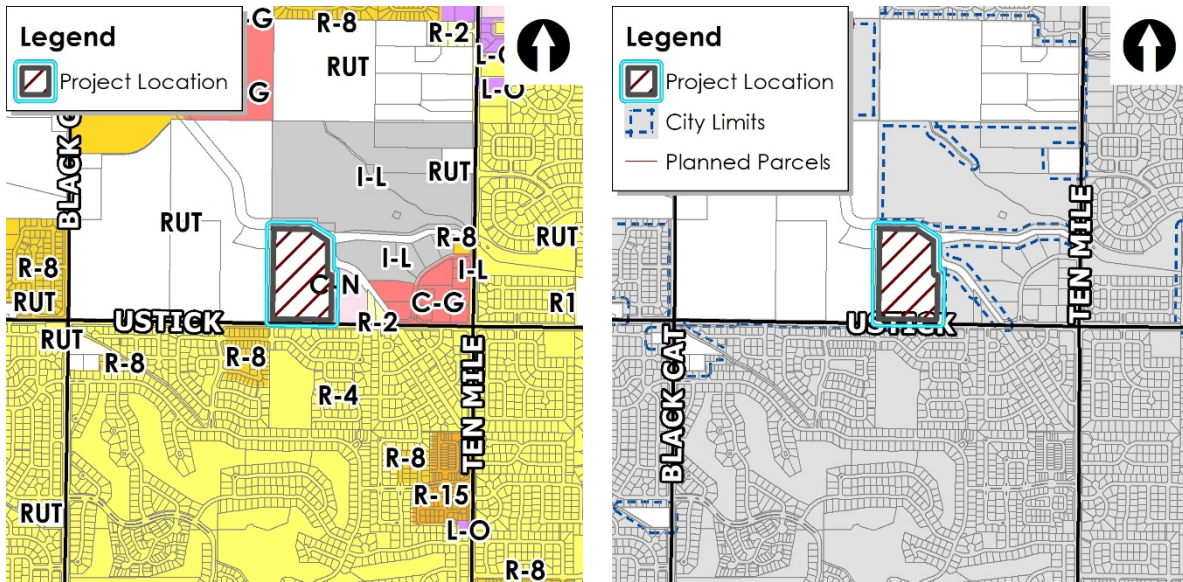
B. Community Metrics

Description	Details	Page
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	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via construction of a new collector street along the west property boundary (N. Naomi Avenue) that accesses W. Ustick Road (arterial) near the mid-mile mark.	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to terminate N. Naomi Avenue in a temporary hammerhead type turnaround approximately 625 feet into the property. Any future development west of the subject site would connect to this terminus and continue west for interconnectivity. No other stub streets are proposed or required due to the proposed and adjacent use.	
Existing Road Network	Ustick Road is existing arterial street with 2 to 3 lanes of travel.	
Existing Arterial Sidewalks / Buffers	Ustick Road is existing but there are no sidewalks or landscape buffers along the north side of Ustick Road.	
Proposed Road Improvements	<p>No road improvements are required with this application due to this segment of Ustick being scheduled for widening in 2025, unless the proposed right-hand turn lane is proposed with future development (see ACHD staff report in Section VIII.D).</p> <p>CIP/Five Year Work Plan for Ustick and other nearby roads:</p> <ul style="list-style-type: none"> Ustick Road is scheduled in the IFYWP to be widened to 5-lanes from Linder Road to Ten Mile Road in 2025. Linder Road is scheduled in the IFYWP to be widened to 5-lanes from Ustick Road to Cherry Lane in with design in 2025. This project is listed as in preliminary development and is currently unfunded. The intersection of Black Cat and Ustick Road is scheduled in the IFYWP to be improved with an interim signal in 2021. This intersection is also listed in the CIP to be widened to 7-lanes on the north leg, 7-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and reconstructed/signalized between 2026 and 2030. Ustick Road is listed in the CIP to be widened to 5-lanes from Black Cat to Ten Mile Road between 2026 and 2030. 	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	1.1 miles from Fire Station #2	
<ul style="list-style-type: none"> Fire Response Time 	Project lies within 5-minute response time goal	
<ul style="list-style-type: none"> Resource Reliability 	Fire Station #2 reliability is 85% (above the goal of 80%)	
<ul style="list-style-type: none"> Risk Identification 	None to report at this time	
<ul style="list-style-type: none"> Accessibility 	Proposed project meets all required road widths, and turnaround dimensions.	
Police Service		
<ul style="list-style-type: none"> Concerns 	None/no comments	
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	2,650 feet from current sewer services to the west (Black Cat Road)	
<ul style="list-style-type: none"> Sewer Shed 	North Black Cat Trunkshed	
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	See application	

Description	Details	Page
<ul style="list-style-type: none"> WRRF Declining Balance 	14.15	
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Sewer is a 2,650' from site and per the Master Plan needs to come from N. Black Cat Rd. Provide to-and-through to parcel S0434438850 to the east. If sewer is not available at the time of construction of the site, provide a utility easement to the northern end of the parcel S0434438850. Flow is committed. 	
Water		
<ul style="list-style-type: none"> Distance to Services 	0'	
<ul style="list-style-type: none"> Pressure Zone 	1	
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application	
<ul style="list-style-type: none"> Water Quality Concerns 	None	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> No utilities are shown with application. A utility plan will need to be reviewed by Public Works. 	

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

Becky McKay, Engineering Solutions, LLP – 1029 N. Rosario Street, Meridian, ID 83642

B. Owner:

Ada County Highway District (ACHD) – 3775 N. Adams Street, Garden City, ID 83714

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	5/28/2021	6/25/2021
Radius notification mailed to properties within 500 feet	5/26/2021	6/22/2021
Site Posting	6/6/2021	7/1/2021
Nextdoor posting	5/26/2021	6/22/2021

V. STAFF ANALYSIS

A. Future Land Use Map Designation (<https://www.meridiancity.org/complan>)

Mixed Use Non-Residential (MU- NR) – The purpose of this designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City’s Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Developments are encouraged to be designed similar to the conceptual MU-NR plan depicted. Appropriate uses in MU-NR areas

would include: employment centers, professional offices, flex buildings, warehousing, industry, storage facilities and retail, and other appropriate non-residential uses

The subject site is an approximate twenty-four (23.7) acre parcel that abuts Ustick to the south, two creeks along the north and a portion of the east boundary, and the City's wastewater treatment plant directly north of the abutting creek. South of Ustick Road are existing detached single-family residences that currently have generally vacant parcels between them and the treatment plant. The proposed use of a maintenance facility for ACHD falls under the Public Utility, Major use within development code and is subject to specific use standards (UDC 11-4-3-31).

The Mixed Use Non-Residential (MU-NR) future land use designation calls for industrial uses, such as a maintenance facility, to act as a buffer between the City's treatment plant and any existing and/or future residential development. The Applicant is proposing to install solid fencing and the required landscape buffers adjacent to Ustick and the existing county residence directly to the west (in addition to a new public collector street). If the property to the west develops in the future as a nonresidential use as called for on the future land use map, the buffer proposed with this application along the west boundary should act as an adequate transition between uses. Despite the probable noise associated with a maintenance facility such as this, adequate landscaping and separation from existing residences by Ustick Road offer appropriate separation and should mitigate the noise from trucks and machinery.

In addition to the proposed use itself, the hours of operation for the facility are an important factor in determining if the proposed use fits in this location. The Applicant has stated the planned hours of operation are Monday thru Friday, 7am to 5:30pm with occasional late-night hours during emergency situations. During the summer, the Applicant has also stated that chip-seal operations require some weekend hours but should be within the normal daytime operating hours. Staff nor the Applicant can foresee emergency situations so it is not feasible to mitigate every possibility associated with the proposed use. Due to the likely minimal late-night operations, Staff believes the proposed Development Agreement provisions and screening methods will be sufficient in mitigating any noxious consequences of the proposed use.

Because of this, Staff finds the proposed project and use of an ACHD Maintenance Facility to be generally consistent with the Comprehensive Plan. Specific Comprehensive Plan policies are discussed and analyzed below.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application and phasing plan, Staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval.*

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“Coordinate with utility providers on acceptable landscape materials, design and site locations for their future facilities to avoid negative impacts to the community.” (3.08.03). The location of the proposed ACHD Maintenance Facility is located within a non-residential designated area adjacent to the City's wastewater treatment plant. This area is intended to be developed with non-residential uses to act as buffers between existing/planned residential and the treatment plant. ACHD is considered a utility provider and they have worked with Staff to find an appropriate location for their new maintenance facility to further increase road maintenance capabilities within the City of Meridian.

Furthermore, Staff is recommending denser landscaping along the property frontage on Ustick to further mitigate any negative impacts to the nearby single-family residences and meet this applicable and significant comprehensive plan policy.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *City water services are readily available to the subject site but sewer services are nearly a half mile to the west. This site is in a different sewer trunkshed than the properties to the east. As previously noted, the Applicant is proposing to develop the site in multiple phases over the next 8-9 years with a potential for the first building to be constructed in 2024. It is not entirely clear at what point utilities will be available or needed for the site but due to the phasing and the lack of sewer availability currently, the Applicant has not submitted any utility plans at this time. With future development, the Applicant will be required to submit these plans and continue coordinating with the City to connect to public utilities, including water needed for irrigation.*

With this application, Staff finds it appropriate for the Applicant to provide a more detailed utility phasing plan than what has been presented in the application materials. Staff has discussed this with the Applicant and has received a general utility phasing plan as follows:

FY22- Site Prep, cutting in access roads, landscaping and fence installation – no need for sewer, just water.

FY23- Decant and washout area, with the possibility of the Admin Bldg. or may get pushed out to FY24.

FY24 - Drainage and Broom Sheds that would need to be connected to the sewer as well since this building will have restrooms.

FY25 – Fleet Buildings - Sewer hook-up as well for this building.

FY26 – Admin Building (originally, but possibly pushed up to FY23 or 24). If not built this year no need for sewer tie in.

FY27 – Truck Wash, and Truck Scales – Sewer to be hooked up

FY28 – Finishing of outlier projects

Based upon the updated information, connection to City water and sewer is likely needed by 2023. Water is readily available but sewer is not, as noted previously. The Applicant is having ongoing discussions with the City Engineer on the best path forward for the sewer needs and timeline of this project.

“Require industrial uses to conform to disposal, spill, and storage measures as outlined by the Environmental Protection Agency.” (4.10.01B). *Because of the nature of the proposed use and its different disposal, storage, and chemical requirements, they will be tasked with obtaining all necessary permits from the Environmental Protection Agency (EPA). Planning Staff does not perform environmental reviews as part of their analysis but due to the added layer of floodplain being located onsite, the City’s floodplain coordinator will be a consistent part of future development of the site as phasing progresses and structures are proposed within the floodplain that require environmental permits.*

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). *Despite the project not being a residential development, a segment of multi-use pathway is shown on the master pathways plan along the north property boundary, adjacent to the Fivemile Creek. The Applicant is proposing to construct the required segment of pathway and construct a pedestrian bridge over the creek to connect to an existing pathway segment further to the east. This connection and added pathway are also proposed to*

connect to detached sidewalk along the property's west boundary that eventually connects to Ustick Road. Staff appreciates the added pedestrian connections proposed with this project and should further Meridian's multi-modal transportation goals.

“Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C). *The Applicant is proposing to construct a new industrial collector street along west property boundary despite it not being required on the Master Street Map (MSM). This new street is proposed to terminate in a temporary hammerhead type turnaround approximately 625 feet north of Ustick allowing for future connectivity to the west if future development occurs within other areas of the MU-NR designation to west and northwest. The existing county residence and agricultural use to the west will have an opportunity to access this new collector street directly and gives that property an option to utilize the collector street instead of accessing Ustick directly.*

Staff finds this development to be generally consistent with the Comprehensive Plan.

C. Existing Structures/Site Improvements:

There is an existing county residence on the property that is no longer occupied. The Applicant has stated this home is to now be sold and removed from the site instead of being used as a temporary office, as originally proposed. Therefore, the existing driveway access to Ustick will be closed as well. Staff is recommending this access be closed with phase 1 of the development, consistent with standard conditions to construct required landscape buffers with the first phase of development. No other structures are known on-site.

D. Proposed Use Analysis:

The proposed use is an ACHD Maintenance Facility which falls under the Public Utility, Major use within development code. This use is a permitted use in the requested I-L zoning district per UDC Table 11-2C-2 and is also subject to Specific Use Standards (UDC 11-4-2-31). As previously discussed within the Comprehensive Plan section above, Staff supports the proposed use at this location—the relatively low vehicle trips, nonresidential use, and proposed pedestrian and landscaping improvements should make the proposed use ideal for this location next to the wastewater recovery facility. Staff analysis of the Specific Use Standards is in *italics* below:

[UDC 11-4-3-31](#) – Public Utility, Major; and public infrastructure:

A. Accessory uses directly related to the maintenance and fueling of vehicles (including, but not limited to, truck and trailer washing, fuel pumps, garages for minor repair) may be allowed. *Proposed development incorporates many of these accessory uses and the Applicant is required to obtain all necessary City, State, and Federal permits for them. Furthermore, the submitted concept plan shows a large maintenance building in the southern quarter of the site but sufficiently outside of the minimum 35-foot street setback from Ustick. This separation and landscaping should mitigate any noxious outcomes from these buildings.*

B. Installation of underground fuel tanks shall require written approval from the Idaho division of environmental quality, Idaho department of water resources, and the appropriate fire authority. *Applicant is aware of this requirement and shall comply.*

C. No portion of the outside storage areas and/or outside activity areas may be visible from any highway, interstate, gateway corridor, principal arterial, or minor arterial as herein defined. *According to the submitted concept plan, none of the proposed outdoor storage areas appear to be visible from Ustick Road, a principal arterial street. The applicant is proposing landscaping and a solid fence as well as future building pad sites that will screen the outside activity areas from Ustick Road. To ensure this standard is adhered to, Staff is recommending the required*

landscape buffer along Ustick is constructed with the first phase of development. More specific analysis of the landscaping and fencing material is in subsequent and relevant sections below.

D. All driveways into and through the facility and any open area with a driving surface shall be surfaced with a dustless material including, but not limited to, asphalt, concrete, pavers or bricks. *According to the submitted concept plan, no asphalt or driveways are proposed until phase 2. However, upon further discussions with ACHD and following the removal of the existing home, Staff is of the understanding that phase 1 will occur in 2022 and will include the new road, overall site prep, landscaping, and fencing installation. With the first phase, it appears that a gravel pit and paved open storage are proposed along the northern boundary. In addition, other areas of paved open storage are depicted on the concept plan. Per the submitted plans, it appears the Applicant is compliant with this standard.*

E. For any use requiring the storage of fuel or hazardous material, the use shall be located a minimum of one thousand (1,000) feet from a hospital. *No portion of the site or any hazardous or potentially hazardous material is located within 1,000 feet of a hospital.*

The concept plan and phasing plan submitted with the application depict specific parts of the maintenance facility being constructed at different times. A revised concept plan has since been submitted. In general, the revised concept plan depicts the following: the required multi-use pathway segment north of the proposed fencing and along the north boundary; a gravel pit and paved open storage along the north and northwest boundary; fuel tanks, truck scale and a salt/sand shed within the central area of the site; central but along the east boundary more paved open storage and the decant and washout stations are proposed; employee and fleet parking as well as the drain truck shed are located in a majority of the center of the site; in the south and southeast area of the site the administration building, fleet maintenance building, broom truck shed, and covered storage is shown on the concept plan.

Please see the phasing plan in the exhibit section below (Exhibit VII.E) for when these areas are proposed to be constructed from approximately 2021-2028. Staff notes that the location of the decant and washout areas have been moved since the revised concept plan was submitted to a new location outside of the floodplain and is therefore not accurately shown on the phasing plan.

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

The Applicant is proposing to annex the subject property into the City with the I-L zoning district which does not have a minimum lot size. As noted above, the proposed use meets the requested zoning and the dimensional standards noted in the specific use standards. The project requires both landscape buffers and building setbacks, per the I-L dimensional standards. At a minimum, there is a 25-foot landscape buffer required adjacent to Ustick and a 20-foot landscape buffer required along the new collector street, Naomi Avenue. In addition, the I-L zoning district requires a street setback of 35 feet. The submitted site plan shows the required 35-foot building setback from Ustick but shows only a 25-foot setback from the future Administration Building to the new segment of Naomi Avenue. This should be corrected with future development applications.

In addition, the I-L zoning district has a minimum landscape buffer of 25 feet to any residential use which is applicable along the west property boundary where Naomi Avenue is not proposed adjacent to the parcel to the west. The submitted concept plan shows this 25-foot landscape buffer compliant with the required dimensional standards.

The proposed building height of any future buildings are not known at this time but Staff presumes none are proposed near the 50-foot height limit of the I-L zoning district. With future

CZC submittals, Staff will confirm conformance with the required dimensional standards of the I-L zone and the Public Utility, Major specific use standards (11-4-3-31). Therefore, the proposed project meets all required dimensional standards outlined in UDC 11-2C-3 except for the required street setback to Naomi Avenue. Staff has recommended this be corrected prior to future CZC submittal.

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

The Applicant has not submitted any conceptual elevations of the future buildings. According to the submitted concept plan, there will be an Administration building, Maintenance building, and a long “L” shaped covered storage building that will require future Administrative Design Review (DES) approval as future development occurs that will also require Certificate of Zoning Compliance (CZC). Because future buildings are not proposed until later phases of the project and because they will require CZC and DES approval, Staff does not find it necessary to obtain conceptual elevations at this time. *However, due to existing and established residential homes to the south and Ustick being a heavily trafficked arterial roadway, Staff is recommending a DA provision that any future building façade that is visible along Ustick Road is held to the Commercial design standards in lieu of the Industrial design standards.*

G. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Access is proposed via construction of a new collector street that aligns with Naomi Avenue to the south. The Applicant is proposing to construct the collector street as a 3-lane, 52-foot wide street section within 74 feet of right-of-way with 5-foot detached sidewalk on the east side of the street; when the property to the west redevelops they will be expected to complete the street with sidewalk on their side of Naomi. The submitted plans show this new road to terminate in a temporary hammerhead type turnaround approximately 625 feet into the site for future road connectivity to the west. ACHD has offered their approval of the proposed Naomi Avenue extension and termination on the north side of Ustick Road. There is an existing home on the property that is expected to be sold and moved to a new property which allows the existing access to Ustick to be closed sooner than originally proposed.

Off of Naomi Avenue, the Applicant is proposing two driveway accesses for access into the maintenance facility located approximately 360 and 625 feet north of Ustick Avenue. The concept plan also shows each access to be gated approximately 150 feet from the edge of right-of-way of Naomi. ACHD has given their approval of the proposed driveway and gate locations for the maintenance facility because they meet district policies.

Lastly, the concept plan also shows a westbound deceleration/right-hand turn lane from Ustick onto Naomi Avenue. The Applicant has stated a desire to include this right-hand turn lane for trucks and other vehicles to access Naomi without impeding traffic along Ustick. Staff is supportive of this. ACHD has noted within their staff report this dedicated right-hand turn lane is not required by ACHD because Ustick Road is programmed to be widened to 5 lanes of travel within 10 years.

The Naomi Avenue extension would allow for future public road connectivity for the parcels to the west and allow for more efficient traffic management along the Ustick corridor than individual nonresidential access points to Ustick common within industrial areas. Staff appreciates the initial investment being placed on the road infrastructure and extension. All of the proposed access points (including the existing driveway closure) meet UDC requirements and ACHD has noted compliance with district policy. Therefore, Staff supports the proposed access and transportation element of the proposed project.

H. Parking ([UDC 11-3C](#)):

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6B](#) for nonresidential uses based on the ratio for industrial zoned properties of one (1) space for every 2,000 square feet of gross building floor area. Staff will confirm compliance with these standards at the time of CZC submittal for each building. The proposed use of a maintenance facility will rarely have any customers so the vast majority of parking needs would be for employees. Initial review of the concept plan does not give Staff any concern over the amount of parking due to the proposed use and ample area for additional paved parking.

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

5-foot wide detached sidewalks are proposed within the required landscape buffers to Ustick Road and the new Naomi Avenue collector street (due to alignment, sidewalks are only proposed on the east side of Naomi). At the terminus of Naomi, the 5-foot sidewalk is proposed to continue north within the required 25-foot land-use buffer along the west property boundary and connect to the required multi-use pathway segment at the north property boundary. The proposed sidewalk meets UDC requirements.

There is currently no sidewalk to either the east or west of the subject site because neither property is developed at this time. Further to the east, approximately ¼ mile, there is existing sidewalk on the north side of Ustick constructed as part of the McNelis Subdivision. This area of the City is rapidly developing so sidewalks should be constructed with the landscape buffers for overall connectivity.

