



Mayor Robert E. Simison

City Council Members:

Luke Cavener, President

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CITY COUNCIL REGULAR MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho

Tuesday, July 09, 2024 at 6:00 PM

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Agenda

VIRTUAL MEETING OPTION

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ROLL CALL ATTENDANCE

PLEDGE OF ALLEGIANCE

COMMUNITY INVOCATION

ADOPTION OF AGENDA

PUBLIC FORUM – Future Meeting Topics

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

ACTION ITEMS

Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15 minutes to present their project. Members of the public are then allowed up to 3 minutes each to address City Council regarding the application. Citizens acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners who have consented to yielding their time. The public may sign up in advance at www.meridiancity.org/forum. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. City Council members may ask questions throughout the public hearing process. The public hearing is then closed, and no further public

comment is heard. City Council may move to continue the application to a future meeting or approve or deny the application. The Mayor is not a member of the City Council and pursuant to Idaho Code does not vote on public hearing items unless to break a tie vote.

- 1. Public Hearing** continued from April 9, 2024 for Rosalyn Subdivision (H-2023-0056) by Givens Pursley, LLP, located at 200 E. Rosalyn Dr.

Application Materials: <https://bit.ly/H-2023-0056>

A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district, including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.

B. Request: Combined Preliminary/Final Plat consisting of 6 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.

- 2. Public Hearing** for Two Mustard Seeds Women's Resale Shop (H-2024-0009) by Arlene Hardy, Expansion International, located at 817 N. Meridian Rd.

Application Materials: <https://bit.ly/H-2024-0009>

A. Request: Rezone of 0.63 acres of land from the R-8 zoning district to the O-T zoning district for the purpose of converting the existing home into a women's resale retail store.

- 3. Public Hearing** for Vanguard Village Subdivision (H-2023-0074) by Adler Industrial, located at 1085 S. Ten Mile Rd.

Application Materials: <https://bit.ly/H-2023-0072>

A. Request: Modified Development Agreement to amend the existing development agreement (H-2021-0081 Inst.#2022-049799) to clarify the uses allowed in the M-E zone; update the phasing plan, include an alternative design and development guidelines for distribution & light manufacturing area (i.e. warehouse and light industry uses) with conceptual elevations and other miscellaneous changes.

FUTURE MEETING TOPICS

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Public Hearing continued from April 9, 2024 for Rosalyn Subdivision (H-2023-0056) by Givens Pursley, LLP, located at 200 E. Rosalyn Dr.

Application Materials: <https://bit.ly/H-2023-0056>

A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district, including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.

B. Request: Combined Preliminary/Final Plat consisting of 6 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.

**Public Hearing continued from January 18, 2024 for Rosalyn
Subdivision (H-2023-0056) by Givens Pursley, LLP., located at 200 E.
Rosalyn Dr.**

- A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.
- B. Request: Combined Preliminary/Final Plat consisting of 7 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.
- C. Request: Alternative Compliance to deviate from the common driveway standards in the UDC 11-6C-3D1.

Seal: All right. With that we will continue Item No. H-2023-0056 for Rosalyn Subdivision and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commission Members. The applicant has submitted applications for annexation, combined preliminary/final plat and alternative compliance and staff would like to state that the applicant has officially withdrawn the alternative compliance application. They have revised their plan so it's no longer needed at this time. This site consists of 0.733 acres of land. A small portion of right of way zoned RUT and the larger piece of property is currently zoned R-8 and it is located at 200 East Rosalyn Drive. History on the property is there was a short plat that was approved and a right of way vacation. The comprehensive FLUM designation is low density residential. This property was annexed into the city in 2005 with an R-8 zoning district. The applicant proposes to annex 0.14 of an acre of land with an R-8 zoning district, which includes the remaining portion of East Rosalyn Street cul-de-sac right of way. A legal description exhibit map for the annexation area is included in the application. The property is within the city's area of city impact boundary. The applicant proposes a six lot subdivision for six single family residential detached homes. Since a majority of the property is already annexed and zoned with an R-8 district, staff must analyze the project based on the merits of this governing zoning district. The proposed preliminary plan consists of six building lots, one common lot, with an existing R-8 zoning district -- district. The proposed lots range in size from 4,060 to 5,219 square feet. The subdivision is proposed to develop in one phase. There is an existing home on the property that is proposed to be removed from the site. Any outbuildings located on the site should be removed with development of the property. The proposed plat and subsequent development are required to comply with the dimensional standards listed in the UDC table for the R-8 zoning district and the plat appears to comply with the dimensional standards of this district. Lots taking access from the common -- common drive do not require street frontage. Access is proposed from East Rosalyn Drive, a common drive on Lot 6, Block 1. The interior Lots 3, 4, 5 and 7, Block 1, are proposed to take access via a common drive to East Rosalyn Drive, meeting the street access requirements of the UDC. Common driveways shall serve a maximum of four dwelling units. In no case shall

more than three dwelling units be located on one side of the driveway. The applicant is proposing six dwelling units with four taking access off the common driveway. Three dwelling units are located on one side of the driveway in accordance with the UDC. Off-street parking is required to be provided in accordance with the UDC for single family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permits for each residence. There are no street buffers required along local streets per the UDC table. The applicant has provided a landscape plan, but that is actually not required per the UDC. East Rosalyn Drive is improved with an existing five foot wide sidewalk -- attached sidewalk abutting the site in accordance with the UDC. All fencing is required to comply with the UDC standards. According to the submitting plans the applicant is not proposing fencing for this project at this time and two building -- conceptual building elevations were submitted that demonstrate what future homes in the development would look like. Variations appear to be single story, two-story detached homes with a two car garage are proposed. The submitted elevations depict several different architectural and design styles with field materials of lap siding, different coloring, accent roof profiles, stone and front porches. Written testimony. We have received many letters of public testimony for this application and they are uploaded to the record. Concern center around the proposed number of homes on the lot, the potential increase in traffic and accessibility for emergency access to the private drive to the east. Since then the applicant has revised their plan, so they will not be asking or proposing to take access off the private -- private drive to the east. That's actually part of another subdivision. Staff does recommend approval of the proposed annexation and preliminary plat subject to the conditions in the staff report and this concludes staff's presentation and I stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward? Good evening.