As properties further to the west and east develop in the future adequate pedestrian facilities will be required and will connect to the overall sidewalk network. In addition, the intersection of Naomi and Ustick is slated to be signalized in the future as more development occurs in this area. A signal in this location would allow for safe pedestrian crossing to the established sidewalk network on the south side of Ustick that offers connection to both Black Cat and Ten Mile Roads. Furthermore, the sidewalk connection to the multi-use pathway segment along the north boundary would allow pedestrian connection back to Ten Mile Road through the regional pathway network. Overall, Staff supports the proposed detached sidewalk layout and locations within the landscape buffers.

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

Consistent with the sidewalk facilities, the proposed regional pathway extension is required of the Applicant. In addition, the Applicant is required to construct a pedestrian bridge over the Ninemile Creek to connect to the existing pathway segment at the west boundary of the McNelis Subdivision.

The submitted concept plan shows compliance with all of the requirements surrounding the construction of the multi-use pathway except for the required landscaping along both sides of the pathway. The north side of the pathway is encumbered by the irrigation easement so the Applicant has proposed trees only along the south side of the pathway. Staff is not necessarily against this but the Applicant should be required to apply for Alternative Compliance with the first CZC to determine the adequate alternative to the landscaping requirement along the creek. To ensure these pedestrian facilities are constructed, especially the multi-use pathway segment, Staff is recommending the pathway and sidewalks are constructed with phase 1 when the landscaping and fencing are proposed.

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

The Applicant is required to construct landscape buffers along Ustick Road, Naomi Avenue, and the remaining western boundary. In addition, the Applicant is required to install landscaping along the multi-use pathway along the north property. The buffers along Ustick and Naomi are governed by UDC 11-3B-7; the land use buffer along the remaining west property boundary is governed by UDC 11-3B-9; and the multi-use pathway landscaping is governed by UDC 11-3B-12. The Applicant did not submit specific landscape plans for the project but the revised color concept plan (Exhibit VII.C) does depict proposed landscaping in the required areas.

The revised color concept plan shows lawn and trees within each required landscape area. As noted previously, Staff is recommending denser landscaping within the landscape buffer to Ustick Road to help mitigate any noise, light, or fumes from the maintenance facility. Furthermore, the landscape buffers should be constructed with phase 1 for this exact reason. The landscaping shown on the color concept plan appears to meet code requirements but further analysis will be done with the first CZC submittal and a specific landscape plan is submitted.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is proposed as shown on the landscape plan and appears to meet UDC standards as proposed. **The Applicant is proposing to construct 8-foot tall chain-link fencing with 2 feet of barbed wire above that along the north and east property lines—this fencing is also proposed to be coated in a colored and rubberized material. Along the west and south property boundaries, the Applicant is proposing 8-foot tall TREX fencing (see fencing rendering below, Exhibit VII.D). The proposed TREX fencing is being strategically proposed to offer the most screening and buffering to the existing residences. 8-foot tall fencing is allowed within industrial zoning districts and per the height definition of fencing provided in UDC, barbed wire fencing is not included in the height measurement of fencing and is allowed in the I-L zone.**

M. Waterways (UDC 11-3A-6):

The subject site abuts two waterways along the north and northeast property boundaries—the Fivemile Creek runs along the north boundary and the Ninemile Creek forks off of the Fivemile and runs along the north segment of the east boundary. The Master Pathways Plan depicts a segment of the regional pathway system adjacent to the Fivemile Creek but also requires a pedestrian bridge to the northeast of the site in order to connect to the existing multi-use pathway segment further to the east. The Applicant has proposed to build the required multi-use pathway as well as to construct the pedestrian bridge over the Ninemile Creek to the east. Staff appreciates the added cooperation with the Parks Department on extending pedestrian facilities.

In addition to the pedestrian elements surrounding the adjacent waterways, there is floodplain located on the north quarter of the site. Staff has reviewed the site for compliance and notes that a floodplain permit(s) will be required and that future construction within the floodplain will be required to adhere to MCC 10-6 for structure elevations and waterproofing. Further and more specific analysis will be done by Staff with future development applications. In addition, additional environmental permits may be required with the federal government depending on where the final location of specific items are located onsite (i.e. fuel tanks, decant station, etc.).

N. Pressurized Irrigation ([UDC 11-3A-15](#)):

The Applicant is required to provide a pressurized irrigation system for the development in accord with 11-3A-15. No irrigation plans have been submitted for industrial use at this time. With future development applications, the Applicant will be required to provide a pressurized

irrigation system for the required landscaping around the site. Land Development will review these plans in more detail at a later date when specific irrigation plans are submitted.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement per the Findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on June 17, 2021. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Zoning request.

1. Summary of Commission public hearing:

- a. In favor: Becky McKay, Applicant Representative
- b. In opposition: None
- c. Commenting: Becky McKay; Lloyd Carnegie, ACHD Maintenance Manager.
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson, Associate Planner.
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by Commission:

- a. Timeline for the use of the site, construction of the westbound deceleration lane, and overall phasing;
- b. Potential issues associated with having large trucks utilizing Ustick Road and the site prior a deceleration lane being constructed by ACHD as part of the overall road widening project—Applicant stated that consistent truck traffic to the site should not occur until after the Ustick Road improvements due to overall timing and use of other maintenance facilities in the valley as well as the timing of developing the subject site;
- c. Estimated timeline for Ustick Road widening—Applicant stated there is a desire to move up the construction of this road widening project to 2024 instead of between 2026-2030;
- d. How concrete the proposed concept plan is in terms of building placement and phasing;
- e. Capacity of the Commission/City to limit the use of heavy truck traffic for the site via a condition of approval or DA provision.

4. Commission change(s) to Staff recommendation:

- a. Create a new DA provision to help limit heavy truck traffic until Ustick Road is widened and the deceleration lane is constructed.

5. Outstanding issue(s) for City Council:

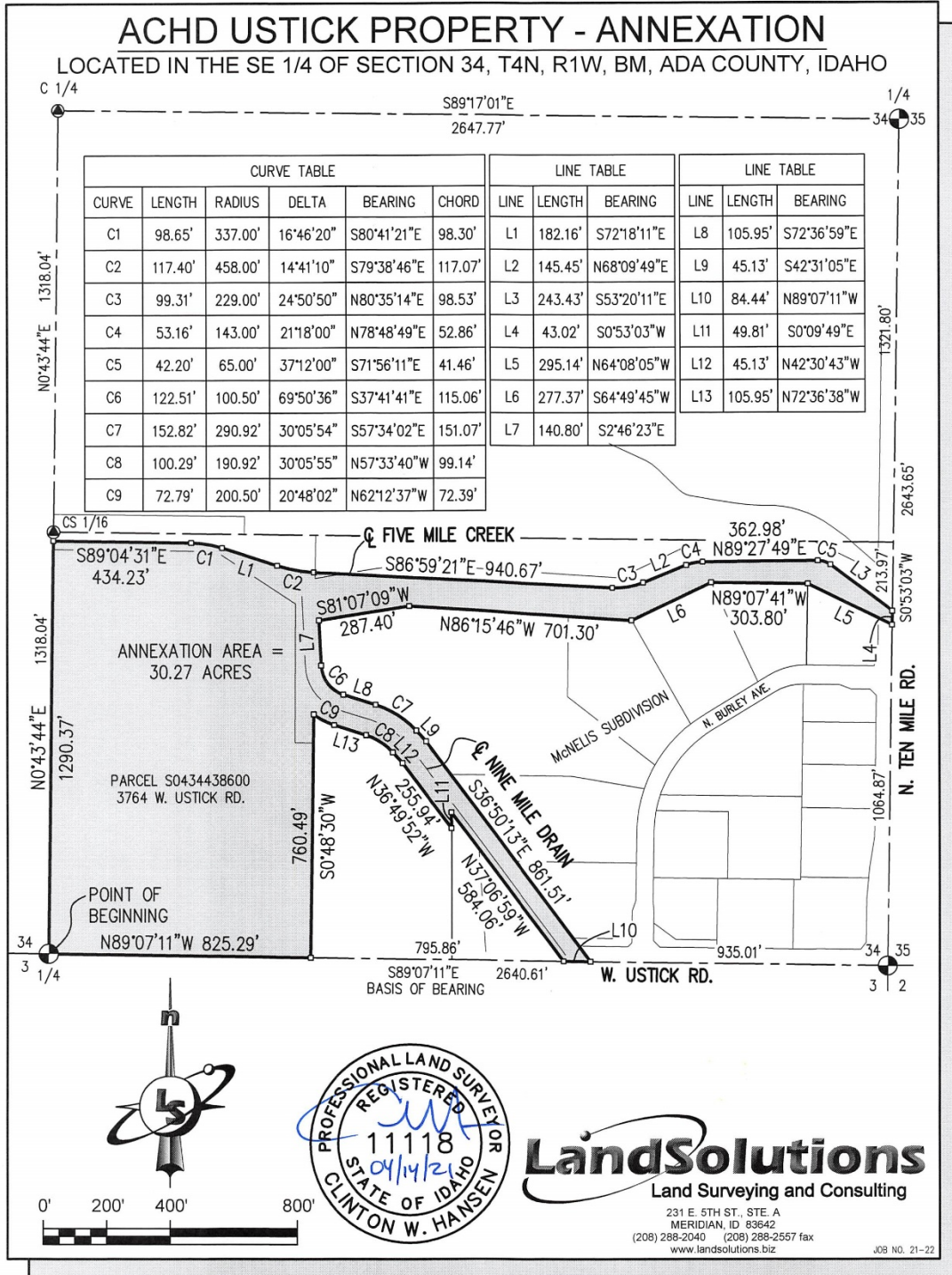
- a. Connection to City Sewer services and what the alternatives may be – Planning Staff is still not aware of the final alternative decided by the Applicant and the City Engineer; if an answer is known prior to the meeting, Staff will alert City Council.

C. City Council:

Enter Summary of City Council Decision.

VII. EXHIBITS

A. Annexation and Zoning Legal Descriptions and Exhibit Maps



Legal Description
ACHD Ustick Property - Annexation

A parcel located in the SE ¼ of Section 34, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

BEGINNING at a point marking the southwest corner of said SE ¼, from which a point marking the southeast corner of said SE ¼ bears S 89°07'11" E a distance of 2640.61 feet;

Thence along the westerly boundary of said SE ¼ N 0°43'44" E a distance of 1290.37 feet to a point on the centerline of the Five Mile Creek;

Thence along said centerline, also being the southerly boundary of that annexation parcel as described in Ordinance No. 784, Instrument No. 98003485, records of Ada County, Idaho, the following described courses and distances:

Thence S 89°04'31" E a distance of 434.23 feet to a point;

Thence a distance of 98.65 feet along the arc of a 337.00 foot radius curve right, said curve having a central angle of 16°46'20" and a long chord bearing S 80°41'21" E a distance of 98.30 feet to a point;

Thence S 72°18'11" E a distance of 182.16 feet to a point;

Thence a distance of 117.40 feet along the arc of a 458.00 foot radius curve left, said curve having a central angle of 14°41'10" and a long chord bearing S 79°38'46" E a distance of 117.07 feet to a point;

Thence S 86°59'21" E a distance of 940.67 feet to a point;

Thence a distance of 99.31 feet along the arc of a 229.00 foot radius curve left, said curve having a central angle of 24°50'50" and a long chord bearing N 80°35'14" E a distance of 98.53 feet to a point;

Thence N 68°09'49" E a distance of 145.45 feet to a point;

Thence a distance of 53.16 feet along the arc of a 143.00 foot radius curve right, said curve having a central angle of 21°18'00" and a long chord bearing N 78°48'49" E a distance of 52.86 feet to a point;

Thence N 89°27'49" E a distance of 362.98 feet to a point;

Thence a distance of 42.20 feet along the arc of a 65.00 foot radius curve right, said curve having a central angle of 37°12'00" and a long chord bearing S 71°56'11" E a distance of 41.46 feet to a point;

Thence S 53°20'11" E a distance of 243.43 feet to a point on the easterly boundary of said SE ¼;



Thence leaving said Five Mile Creek centerline and along said easterly boundary of the SE ¼ S 0°53'03" W a distance of 43.02 feet to a point;

Thence leaving said easterly boundary N 64°08'05" W a distance of 295.14 feet to a point marking the northeasterly corner of McNelis Subdivision as shown in Book 100 of Plats on Pages 13082 through 13084, records of Ada County, Idaho;

Thence along the northerly and westerly boundary of said McNelis Subdivision the following described courses and distances:

Thence N 89°07'41" W a distance of 303.80 feet to a point;

Thence S 64°49'45" W a distance of 277.37 feet to a point;

Thence N 86°15'46" W a distance of 701.30 feet to a point;

Thence S 81°07'09" W a distance of 287.40 feet to a point;

Thence S 2°46'23" E a distance of 140.80 feet to a point;

Thence a distance of 122.51 feet along the arc of a 100.50 foot radius curve left, said curve having a central angle of 69°50'36" and a long chord bearing S 37°41'41" E a distance of 115.06 feet to a point;

Thence S 72°36'59" E a distance of 105.95 feet to a point;

Thence a distance of 152.82 feet along the arc of a 290.92 foot radius curve right, said curve having a central angle of 30°05'54" and a long chord bearing S 57°34'02" E a distance of 151.07 feet to a point;

Thence S 42°31'05" E a distance of 45.13 feet to a point;

Thence continuing along said boundary and the extension thereof S 36°50'13" E a distance of 861.51 feet to a point on the southerly boundary of said SE ¼;

Thence along said southerly boundary N 89°07'11" W a distance of 84.44 feet to a point marking the southeasterly corner of "Parcel C" as shown on Record of Survey No. 6018, records of Ada County, Idaho;

Thence leaving said southerly boundary and along the easterly boundary of said "Parcel C" N 37°06'59" W a distance of 584.06 feet to a point marking the northerly corner of said "Parcel C";

Thence along the westerly boundary of said "Parcel C" S 0°09'49" E a distance of 49.81 feet to a point marking the northeasterly corner of "Parcel B" as shown on said Record of Survey No. 6018, also being the northeasterly corner of that annexation parcel as described in Ordinance No. 02-992, Instrument No. 103012606, records of Ada County, Idaho

Thence along the northerly and westerly boundary if said parcel the following described courses and distances:



Thence N 36°49'52" W a distance of 255.94 feet to a point;

Thence N 42°30'43" W a distance of 45.13 feet to a point;

Thence a distance of 100.29 feet along the arc of a 190.92 foot radius curve left, said curve having a central angle of 30°05'55" and a long chord bearing N 57°33'40" W a distance of 99.14 feet to a point;

Thence N 72°36'38" W a distance of 105.95 feet to a point;

Thence a distance of 72.79 feet along the arc of a 200.50 foot radius curve right, said curve having a central angle of 20°48'02" and a long chord bearing N 62°12'37" W a distance of 72.39 feet to a point;

Thence S 0°48'30" W a distance of 760.49 feet to a point on the southerly boundary of said SE ¼;

Thence leaving said boundary and along said southerly boundary N 89°07'11" W a distance of 825.29 feet to the **POINT OF BEGINNING**.

This parcel contains 30.27 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
April 14, 2021



ACHD Ustick Property Annexation
Job No. 21-22
Page 3 of 3

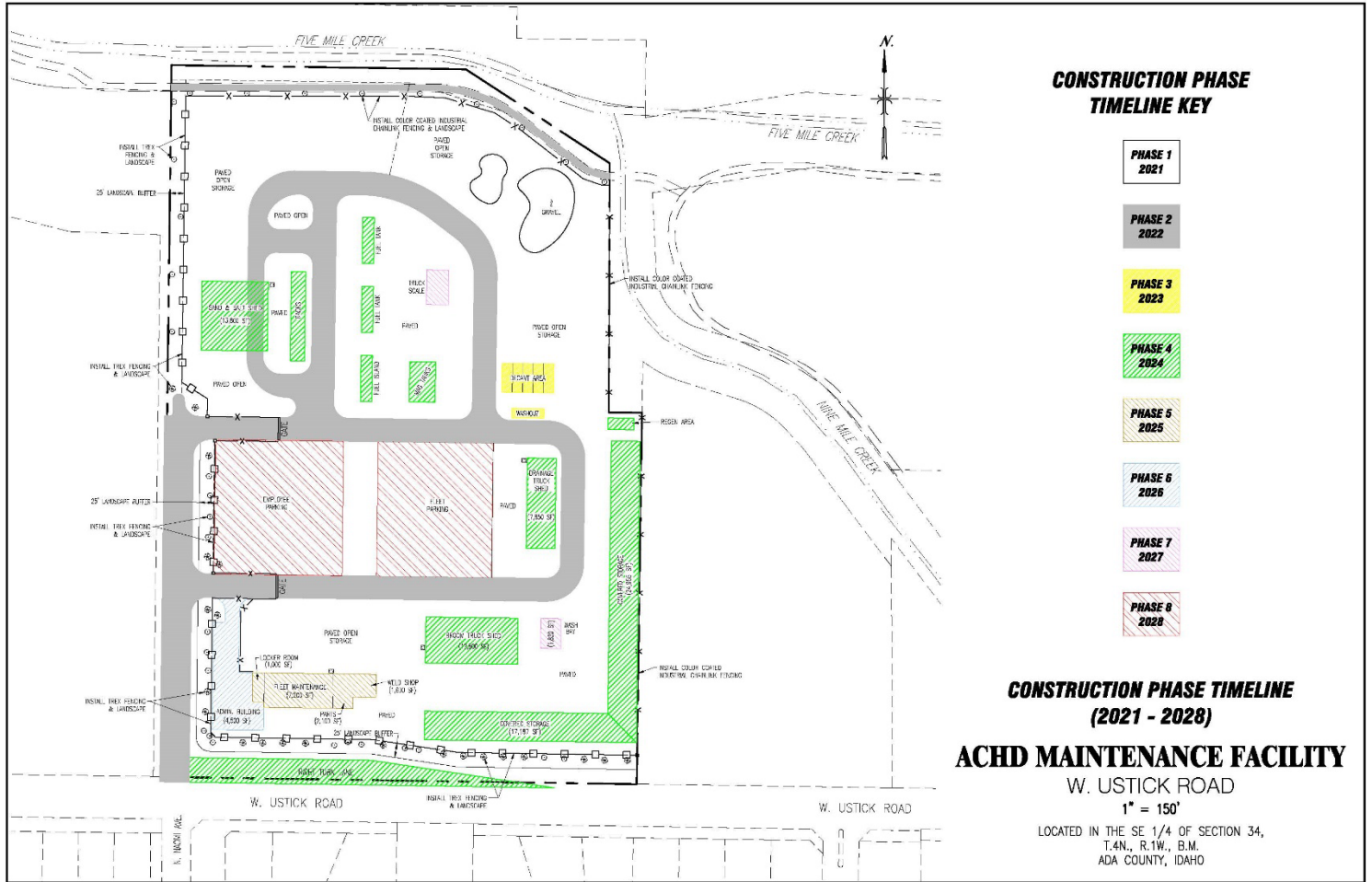
C. Color Concept Plan



D. TREX Fence Example



E. Revised Phasing Plan (6/14/2021) — Not updated and NOT APPROVED



06-14-21

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s) at the time of annexation ordinance adoption.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the approved concept plans included in Section VII and the provisions contained herein.
- b. With the first phase of development, the existing home shall be removed and the existing driveway access to Ustick Road shall be closed.
- c. Future structures proposed along the Ustick Road frontage shall adhere to the Commercial district design standards in lieu of the Industrial district design standards.
- d. The required multi-use pathway segment, detached sidewalks along Ustick and Naomi, 5-foot micro-path, and landscape buffers shall be constructed with the first phase of development.
- e. The Applicant shall construct all fencing as proposed on the approved concept plan to specifically include closed vision fencing along the south and west property boundaries.
- f. With the first phase of development, the Applicant shall connect to City water and sewer services, if available. Should sewer service not be available at the time of development, the Applicant shall connect to sewer services when available or the water service may be discontinued by the City.
- g. Provide a utility easement for the benefit of the City through the site to parcel S0434438850 to the east along the north half of the boundary for future sewer infrastructure. Coordinate the exact location with Public Works staff.
- h. With the first Certificate of Zoning Compliance application, the landscape buffer to Ustick Road shall be vegetated with additional landscaping to include: trees that touch at maturity, and; incorporate landscape beds along the entire fence line for added shrubs and vegetation to help mitigate any noxious uses within the site.
- i. The Applicant shall adhere to the specific use standards for the approved Public Utility, Major use, as outlined in UDC 11-4-3-31.
- j. No building permit shall be submitted until phase 4 of the project consistent with the submitted and revised phasing plan OR until the Ustick Road widening and deceleration lane at Naomi Lane and Ustick Road is constructed.