Koeckeritz: Good evening. My name is Elizabeth Koeckeritz. I'm with Givens Pursley. 601 Bannock, Boise, Idaho. I'm here on behalf of the applicant team, which is a husband-wife combo of not professional developers -- actually a veterinarian, Brett and Julie Bingham, and they are the owners of the property. I need to start by first saying thank you to Stacy and Bill. For this being a small in-fill development. There have been a lot of iterations. This has gone back and forth. There has been -- the annexation came up at the last minute that there was a portion that hadn't been annexed yet into the city and so this has just gone around a few times, but I do believe in working with them and really listening to a lot of the neighbors' concerns we have ended up with a really good quality project on this smaller size in-fill lot. Rosalyn Subdivision, as Stacy said, will be a -- well, went way too far. One. It will be a single family community with six single family residential lots on an in-fill. It's really an in-fill lot. It's located within the City of Meridian and the property currently does have that one single family home on it. Wow, this goes quickly. Rosalyn Subdivision is a replat of a portion of the San Gorgonio Subdivision, which was approved by the Meridian City Council in 2020. So, most of the surrounding homes have only been in existence since 2020, 2022, around then. The area here highlighted in yellow is the .01 acres of land that was former ACHD right of way that had never been vacated when the stub street was ultimately pushed through. So, the owners

went through the vacation process with ACHD. They do now own that piece of property, but, then, it was discovered that that piece of property, as well as the rest of the cul-de-sac had never been annexed into the city of Meridian and so that is a large part of the annexation application is really just helping clean up those lot lines and get the small sliver into the city. Here in red you can really see the tiny portion on the top that is part of the Rosalyn Subdivision, as well as the bigger area that's being annexed in. The zoning is -- it is designated medium density residential, except for the small portion of right of way. The main property was annexed in 2005. This -- as I mentioned a lot of it was -- that small portion was not included at that point in time. We are requesting medium density residential zoning. It matches all of the zoning that is around it to the north, to the east, to the south. The only area that is not the R-8 zoning is directly to the west and that is still in unincorporated Ada county. It has not yet been annexed into the city. The lot sizes are between 4,060 square feet and 5,200 square feet, which is really comparable to all of the surrounding lot sizes as well and the home size is proposed to be between about 1,500 and 1,800 square feet. This is an in-fill lot. It's ideally situated for a small housing development. Based on feedback from the neighborhood originally that we proposed seven lots with several of them being townhome style with connected walls between them, as well as there was access going off through another portion of the San Gorgonio -- not sure how you pronounce it -- Subdivision directly to the east. However, due to some questions that came up with the city about what rights were allowed for that access, what weren't, we went back and forth for a while, finally decided it was easier just to not even worry about that. It's currently fenced and it is proposed to remain fenced. There will be no driving through this subdivision to the adjacent properties. This hammerhead style driveway does meet the fire requirements. Additionally, it was mentioned that they were -- one and two-story homes are actually all proposed to be one and a half story homes right now. The preliminary plat, if I can stop on it, it looks very similar to the final plat, because this is a combined. It does qualify for preliminary -- the combined preliminary and final plat process. The dimensions do meet all of the city code standards for the medium density residential R-8 zoning district in the UDC. The application contains all of the requirements for both a preliminary plat and the final plat and it really provides much needed housing in a critical area of Meridian that's easy access to I-84, it's two miles to downtown Meridian and within five miles of the majority of Meridian's employment centers. This is the sort of development that will have smaller sized homes than the last ones that you just saw, but that's by design. The Bingham's have children who they are hoping will be able to move into this sort of neighborhood in the future. There is all the public financial capability to support the project. It will not be a burden on the city. The traffic impacts they are so low that the -- they were not even required to do a traffic impact study with ACHD for a development of this size and it really does help the city attain its housing goals in a very quiet small subdivision. Here you can just sort of see a -- the elevations, the one and a half story homes they are proposing to -- homes that will be designed to complement the surrounding neighborhoods. A Craftsman style home, covered French front porch areas, complementary landscape design. There are smaller more manageable home sizes and it will have attractive landscaping. As an in-fill lot all the public services are available to the property and are able to accommodate the proposed development. Sewer and water are located within Rosalyn Drive. There is sufficient surface water rights for irrigation. It's within the West

Ada School District. Children will attend Sienna Elementary School, Victory Middle School, and Mountain View High School. It is served by the Meridian Fire Department. All other services and utilities are currently available. And with that we are in agreement with all of the conditions of approval and we request a recommendation of approval for the annexation and the combined preliminary and final plat. Stand for questions.

Seal: Okay. Thank you very much. Do we have any questions for the applicant or staff?

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: Thank you, Mr. Chair. Question for staff. Just understanding that a lot of the surrounding development was somewhat recent, looking at these kind of two dead-end east-west streets, I'm assuming -- are those stubs intended for future development with this currently unannexed property? I'm talking to the -- not within this plat, but to the north and south -- I think it's Amalie Drive and I don't know what the other one is. The north. Blue Lark and Amalie.

Hersh: Mr. Chair, Commissioner Smith, I am actually trying to I guess locate those streets. Is that the one -- I see East Rosalyn Drive.

Smith: Yes. So, if you look at it immediately north and south. So, Blue Lark Court looks like it's to the north and Amalie Drive to the south. They both dead end up against that yellow dotted boundary. I'm just curious if -- I don't know that you know for certain, but based on kind of your expertise or your knowledge of this previous development, do you imagine that those are intended to continue on to the rest of this property and eventual annexation and development?

Hersh: East Blue Lark Court looks like it would go to the property west of it eventually, but isn't a part of this application.

Smith: Okay.

Hersh: And I do see where you are talking about the other drive. Neither one of those are proposed to stub to this property.

Smith: Yeah. I was just asking for context within --

Hersh: Oh.

Smith: -- the broader development. Does that --

Parsons: Mr. Chair, Members of the Commission, yes, those two streets are stub streets that were provided with the Larkspur development and they will serve those Ada county parcels when they come in for annexation and subdivide the property and, then, also I

would mention that Rosalyn Drive is also a local street, so you can see here in this -- this aerial it's -- it's unimproved at this time. So, the curb, gutter, sidewalk will be added to that roadway as well when that -- when those properties annex.

Smith: Thank you.

Seal: I just have a quick question on the -- since these are common drives, there is -- like the trash services and mail services and stuff like that -- I know trash service they -- they don't -- there is no requirement that they service common driveways. So, is that something that's going to be addressed? And for the mailboxes can we just make a common -- one common place to have the mailboxes that everybody comes to?

Hersh: Yes, Chairman Seal, I believe that it has been addressed on the final plat. I would have to confirm. Let's pull it up here. I know we have had multiple conversations with trash to date and that they are working on either having them come in here or being able to just pull these trash bins out onto the street. I believe the most recent discussions were that they would do it within this development. As far as the -- as far as the mail, we can certainly look at providing a mail kiosk location if that's not currently on here.

Seal: Okay. Because common drives are -- they are a necessary evil I guess. So, they are -- and this is an interesting layout. I mean it's -- it's very creative for this piece of property. So, kind of creates a little island in there for your -- you know, a really small set of community, but there are issues with common drives, so -- and those are two of the most common where you have, you know, a couple cars and a common drive and a -- and a trash truck, they don't mix. Makes it difficult for everybody.

Hersh: Commissioner, there will be no parking on the Common Drive.

Seal: Okay. And for clarification, what you mean by one -- one and a half story is basically no more than a bonus room upstairs?

Hersh: That is correct.

Seal: Okay. I have heard it a lot and it's had a couple different meanings, so I just wanted to make sure that's where we are at with it. Any other questions? No? All right. Thank you very much. Madam Clerk.

Lomeli: Mr. Chair, I have a Jan Larrea.

Seal: Good evening, ma'am. I need your name and address for the record, please.

Larrea: Is that working? There. Jan Larrea. 100 East Rosalyn, Meridian. I am the RUT next to it, the five acres, and it -- the development does not really fit that many houses in that smaller place. There is going to be too many cars and they are going to be parking all up and down the street. I don't have sidewalks or gutters, because I'm not in the county, which I -- I mean the city and I won't be until my kids inherit the property and I

have been there since 1975. One of the first ones. And I have seen this go and go and go and it's just -- there is too many. I don't mind them doing something with the property. Three houses would be plenty. They would have a good driveway, good access for fire and everything else, but six is just too many and if you do this you are kind of setting the precedence for me and my children to build 30 houses on my property in the future or the next door across the street. So, it's kind of -- it's just too many. I don't mind people doing with the property what they have, but six is too many and it doesn't fit into the neighborhood and I have cows, so -- and they are going to stink, let me tell you. So, I don't want a bunch of complaining. And that's it. Thank you.

Seal: Thank you very much. Madam Clerk.

Lomeli: Mr. Chair, Paul Pelletier.

Seal: Evening, sir. We need your name and address for the record, please.

Pelletier: Paul Pelletier. 264 East Blue Lark Court. We are on a dead end in the cross-street going out. We have an over amount of cars that are using it and adding that many homes, an average of two cars per home, that's going to put about eight homes and as it is right now people are parking on the street and as far as garbage wise and stuff like that, there is no way they are going to get in there, so it's just too many. Should be probably about three or four. Thank you.

Seal: Thank you very much. Madam Clerk.

Lomeli: Okay. Mr. Chair, Ken Freeze.

Seal: Good evening, sir. I need your name and address.

Freeze: Good evening. My name's Ken Freeze. I live at 195 East Rosalyn and I brought a little presentation for you all.

Seal: All right.

Freeze: And what I'm going to talk about -- and I'm -- I'm speaking for the San Gregorio -- Gregorian -- however you want to pronounce it. I wish they would come up with names that were easy to spell and pronounce, but it is what it is. I do the slides this way. How do I advance? Hit the key? That works. Okay. So, I'm going to talk about why this development needs some changes. First of all, I don't believe that the development is in line with Meridian's own Comprehensive Plan, especially the future land map use map. Too many units in this current R-8 zoning and I will explain why I feel that way and, again, it's out of character for the -- for the street and the neighborhood. One of the things that was said was that the homes in the area were rather recent. Well, actually, homes in the area go back to -- I think 1972. So, there -- it's a -- some of the homes that have been in the area for quite a while, some of them are a little bit more recent, but on average I would say probably the homes are at least ten to 12 years old in that neighborhood. On the

Comprehensive Plan -- I'm sure you are all familiar with, which came about in 2019, as an effective vision and source document for the general public, developers, decision makers. So, you can make reference to utilize to ensure that Meridian is a premier place that we all want to live and that's what I want it to stay. I'm sure that's what you all want to maintain. And, then, we have Idaho Code 67-6511 requires that the zoning district shall be in accordance with the adopted plans. Okay. So, we have a Comprehensive Plan that's been adopted and we have an Idaho Code that says you are supposed to follow it. Mapping future land use is a key component to the Comprehensive Plan. It's right out of the plan. So, that development occurs in the direction and manner most desired by the community. Well, this is what the future land use plan has for this area. Low density. The X there is right in the middle of where this piece of property is. The property to the west, eventually, when it's annexed will be R-2 and the lots directly across the street are essentially R-2 right now. Note that the area outlined in green is already in effect on R-2, which is what I said. Allowing the project to go ahead as planned would just invite developers to come in here and use their R-8 and, basically, really kind of screw up the whole place and it would be a step backwards in the city's own plan. Medium residential. R-8. What does that mean? Well -- and I did a little research and I found out that, you know, most cities for R-8 it's 5,000 square feet for a lot. However, in their wisdom Meridian chose to make it 4,000. But I have it on good authority as to why. The smaller lots may give developers more options in large developments, but the average must still be eight units per acre. So, as we have seen with just the project today, we have got laterals, we have got canals, we have got all sorts of things running all over the place and by giving the developers this -- this 4,000 square foot lot for large projects, mind you, it gives them a lot more versatility. Here is an example of one that was just approved last September. If you look at the fine print down here on area calculations, the smallest lot, a little over 4,000 square feet. However, the average lot size is over 6,000. This is where this was appropriate, the 4,000 lot -- 4,000 square foot lot was appropriate. Oops. However, with six units they are only getting them in here by using the four -- some -- some of the lots will be the 4,000 square foot -- feet. The use of the smaller than 5,000 square foot is I believe an abuse of the intent of the 4,000 foot -- square foot lot size that Meridian Code has set and we -- in this particular case we have four lots that are just a little over 4,000 square feet. Lots of less than 5,000 square feet should not be used in a -- in a development this small when you are talking less than an acre. Again, that -- again, I have it on good authority that the whole purpose of that 4,000 square foot was to give large developments some versatility that's necessary when they are dealing with all sorts of weird shapes, laterals, canals and whatnot. I came across another problem, too, when I was looking at this. I did -- pulled out my calculator did a little math and I found out that what they have for their lots is different than the total amount of square footage in the -- in the area. Now, granted, it's only 21 square feet difference, but it kind of makes me wonder where else are the numbers not quite right in this proposal. So, the neighborhood is all single family homes. Average lot size is over 5,000 square feet. Homes directly across the street are on lots -- the smallest is just under 12,000 square feet to over -- to over 16,000 square feet. That's the -- that's the lots right directly across the street. Three lots to the east, which is the -- the most recent development. There is three lots there. The smallest one is almost 5,500 square feet. Again, I'm saying that the lots inside this particular development are just smaller than they should be. So, the HOA doesn't have