2. Prior to commencing any site development, the Applicant shall obtain Certificate of Zoning Compliance (CZC) approval for the first phase of site development. Any future buildings and site development will also require CZC approval.
3. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2C-3 for the I-L zoning district and in UDC 11-4-3-31 for the Public Utility, Major specific use standards.
4. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6B for nonresidential uses within the I-L zoning district.
5. The Applicant shall comply with all ACHD conditions of approval.
6. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
7. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit a public access easement for the multi-use pathway segment along Fivemile Creek to the Planning Division for approval by City Council and subsequent recordation. The easement shall be a minimum of 14' in width (10' pathway and 2' shoulder on each side).
8. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 With the first phase of development, the Applicant shall connect to City water and sewer services, if available. Should sewer service not be available at the time of development, the Applicant shall connect to sewer services when available or the water service may be discontinued by the City.
- 1.2 Provide a utility easement for the benefit of the City through the site to parcel S0434438850 to the east along the north half of the boundary for future sewer infrastructure. Coordinate the exact location with Public Works staff.

2. General Conditions of Approval

- 2.1 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.
- 2.2 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.
- 2.3 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-foot wide for a single utility, or 30-foot wide for two. The easements shall be dedicated via the City of Meridian's standard forms. The easement shall be graphically depicted on the construction plat for reference purposes. 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. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). 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.
- 2.5 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being developed 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.
- 2.6 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.
- 2.7 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.
- 2.8 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
- 2.9 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.
- 2.10 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

- 2.11 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.12 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.13 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.
- 2.14 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.
- 2.15 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.
- 2.16 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. PARKS DEPARTMENT – PATHWAYS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=230782&dbid=0&repo=MeridianCity>

D. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=230783&dbid=0&repo=MeridianCity>

IX. 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;

Commission finds the proposed zoning map amendment to annex the property into the City of Meridian with the I-L zoning district with the proposed Public Utility, Major use and site design is consistent with the Comprehensive Plan, if all conditions of approval are met to help mitigate any noxious uses nearby the existing residences to the south.

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

Commission finds the proposed zoning map amendment and the requested development complies with the regulations outlined in the requested I-L zoning district and is consistent with the purpose statement of the requested zone.

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

Commission finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare, especially if all conditions of approval are met.

- 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**

Commission finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

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

Commission finds the annexation is in the best interest of the City.

McCarvel: We get a straightforward one and I think -- since they have worked with staff and made the adjustments to better flow I think this is pretty straightforward and -- unless anybody has any other comments or objections, we would stand for a motion.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to approve file number H-2021-0030 as presented in the staff report for the hearing date of June 17th, 2021, with no modifications.

Grove: It has been moved and seconded to approve H-2021-0030. All those in favor say aye. Opposed? Motion carries. Congratulations.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing for ACHD Ustick Maintenance Facility (H-2021-0029) by Engineering Solutions, LLP, Located at 3764 W. Ustick Rd.

- A. Request: Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an Ada County Highway District (ACHD) maintenance facility on 23.7 acres.

McCarvel: And now we get to open one. We will open -- find out which one we are going to open here. Item No. H-2021-0029, ACHD Ustick Maintenance Facility, and we will begin with the staff report.

Dodson: Thank you, Madam Chair. This item before you tonight is for an annexation and zoning tied to the development plan. The site consists of 23.7 acres of land, currently zoned RUT, located at 3764 West Ustick Road, which as you can see is approximately a half mile west Ten Mile on the north side of Ustick. To the north is the Five Mile Creek and north of that and, more importantly, is the wastewater recovery facility, city owned, and is I-L zone. To the east is a segment of Nine Mile Creek, which -- let me go ahead and just show you that one. To the east is Nine Mile Creek, as well as a C-C zone -- or C-N zoned property, which is actually a city owned property, and is a future well and water site -- water tank site. South -- to the south is Ustick Road and, then, obviously, the existing R-4 and single family detached residential. To the west is RUT and county agriculture residential. The Comprehensive Plan designates this property as mixed use nonresidential. I would like to note out of the gate that the request for annexation and zoning is with the I-L zoning district. It is for 30.27 acres, but as noted, this other site is only 23.7. The applicant is doing the city of favor and annexing the irrigation area of the Nine Mile and Five Mile Creek, so that we do not have county enclaves in those areas. So, we do appreciate that. The proposed use for this ACHD maintenance facility falls under the public utility major within our development code. The project is proposed over

multiple phases from this year through 2028 and includes a number of different elements of the site, that just to be general, include a -- decant wash out area, broom shed, salt shed, truck washing scales, admin building, sleep building, and covered and uncovered storage areas. Since the publication of the staff report the applicant has provided staff an updated phasing plan, consistent with the analysis within the staff report and discussions between staff and the applicant. The major changes were moving the decant and washout area, which is noted here. It was originally within the floodplain. Moved it out of the floodplain, which is appreciated as well, and there is an existing home on site that was going to be used as a temporary office. That is no longer the case. No longer the plan. Before I get into the site plan in more detail, I did want to talk about the future land use designation, because it's very important for this site. Mixed use nonresidential is the future land use. The purpose of this designation is to designate areas where new residential -- nonresidential. Sorry. Yeah. New residential dwellings will not be permitted, as residential users are not compatible with the planned or existing uses in the area. Specifically for this site this mixed use nonresidential areas adjacent to the city's wastewater recovery facility as noted, which is a heavy industrial use and should be buffered from residential. Appropriate uses in this designation would include employment centers, professional offices, flex buildings, warehousing, industry, storage facilities and retail and other appropriate nonresidential uses. The proposed use of this maintenance facility falls into these nonresidential uses that are noted and are ideal for this future land use designation, because it will act as a buffer between the existing residential lot on the south side of Ustick and the wastewater recovery facility. The applicant is proposing to install solid fencing and the required landscape buffers adjacent to Ustick and the existing county residents directly to the west, in addition to a new public collector street segment. If the property to the west develops in the future as a nonresidential use, which is called for on the future land use map, that also includes that property. The buffer proposed for this application along the west boundary should act as an adequate transition between the uses. Despite the problem with noise associated -- associated with a maintenance facility such as this, adequate landscaping and separation from existing residences by Ustick Road, as well as the landscape buffers, they do offer appropriate separation and should mitigate the noise from trucks and machinery. In addition to the project itself, the hours of operation are an important factor in determining if it fits in this location. The applicant has stated the plan uses -- or planned hours of operation are Monday through Friday, 7:00 a.m. to 5:30, like a normal site. There will likely be occasional late nights during emergency situations. During the summer the applicant has also stated that chip seal operations require some weekend hours, but should be within the normal daytime operating hours as well. Staff, nor the applicant -- applicant can foresee emergency situations, so it is not feasible to mitigate every possibility associated with this use. Due to the likely minimal late night operation staff believes the proposed development agreement provisions and screening methods will be sufficient in mitigating any noxious consequences of the proposed use. Therefore, staff finds the proposed maintenance facility to be generally consistent with the comp plan. There is an existing county residence on the property as noted. The applicant -- and that is no longer occupied. The applicant has noted that it is going to be sold and removed from the site, instead of being used as a temporary office. Therefore, the existing driveway access to Ustick will be closed. The proposed use is a permitted use within the requested I-L zoning district, but

it's also subject to specific use standards. Staff's analysis finds that the proposal is consistent with the specific use standards, as well as the dimensional standards of the I-L zoning district, except for one element and that is the street setback for I-L zoning districts to roadways. It's 35 feet. The admin building shown in the southwest corner is shown at the 25 foot setback, so they will have to shift that east ten feet. Part of the screening methods used for this project is fencing. The applicant is proposing fencing -- eight foot tall chain link fence -- chain link fencing along the north and east boundaries, with two feet of barbed wire above that along -- and this fencing is also proposed to be coated in a colored and rubberized material. Along the west and south property boundaries the applicant is proposing an eight foot tall Trex fence, which is a solid fence. The proposed Trex fencing is being strategically proposed to offer the most screening and buffering to the existing residences to the south and to the west, for that matter. Eight foot tall fencing is allowed within the I-L zoning district and per the height definition of fencing, barbed wire is not included in the height measurement and is also allowed within the I-L zoning district. Access is proposed via construction of a new collector street that aligns the Naomi Avenue to the south, which is this here. The applicant is proposing to construct that as a three lane 52 foot wide street section within 74 feet of right of way, with five foot detached sidewalk on the east side, which is their site of Naomi. When the property to the west redevelops they will be expected and required to complete the street with sidewalk on their side. The submitted plan show this new road to terminate about halfway into the site and terminate in a temporary hammerhead type turnaround. ACHD has offered their approval of the proposed Naomi Avenue extension and termination on the north side of Ustick Road. Off of Naomi Avenue the applicant is proposing two driveway accesses for access into the facility and they both will be gated. Staff supports the proposed access and road improvements, which do include a deceleration lane along Ustick. Lastly, utilities for this site should be discussed. Sewer services are not currently available to the site. Therefore, the applicant is also requesting a Council waiver to delay connection to city sewer. Water is readily available. It is not entirely clear at what point utilities will be available or needed for this site, but due to the phasing and lack of sewer availability at this time, the applicant has not submitted any utility plans at this time. For future development the applicant will be required to submit these plans and continue coordinating with the city to connect to public utilities, including water, for irrigation purposes for the required landscape buffers. The applicant is having ongoing discussions with the city engineer to make a decision and come to an agreement on the best path forward for the sewer needs and timeline of this project. This is expected to be resolved prior to the City Council hearing. Staff is -- and -- staff is less worried about handling it right now, because there is the expectation this will be handled prior to City Council. The applicant and myself, we have had discussions with the city engineer, we just haven't quite made the final decision on what the alternatives will be at this time. Also within the staff report I already have DA provisions that will help the city maintain our -- I guess you could say power in the utility -- providing utility to the site. Therefore, staff does recommend approval of the requested annexation and zoning and the proposed use and I will stand for any questions.

McCarvel: At this time would the applicant to come forward.

McKay: Thank you, Madam Chair, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm here this evening representing Ada County Highway District and the application that's before you. Joe, do you want to cue up my --

McCarvel: It's up on our screens and it's up on --

McKay: Oh. Nobody turned it on? Okay. That's cool. I can go ahead. As Joe indicated, Ada County Highway District has purchased this particular piece of property. It's approximately 20.75 acres in size. When we did pre-app with the city, as Joe indicated, there were a couple of enclaves, which encompassed the Five Mile Creek to the north and Nine Mile Creek, which had not been annexed into the city, so they asked us to do the city a favor, include that in this annexation request and within our exhibits and legal description. So, that's why what you see before you is 30.27 acres. The primary use for this particular project will be for an ACHD maintenance facility. They will have administrative office, fleet maintenance, parts and weld shop, broom drainage, trucks storage buildings, salt and sand shed. Truck scales, truck wash building, decant area, fuel tanks, which will be above ground, covered storage, magnesium tanks and employee parking and, then, some open material storage at the site. Their plans for this particular site are eight phases, starting in 2021 and going until 2028. We have submitted to your staff a phasing plan, so the staff could look and see what those phases would look like. One of the key things that the district wanted to do was, obviously, start establishing that perimeter landscaping along Ustick Road, which is a minor arterial and get that vegetation growing and -- and meet all the requirements for adequate arterial buffering. North is your Meridian wastewater treatment plant. This particular piece of property is within the influence area where you have the wastewater treatment overlay zone, so no residential uses or any uses that may have problems coexisting with your wastewater treatment plant are allowed. So, ACHD looked at this particular site and said, you know, this -- this, obviously, is a good area for this type of use. The city has purchased the land just to the east of us. There will be a future water tank and well on that property and, then, in this particular area we have a mixture of uses, single family. Wilkins Ranch, and Dakota Ridge are to the south. I did both those subdivisions a long time ago. They are on the south side of Ustick outside of that radius. McNelis Sub is to the east of us. I did that one. That has a mixture of retail and it has a C-store and a variety of uses that can coexist. There is mini storage in the area. So, this is kind of a hodgepodge area, but north of Ustick everything needs to be compatible with that wastewater treatment plant. We did have a neighborhood meeting on this particular property. We had three people in attendance. All three of them were glad that this site's being utilized for this type of use. No one was opposed to the project. Primary concerns were landscaping and as far as adequate buffering and, then, they wanted to know when Ustick would be improved and widened. Here is the overall phasing plan that we provided to the staff. Kind of shows you what the site looks like. Obviously, we wanted to make sure that we oriented the building next to Ustick Road, consistent with your Comprehensive Plan and your commercial design guidelines, where it says, you know, put your -- put your buildings up next to the arterials, internalize your parking or -- and the uses that are more intensive are, obviously, further north into the site, closer to the treatment plant. There are two

existing maintenance facilities that Ada County Highway District has in the valley right now. One is, obviously, down on Garden -- at Garden City on Adams. The other one is over at Cloverdale Road and -- what is it -- Emerald and so there is a definite need in this valley for something out in the western portion in the Meridian area with the -- with the rapid growth, to provide adequate services and maintenance for ACHD facilities. As -- so, there is an aerial. You can see the wastewater treatment plant is, obviously, the predominant use. This kind of shows you -- it's turned on its side, so -- so north is to the left. You can see that we kind of did a colored site plan. That was to give the Commission and the staff kind of a better idea of this conceptual plan and I want to emphasize that this is a conceptual plan only for the benefit of this annexation. Obviously, the highway district will hire an architect who will, then, obviously, come in, do the actual design of the structures and this site plan is, obviously, subject to change, but we wanted to give the Commission an idea of what it would look like, so you can see that we kind of have an L storage structure, the administration building, and, then, the parts and shop are kind of along that Ustick corridor. We have two approaches. The highway district will build Naomi, which is a collector roadway to the north. It will terminate eventually. It will go on to the west serving the adjoining property. Right now the adjoining property on the west side is a residence. An elderly woman lives there. The district has talked to her, has talked to her son about the -- the use here. That property cannot develop as residential, it would have to be some type of a compatible light industrial or commercial use also if it were to redevelop in the future. Since that residential use does exist we were required by staff to provide a 25 foot landscaped buffer adjacent to Naomi and adjacent to that property to provide adequate buffering. One of the things that we did with this particular site is everything in here as far as parking is concerned is a pull through to minimize the backup beepers. This site, obviously, will operate, you know, kind of standard hours, starting around 7:00, 7:30 in the morning until 5:30. However, during the winter months the crews do the snow and maintenance of our roadway network. During the snowy season can be called out in the middle of the night to come and get these -- the -- the trucks, the plows, the -- the salt and -- and sand trucks and take them out and do their maintenance purposes. Also as Joe indicated, in the summer months the chip seal crews may be out on the weekends getting things done. One of the things that was brought up to us was your pathway committee indicated that they had retained TO Engineers to design a pedestrian multi-use pathway along Five Mile Creek. So, we did get a CAD file from the city's consultant. We did incorporate it into this site. The staff report indicates that ACHD will construct the ten foot wide multi-use pathway adjacent to Five Mile Creek, but it would only be for their frontage and there was some discussion in there about -- they would also construct the bridge. That is not the case. The bridge is off site. That's part of the city parks department project for making connection to the multi-use pathway that we designed and constructed in McNelis Subdivision and, then, connecting to this multi-use pathway. We would have some type of more -- we talked to the pathway committee about installing some trees and fescue, because we don't want to have like a manicured type five foot buffer adjacent to that multi-use pathway. We would have a chain link. It would be coated and colored, so it doesn't look -- you know, so I guess steel looking like chain link does and, then, for the district's safety of their -- of their equipment and the public safety, that fence would be eight feet and, then, it would have like a barbed wire top. We did provide some picture of some Trex fencing that would be built along the

western edge and, then, would be built along Ustick. We utilized that fencing to buffer the site, but, however, since these -- some of these buildings -- buildings will be under the commercial design guidelines, we don't want -- if the building looks aesthetically great we don't want it, obviously, fenced off and not visible to -- to that Ustick corridor. This -- this, like I said, is the phasing plan. You can see the district's going to kind of take steps as they go along, as their budget allows, to start developing this site. We broke it down into different sections, so they will be storing some materials on the northern boundary in 2021 and, then, you see they -- on 2022 they come in and they established that landscape buffer. They will be -- they are going to widen Ustick. They will put a 300 foot turn lane and, then, build the Naomi collector. Naomi to the south is also a collector. When I did those subdivisions there is an elementary school. So, it is anticipated that that will be a signalized intersection. ACHD will signalize that intersection. There are two approaches to Naomi. They have no direct lot access to Ustick. Those will be gated. We have enough room where we have inset the gates a significant amount, so that a semi truck or a large truck could pull in and they wouldn't block any traffic in Naomi when it finally connects and goes onward to the west. You can see they will have a decant center. They have -- as these different -- these colors change, those represent what they are going to be building, so they will have above ground fuel tanks. We are in a flood way, in a floodplain, so we did locate any of the uses that would conflict with the floodplain or the floodway, they will be required to, obviously, get a floodplain permit from the City of Meridian and meet all the FEMA requirements. So, this -- oops. This kind of shows you what the finished site looks like. One of the things that I wanted to address was the utilities. Right now there is a 12 inch water main in Ustick Road. In meeting with your staff they have indicated that there is adequate water supply to provide fire flow to this site. Right now this is in the North Black Cat sewer trunk shed and that Black Cat sewer is in a subdivision approximately 2,600 feet to the northeast. So, one of the -- the alternatives that we talked to the Public Works Department about -- I did chat with Warren Stewart about was the possibility -- there is sewer right down in Ustick at the intersection -- where is my pointer? There is sewer down in Ustick here, but there is not enough depth to sewer this property. So, one of the options that we have used -- that's the Ten Mile Trunk, so it goes over to the east to Ten Mile and, then, into the plant. One of the alternatives that we have used in other instances where we have encountered this situation -- if, by chance, the highway district phasing accelerates and they need to build that administrative building or build the shop, they need -- obviously, need central sewer and restrooms. We put in what we call a grinder pump with a small wet well. Falls under the plumbing code. And, then, we build a small pressure line and it runs back to the nearest manhole. That would just be an interim alternative way of sewerage back into Meridian, then, when that trunk becomes available, then, we will be able to make connection to it. So, we are going to try to work out some of the details with Warren. Obviously, we don't have any civil engineering plans on the site at this time, since this is conceptual in nature only. This is the existing home that's on the property. Initially when we submitted application they were going to use it as a temporary interim administrative building. That plan has since kind of gone by the wayside. It's difficult to convert single family into commercial use where you have got to meet ADA and bring it up to the commercial codes. So, my understanding is they will be selling the home and it will be moved off of the site. You can see the Ustick corridor currently. It's just two lanes. There

is no curb, gutter, or sidewalk. We will be installing a 35 foot landscape buffer -- or a 25 foot landscape buffer. The buildings will be set back 35 feet north and, then, a detached walk and, then, widening and a turn lane. This is -- this is a view to the west. The property -- the majority of it's in agricultural production. There is a small house -- or the home they are on a small little bit that -- with lawn and trees. This is the eastern boundary, the common boundary with the City of Meridian's property that they intend to put a water tank and a well. So, we feel that -- that this is a compatible use. It's consistent with your Comprehensive Plan. It's a public use. Will benefit the community of Meridian and ACHD is committed, like I said, with an eight year plan to start developing this site as their budget allows. This is the Trex fencing that -- that we talked about using aesthetically and be very pleasing, be compatible with that adjoining residence to the west and we would use it if -- in between buildings to, obviously, secure the site and to create a visual barrier. Here is the -- kind of architectural color coded fencing. They come in different colors, browns, greens. The greens I like better, because they kind of blend in with landscaping. The district is here this evening. I have three representatives, Heather, Lloyd and Jennifer, that if the Commission has any specific questions to ask of them they are here to answer those.

McCarvel: Any questions for staff or the applicant at this time?

Wheeler: Madam Chair?

McCarvel: Commissioner Wheeler.

Wheeler: Thank you for your presentation. I have one question. If we can go back to the slide we were talking about the phasing. If I saw that correctly, it looked like the decel lane off the road is not to happen until -- not scheduled to be phased in until 2024?

McKay: I think the rebuild of Ustick is scheduled for 2024 from Ten Mile to Linder.

Wheeler: Okay.

McKay: So, they would be making those improvements at -- instead of going in and just doing an interim improvement and scabbing onto the existing payment, they would be going in and doing a rebuild in 2024.

Wheeler: Okay. And, then, I'm also looking at the phasing on this. If we go back to phase one it looks like it's just going to be lightly used up to that point.

McKay: Yes.

Wheeler: It's just got a gravel area there that's --

McKay: Quarter -- some three-quarter piles that they may use out in the Meridian area.

Wheeler: Okay. And, then, if we go to phase two -- I'm just trying to make sure -- so, you -- I hope we can kind of put the pieces together. I'm just concerned that all of a sudden you are going to have larger trucks that are going to be blocking up a two way -- two lane country road that doesn't have a decel lane to get out of the way and, then, you are going to have problems with passing or even entering and stuff like that. So, with that being phased in for another three years after the site's developed and ready to use, that's just the -- that's kind of the concern here.

McKay: Madam Chair, Commissioner Wheeler, the -- the district in this phasing has always indicated to me that this is their best guess and so, obviously, when -- when they start utilizing the site where they are going to need a lot -- generate a considerable amount of truck traffic, that's, obviously, going to have to coincide with some improvements out there. I can have Lloyd -- Lloyd, do you want to address that?