any problems with development of the lot, it's just that six lots -- six homes in this small lot is just too dense for the neighborhood. Not opposed to -- to fewer -- four or fewer single family homes in the lot. Two homes would be great, because that would be right in keeping with the -- with the future land use map, in keeping with the Comprehensive Plan. Fewer homes would fit with the surrounding homes and could actually be a nice addition to the neighborhood. Thank you. Do you have any questions?

Seal: Any questions?

Freeze: Thank you.

Seal: Okay. Madam Clerk.

Lomeli: Mr. Chair, Nick Noslov. Yeah. Sorry.

Seal: Good evening, sir. Need your name and address, please.

Nauslar: Yeah. Good evening, Mr. Chair and Commissioners. My name is Nick Nauslar. I live at 215 East Blue Lark Court in Meridian. I share a fence line on the north part of the proposed property. While I applaud the Bingham's for reducing, you know, the seven duplexes or townhomes that they initially designed for this, it still in my opinion violates the R-8 zoning. If you need eight units per acre you only have .733 acres or if they get this .747 acres, that means at most you could build would be five units. If that's the way it works, I am naive and ignorant how all this works. This is my first planning and zoning meeting. So, if I interpreted that wrong I apologize. And as Ken said, you know, the future zoning is R-2. So, I don't know how much weight that carries in a decision, what the current zoning is versus future zoning, but, obviously, wanted to bring that up. I understand the Bingham's wanting a return on their investment with this property. When we saw them move in and have all their trailers and everything like that and the family, we are like, oh, good, someone is not going to develop that. But, then, we soon found that they were and we get that. There is a need for housing and I one hundred percent respect property rights and people trying to get return on their investment. So, I don't want to impinge on that whatsoever. But like Ken said, five houses would be -- and, you know, the way I interpret the zoning and law would be appropriate. Four would be better. We enjoy our view right now. We have a nice clear view behind us. Less noise. Less cars. Less chance for noisy dogs. But we understand the need for housing in the valley and I think you would have much less resistance if the plan became four houses. And, honestly, if it was five or less I wouldn't feel like I would have much of a leg to stand on for being against it, other than just personal reasons. So, Mr. Chair and the Commissioners, thank you for the time. I would ask you to reject the current plan and ask them to revise it slightly to be in accordance with current zoning or in future zoning. Thank you.

Seal: Thank you very much. Madam Clerk.

Lomeli: Mr. Chair, no one else has signed up.

Seal: Anybody else like to come up and testify? Going once. Going twice. Would the applicant like to come back up.

Koeckeritz: Elizabeth Koeckeritz. 601 Bannock. Givens Pursley. On behalf of the applicant. As we have discussed this subdivision is in absolute conformity with every single requirement of the R-8 zoning district. We are not asking for any deviations. We are not asking for alternative compliance. This subdivision, quite honestly, it fits what was intended for an R-8 development per the code. If you look at this map right here, all of -- it's difficult to read, but all of those homes in green are on lots that are smaller than 5,000 square feet. This is not out of the ordinary for this area. This is absolutely consistent with how the area has been developing. We think that this is a good development. It's a quality development and it takes really good account of this lot size and provides a really nice in-fill location and with that I believe -- make sure -- we -- I mean I guess we could go over -- we do meet numerous goals of the Comprehensive Plan, including all of the goals about -- I have them written down here -- about in-fill development providing a diversity of housing for individuals. Let's go through these. Maximizing public services by prioritizing in-fill development encouraging diverse housing options. This does provide a nice housing option for people. It is going to be a beautiful and high quality development. The list of support from the Comprehensive Plan -- it really does go on and on and so with that we would just ask for a recommendation of approval.

Seal: Okay. Thank you very much. Commissioners, do we have questions, comments?

Smith: Mr. Chair?

Seal: Commissioner Smith.

Smith: Question for the staff and/or applicant. Just curious, again, for context. Do you know what the density of the development -- developed properties, especially to the north of this, whether that's just Blue Lark itself or kind of that entire meandering segment?

Hersh: Chairman Seal, Commissioner Smith, that is an R-8 development. Everything -- if you look on this map here you can see the red is this property and, then, it is surrounded by the R-8 development.

Smith: Specifically I think -- I think, for example, you are also an R-8 and I think the gross per acre is 6.87 I think I saw. Do we have any rough estimate on what the per acre kind of gross is in -- in that R-8 section to the north?

Hersh: Mr. Chair, Commissioner -- Commissioner Smith, Bill is looking that up at this time. I do not know that off the top of my head. But staff would also like to say and reiterate that density doesn't equal zoning. It is what meets the lot sizes for the zone that the applicant is requesting.

Smith: Mr. Chair?

Seal: Go right ahead.

Smith: While -- while Bill is looking at that up, I just -- for context I'm just kind of thumb in the wind looking at this and it -- it generally doesn't seem to me that this deviates too much in terms of density from this property in the north. I mean if you look to the south and to the east there is some deviation for sure. I'm just trying to get a rough estimate of -- obviously the zoning is what the zoning is, but in terms of just getting a better understanding and -- and better context for myself and for every -- the other -- other Commissioners, that's specifically why I'm asking. It looks -- at first glance that this looks kind of in line to me and so I'm trying to square my visual assessment with what the members of the community are saying is why I asked that.

Hersh: Mr. Chair, Members of the Commission, so the -- all of Larkspur is determined to be 4.75 units an acre.

Smith: And you said that's for all of Larkspur, that entire section?

Hersh: That's north.

Smith: Thank you.

Hersh: You are welcome.

Seal: Yeah. I mean the way I kind of square that in my head -- especially with this picture right here -- is if you move that red box up to encompass this -- you know, the homes that are above it, you have got six to eight homes that are going to be within that square. So, you know, I mean that's -- you know, it's -- it's no more or less than that. I mean the only strange thing to it is really the layout. So, I mean it's -- it's either really creative or it's really crowded. You know, I don't know how to explain it any other way. So, I can -- you know -- and, again, common drives, if -- if you have been listening to these as long as I have been here you know I'm not a big fan of them. So, there is -- there are some that have been done very creatively that are -- that are really a good addition to -- to most -- to the subdivisions they are in, but common drives just seem to cause problems in other places, so -- and that is why I brought up the trash service, because it's kind of an afterthought and, then, all of a sudden, you know, people move in and have no way to have that serviced or creates a dangerous situation in doing so. But I will get off that soapbox for certain.

Parsons: Mr. Chair?

Seal: Go ahead.

Parsons: I could just tell this gentleman in the audience his math is right. You did it right. The -- the difficulty that we have here is that when Larkspur -- or this R-8 zoning came into place it was a different plan. It's a different vision. At the time that that

Comprehensive Plan was in effect it allowed for a developer to request a step up in density and so, yes, you see green on a map that says three or less to the acre, but at the time that they received zoning for this property that developer received an approval from City Council that allowed them to come in with the 4,000 square foot lots with an R-8 zone and so once we annex a property and assign it a zone all staff can do is analyze the project based on the dimensional standards of the current zoning designation, which is R-8, and this particular property checks all the boxes. So, that's really our purview tonight. It's not to discuss density. We all consider and say the density is way out of whack from what it is, but what it is is what it is. It's R-8 zoning. The plat conforms to the dimensional standards and the subdivision ordinance. Therefore, we have to recommend approval.

Seal: Okay. Staff. Not us.

Parsons: I just want to clarify that to the audience. It's -- it's -- we hear you. We understand. We hear your argument, but -- so, don't -- we try to get people away from correlating zoning with the zone with the comp plan, because a few years ago when we changed our zoning code we did have maximum density allowances -- requirements in the code and we -- we removed those to allow some -- developer request different zones, but still develop the property in content -- context of the Comprehensive Plan. So, if this were to come in today -- if this was an annexation today we could not be supporting it, because it did not align with the comp plan. But because we have already had previous actions that have set the zoning in place for this property, again, we have to stay -- we just -- all we can do is regulate it based on zoning -- the current zone, not necessarily what the current comp plan is.

Seal: Okay. Appreciate the explanation on that, Bill. Any other questions? All right. Thank you very much. And with that I will take a motion to close the public hearing for File No. H-2023-0056.

Lorcher: So moved.

Rivera: Second.

Seal: It's been moved -- excuse me. Been moved and seconded to close the public hearing for File No. H-2023-0056 for Rosalyn Subdivision. All in favor say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Anybody want to go first?

Smith: Mr. Chair?

Seal: Go right ahead.

Smith: Yeah. Some of the -- the reasoning behind some of the questions that I asked specifically, because -- because of the zoning, because of what the developer is entitled to, I wanted to also make sure that, you know, I -- I can personally understand that -- you know, and -- and see how this can be a good fit for the community as well beyond just the -- the zoning and the -- the legal allowance and that being said, looking at all the numbers and things like that, you know, we can say it's -- the zoning is what the zoning is, but I also am of the personal opinion that I think in a context of this RUT eventually at some point in time being developed, that's what those dead-end streets are likely stubbed to be connected to. With all this kind of development that's happening around it, as far as in-fill projects go, some of it's a little creative I think is the word you said, but I think this is relative to other in-fill developments we have seen in similar circumstances I think this is generally a pretty good development and so I understand some of the -- some of the opposition and I get some of the concerns, but I -- I -- again, comparing this to other -- other developments and other proposals, this seems like it's, you know, a -- a decent fit for the community in terms of the rough density, the -- the rough lot sizes and things like that and, yeah, they -- they have to get a little creative with that common drive and why while I share the same animus necessarily -- I don't know if animus is the right word. I am a little common drive skeptical sometimes, but I think this is well done creatively. I think it's done well. I think that's all I will say.

Seal: Okay. Any other comments?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: In regard to the design, I actually like that two parcels have their drives on Rosalyn Drive and, then, it's a perfect description from Elizabeth as that hammerhead street, which only would service four of them. There is six houses, 12 cars maximum. There is no parking in the streets. The houses are between 1,500 and 1,800 square feet, which would allow a married couple, single -- you know, single people maybe with small children to be in a new starter home, close to the schools, close to downtown. And I like how you made that analogy. If you take that red box and you put it directly north it would be exactly the same six houses. So, I know change is hard and especially with the owner to the parcel to the west who has the cows and her acreage, as well as the ones that we really can't see on this picture of being R-2, it's actually a good transition and I know that's not what you want to hear, but it does actually fit into the Black Spur Way and the Blue Lark Court of what's already happening there. City Council's the ultimate decision maker, so you will be able to have your voice heard again with your concerns, but as we look at the layout of the houses and how it fits into this in-fill project it is a good design based on what is there and what can be put there for an in-fill project.

Seal: Okay. Anything further? I will take a motion. I would entertain any and all.

Lorcher: Mr. Chair?

Seal: Go right ahead.

Lorcher: After considering staff, applicant and public testimony, I move to recommend approval to City Council of File No. H-2023-0056 as presented in the staff report of the hearing date of March 7th, 2024, with no modifications.

Smith: Second.

Seal: It's been moved and seconded to recommend approval of File No. H-2023-0056 for Rosalyn Subdivision with no modifications. All in favor, please, say aye. Opposed nay? Motion passes. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT

Amenities	None	
Physical Features (waterways, hazards, flood plain, hillside)	None	

Neighborhood meeting date	12/12/2023	
History (previous approvals)	San Gorgonio Subdivision SHP H-2023-0092 (4-Lots); ROW vacation of the E. Rosalyn Street cul-de-sac Instrument #2023-034331.	