Carnegie: Hello. Commission. Lloyd Carnegie. Maintenance manager of ACHD. Do I need to give my address?

McCarvel: Yes.

Carnegie: 3775 Adams Street, Garden City. 83714. So, the phasing strategy is the first couple phases is just kind of development of the site. We won't be basing our operations out of that site at first, because we still have to phase in equipment, manpower, and that will be -- will be housing out of Cloverdale shop until this site's developed enough that we have to start moving our operations to that, which would be once the Ustick Road has been developed and the lane and the intersection.

Wheeler: Okay. Thank you.

Seal: Madam Chair, while -- while he is up there --

McCarvel: Yes, Commissioner Seal. Come on back.

Seal: I was -- I was going to say, it was mentioned 2024. Just right from the ACHD report on this project it says 2026 to 2030 is when that road will be developed.

Carnegie: In the integrated five year plan --

Seal: And I -- and I live in this mess that is Ustick and Black Cat, so --

Carnegie: I believe that we are looking to accelerate it in our integrated five year work plan, which I believe is going to be going before our Commission, so our hopes is to get that accelerated, so that it would be designed in '22, with right of way in '23 and construction in '24.

Seal: Okay. Thank you. And I have -- share the similar -- and, again, I live right in this area, so I -- my son takes the bus on here. He doesn't actually go to Ponderosa, but I

can tell you that it is -- it's -- it's a mess. I mean -- but when you get buses and trucks and everything else in there it's -- it becomes kind of a nightmare. So, just a question for staff is is there -- can we condition it in any shape -- way, shape, or form that --

Dodson: Madam Chair?

Seal: Because I'm concerned we have -- you know, we have heavy trucks that are going to be competing with buses and everything and -- I mean the section that you are building in Naomi is actually wider than Ustick is right now, so that's -- to me that's a huge concern.

Dodson: Madam Chair, Members of the Commission, Commissioner Seal, that -- you can recommend an additional condition or DA provision that limits -- I would say their -- I guess their initial build out when they can start utilizing the site. I will say that within the DA provisions already I do have that they will construct the multi-use pathway segment on the north, the detached sidewalks along Ustick and Naomi, the five foot micro path on the west side and the landscape buffers with the first phase. So, there is the expectation and a requirement for them to construction those improvements and buffering with the first phase. But I did not say that they couldn't do the gravel and paved open storage until the road was widened. So, if you -- Commission can recommend that, obviously, the applicant could, can, then ask Council to remove it or they may keep it, but Commission has the power to recommend an additional provision, yes.

Seal: Okay. Thank you.

McCarvel: I guess if that's the direction we are going do you want to have a little more conversation about phasing and how -- the traffic in the initial phase?

Seal: Yeah. Absolutely. I mean at what phase do you see large trucks coming in and operating in that area? I mean as far as -- and -- and -- yeah. And, again, the concern is just the competition of traffic there. It's already really crazy. I mean it's -- it's just the -- the road is a parking lot at certain times of the day. Most roads in our area are, but more -- you know, more so in this -- this particular area and with you sharing that, you know, the arterial street Naomi with -- you know, across the street, getting that signalized and getting that improved would definitely be something that I would want to see before any -- before we have competing traffic, especially with heavy trucks.

Carnegie: We take that account. Definitely. We wouldn't want our trucks having to try to get onto Ustick without that signalized intersection, because it would just be very difficult and unsafe. I believe our initial plan, if all goes well, is phase four is when we would start basing some operations out there, once we actually have the drainage shed, our broom shed where equipment actually can be stored, materials could be stored and that's also in line with when Ustick hopefully will be widened in that intersection.

Seal: Okay. Thank you. Appreciate that.

McCarvel: Okay.

Carnegie: Is that --

Seal: We want to make sure you get your steps in tonight, so --

McCarvel: Any other questions for staff?

Grove: Madam Chair, I don't know who would answer this, but was there consideration on using that Trex fencing along the northern boundary adjacent to the pathway?

Dodson: Commissioner Grove -- or Becky.

McKay: Madam Chair, Becky McKay. We have to have non-sight obscuring fencing next to the pathway for safety purposes, so we have visibility on the multi-use pathway. So, that's why they didn't want it.

McCarvel: Commissioner Wheeler?

Wheeler: Thank you, Madam Chair. Another question here for staff. On the decel lane does it always have to be paved? Is that something that's a requirement on that?

Dodson: That might be more of a question for ACHD, sir, but --

Wheeler: Okay. I was curious what you might see.

Dodson: In general we -- it has to be able to hold -- usually a fire truck is what it's always rated, so we would want it paved, yes. It's not something we would say, yeah, we are going to throw gravel on the shoulder and watch the trucks tip over. It might be fun to watch, but not very fun to clean up.

Wheeler: Well, obviously, that's not what I'm wanting, but it's about to that level, so --

Dodson: Yes, sir. No, it should be paved, yes. And graded correctly.

Wheeler: Okay. And, then, how -- I have a question for the applicant here. How high is that Trex fencing or the paneling going to be that's on the south side of the property?

McKay: Madam Chair, Commissioner Wheeler, it's eight feet.

Wheeler: Okay.

McKay: That's -- that's the -- the tallest fence you can have in an industrial zone.

Wheeler: Okay. Thank you.

McCarvel: Okay. I do have a question for you, Becky. I'm almost sure of the answer, but I just want to double check. You said there -- this is -- it could be revised after you

get the architects going, but the plan, obviously, would still be to have the buildings up by Ustick and the usage -- the storage usage in the back, obviously.

McKay: Yes. Madam Chair, we spent -- I spent multiple -- multiple months with the district going back and forth touring their -- their existing sites and, then, giving them my recommendations based on the fact that -- that the city likes to have those buildings oriented up toward this -- towards the arterials, so -- so, I don't -- I don't see that changing. They bought off on that as, yes, that makes sense to us. We want to have a -- our administrative building look good. We want the Ustick corridor to -- to be attractive, so, yeah, they bought into that. So, I don't -- I don't see that changing. It would just kind of be -- you know, the internal things might shift a little bit. But this -- this represented all of the uses they intend for the site.

McCarvel: Thanks. I just wanted to clear that on the record. Thanks.

Dodson: Madam Chair?

McCarvel: Yeah. Joe.

Dodson: Just to clarify that even further, the -- I did require in the DA that the -- because it's an I-L zone, have to go through design review for any non-residential uses; right? I required that they have the -- meet the commercial standards, rather than the industrial, which will help with that on Ustick, which the applicant -- they are fine with that.

McCarvel: Okay.

Seal: Madam Chair?

McCarvel: Yeah. Commissioner Seal.

Seal: Quick question for staff. The -- the pathway they are constructing, it does need a bridge. Is there an indication from parks when that bridge will be put in. Are they going to do it at the same time or will that be coordinated?

Dodson: Commissioner Seal, Members of the Commission, I have not been told their timing on that, but my -- my assumption is that because we will have this little segment missing that they will want to do that as quickly as possible, because it will create a nice loop from Ustick all the way around the property through the McNelis Subdivision to get up to Ten Mile. So, my assumption is that they will want to do that as soon as possible, as soon as this segment is in. But I have not been told specifics, no.

Seal: Okay. Thank you.

McKay: And, Madam Chair, Commissioner Seal, when -- when the district installs Naomi with the detached sidewalks here -- so, we will have detached walks along Ustick, detached walks along Naomi, then, I also included in our 25 foot buffer a five foot path --

micro path that runs down and connects to that ten foot multi-use pathway. So, we will, obviously -- when that is signalized, then, people south of Ustick can get safely to the multi-use pathway via the signalized intersection.

McCarvel: Okay. Thank you. Any other questions for staff or the applicant? Okay. Madam Clerk, do we have anybody signed in to testify on this application?

Weatherly: Madam Chair, we do not.

McCarvel: That being said, is there anybody who does wish to testify, please, raise your hand. With that, does the applicant have any further comment? Okay. Can I get a motion to close the public hearing on H-2021-0029?

Seal: So moved.

Lorcher: Second.

McCarvel: It has been moved and seconded to closed the public hearing on H-2021-0029. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I will start out. I have already thrown my concerns out there. I do think we should provision this somehow to make sure that we are not getting truck traffic before the road is widened. It sounds like they want to accelerate that schedule, which I am more than happy to hear reported here, because it definitely means that -- that that region is -- that area road is -- is tough. So, I think we should probably provision something in there to make sure that -- make sure that the phase four coincides with the road widening. I am extremely happy that they are doing what they are doing with the pathways there. As somebody that rides that path three times a week, as I go to work and back, can tell you that that is an amazing addition, especially when that gets signalized, because there is no safe way to cross Ustick there. You have a -- it's a beautiful path that dead ends on one of the unsafest stretches of road imaginable. I'm less concerned about the noise and operation of it. I think enough people will understand -- and even if there is a little bit generated there, I think enough people -- myself included -- will understand, you know, what having that presence there means, you know, when we get inclement weather or snow -- we have another Snowmageddon, our road is going to be taken care of first. So, that's a very nice thing, considering that we were kind of in one of those little squeeze alleys where I don't think anybody liked to drive that road, so very good to know that that's -- that's there and, you know, the maintenance is going to be there and the growth of the city is going to be -- you know, help with services like this that are going to be readily available within -- within the areas that are having explosive growth right now. That is

about all I have. Like said, I'm -- I'm happy to see this come in, so my only -- only hesitation on it is just needing the road to be widened before we really get some heavy truck traffic in there.

McCarvel: I would -- I would tend to agree with that and I do want to mention -- I do appreciate the comment on the thought that went into making this more of a pull through, so you don't have the backing up. As much beeping. So, yeah, I think it's a great use for the space in this area and a nice transition with the office areas at the front. Any other thoughts? Commissioner Grove.

Grove: I don't see any issues with how it's been presented and the discussion that we have had so far. I think having that -- getting the landscaping there and kind of making, you know, something like this looks nice from the street as much as possible is great, but this is a good use of that space, especially if -- if you have toured the -- the wastewater treatment plant you don't want to be downwind of that too much, so I applaud you for taking that on. But this is a good use of that space.

Wheeler: Madam Chair?

McCarvel: Commissioner Wheeler.

Wheeler: Yes, I think this is a great use of this space here. I like the way that it all has the drive aisles moving forward, keeping things moving in a good direction and it does help out -- one of our Commissioners commutes here with this road there, so -- no, just kidding with that. But I do like the fact that there is not a lot of the backup and I like the way that it's phased, too. But, still, there is going to have to -- the way that I'm kind of seeing this even on the phasing side is there is still going to be larger vehicles that are going to have to come by that's going to -- that are going to have to, you know, grade, excavate, move, pave, things of this nature still on a two lane road and I just think it's good to get them off of the main flow before, you know, something happens and I know that they can, you know, patch up the street if they need to or make it -- you know, seam it into the next extension on it, but that would be some sort of discussion or talk about how to have a decel lane there, either before, you know, operations open or during even the -- some of the more major construction side of things and I don't know exactly how to phase -- or phrase that in a motion on this of what we have the parameters to do. Staff, do you have any input on that or --

Dodson: I'm thinking. I might be able to give you something. One thing Commissioners could use is you can just recommend that we work with the applicant on some verbiage, as well as, you know, applicable to the city as what we can and can't enforce. That's really the key point there is we are able to condition something, but how do we really enforce it when it comes to the improvements. They -- we don't do grading permits here, so for them to grade the site and move dirt around and start that, they are -- they can do that. There is nothing to stop them. Which, obviously, you get a grader out there, you are already going to have a truck -- going to have a big truck out there. So, I understand your concern. My point is just that it would have to be associated with something that

triggers a permit where, then, we can look at it, which I already have some discussion of that in my staff report within the provisions for when they have to do the first certificate of zoning compliance, which would be first site improvements, quote, unquote, which would be paving, that's an improvement. Anytime they are going to pave the site is going to trigger a certificate of zoning compliance, which, then, now the city has the ability to condition things or check that previous conditions have been met. So, the verbiage could -- could be worked out. I would say -- I would ask that you just leave it a little open for staff to have our ability to work with the applicant, as well as other staff to figure that out.

Wheeler: Sure. Okay.

McCarvel: Commissioner Lorcher?

Lorcher: I live in that area as well, Madam Chair, and we -- we actually have property at Ustick and McDermott. There is hundreds of large trucks going by Ustick every day between Owyhee High School, all the subdivisions that are going out on McDermott and McMillan, and ACHD is putting a traffic light in at Black Cat and Ustick. They are getting ready to put turn lanes in at Ustick and McDermott for anticipation of traffic for the high school. So, the fact that there are already big trucks enjoying their Jake brakes all day long up and down Ustick and those of us who work and live over there are very used to that and you just -- it's just a work around, you know, for Commissioner Seal and his family, you just kind of figure it out. I don't have a problem with the phasing in of the trucks. ACHD is not going to bring their traffic in until they are ready to do so. But to -- to expect that there is no big truck traffic on Ustick right now is -- it's there. It's already here and -- and it's -- and, then, I -- and, then, 2022 is when ITD is going to be starting Highway 16, so there will be more. So, this is just going to be part of this part of the community for the next eight years really. So, they know the roads better than anyone and how to move their equipment around and I -- I have no problem with how this is being presented, without any modifications. But I will support whatever you feel that you want to do.

Wheeler: Okay. Thank you.

McCarvel: Commissioner Seal.

Seal: There has been several times that we have had people submit applications and we have had to say if only the roads were better. So, now that we have ACHD submitting an application, I want to make sure that the roads are better before this goes in, because they are the deciding body on this. So, that's -- personally that's why I would like to provision something in there to make sure that their phase four hinges on the widening of Ustick Road. That's -- that's my personal opinion on it. So, I'm -- you know, I'm having to wear two hats today. As a commissioner -- you know, I mean I'm looking at this, I'm excited about it, there is a lot of things that are that are great about it. I also share the concerns about traffic, but living in the area I also have to wear that hat, too, having kids running around in the area, I have to wear that hat, too. So, there is a lot of really good things about it, but I just definitely want to make sure that the -- you know, the phase four

construction of this. I don't want to slow it down. I just want to make sure that the road's improvement piece of this hinges on their -- the phase -- phase four completion hinges on the widening of Ustick Road.

McCarvel: Yeah. I think you make the recommendation on the phase four. I think the -- the turnout -- I don't know. The decel lane, you know, while they are doing those first couple of phases I don't think it's going to be utilized -- the facility is not going to be utilized until they get to phase four. I mean in it's --

Seal: Absolutely.

McCarvel: -- work capacity, so --

Seal: And Commissioner Lorcher is right, I mean there -- there is -- there is trucks that -- I mean there is no getting away from construction any -- anywhere that we go, so I just -- again, we have the deciding body that can widen that road -- committing to widening the road. So, I just want to make sure that we -- we do that.

McCarvel: Yeah. Because how much are you still widening in --

Seal: Let's take that opportunity. Yeah. Because we have this discussion at every meeting, the traffic or the roads, so --

Wheeler: Madam Chair?

McCarvel: Commissioner Wheeler.

Wheeler: Commissioner Seal, what do you think about something along the lines of not just conditional on phase four, because sometimes those parts that go into it can change, because this is just a comp, right, and just kind of a target area. Maybe before operations start there or maybe it's being used or C of O -- I mean I don't know how you -- what -- what would be the trigger on this, but, you know, something like what staff was saying, something that could -- where they would also be able to work with the applicant and be able to have some latitude, too. Maybe buy a permit -- a certain permit or something.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Question more for Joe, you know, just in -- and you are right, this is a proposed plan that we have here, so I mean -- and that's what I was looking at is, basically, the proposed phase four completion is how I had it written, but what is the trigger for phase four that we would recognize that -- that when that comes to the city staff that this is phase four, this is when the road needs to be widened, is it widened, is it not. And I -- I struggle with that wording for a motion myself.

Dodson: Understood. Yes, sir. Commissioner Seal, Commissioners, they are going to trigger a CZC before phase four anyways because of the landscaping. At that point we would -- we could verify whether or not they have widened the road, but if you -- we will -- staff, as well as the city, we want the landscaping to be installed as close to the front of this as possible, so that the vegetation is at least close to maturity and growing by the time the actual use of the site gets done. I don't necessarily want to delay that, but I see your points. I do. You could add a condition in there that says, you know, they can't get their first CZC until the road has widened, but, again, that slows all of it down. So, I don't know if you necessarily want to do that. But my understanding is that they really won't be utilizing much of the site until 2024 because of the signal already, so I don't know if we are allowed to do actual timing, but, again, timing changes, so I don't know if putting a year on it is probably not a good idea. You could just say per the phasing they are not allowed to obtain a CZC for any building until the road is widened, because the phasing is showing that with the right turn lane they will also have additional buildings, which will require and be part of the CZC.

Seal: Is there something that triggers when that phase is complete or is it basically there is something in there that says, yes, you can start, but there is nothing in there that really says it's complete?

Dodson: The completeness part would be they are going to have to pull some kind of building permits for these.

Seal: Okay.

Dodson: So, whenever -- it won't be CO, because none of them have occupancy. They are just storage things. But there will be building permits and with -- to which we have to sign off.

Seal: Okay. And I think that's -- I don't want to delay anything, but I definitely want to hinge this on there, you know, somehow and I mean everybody is here, I think everybody -- I don't want to belabor the point, but I just want to make sure that we get the right verbiage in there. So, I think what I would propose is on their proposed phase four completion, that, you know, to include every -- the agency's heavy truck traffic will be dependent on widening the Ustick Road and signalizing. I mean I think that's probably enough to -- I think everybody will understand the intent.

Dodson: I think so. I think that's safe. I think that's what -- frankly, I think that's what ACHD is planning on doing anyways, so -- understood.

Seal: Okay. Thank you.

McCarvel: Commissioner Seal.

Seal: Okay. Madam Chair, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0029 as

presented in the staff report for the hearing date of June 17th, 2021, with the following modifications: That the proposed -- proposed phase four completion to allow the agency's heavy truck traffic will be dependent upon widening Ustick Road and signaling Naomi Avenue.

Wheeler: Second.

McCarvel: It has been moved and seconded to recommend approval for H-2021-0029 with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED FIVE AYES. TWO ABSENT.

McCarvel: One more motion, please.

Wheeler: I move we adjourn.

Seal: Second.

McCarvel: It has been moved and seconded to adjourn the June 17th meeting Planning and Zoning Meeting. All those in favor say aye.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 7:44 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RHONDA MCCARVEL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Third Reading of Ordinance No. 21-1933: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance and Providing an Effective Date



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Cameron Arial, Community Development **Meeting Date:** July 13, 2021

Presenter: Cameron Arial **Estimated Time:** 15 minutes

Topic: Third Reading of Ordinance No. 21-1933: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance and Providing an Effective Date

Background

The proposed Second Amendment to the Meridian Revitalization Plan (“Second Amendment”) provides for the deannexation of two areas from the original downtown Meridian Revitalization District (“original District”) which will sunset in 2026.

Meridian Development Corporation (“MDC”) has been engaged in urban renewal efforts in the original District since its adoption in late 2002. New private investment has been hampered by the 2008-2009 recession and, more recently, by uncertainties surrounding COVID-related changes in the commercial real estate market and rising development costs.

With development costs rising and commercial rents stable, it is difficult for property owners to justify meaningful redevelopment of the small, infill sites that make up the majority of the original District. Without intervention, many properties will likely remain underutilized in the foreseeable future since the current market cannot support the rents required to justify private investment. The assemblage of parcels can spread soft development costs over a larger area and, coupled with MDC’s ability to fund public infrastructure improvements to accommodate redevelopment, can spur development interest and the likelihood of securing private equity and financing.