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	
<ul style="list-style-type: none"> Existing Conditions 	E. Rosalyn Drive is classified as a local street already improved with curb, gutter, and sidewalk.	
<ul style="list-style-type: none"> CIP/IFYWP 		

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	E. Rosalyn Drive is classified as a local street. Access is existing and improvements were constructed previously as required with Larkspur Subdivision No. 2.	
Proposed Road Improvements	None	
Fire Service	<i>No comments received</i>	
Police Service	<i>No comments received.</i>	

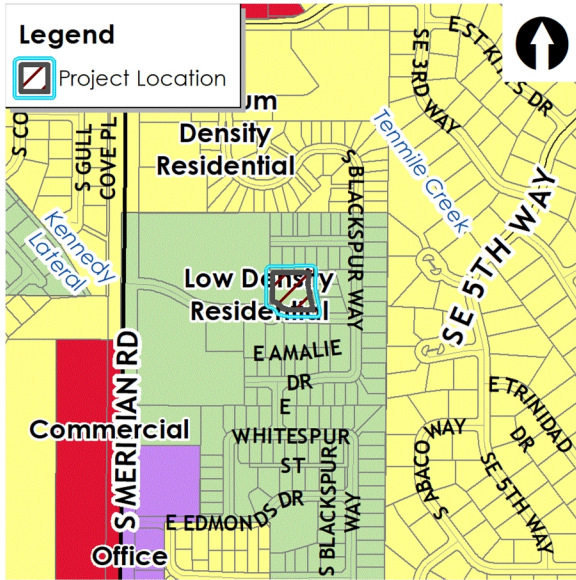
West Ada School District	<i>No comments received.</i>	
Distance (elem, ms, hs)		
Capacity of Schools		
# of Students Enrolled		

Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	Water available at the site	
<ul style="list-style-type: none"> Sewer Shed 		
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	See application – Additional 900 gpd committed to model.	
<ul style="list-style-type: none"> WRRF Declining Balance 	WRRF decline balance is 14.62 MGD	
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	See Public Works' Site-Specific Conditions in Section B.	
Water		
<ul style="list-style-type: none"> Distance to Services 	Water available at the site.	
<ul style="list-style-type: none"> Pressure Zone 	3	

<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 	See Public Works' Site-Specific Conditions in Section B.

C. Project Maps

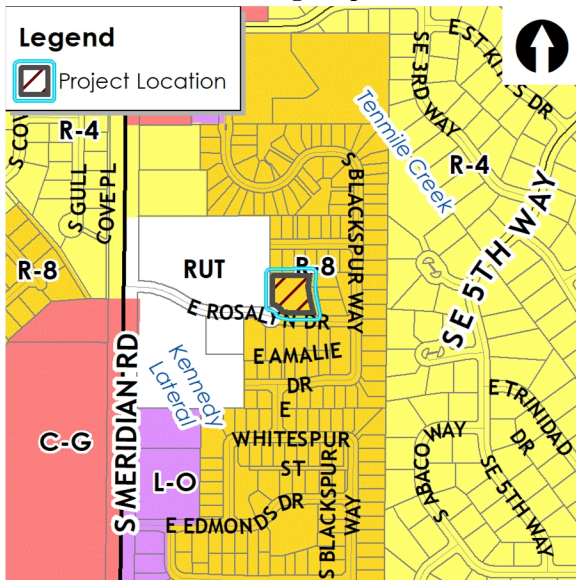
Future Land Use Map



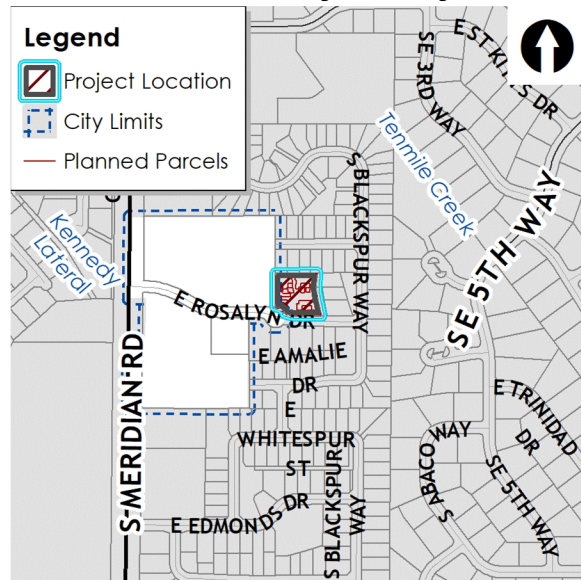
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Brett & Julie Bingham, B-B Rosalyn LLC – P.O. Box 266, Meridian, ID 83680

B. Owner:

Brett & Julie Bingham, B-B Rosalyn LLC – P.O. Box 266, Meridian, ID 83680

C. Representative:

Kristen McNeill, Givens Pursley LLP – 601 W. Bannock Street, Boise, ID 83702

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	1/02/2024	3/24/2024
Radius notification mailed to property owners within 500 feet	12/29/2023	3/22/2024
Public hearing notice sign posted on site	1/5/2024	3/12/2024
Nextdoor posting	12/29/2023	3/25/2024

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Low-Density Residential (LDR) on the Future Land Use Map (FLUM) contained in the *Comprehensive Plan*. This designation is intended to allow for the development of single-family homes on large and estate lots at gross densities of three dwelling units or less per acre. This property was annexed in 2005 with and R-8 zone and granted approval for step-up in density which was allowed under the previous Comprehensive Plan. This policy was removed from the Comprehensive Plan with the 2019 update.

The Applicant proposes a 6-lot subdivision for six single-family residential detached homes at a gross density of 6.87 units per acre, which exceeds the density range intended in the LDR designation. Since a majority of the property is already annexed and zoned with the R-8 district staff must analyze the project based on the merits of the governing zoning district regardless of the proposed density. Below is staff’s analysis on how the project meets other pertinent Comp Plan policies.

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

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)

The proposed single-family detached dwellings with a mix of lot sizes will contribute to the variety of housing options in this area and within the City as desired. All existing housing in this area are comprised of single-family detached dwellings on similar sized lots.

- “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 service is available and can be extended by the developer with development in accord with UDC 11-3A-21.
- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)
This area consists primarily of single-family detached dwellings surrounding the subject property, six single-family detached dwellings are proposed within this development. The proposed development offers lot sizes ranging from 4,060 to 5,219 square feet (s.f.) consistent with lot sizes in the area.
- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A)
The single-family detached dwellings contribute to the variety of residential categories within the surrounding area as desired.
- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)
The proposed site design provides maximum use of the land with the proposed residential dwelling types. Staff considers the proposed development to be compatible with the existing developments on adjacent properties. The additional lots proposed for this site integrate well with the existing/surrounding residential dwellings. The proposed common drive exhibit appears to comply with the common drive standards outlined in UDC 11-6C-3D in Section VIII.E.
- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)
The proposed development would not likely have a detrimental impact on the existing abutting developments to the east, west, and south.
- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)
The proposed development will connect to City water and sewer systems with development of the subdivision; services are required to be provided to and through this development in accord with current City plans.
- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)
A 5-foot-wide existing pedestrian sidewalk connection is located along E. Rosalyn Drive. The existing sidewalk provides a link between all subdivisions east of this site.
- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)
Urban sewer and water infrastructure and curb, gutter, and sidewalks are already provided with the proposed development of the subdivision.

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

Development of the subject infill parcel will maximize public services.

Based on the analysis above, staff finds the proposed development is consistent with the Comprehensive Plan.

VI. STAFF ANALYSIS

A. ANNEXATION (AZ)

The Applicant proposes to annex 0.014 of an acre of land with an R-8 zoning district, including the remaining portion of the E. Rosalyn Street cul-de-sac right of way. A legal description and exhibit map for the annexation area is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

A preliminary plat and conceptual building elevations were submitted showing how the property is proposed to be developed with six (6) single-family detached dwelling units and 1 common lot. The proposed use of the development is consistent with the MDR zoning designation.

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-8 zoning district.

There is an existing home on this site directly adjacent to E. Rosalyn Drive. The property owner intends to remove the existing home upon development commencing on the site.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **Since the AZ request only includes remnant and existing right-of way, staff is not recommending a DA.**

B. PRELIMINARY/FINAL PLAT (PFP):

The proposed preliminary plat consists of 6 building lots and 1 common lot on a 0.733-acre property in the existing R-8 zoning district. Proposed lots range in size from 4,060 to 5,219 square feet (s.f.) (or 0.093 to 0.12 acres). The subdivision is proposed to develop in one phase as shown in Section VIII.C.

Existing Structures/Site Improvements: An existing home on the property is proposed to be removed from this site. Any outbuildings located on this site should be removed with development of this property. **Prior to the City Engineer’s signature on the final plat, all existing structures that do not conform to the setbacks of the district are required to be removed.**

Dimensional Standards (UDC 11-2): The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district. **The proposed plat appears to comply with the dimensional standards of the district.** Per UDC 11-2A-3B.3, lots taking access from a common drive do not require street frontage.

Access: Access is proposed from E. Rosalyn Drive and a common driveway on Lot 6, Block 1. The interior Lots 3, 4, 5, and 7 Block 1 are proposed to take access via a common drive to E. Rosalyn Drive, meeting the street access requirements of UDC 11-3A-3A.

Common Driveways ([UDC 11-6C-3D](#)): Common driveways shall serve a maximum of four (4) dwelling units. In no case shall more than three (3) dwelling units be located on one (1) side of the driveway. **The Applicant is proposing six (6) dwelling units with four (4) taking access off the common driveway, three (3) dwelling units are also located on one (1) side of the driveway in accordance with the UDC requirements.**

Parking (UDC 11-3C): Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. **Staff has concerns with overflow parking due to the number of units proposed within this subdivision.**

Landscaping (UDC 11-3B): There are no street buffers required along local streets per UDC Table 11-2A-6. The applicant has provided a landscape plan in Section VIII.D. Landscaping is not required per the UDC.

Sidewalks (11-3A-17): E. Rosalyn Drive is improved with an existing 5-foot wide attached concrete sidewalk abutting the site in accord with UDC standards.

Utilities (UDC 11-3A-21): Connection to City water and sewer services is required in accord with UDC 11-3A-21.

Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances, if required

Fencing (UDC 11-3A-6, 11-3A-7): All fencing is required to comply with the standards listed in UDC 11-3A-7. **According to the submitted plans, the Applicant is not proposing fencing with this project.**

Pressurized Irrigation System (UDC 11-3A-15): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

Storm Drainage (UDC 11-3A-18): An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.

Building Elevations: Two (2) conceptual building elevations were submitted that demonstrate what future homes in this development will look like (see Section VIII.F). Variations of that appear to be single-story and two-story detached homes with a two-car garage are proposed. **The submitted elevations depict several different architectural and design styles with field materials of lap siding, differing color accents, roof profiles, stone and front porches.**

VII. DECISION

A. Staff:

Staff recommends approval of the proposed annexation, and combined preliminary plat/final plat per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on March 7, 2024. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Combined Preliminary/Final Plat requests.


1. Summary of Commission public hearing:

- a. In favor: Elizabeth Koeckeritz, Givens Pursley
 - b. In opposition: Jan Larrea, Paul Pelletier, Ken Freeze, Nick Nauslar,
 - c. Commenting: Elizabeth Koeckeritz, Givens Pursley
 - d. Written testimony: Multiple letters of written testimony were submitted and can be found in the record online.
 - e. Staff presenting application: Stacy Hersh, Associate Planner
 - f. Other Staff commenting on application: Bill Parsons, Planning Supervisor
- #### 2. Key issue(s) of public testimony:

- a. The Comprehensive Plan depicts this property as low density residential on the future land use map.
- b. There are too many lots proposed within this development.
- c. Lots smaller than 5,000 square feet should not be proposed for a development this small.
- d. Concerns with the additional traffic and noise.
- 3. Key issue(s) of discussion by Commission:
 - a. None
- 4. Commission change(s) to Staff recommendation:
 - a. None
- 5. Outstanding issue(s) for City Council:
 - a. None

VIII. EXHIBITS

A. Annexation Legal Description and Exhibit Map

 Professional Engineers, Land Surveyors and Planners
924 3rd St. So. Nampa, ID 83851
Ph (208) 454-0256
e-mail: dholzhey@masonandassociates.us