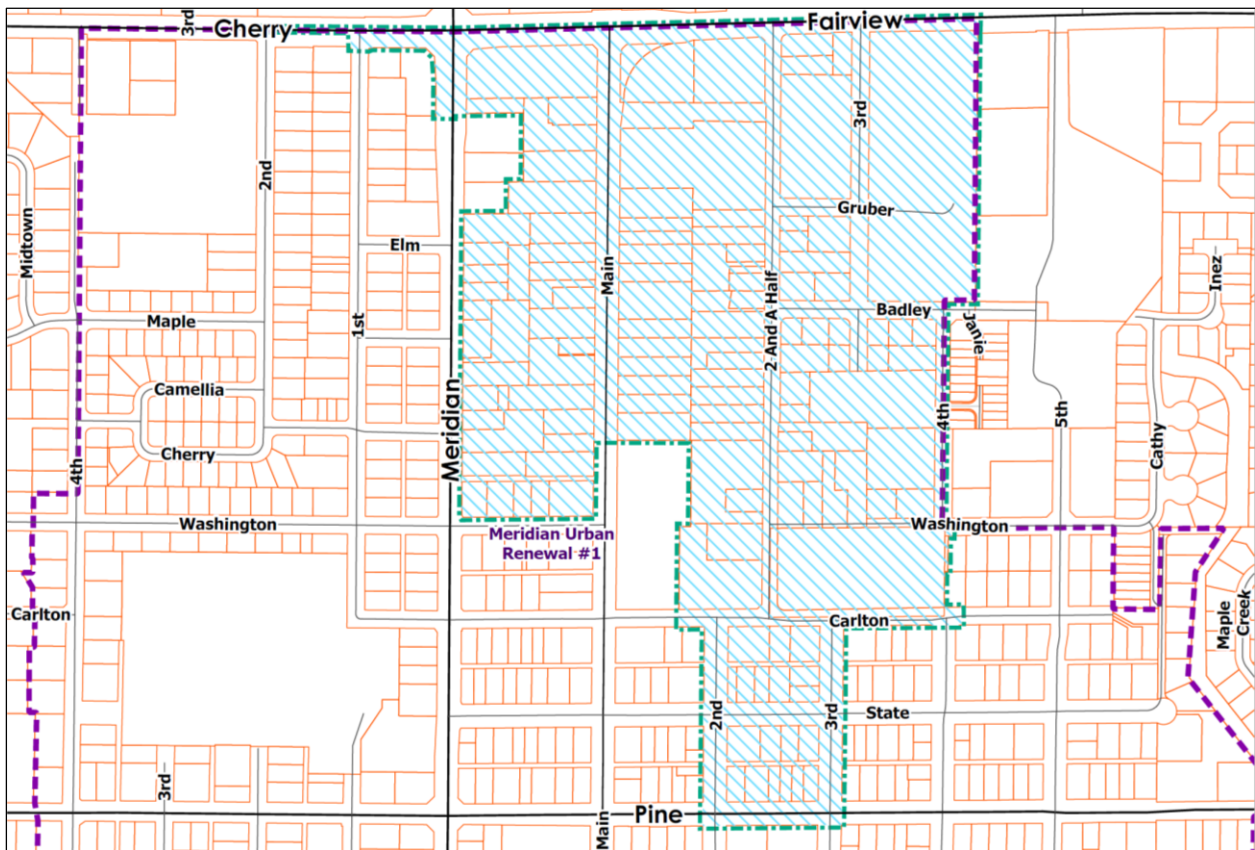
Ultimately, this deannexation will lead to the designated areas being included in a new urban renewal district and an existing urban renewal district, providing continued redevelopment opportunities that are otherwise improbable within the remaining lifespan of the original District.

The establishment of a new Northern Gateway district and an amended Union District will allow for continued public-private partnerships in an area of the City with infrastructure deficiencies.

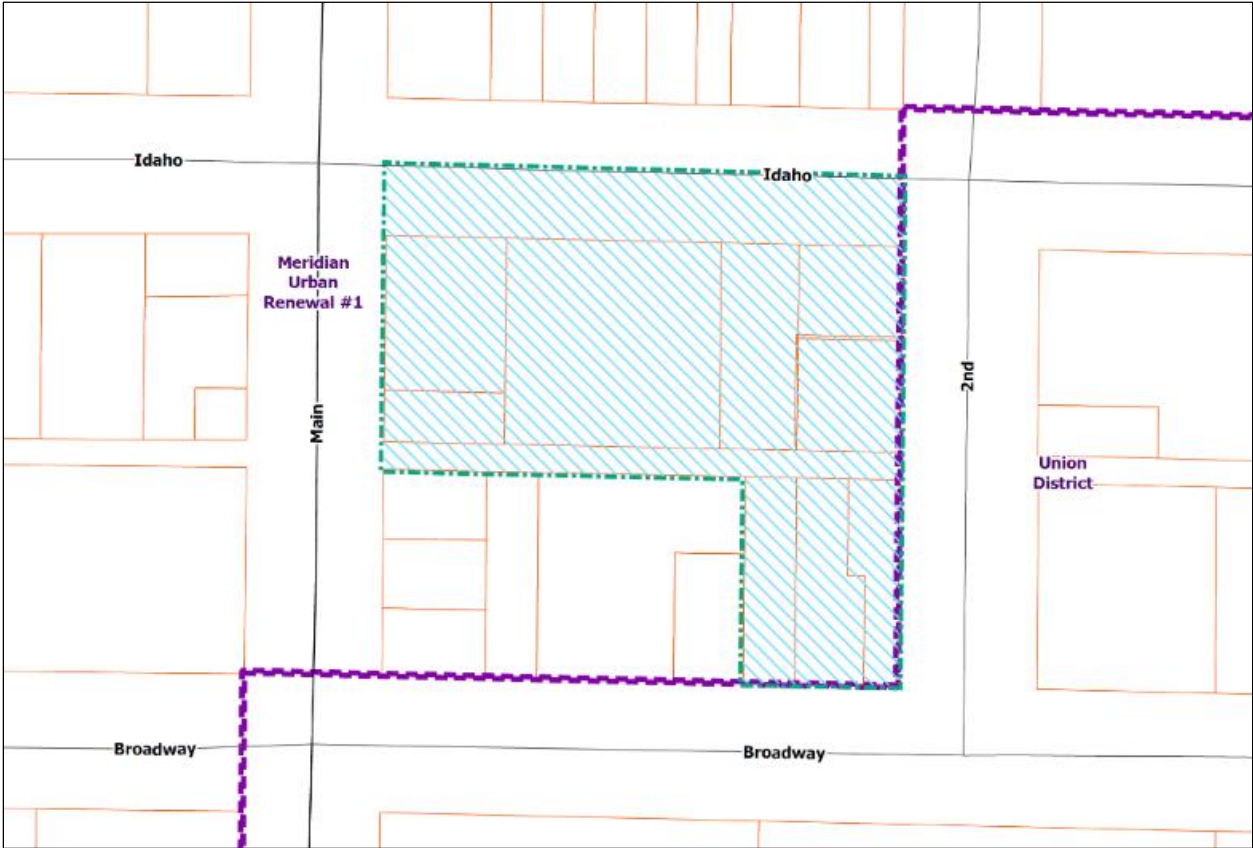
Deannexation Summary

Geographic Area	Parcels	Size (appx.)	Future Action
Northern Gateway	133	77.1 Acres	Include as a portion of proposed new Northern Gateway District, which will also include parcels not currently within a URD
Idaho Block	11	1.5 Acres	Annex into Union District

The map below illustrates the Northern Gateway designated properties to be deannexed from the original District. Ultimately, these properties will be included in a proposed new Northern Gateway District, along with other parcels not currently in an urban renewal district.



The Idaho Block designated properties, shown below, will be deannexed from the original District and are proposed to be annexed into the adjacent Union District.



The fiscal impact of the deannexation on MDC’s annual revenue is highlighted in Exhibit 5B to the Second Amendment. The deannexation of these areas will result in a reduction of annual increment revenue derived from the original District. It has been determined that sufficient capacity remains to fund operations and obligations and implement the terms of the original Meridian Revitalization Urban Renewal Plan.

The deannexation will result in new annual revenue for all other taxing entities, as 2002 base year valuations will be updated to reflect current assessed values. This new revenue stream to other taxing entities will continue in perpetuity, a result of the updated values. When these properties are included in a future or amended urban renewal district, new base year values will be established.

The Second Amendment was adopted by MDC on May 12, 2021 and transmitted for City consideration. As required, the Second Amendment has been reviewed by the Planning and Zoning Commission. Since the Second Amendment only removes properties from the original District and does not include any proposed change of use, zoning, or any specific development, the Second Amendment remains consistent with and was found to be in conformance with the City Comprehensive Plan, as attested to in Resolution PZ 21-03, adopted June 3, 2021.

This is the final of three required ordinance readings for this action.

The Eligibility Reports for the proposed new Northern Gateway District and Idaho Block annexation to the Union District were officially accepted at the July 6, 2021 Council meeting.

Future Actions

Following final adoption of Ordinance 21-1933, staff and consultants will prepare urban renewal plans for the two areas. City and MDC staff will conduct public outreach efforts to inform and engage property owners; and the Planning and Zoning Commission must review the proposed plans and validate their conformity with the City Comprehensive Plan.

The urban renewal plans will then be brought to the City Council for consideration and adoption. Similar to this Second Amendment action, the final adoption of the Northern Gateway Urban Renewal Plan and First Amendment to the Union District Urban Renewal Plan will follow three ordinance readings and a public hearing. It is anticipated that these final actions will occur mid-November through early December 2021.

CITY OF MERIDIAN ORDINANCE NO. 21-1933

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, APPROVING THE SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN URBAN RENEWAL PROJECT, WHICH SECOND AMENDMENT SEEKS TO DEANNEX CERTAIN AREAS FROM THE EXISTING MERIDIAN REVITALIZATION PROJECT AREA; WHICH SECOND AMENDMENT AMENDS A PLAN THAT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Urban Renewal Agency of the City of Meridian, Idaho, also known as Meridian Development Corporation (“MDC” or “Agency”) is an independent public body, corporate and politic, an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended and supplemented (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”);

WHEREAS, on October 8, 2002, the City Council (the “City Council”) of the City of Meridian, Idaho (the “City”), after notice duly published conducted a public hearing on the Meridian Revitalization Plan Urban Renewal Project, which is also referred to as the Downtown District (the “Downtown District Plan”);

WHEREAS, following said public hearing, the City Council on December 3, 2002, adopted Ordinance No. 02-987 approving the Downtown District Plan, making certain findings and establishing the Downtown District revenue allocation area (the “Downtown District Project Area”);

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Meridian Revitalization Plan Urban Renewal Project (the “First Amendment to the Downtown District Plan”);

WHEREAS, following said public hearing, the City Council on June 9, 2020, adopted Ordinance No. 20-1881 approving the First Amendment to the Downtown District Plan deannexing certain parcels and making certain findings (collectively, the Downtown District Plan, and amendments thereto, are referred to as the “Existing Downtown District Plan,” and the Downtown District Project Area, and amendments thereto, are referred to as the “Existing Downtown District Project Area”);

WHEREAS, the Agency seeks to further amend the Existing Downtown District Plan to deannex two (2) areas from the Existing Downtown District Project Area as described in the Second Amendment defined below;

WHEREAS, the Agency has reviewed the financial impact of the deannexation on its allocation of revenue and has concluded the remaining allocation of revenue is sufficient to pay its operations and obligations and to continue to implement the terms of the Existing Downtown District Plan;

WHEREAS, the Agency has prepared the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project (the “Second Amendment”), as set forth in Exhibit 1 attached hereto, identifying the area to be deannexed from the Existing Downtown District Project Area;

WHEREAS, the Second Amendment amends the Existing Downtown District Plan, which contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, on May 12, 2021, the Agency Board passed Resolution No. 21-023 proposing and recommending the approval of the Second Amendment;

WHEREAS, the Agency submitted the Second Amendment to the Mayor and City;

WHEREAS, the Mayor and City Clerk have taken the necessary action in good faith to process the Second Amendment consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, as of May 18, 2021, the Second Amendment was submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

WHEREAS, notice of the public hearing of the Second Amendment was caused to be published by the Meridian City Clerk in the *Meridian Press* on May 21, 2021, and June 4, 2021, a copy of said notices are attached hereto as Exhibit 2;

WHEREAS, pursuant to the Law, at a meeting held on June 3, 2021, the Meridian Planning and Zoning Commission considered the Second Amendment and found by P&Z Resolution No PZ-21-03 that the Second Amendment is in all respects in conformity with the City of Meridian Comprehensive Plan, as may be amended (the “Comprehensive Plan”) and forwarded its findings to the City Council, a copy of which is attached hereto as Exhibit 3;

WHEREAS, as required by Idaho Code Section 50-2906, the Second Amendment was made available to the general public and all taxing districts at least thirty (30) days prior to the July 6, 2021, regular meeting of the City Council;

WHEREAS, appropriate notice of the Second Amendment and the impact on the revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code Sections 50-2008 and 50-2906;

WHEREAS, the City at its regular meeting held on July 6, 2021, held a public hearing and considered the Second Amendment as proposed, and made certain comprehensive findings;

WHEREAS, it is in the best interests of the citizens of the City to adopt the Second Amendment;

WHEREAS, the Second Amendment amends a pre-July 1, 2016, urban renewal plan containing a revenue allocation financing provision; and therefore, pursuant to Idaho Code Section 50-2903(4), there is no reset of the base assessment roll to the current values for the remaining Existing Downtown District Project Area;

WHEREAS, the City Council finds that the equalized assessed valuation of the taxable property in the Existing Downtown District Project Area is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the Existing Downtown District Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MERIDIAN, IDAHO:

SECTION 1: The Second Amendment attached hereto as Exhibit 1 and made a part hereof, is hereby approved. As directed by the City Council, the City Clerk may make certain technical corrections or revisions in keeping with the information and testimony presented at the July 6, 2021, hearing, and incorporate changes or modifications, if any.

SECTION 2: No direct or collateral action challenging the Second Amendment shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Second Amendment.

SECTION 3: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Ada County Assessor, and to the appropriate officials of Ada County Board of County Commissioners, City of Meridian, Ada County Highway District, Joint School District No 2, Ada County Ambulance/EMS, Meridian Cemetery District, College of Western Idaho, Meridian Library District, Mosquito Abatement District, the Western Ada Recreation District, and the State Tax Commission a copy of this Ordinance, a copy of the legal descriptions of the boundaries of the deannexed areas, and the maps indicating the boundaries of the areas to be deannexed from the Existing Downtown District Project Area.

SECTION 4: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication, and shall be retroactive to January 1, 2021, to the extent permitted by the Law and the Act, with the remaining Existing Downtown District Project Area maintaining its base assessment roll as of January 1, 2002.

SECTION 5: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 6: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 7: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 8: SAVINGS CLAUSE: This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the City Council of the City of Meridian, Idaho, this ____ day of July 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this ____ day of July 2021.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

Exhibit 1

SECOND AMENDMENT TO THE
MERIDIAN REVITALIZATION PLAN
URBAN RENEWAL PROJECT

**SECOND AMENDMENT TO THE
MERIDIAN REVITALIZATION PLAN
URBAN RENEWAL PROJECT
MERIDIAN URBAN RENEWAL AGENCY
(also known as the Meridian Development Corporation)**

CITY OF MERIDIAN, IDAHO

**Ordinance No. 02-987
Adopted December 3, 2002
Effective December _____ 2002, publication**

**First Amendment to the Plan
Ordinance No. 20-1881
Adopted June 9, 2020
Effective June 19, 2020, publication**

**Second Amendment to the Plan
Ordinance No. _____
Adopted _____, 2021
Effective _____, 2021, publication**

BACKGROUND

This Second Amendment (“Second Amendment”) to the Meridian Revitalization Plan Urban Renewal Project (the “Plan”) amends the Plan for the following purposes: (1) to deannex approximately 77 acres (including right-of-way) generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4th Street if extended, over to E. 3rd Street. The southern boundary extends to E. Pine Avenue between E. 3rd Street and E. 2nd Street, and then travels up E. 2nd Street and over E. Washington Avenue to connect back to Meridian Road. This deannexation is from the plan area/revenue allocation area created by the Plan commonly referred to as the “Downtown District Project Area,” adopted by Meridian City Council Ordinance No. 02-987, on December 3, 2002, as amended by the First Amendment to the Plan in 2020, which deannexed approximately 16 acres from the Downtown District Project Area, as adopted by Meridian City Council Ordinance No. 20-1881, on June 9, 2020 (the “First Amendment”); and (2) to deannex approximately 1.46 acres (including right-of-way) from the Downtown District Project Area, as amended by the First Amendment, and generally bounded by E. Idaho Avenue on the north, NE 2nd Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west. The scope of this Second Amendment is limited to addressing the deannexation of certain parcels from the Downtown District Project Area, as amended by the First Amendment. It is important to note this Second Amendment to the Plan does not extend the Plan’s duration. The Plan terminates on December 31, 2026; however, revenue allocation proceeds will be received in 2027 pursuant to Idaho Code § 50-2905(7).

As a result of this second deannexation, in 2021 through the remaining years of the Plan, the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (the “MDC”) will cease receiving an allocation of revenues from the deannexed parcels. The increment value of the parcels deannexed from the Downtown District Project Area pursuant to this Second Amendment shall be included in the net taxable value of the taxing district when calculating the subsequent property tax levies pursuant to section 63-803, Idaho Code. The increment value shall also be included in subsequent notification of taxable value for each taxing district pursuant to section 63-1312, Idaho Code, and subsequent certification of actual and adjusted market values for each school district pursuant to section 63-315, Idaho Code. The Ada County Assessor’s Office maintains the value information, including the increment value, if any, included on the new construction roll for new construction associated with the deannexed parcels.

House Bill 606, effective July 1, 2016, amended the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”) firmly establishing “[f]or plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be determined as if the modification had not occurred.” Idaho Code § 50-2903(4). Though the provisions of Idaho Code § 50-2903A do not apply to the Plan, a plan amendment or modification to accommodate a de-annexation in the revenue allocation area boundary is a specifically identified exception to a base reset. Idaho Code § 50-2903A(1)(a)(iii). This highlights the legislative support for these types of amendments.

AMENDMENTS TO THE PLAN

1. Definitions. Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Plan, as amended by the First Amendment to the Plan.

2. The following defined terms are amended throughout the Plan, as amended by the First Amendment to the Plan, as follows:

(a) Delete “Amended Project Area” and replace with “Second Amended Project Area” except where specifically referenced in this Second Amendment.

(b) Delete references to “Attachment 5” and replace with “Attachment 5, as supplemented by Attachments 5A and 5B” except where specifically referenced in this Second Amendment.

3. Amendment to List of Attachments. The List of Attachments on page vi of the Plan, as amended by the First Amendment to the Plan, is further amended by deleting the list of attachments and replacing it as follows:

Attachment 1	Legal Description of the Project Area and Revenue Allocation Area Boundaries
Attachment 1A	Legal Description of the Boundary of the Deannexed Area
Attachment 1B	Legal Description of the Boundaries of the 2021 Deannexed Areas
Attachment 2	Project Area-Revenue Allocation Area Boundary Map
Attachment 2A	Boundary Map of the Deannexed Area
Attachment 2B	Boundary Maps of the 2021 Deannexed Areas
Attachment 3	Properties Which May be Acquired by the Agency
Attachment 4	Map Depicting Expected Land Uses and Current Zoning Within the Second Amended Project Area
Attachment 5	Economic Feasibility Study, Meridian Urban Renewal Area
Attachment 5A	Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2020 Deannexation
Attachment 5B	Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2021 Deannexation

4. Amendment to Section 100 of the Plan, as amended by the First Amendment to the Plan. Section 100, as amended by the First Amendment to the Plan, is amended by deleting the list of attachments and replacing it as follows:

Legal Description of the Project Area and Revenue Allocation Area Boundaries (Attachment 1);

Legal Description of the Boundary of the Deannexed Area (Attachment 1A);

Legal Description of the Boundaries of the 2021 Deannexed Areas (Attachment 1B);

Project Area-Revenue Allocation Area Boundary Map (Attachment 2);

Boundary Map of the Deannexed Area (Attachment 2A);

Boundary Maps of the 2021 Deannexed Areas (Attachment 2B);

Properties Which May be Acquired by the Agency (Attachment 3);

Map Depicting Expected Land Uses and Current Zoning Within the Second Amended Project Area (Attachment 4);

Economic Feasibility Study, Meridian Urban Renewal Area (Attachment 5);

Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2020 Deannexation (Attachment 5A);

Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2021 Deannexation (Attachment 5B).

5 Amendment to Section 102.1 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 102.1 entitled “CONFORMANCE WITH STATE OF IDAHO URBAN RENEWAL LAW OF 1965, AS AMENDED” is amended by adding new paragraphs to the end of the language added by the First Amendment to the Plan as follows:

Subsequent to the First Amendment, in 2021, the Agency and City reviewed two additional areas for deannexation from the original Project Area, as amended by the First Amendment, as follows: approximately 77 acres (including right-of-way) generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4th Street if extended, over to 3rd Street. The southern boundary extends to E. Pine Avenue between E. 3rd Street and E. 2nd Street, and then travels up E. 2nd Street and over E. Washington Avenue to connect back to Meridian Road; and approximately 1.46 acres (including right-of-way) generally bounded by E. Idaho Avenue on the north, NE 2nd Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west.

This Second Amendment to the Plan (the “Second Amendment”) deannexes certain parcels from the original Project Area, as amended by the First Amendment, resulting in a “Second Amended Project Area” as further described and shown in Attachments 1, 1A, 1B, 2, 2A, and 2B.

This Second Amendment was prepared and submitted to MDC for its review and approval. MDC approved the Second Amendment by the adoption of Resolution No. 21-023 on May 12, 2021 and submitted the Second Amendment to the City Council with its recommendation for adoption.

In accordance with the Law, this Second Amendment was submitted to the Planning and Zoning Commission of the City of Meridian. After consideration of the Second Amendment, the Commission filed Resolution PZ-21-03 dated June 3, 2021, with the City Council stating that the Second Amendment is in conformity with the Comprehensive Plan for the City of Meridian, adopted on December 17, 2019, by Resolution No. 19-2179.

Pursuant to the Law, the City Council, having published due notice thereof, held a public hearing on the Second Amendment. Notice of the hearing was duly published in a newspaper having general circulation in the City. The City Council adopted the Second Amendment on _____, 2021, pursuant to Ordinance No. _____.

6. Amendment to Section 200 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 200, as amended by the First Amendment to the Plan, entitled “DESCRIPTION OF THE AMENDED PROJECT AREA” is deleted and replaced as follows:

DESCRIPTION OF THE SECOND AMENDED PROJECT AREA

The boundaries of the Project Area and of the Revenue Allocation Area are described in Attachment 1, which is attached hereto and incorporated herein by reference, and are shown on the Project Area and Revenue Allocation Area Boundary Map, attached hereto as Attachment 2 and incorporated herein by reference. The Project Area includes several parcels of property which are located outside the geographical boundaries of the City but within the City’s impact area. MDC has an existing agreement with Ada County related to such parcels. The First Amendment and the Second Amendment have no impact on that agreement.

Pursuant to the First Amendment, the boundaries of the deannexed area are described in the Legal Description of the Boundary of the Deannexed Area in Attachment 1A and are shown on the Boundary Map of the Deannexed Area in Attachment 2A.

Pursuant to the Second Amendment, the boundaries of the deannexed areas are described in the Legal Description of the Boundaries of the 2021 Deannexed Areas in Attachment 1B and are shown on the Boundary Maps of the 2021 Deannexed Areas in Attachment 2B.

The attachments referenced above are attached hereto and are incorporated herein by reference.

7. Amendment to Section 302 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 302, as amended by the First Amendment to the Plan, is further amended by deleting the first sentence of the second paragraph and replacing it as follows:

The Second Amended Project Area includes the area as described in Section 200.

8. Amendment to Section 504 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504, as amended by the First Amendment to the Plan, is further amended by deleting the second sentence of the first paragraph and replacing it as follows: Revenue allocation financing authority for the deannexed parcels pursuant to the First Amendment was terminated effective January 1, 2020, and revenue allocation financing authority for the deannexed parcels pursuant to the Second Amendment will be terminated effective January 1, 2021.

(b) Section 504, as amended by the First Amendment to the Plan, is further amended by deleting the last sentence of the fourth paragraph and replacing it as follows: No modifications to the analysis set forth in Attachment 5 have been made as a result of the First Amendment or the Second Amendment. The estimated financial impact to the MDC as a result of the deannexation of certain underdeveloped parcels from the original Project Area pursuant to the First Amendment is set forth in Attachment 5A. The estimated financial impact to the MDC as a result of the 2021 deannexation of certain parcels from the Amended Project Area pursuant to the Second Amendment is set forth in Attachment 5B.

9. Amendment to Section 504.1 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504.1, as amended by the First Amendment to the Plan, is further amended by deleting the last sentence at the end of the paragraph and replacing it as follows: No modifications to the Study have been made as a result of the First Amendment or this Second Amendment; however, Attachment 5A includes the estimated financial impact to the MDC

prepared by Kushlan | Associates and SMR Development, LLC as a result of the first deannexation of certain underdeveloped parcels from the original Project Area pursuant to the First Amendment, and Attachment 5B includes the estimated financial impact to the MDC prepared by Kushlan | Associates as a result of the second deannexation of certain parcels from the original Project Area, as amended by the First Amendment, pursuant to the Second Amendment.

10. Amendment to Section 504.3 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504.3, as amended by the First Amendment to the Plan, is further amended by deleting the sentence at the end of the paragraph and replacing it as follows: The deannexation of parcels from the original Project Area pursuant to the First Amendment and the Second Amendment does not substantively change this analysis. As a result of the deannexations, the base assessment roll value will decrease.

11. Amendment to Section 504.4 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504.4, as amended by the First Amendment to the Plan, is further amended by deleting the sentence at the end of the second paragraph and replacing it as follows: The deannexation of parcels from the original Project Area pursuant to the First Amendment reduced the amount of revenue generated by revenue allocation as set forth in Attachment 5A. The deannexation of parcels from the original Project Area pursuant to this Second Amendment is estimated to reduce the amount of revenue generated by revenue allocation as set forth in Attachment 5B.

(b) Section 504.4, as amended by the First Amendment to the Plan, is further amended by adding a new sentence at the end of the third paragraph as follows: Attachment 5B includes the estimated financial impact to the MDC as a result of the second deannexation of certain parcels from the original Project Area, as amended by the First Amendment to the Plan. Based on the findings set forth in Attachment 5B, the conclusion is the second deannexation of certain parcels from the original Project Area, as amended by the First Amendment to the Plan, does not materially reduce revenue allocation and the Project continues to be feasible.

12. Amendment to Section 800 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 800, as amended by the First Amendment to the Plan, is further amended by adding a new sentence at the end of the first paragraph as follows: The deannexation of parcels from the original Project Area, as amended by the First Amendment, pursuant to this Second Amendment has no impact on the duration of this Plan.

13. Amendment to Plan, as amended by the First Amendment to the Plan, to add new Attachment 1B. The Plan, as amended by the First Amendment to the Plan, is further amended to add new Attachment 1B entitled “Legal Description of the Boundaries of the 2021 Deannexed Areas,” attached hereto.

14. Amendment to Plan, as amended by the First Amendment to the Plan, to add new Attachment 2B. The Plan, as amended by the First Amendment to the Plan, is further amended to add new Attachment 2B entitled “Boundary Maps of the 2021 Deannexed Areas,” attached hereto.

15. Amendment to Plan, as amended by the First Amendment to the Plan, to add new Attachment 5B. The Plan, as amended by the First Amendment to the Plan, is further amended to add new Attachment 5B entitled “Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2021 Deannexation,” attached hereto.

16. Downtown District Plan, as amended by the First Amendment to the Plan, Remains in Effect. Except as expressly modified in this Second Amendment, the Plan and the Attachments thereto, as amended by the First Amendment to the Plan, remain in full force and effect.

Item #4.

Attachment 1B
Legal Description of the Boundaries of the 2021 Deannexed Areas

ATTACHMENT 1B

DE-ANNEXATION BOUNDARY DESCRIPTION
FOR
MERIDIAN DEVELOPMENT CORPORATION

NORTHERN GATEWAY

A description for De-Annexation purposes located in the NE 1/4 of the NE 1/4 of Section 12, Township 3 North, Range 1 West, also being in the NW 1/4 of Section 7, and in the N 1/2 of the SW 1/4 of Section 7, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the northeasterly corner of said NW 1/4 of Section 7, from which a brass cap monument marking the northwesterly corner of said Section 7 bears S 88°35'17" W a distance of 2404.78 feet;

Thence S 88°35'17" W along the northerly boundary of said Section 7 a distance of 630.19 feet to the POINT OF BEGINNING;

Thence continuing S 88°35'17" W a distance of 1774.59 feet to a point marking the northwesterly corner of said Section 7;

Thence leaving said northerly boundary N 89°26'54" W along the northerly boundary of said NE 1/4 of the NE 1/4 a distance of 357.11 feet to a point;

Thence leaving said northerly boundary S 0°33'06" W a distance of 57.00 feet to a point on the southerly right-of-way of W Cherry Lane;

Thence along said southerly right-of-way the following described courses:

Thence S 62°43'15" E a distance of 12.62 feet to a point on the westerly right-of-way of NW 1st Street;

Thence leaving said westerly right-of-way S 86°48'50" E a distance of 60.07 feet to a point on the easterly right-of-way of NW 1st Street;

Thence leaving said easterly right-of-way N 66°24'13" E a distance of 12.07 feet to a point;

Thence S 89°26'54" E a distance of 182.01 feet to a point;

Thence S 45°34'48" E a distance of 41.81 feet to a point on the westerly right-of-way of N Meridian Road;

Thence leaving said southerly right-of-way and along said westerly right-of-way the following described courses:

Thence S 3°25'19" E a distance of 81.40 feet to a point;

Thence S 0°23'29" W a distance of 119.26 feet to a point;

Thence leaving said westerly right-of-way S 89°36'31" E a distance of 57.50 feet to a point on the westerly boundary of said NW 1/4 of Section 7;

Thence N 0°23'29" E along said westerly boundary a distance of 9.32 feet to a point on the extension of the northerly boundary of *PARCEL A* as shown on Record of Survey No. 10448, instrument No. 2016-028560, found in said office of the Recorder;

Thence N 89°36'58" E along said extension a distance of 46.00 feet to a point marking the northwesterly corner of said *PARCEL A*;

Thence continuing N 89°36'58" E along the northerly boundary of said *PARCEL A* a distance of 194.02 feet to a point marking the northeasterly corner of said *PARCEL A*;

Thence S 0°23'29" W along the easterly boundaries of said *PARCEL A* and of *PARCEL B* of said Record of Survey No. 10448 a distance of 233.00 feet to a point marking the southeasterly corner of said *PARCEL B*;

Thence S 89°36'58" W along the southerly boundary of said *PARCEL B* a distance of 50.01 feet to a point;

Thence leaving said southerly boundary S 0°23'29" W a distance of 106.39 feet to a point;

Thence S 89°36'05" W a distance of 150.01 feet to a point on the easterly right-of-way of N Meridian Road;

Thence along said right-of-way the following described courses:

Thence S 0°23'29" W a distance of 1015.39 feet to a point;

Thence S 23°44'59" E a distance of 9.44 feet to a point on the northerly right-of-way of E Washington Street;

Thence leaving said easterly right-of-way N 89°36'04" E along said northerly right-of-way a distance of 440.45 feet to a point on the westerly right-of-way of N Main Street;

Thence leaving said northerly right-of-way N 0°33'24" E along said westerly right-of-way a distance of 256.24 feet to a point on the extension of the northerly boundary of that *PARCEL* as shown on Record of Survey No. 1171, Instrument No. 8761859, found in said office of the Recorder;

Thence leaving said westerly right-of-way N 89°58'13" E along said extension a distance of 80.00 feet to a point marking the northwesterly corner of said *PARCEL*;

Thence continuing N 89°58'13" E along the northerly boundary of said *PARCEL* a distance of 249.98 feet to a point marking the northeasterly corner of said *PARCEL*, said point being the northwesterly corner of *SCHOOL PLAZA SUBDIVISION NO. 1* as found in Book 64 of plats at Pages 6501 – 6502 in said office of the Recorder;

Thence along the easterly boundary of said *PARCEL* and the westerly boundary of said *SCHOOL PLAZA SUBDIVISION NO. 1* the following described courses:

Thence S 0°33'24" W a distance of 290.72 feet to a point;

Thence N 89°26'36" W a distance of 37.00 feet to a point;

Thence S 0°33'24" W a distance of 280.00 feet to a point marking the southeasterly corner of said *PARCEL* and marking the southwest corner of said *SCHOOL PLAZA SUBDIVISION NO. 1*;

Thence leaving said boundaries S 0°33'24" W along an extension of said boundaries a distance of 60.01 feet to a point on the northerly boundary of Block 5 of *F A NOURSE'S SECOND ADDITION* as found in Book 2 of plats at Page 64 in said office of the Recorder;

Thence leaving said extension N 89°35'47" E along said northerly boundary a distance of 87.19 feet to a point marking the northeasterly corner of said Block 5;

Thence S 0°31'57" W along the easterly boundary of said Block 5 a distance of 255.99 feet to a point marking the southeasterly corner of said Block 5;

Thence continuing S 0°31'57" W a distance of 80.01 feet to a point marking the northeasterly corner of Block 2 of said *F A NOURSE'S SECOND ADDITION*;

Thence continuing S 0°31'57" W along the easterly boundary of said Block 2 a distance of 256.02 feet to a point marking the southeasterly corner of said Block 2;

Thence S 0°32'08" W a distance of 80.01 feet to a point on the southerly right-of-way of E Pine Avenue as shown on Record of Survey No. 11653, Instrument No. 2018-119154, found in said office of the Recorder;

Thence along said southerly right-of-way the following described courses:

Thence N 89°35'22" E a distance of 80.01 feet to a point marking the northwesterly corner of that right-of-way vacated to adjoining owners, as described in Instrument No. 98218, of Block 7 of the amended plat of the *TOWNSITE OF MERIDIAN* as found in Book 1 of plats at Page 30 in said office of the Recorder;

Thence continuing N 89°35'22" E a distance of 308.78 feet to a point marking the northeasterly corner of said vacated right-of-way of Block 1 of the amended plat of *ROWAN ADDITION* as found in Book 2 of plats at Page 52 in said office of the Recorder;

Thence continuing N 89°35'22" E a distance of 80.04 feet to a point marking the northwesterly corner of said vacated right-of-way of Block 6 of said amended plat of *ROWAN ADDITION*;

Thence leaving said southerly right-of-way N 0°58'55" E a distance of 80.02 feet to a point marking the southwesterly corner of Block 3 of *COTTAGE HOME ADDITION* as found in Book 1 of plats at Page 42 in said office of the Recorder;

Thence N 0°37'13" E along the westerly boundary of said Block 3 a distance of 256.03 feet to a point marking the northwesterly corner of said Block 3;

Thence continuing N 0°37'13" E a distance of 80.01 feet to a point marking the southwesterly corner of Block 6 of said *COTTAGE HOME ADDITION*;

Thence continuing N 0°37'13" E along the westerly boundary of said Block 6 a distance of 255.93 feet to a point marking the northwesterly corner of said Block 6;

Thence N 89°35'47" E along the northerly boundary of said Block 6 a distance of 299.64 feet to a point marking the northeasterly corner of said Block 6;

Thence continuing N 89°35'47" E a distance of 99.67 feet to a point the northwesterly corner of Lot 1 of Block 1 of *EASTSIDE PARK SUBDIVISION* as found in Book 20 of plats at Pages 1312 – 1313 in said office of the Recorder;

Thence continuing N 89°35'47" E along the northerly boundary of said Lot 1 a distance of 12.32 feet to a point on an extension of the easterly boundary of Lot 1 of Block 3 of said *EASTSIDE PARK SUBDIVISION*;

Thence leaving said northerly boundary N 0°34'47" E a distance of 60.01 feet to the southeasterly corner of said Lot 1 of Block 3;

Thence S 89°35'47" W along the southerly boundary of said Lot 1 a distance of 71.98 feet to the southwesterly corner of said Lot 1;

Thence N 0°35'03" E along the westerly boundary of said Lot 1 a distance of 120.38 feet to the northwesterly corner of said Lot 1;

Thence N 89°35'47" E along the northerly boundary of said Lot 1 a distance of 11.00 feet to a point;

Thence leaving said northerly boundary N 0°35'00" E a distance of 120.38 feet to a point on the northerly boundary of said Block 3;

Thence N 89°35'47" E along said northerly boundary a distance of 10.60 feet to a point on the extension of the easterly right-of-way of NE 4th Street;

Thence leaving said northerly boundary N 0°34'47" E along said extension a distance of 30.00 feet to a point on the centerline of E Washington Avenue;

Thence leaving said extension S 89°35'47" W along said centerline a distance of 30.00 feet to a point marking the intersection of said E Washington Avenue and NE 4th Street;

Thence leaving said centerline of E Washington Avenue N 0°34'47" E along the centerline of said NE 4th Street a distance of 731.98 feet to a point marking the intersection of said NE 4th Street and E Badley Avenue;

Thence leaving said centerline of NE 4th Street and continuing N 0°34'47" E along an extension of said centerline of NE 4th Street a distance of 30.00 feet to a point on the southerly boundary of that *PARCEL* as shown on Record of Survey No. 10184, Instrument No. 2015-067809, found in said office of the Recorder;

Thence leaving said extension S 89°32'57" E along said southerly boundary a distance of 102.03 feet to a point marking the southeasterly corner of said *PARCEL*;

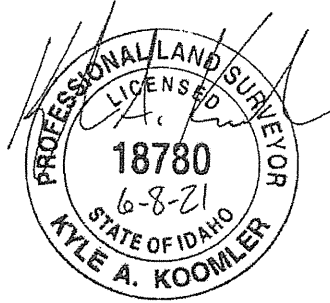
Thence N 0°35'00" E along the easterly boundary of said *PARCEL* a distance of 912.62 feet to a point on the southerly right-of-way of E Fairview Avenue;

Thence leaving said easterly boundary and continuing N 0°35'00" E along an extension of said easterly boundary a distance of 47.50 feet to the POINT OF BEGINNING.

This parcel contains approximately 77.090 acres.

NOTE: This description was prepared using record information including Record of Surveys, Subdivision Plats and Deeds acquired from the Ada County Recorder's office. No field survey has been performed.

Prepared by: Kyle A. Koomler, PLS
Civil Survey Consultants, Incorporated
June 8, 2021



ATTACHMENT 1B

URBAN RENEWAL DISTRICT BOUNDARY DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION

IDAHO BLOCK

A description for Urban Renewal District purposes located in the NW 1/4 of the SW 1/4 of Section 7, Township 3 North, Range 1 East, Boise Meridian, and being a part of Block 4 of the amended plat of the *TOWNSITE OF MERIDIAN* as found in Book 1 of plats at Page 30 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the intersection of N Main Street and E Idaho Avenue, from which a brass cap monument marking the intersection of NE 2nd Street and E Idaho Avenue bears S 88°43'59" E a distance of 380.05 feet;

Thence S 88°43'59" E along the centerline of said E Idaho Avenue a distance of 40.00 feet to the POINT OF BEGINNING;

Thence continuing S 88°43'59" E a distance of 300.04 feet to a point on an extension of the easterly boundary of said Block 4;

Thence leaving said centerline S 0°31'47" W a distance of 40.00 feet to a point marking the northeasterly corner of said Block 4;

Thence continuing S 0°31'47" W along said easterly boundary a distance of 256.13 feet to a point marking the southeasterly corner of said Block 4;

Thence N 88°44'00" W along the southerly boundary of said Block 4 a distance of 90.05 feet to a point marking the southwesterly corner of Lot 8 of said Block 4;

Thence leaving said southerly boundary N 0°32'12" E along the westerly boundary of said Lot 8 a distance of 120.07 feet to a point marking the northwesterly corner of said Lot 8;

Thence N 88°43'59" W along the northerly boundary of Lots 1 – 7 of said Block 4 a distance of 210.08 feet to a point on the westerly boundary of said Block 4, said point being the northwesterly corner of Lot 1 of said Block 4;

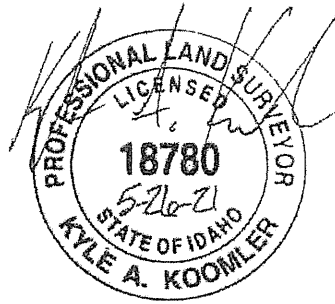
Thence N 0°33'09" E along said westerly boundary a distance of 136.07 feet to a point marking the northwesterly corner of said Block 4;

Thence continuing N 0°33'09" E on an extension of said westerly boundary a distance of 40.00 feet to the POINT OF BEGINNING.

This parcel contains approximately 1.461 acres.

NOTE: This description was prepared using record information including Record of Surveys, Subdivision Plats and Deeds acquired from the Ada County Recorder's office. No field survey has been performed.

Prepared by: Kyle A. Koomler, PLS
Civil Survey Consultants, Incorporated
May 26, 2021




Item #4.

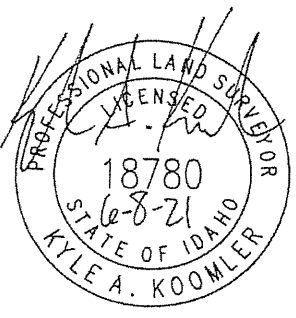
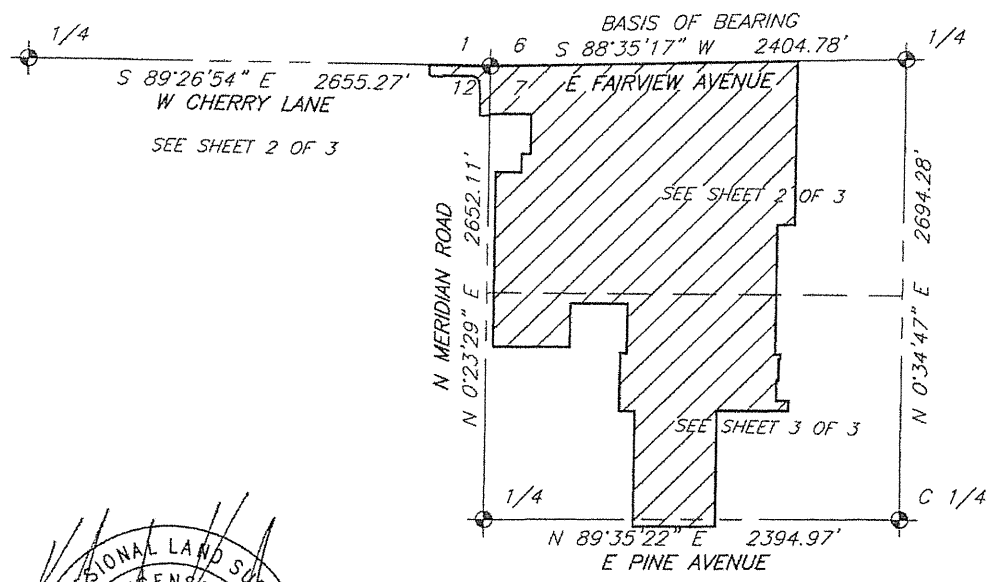
Attachment 2B
Boundary Maps of the 2021 Deannexed Areas

ATTACHMENT 2B -NORTHERN GATEWAY

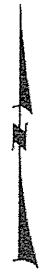
SKETCH TO ACCOMPANY DE-ANNEXATION DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, ALSO BEING IN THE NW 1/4 OF SECTION 7, AND IN THE N 1/2 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO

LEGEND

- URD BOUNDARY
-  DE-ANNEXATION AREA



CIVIL SURVEY CONSULTANTS, INC.
 2893 SOUTH MERIDIAN ROAD
 MERIDIAN, IDAHO 83642
 (208)888-4312



SCALE: 1"=1000'

SHEET 1 OF 3

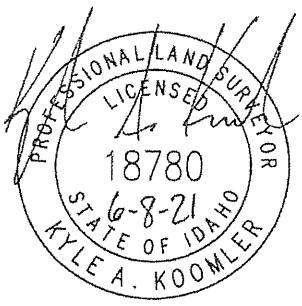
Item #4. **ACHMENT 2B -NORTHERN GATEWAY (CONTINUED)**



SCALE: 1"=300'

LEGEND

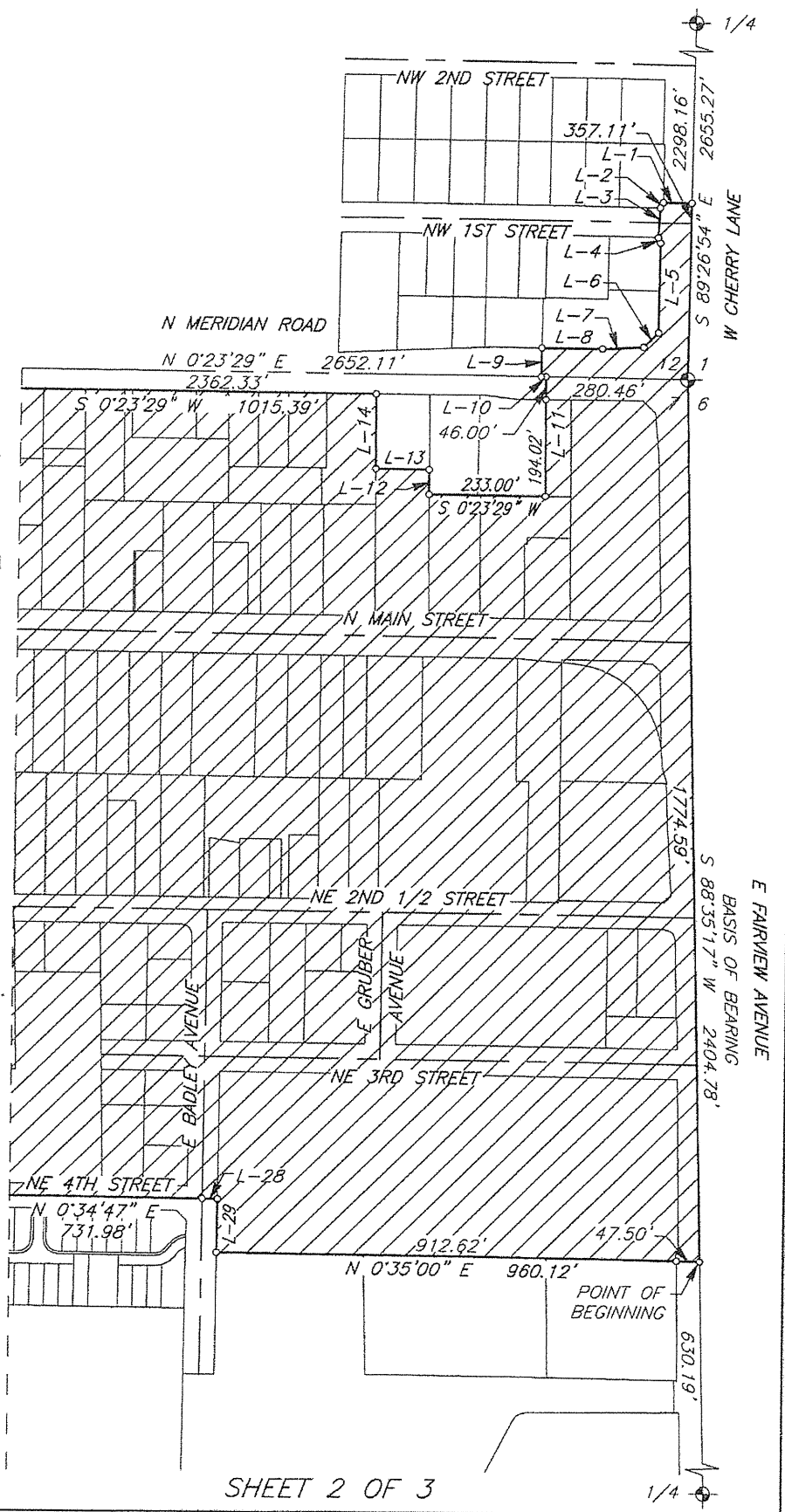
- URD BOUNDARY
- DE--ANNEXATION AREA



CIVIL SURVEY CONSULTANTS, INC.
 2893 SOUTH MERIDIAN ROAD
 MERIDIAN, IDAHO 83642
 (208)888-4312

LINE DATA		
LINE	BEARING	DISTANCE
L-1	S 0°33'06" W	57.00'
L-2	S 62°43'15" E	12.62'
L-3	S 86°48'50" E	60.07'
L-4	N 66°24'13" E	12.07'
L-5	S 89°26'54" E	182.01'
L-6	S 45°34'48" E	41.81'
L-7	S 3°25'19" E	81.40'
L-8	S 0°23'29" W	119.26'
L-9	S 89°36'31" E	57.50'
L-10	N 0°23'29" E	9.32'
L-11	N 89°36'58" E	240.02'
L-12	S 89°36'58" W	50.01'
L-13	S 0°23'29" W	106.39'
L-14	S 89°36'05" W	150.01'
L-28	N 0°34'47" E	30.00'
L-29	S 89°32'57" E	102.03'

SEE SHEET 3 OF 3



SHEET 2 OF 3

1/4

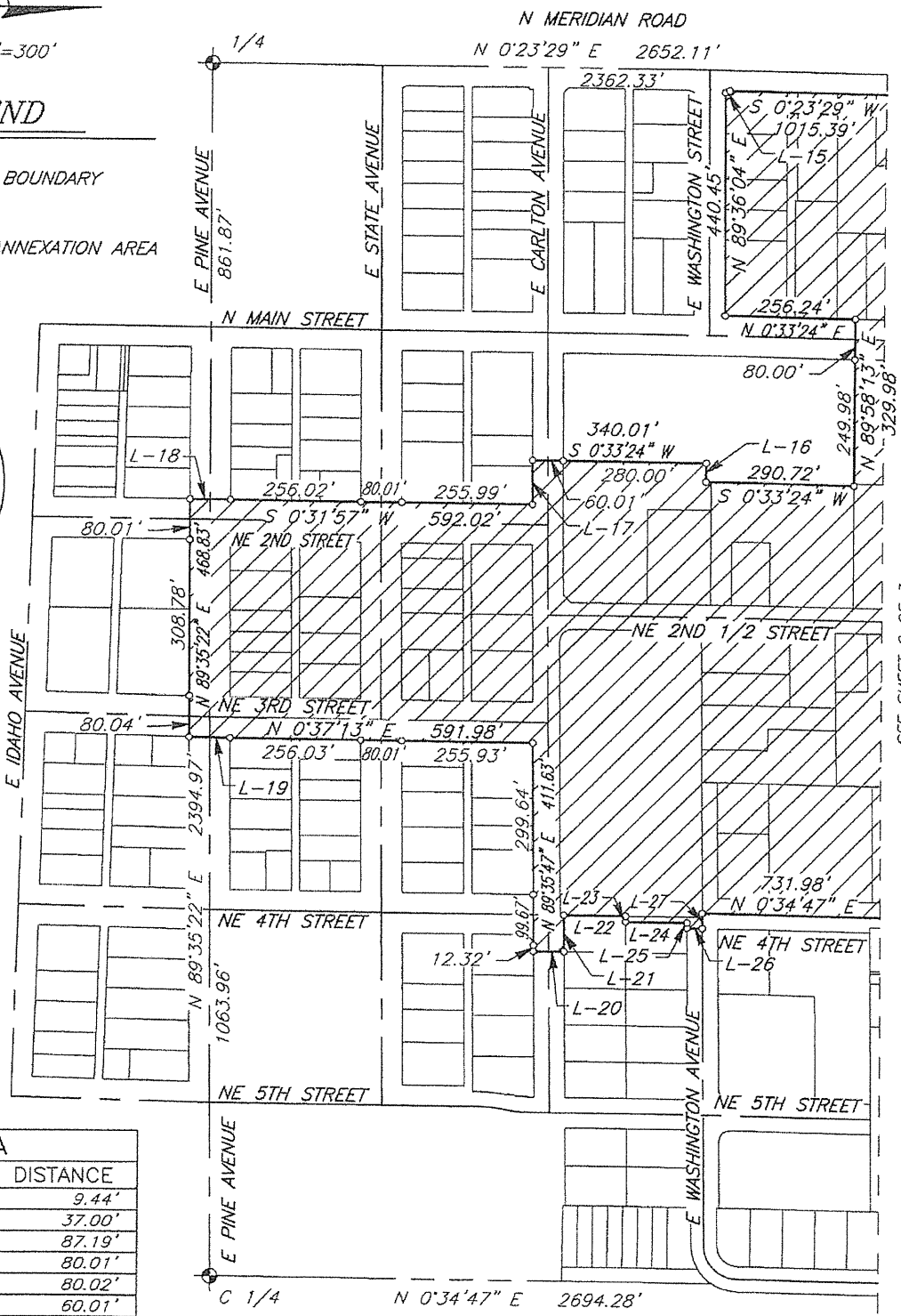
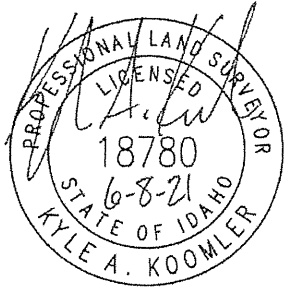
Item #4. ATTACHMENT 2B - NORTHERN GATEWAY (CONTINUED)



SCALE: 1"=300'

LEGEND

- URD BOUNDARY
- DE-ANNEXATION AREA



SEE SHEET 2 OF 3

LINE DATA

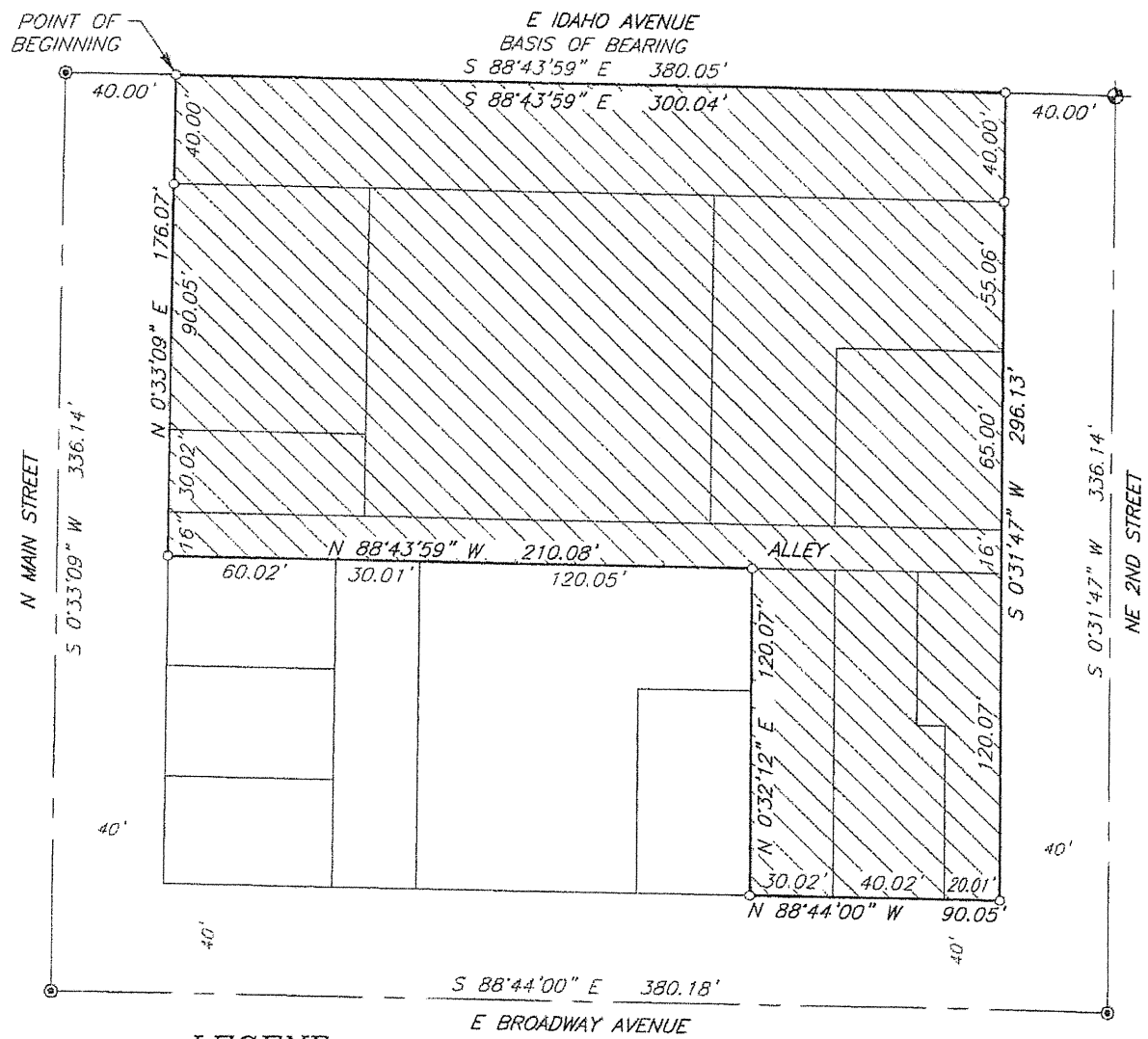
LINE	BEARING	DISTANCE
L-15	S 23°44'59" E	9.44'
L-16	N 89°26'36" W	37.00'
L-17	N 89°35'47" E	87.19'
L-18	S 0°32'08" W	80.01'
L-19	N 0°58'55" E	80.02'
L-20	N 0°34'47" W	60.01'
L-21	S 89°35'47" W	71.98'
L-22	N 0°35'03" E	120.38'
L-23	N 89°35'47" E	11.00'
L-24	N 0°35'00" E	120.38'
L-25	N 89°35'47" E	10.60'
L-26	N 0°34'47" E	30.00'
L-27	S 89°35'47" W	30.00'





CIVIL SURVEY CONSULTANTS, INC.
 2893 SOUTH MERIDIAN ROAD
 MERIDIAN, IDAHO 83642
 (208)888-4312

ATTACHMENT 2B – IDAHO BLOCK

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



LEGEND

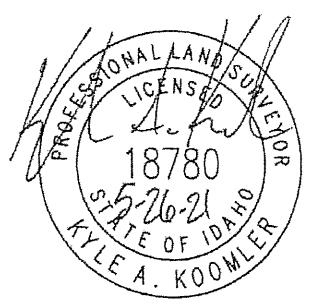
-  URD BOUNDARY
-  URD AREA



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 2893 SOUTH MERIDIAN ROAD
 MERIDIAN, IDAHO 83642
 (208)888-4312



SCALE: 1"=60'



Attachment 5B
Second Supplement to the Economic Feasibility Study:
Financial Analysis Related to the 2021 Deannexation

4851-4344-7734, v. 3

Attachment 5B

Memo to: Meridian Development Corporation Board of Commissioners
Ashley Squyres, MDC Administrator
Meghan Conrad, Counsel

From: Phil Kushlan, Principal, Kushlan | Associates

Subject: Fiscal Impact of de-annexation

Date: April 28, 2021¹

We have been retained to analyze the fiscal impact of removing two distinct geographic areas from the existing Meridian Revitalization Plan Urban Renewal Project Area, also referred to as the Downtown District. The first area is generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4th Street if extended, over to 3rd Street. The southern boundary extends to E. Pine Avenue between E. 3rd Street and E. 2nd Street, and then travels up E. 2nd Street and over E. Washington Avenue to connect back to Meridian Road. This area is generally referred to as the “Northern Gateway Area.” The purpose of the de-annexation of the Northern Gateway Area would be to allow the inclusion of these properties into a proposed Northern Gateway Urban Renewal District.

The second area is generally bounded by E. Idaho Avenue on the north, NE 2nd Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west. This area is generally referred to as the “Idaho Block.” The purpose of the de-annexation of the Idaho Block would be to allow the inclusion of this block into a proposed amendment to the existing Union District Project Area.

Removing taxable properties from a revenue allocation area, as suggested here, would release the incremental value of those tax parcels back to the general property tax rolls thus eliminating the revenue currently generated by the existing district from those properties. In making a decision on the de-annexation question one must understand the fiscal impact upon the existing Downtown District in the context of that District’s ongoing financial obligations. Our study has done that.

In our analysis of the Northern Gateway Area, we reviewed each of the 133 tax parcels that are currently within the boundaries of the existing Downtown District that are to be deannexed. In

¹ Revised June 14, 2021. These updates reflect technical changes to add a sliver parcel to the Idaho Block analysis but do not alter the finding that the Downtown District remains economically feasible following the proposed deannexation.

each case we segregated the base value from the incremental value and calculated the revenue generated by each factor. From that analysis, we demonstrated that the 133 parcels generated a total of \$379,648 in property taxes in 2020, the latest year for which we have certified values and tax yields. Of that amount \$162,121 was generated from the Base Assessed Value and allocated to the various taxing entities levying property taxes within the Downtown District. The Incremental Values on those properties generated \$217,526 in 2020, which was allocated to the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (MDC). This latter number is the estimated amount of foregone revenue that the Downtown District will experience annually through the de-annexation of these tax parcels, from calendar year 2022, through calendar year 2027, the termination year of the Downtown District.

In our analysis of the Idaho Block we reviewed eleven (11) tax parcels in a similar manner as the process described above. Those parcels produced a total of \$26,552 in property tax payments in 2020. Of that amount \$13,449 was generated from the Base Assessed Value and thus allocated to the taxing entities. The remainder (\$13,103) was allocated to MDC and represents the annual foregone amount upon deannexation of these parcels from the Downtown District.

The MDC Annual Financial Statements indicated that the incremental revenue generated by the Downtown District in 2020 was \$1,610,499. A reduction of \$217,526 from the Northern Gateway Area would be a 13.5% reduction in annual revenue. A reduction of \$13,103 from the Idaho Block would be a 0.81% reduction in annual revenue. In addition, we reviewed the Financial Statements for FY 2014, 2015, 2016, 2017, 2018 and 2019. See attached spreadsheet for details. In each of those fiscal years the fiscal results of MDC activities reflected significant Fund Balances. The audited Fund Balance for FY 2020 was \$3,750,449. If the \$217,526 and \$13,103 reductions had been in place in 2020, the Agency would have experienced a 14.32% reduction (\$230,629) in annual revenue for the Downtown District. The Debt Service commitments for the District are relatively small when compared to its overall fiscal strength. The 2020 Debt Service Principal amount was \$115,520 and the Interest amount was \$8,097.

The Agency's 2021 Budget reflected a conservative approach to revenue, appropriating only \$1,600,000 in current property tax revenue. Undefined "Special Project" funding was set at \$1,179,598 in the 2021 Budget and \$1,700,000 was assigned to the Nine-Mile Floodplain project. The Staff and Commission should use their discretion in weighing the importance of the current program funding levels versus the importance of including these parcels in a new Revenue Allocation Area. It appears as though there is sufficient capacity in the fiscal program of the Downtown District to accommodate this loss of revenue should the MDC and City Council choose to do so.

MDC Audited Funds	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Beginning Fund Balance	\$ 790,596	\$ 728,099	\$ 619,459	\$ 928,551	\$ 1,463,391	\$ 2,035,561	\$ 2,601,567
Downtown District Revenue Allocation Income	\$ 693,754	\$ 847,571	\$ 887,546	\$ 1,075,786	\$ 1,392,019	\$ 1,499,374	\$ 1,610,499
Other Available Income	\$ 11,078	\$ 629	\$ 8,021	\$ 46,856	\$ 40,326	\$ 792,265	\$ 193,450
Total Available Current Income	\$ 704,832	\$ 848,200	\$ 895,567	\$ 1,122,642	\$ 1,432,345	\$ 2,291,639	\$ 1,803,949
Total Available Resources	\$ 1,495,428	\$ 1,576,299	\$ 1,515,026	\$ 2,051,193	\$ 2,895,736	\$ 4,327,200	\$ 4,405,516
Office and Operating Expenses	\$ 403,727	\$ 498,748	\$ 283,447	\$ 263,808	\$ 557,755	\$ 838,079	\$ 332,165
Professional Services	\$ 189,596	\$ 177,119	\$ 170,758	\$ 180,198	\$ 177,586	\$ 188,087	\$ 186,657
Public Education and Marketing	\$ 19,793	\$ 24,951	\$ 6,338	\$ 19,671	\$ 1,215	\$ 8,563	\$ 12,628
Debt Service							
Principal	\$ 99,213	\$ 95,269	\$ 99,145	\$ 103,527	\$ 107,685	\$ 111,519	\$ 115,520
Interest	\$ 36,019	\$ 29,565	\$ 25,687	\$ 20,598	\$ 15,934	\$ 12,100	\$ 8,097
Capital Outlay	\$ 18,981	\$ 131,188	\$ 1,100	\$ -	\$ -	\$ 567,285	\$ -
Total Expenditures	\$ 767,329	\$ 956,840	\$ 586,475	\$ 587,802	\$ 860,175	\$ 1,725,633	\$ 655,067
Ending Fund Balance	\$ 728,099	\$ 619,459	\$ 928,551	\$ 1,463,391	\$ 2,035,561	\$ 2,601,567	\$ 3,750,449

De-annexation Revenue Reduction in Dollars \$ 230,629
 Total Revenue Impact of De-annexation % 6.15%
 Net after De-annexation Reduction \$ 3,519,820

Exhibit 2

NOTICES PUBLISHED IN THE
Meridian Press on May 21, 2021, and June 4, 2021

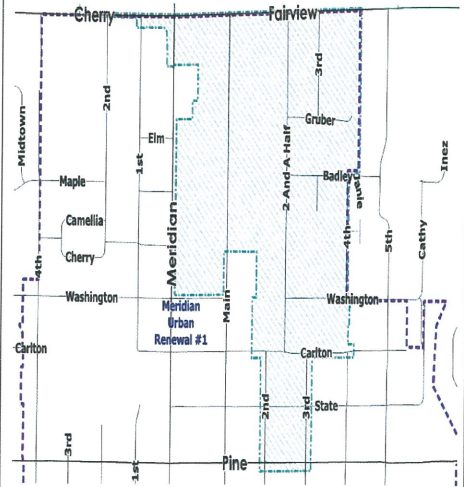
LEGAL NOTICE

NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO TO CONSIDER THE SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN, URBAN RENEWAL PROJECT OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, ALSO KNOWN AS MERIDIAN DEVELOPMENT CORPORATION

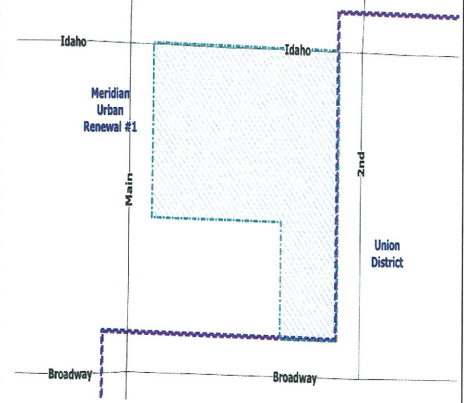
NOTICE IS HEREBY GIVEN that on Tuesday, July 6, 2021, at 6:00 p.m. in City Council Chambers, Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho, the City Council of the City of Meridian, Idaho ("City") will hold, during its regular meeting, a public hearing to consider for adoption the proposed Second Amendment to the Meridian Revitalization Plan Urban Renewal Project ("Second Amendment"), concerning the Meridian Revitalization Plan Urban Renewal Project Area, as amended by the First Amendment to the Meridian Revitalization Plan Urban Renewal Project ("Existing Downtown District Project Area") of the Urban Renewal Agency of Meridian, Idaho, also known as Meridian Development Corporation ("Agency").

The Second Amendment to the Plan shall de-annex the following areas from the Existing Downtown District Project Area:

The first area (marked by hatching) and generally referred to as the "Northern Gateway Area," is located in the northeast corner of the Existing Downtown District Project Area and is generally bounded by Meridian Road on the west and E. Fairview Avenue on the north.



The second area (marked by hatching) and generally referred to as the "Idaho Block," is located near the downtown core of the City and is generally bounded by E. Idaho Avenue on the north, E. 2nd Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west.



Copies of the proposed Second Amendment are on file for public inspection and copying at the office of the City Clerk, Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho 83642, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of holidays.

At the hearing date, time, and place noted above (July 6, 2021, at 6:00 p.m.), all persons interested in the above matters may appear and be heard. Because social distancing orders may be in effect at the time of the hearing, written testimony is encouraged. Written testimony must be submitted at least five working days prior to the hearing.

Meridian City Hall is accessible to persons with disabilities. All information presented in the hearing shall also be available upon advance request in a form usable by persons with hearing or visual impairments.

DATED: May 21, 2021. Chris Johnson, City Clerk. May 21, June 4, 2021

Exhibit 3

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
FOR THE CITY OF MERIDIAN, IDAHO, VALIDATING CONFORMITY OF THE
SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN WITH THE CITY
OF MERIDIAN'S COMPREHENSIVE PLAN

RESOLUTION PZ-21-01

CITY OF MERIDIAN

**BY THE PLANNING AND
ZONING COMMISSION**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
FOR THE CITY OF MERIDIAN, IDAHO, VALIDATING CONFORMITY OF THE
SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN WITH THE
CITY OF MERIDIAN’S COMPREHENSIVE PLAN**

WHEREAS, the Urban Renewal Agency of the City of Meridian (the “City”), Idaho, also known as Meridian Development Corporation, the duly constituted and authorized urban renewal agency of the City of Meridian, Idaho (hereinafter “MDC”) has submitted the proposed Second Amendment to the Meridian Revitalization Plan (the “Second Amendment”) to the City;

WHEREAS, the proposed Second Amendment seeks to de-annex two (2) areas as depicted in the Second Amendment and set forth in certain Exhibits 1 and 2 attached hereto. The first area is generally referred to as the “Northern Gateway Area.” The purpose of the de-annexation of the Northern Gateway Area would be to allow the inclusion of these properties into a proposed Northern Gateway Urban Renewal District. The second area is generally referred to as the “Idaho Block.” The purpose of the de-annexation of the Idaho Block would be to allow the inclusion of this block into a proposed amendment to the existing Union District Project Area.

WHEREAS, the Mayor and Meridian City Council referred the Second Amendment to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said Second Amendment with the City’s Comprehensive Plan, as amended (the “Comprehensive Plan”); and

WHEREAS, on June 3, 2021, the City Planning and Zoning Commission met to consider whether the Second Amendment conforms with the Comprehensive Plan as required by Idaho Code § 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said Second Amendment in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the Second Amendment is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF MERIDIAN, IDAHO:

Section 1. That the Second Amendment, submitted by MDC and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That the City Clerk is hereby authorized and directed to provide the Mayor and Meridian City Council with a signed copy of this Resolution relating to said Second Amendment.

Section 3. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Planning and Zoning Commission of the City of Meridian, Idaho, this 3rd day of June 2021.


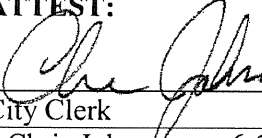

APPROVED:  Chair, Planning and Zoning Commission Rhonda McCarvel 6-3-2021	ATTEST:  City Clerk Chris Johnson 6-3-2021	
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EXHIBIT 1
Northern Gateway Area

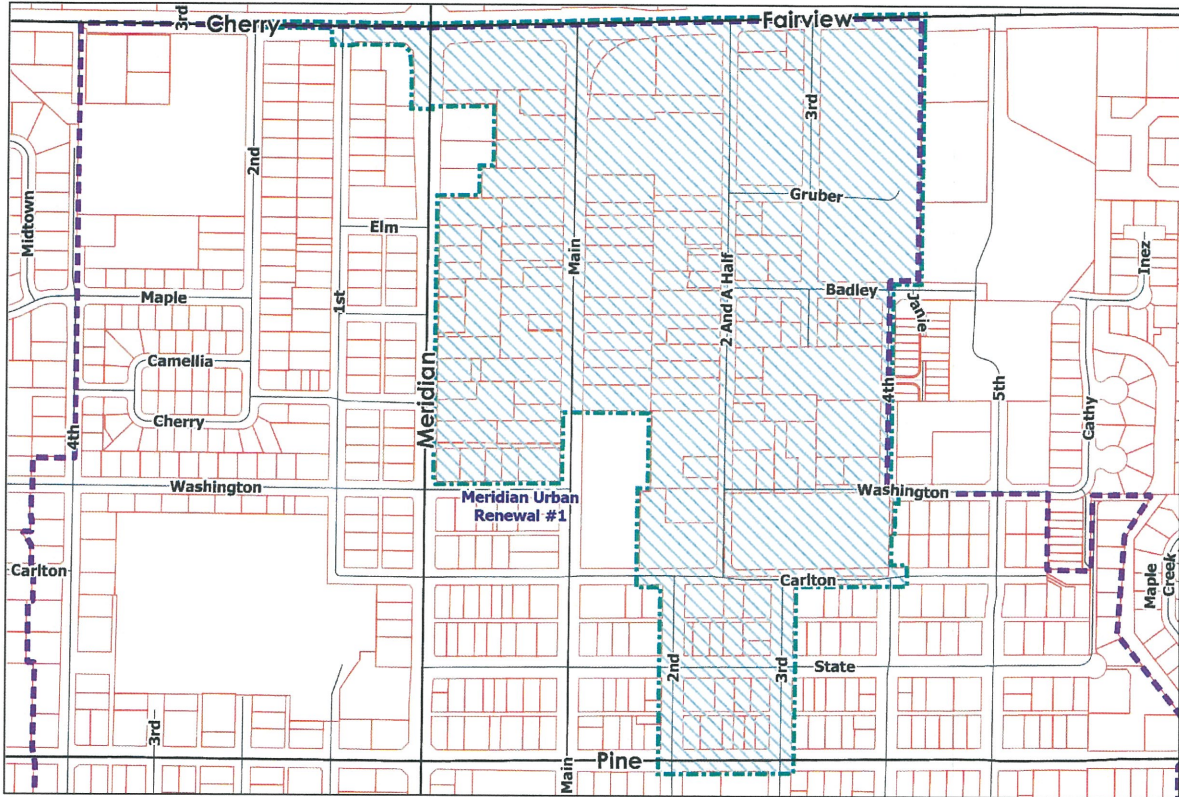


EXHIBIT 2

Idaho Block



Item #4.

Exhibit 4
SUMMARY OF ORDINANCE NO. 21-1933

**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

CITY OF MERIDIAN ORDINANCE NO. 21-1933

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, APPROVING THE SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN URBAN RENEWAL PROJECT, WHICH SECOND AMENDMENT SEEKS TO DEANNEX CERTAIN AREAS FROM THE EXISTING MERIDIAN REVITALIZATION PROJECT AREA; WHICH SECOND AMENDMENT AMENDS A PLAN THAT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

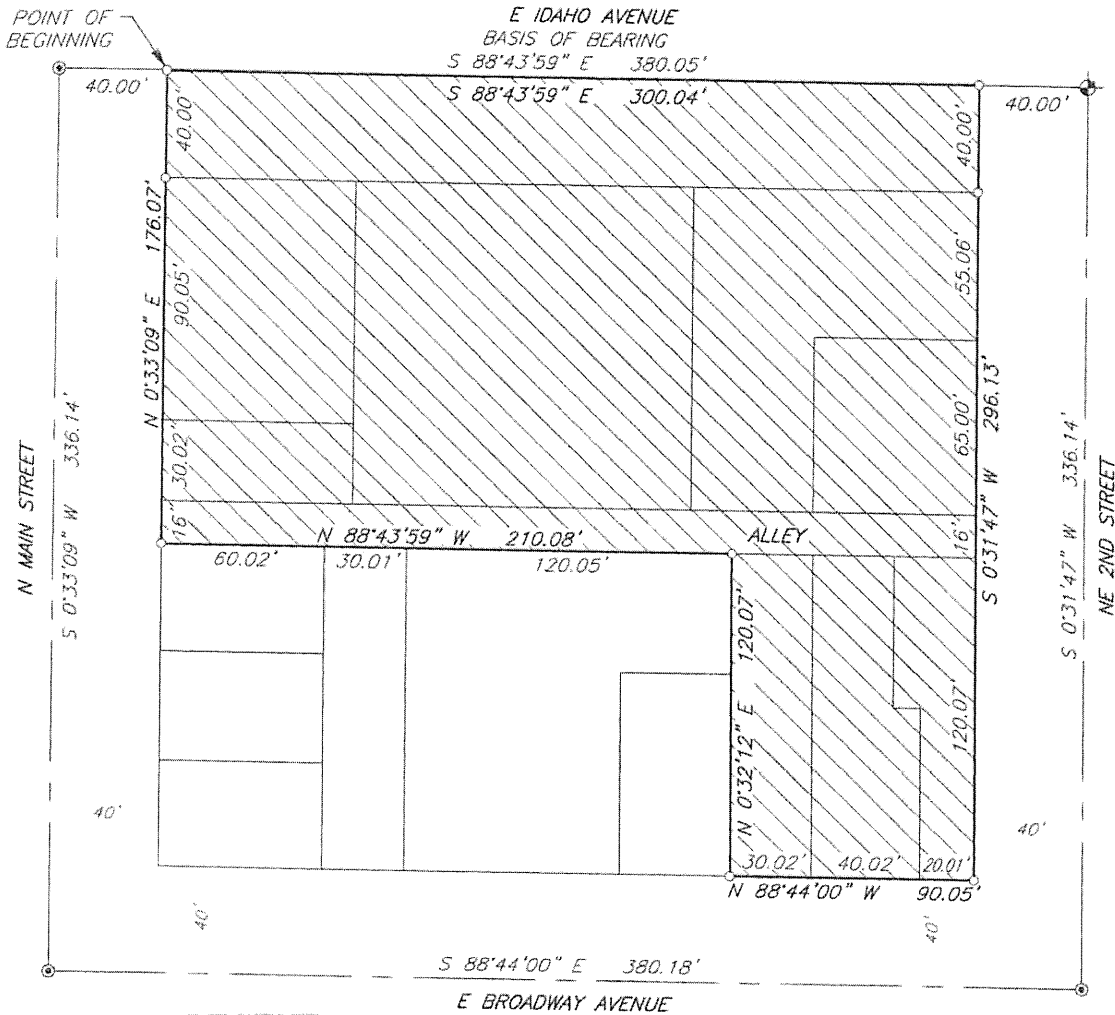
SUMMARY OF THE SECOND AMENDMENT

The Second Amendment (the “Second Amendment”) to the Meridian Revitalization Plan Urban Renewal Project (the “Plan” or the “Downtown District Plan”) was prepared by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable laws and ordinances and was approved by the Agency. The Second Amendment seeks to deannex two (2) areas from the Downtown District Plan Project Area (the “Existing Project Area”). The Second Amendment being considered for adoption contains a previously adopted revenue allocation financing provision pursuant to the Act that will continue to cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation on the parcels remaining in the Existing Project Area as shown on the original base assessment roll as of January 1, 2002, that will continue to be allocated to the Agency for urban renewal purposes.


The general scope and objective of the Second Amendment is the deannexation of two (2) areas from the boundaries of the Existing Project Area.

The Second Amendment shall deannex the following two (2) areas from the Existing Project Area. The first area consists of approximately 1.46 acres (including right-of-way) and is generally bounded by E. Idaho Avenue on the north, NE 2nd Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west, and as more particularly described in Attachment 1B to the Second Amendment and generally depicted in the map below.

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION
 FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE
 NW 1/4 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH,
 RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



LEGEND

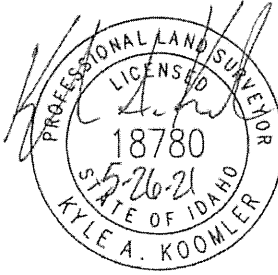
- URD BOUNDARY
-  URD AREA



CIVIL SURVEY CONSULTANTS, INC.
 2893 SOUTH MERIDIAN ROAD
 MERIDIAN, IDAHO 83642
 (208)888-4312





SCALE: 1"=60'

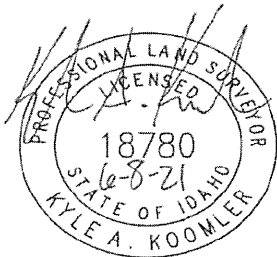
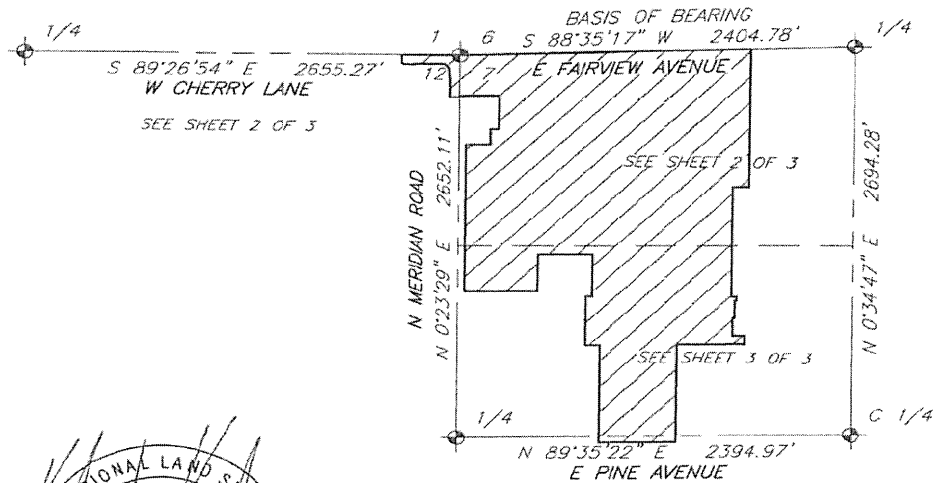


The second area consists of approximately 77 acres (including right-of-way) and is generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4th Street if extended, over to 3rd Street. The southern boundary extends to E. Pine Avenue between NE 3rd Street and NE 2nd Street, and then travels up NE 2nd Street and over E. Washington Avenue to connect back to Meridian Road, and as more particularly described in Attachment 1B to the Second Amendment and generally depicted in the map below.

SKETCH TO ACCOMPANY DE-ANNEXATION DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, ALSO BEING IN THE NW 1/4 OF SECTION 7, AND IN THE N 1/2 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO

LEGEND

-  URD BOUNDARY
-  DE-ANNEXATION AREA



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 2893 SOUTH MERIDIAN ROAD
 MERIDIAN, IDAHO 83642
 (208)888-4312



SCALE: 1"=1000'

SHEET 1 OF 3

EXHIBITS TO THE ORDINANCE

- Exhibit 1 Second Amendment to The Meridian Revitalization Plan Urban Renewal Project
- Exhibit 2 Notices Published in the *Meridian Press* on May 21, 2021, and June 4, 2021
- Exhibit 3 A Resolution of the Planning and Zoning Commission for the City of Meridian, Idaho, Validating Conformity of the Second Amendment to the Meridian Revitalization Plan with the City of Meridian’s Comprehensive Plan
- Exhibit 4 Ordinance Summary

This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication, and shall be retroactive to January 1, 2021, to the extent permitted by the Law and the Act, with the remaining Existing Project Area maintaining its base assessment roll as of January 1, 2002.

Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Ada County Assessor, and to the appropriate officials of Ada County Board of County Commissioners, City of Meridian, Ada County Highway District, Joint School District No 2, Ada County Ambulance/EMS, Meridian Cemetery District, College of Western Idaho, Meridian Library District, Mosquito Abatement District, the Western Ada Recreation District, and the State Tax Commission a copy of this Ordinance, copies of the legal descriptions of the boundaries of the deannexed areas, and the maps indicating the boundaries of the parcels to be deannexed from the Existing Project Area.

A full text of this ordinance and the Second Amendment are available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho.

City of Meridian
Mayor and City Council
By: Chris Johnson, City Clerk

First Reading: 6/22/2021; Second Reading and Public Hearing: 7/06/2021; Third Reading and Public Hearing: 7/13/2021

STATEMENT OF MERIDIAN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY OF ORDINANCE NO. 21-1933

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No. 21-_____ of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A (3).

DATED this _____ day of July 2021.

William. L.M. Nary, City Attorney