FOR: B-B ROSALYN LLC
JOB NO.: JY0323
DATE: December 6, 2023

**EXHIBIT "A"
ANNEXATION
OF
E. ROSALYN DR. CUL-DE-SAC**

A parcel of land in the NW1/4 SW1/4 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of the NW1/4, said corner lying N. 00° 37' 11" E., 2649.85 feet from the southwest corner of the NW1/4;

Thence S. 00° 37' 11" W., 2296.92 feet along the west boundary of the NW1/4;

Thence N. 89° 44' 39" E., 620.87 feet to the northwest corner of Larkspur Subdivision No. 2 in Book 97 of Plats, Page 12314-12317, recorded in the Ada County Recorder's Office;

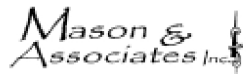
Thence S. 00° 17' 40" E., 387.96 feet to southwest corner of Lot 1 Block 1 of San Gorgonio Subdivision and the **POINT OF BEGINNING**;

Thence a distance of 194.29 feet along the curve right, having a radius of 45.00 feet, a central angle of 247° 23' 42", the long chord of which bears S 33° 23' 00" W., a distance of 74.87 feet;

Thence a distance of 23.52 feet along the curve left, having a radius of 20.00 feet, a central angle of 67° 22' 30", the long chord of which bears N 56° 36' 25" W., a distance of 22.19 feet;

Thence N 00° 17' 40" W., 50.00 feet;

Thence N 89° 42' 20" E., 59.98 feet to the **POINT OF BEGINNING**.

 Professional Engineers, Land Surveyors and Planners
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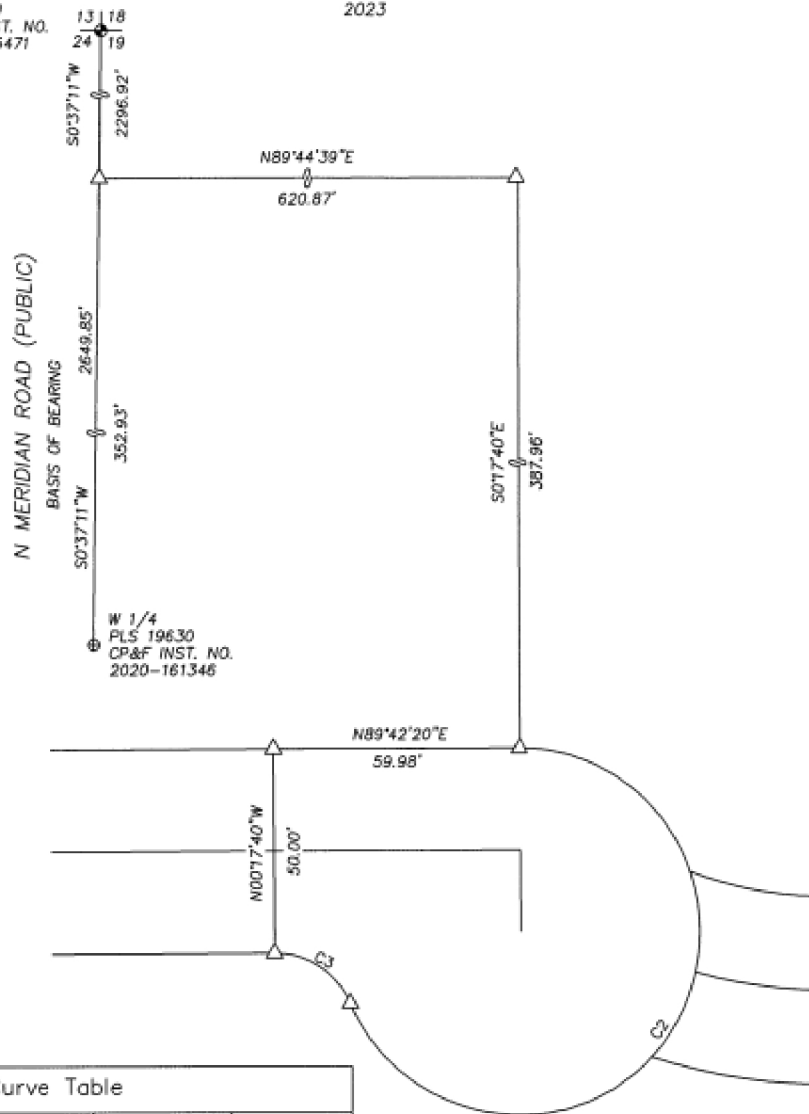


EXHIBIT "B"

A PART OF THE NW 1/4 SW 1/4, SECTION 19, T. 3 N., R. 1 E., B.M.,
MERIDIAN, ADA COUNTY, IDAHO
2023

PLS 7729
CP&F INST. NO.
2019-015471



Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C2	194.29	45.00	247°23'42"	N33°23'00"E	74.87
C3	23.52	20.00	67°22'30"	N56°36'25"W	22.19

ANNEXATION OF E. ROSALYN DR. CUL-DE-SAC

B-B ROSALYN LLC

Mason & Associates

Professional Engineers,
Land Surveyors
& Planners
84 2nd St., Hays, CO 81601
781 434-2200

JOB NO. **JY0323**

DWG NO. **BDY**

SCALE: **N.T.S.**

REV.

FIELD BOOK NO.

DRAWN BY: **DH** DATE: **12/06/23**

B. Preliminary Plat Legal Description and Exhibit Map



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Nampa, ID 83651

Ph (208) 454-0256

e-mail: dholzhey@masonandassociates.us

FOR: B-B ROSALYN LLC

JOB NO.: JY0323

DATE: October 10, 2023

SUBDIVISION BOUNDARY

A parcel of land being all of Lot 1 Block 1 of San Gorgonio Subdivision, in Book 118 of Plats, Page 18079-18081, recorded in the Ada County Recorder's Office and a portion of vacated right of way, in the NW1/4 SW1/4 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of the NW1/4, said corner lying N. 00° 37' 11" E., 2649.85 feet from the southwest corner of the NW1/4;

Thence S. 00° 37' 11" W., 2296.92 feet along the west boundary of the NW1/4;

Thence N. 89° 44' 39" E., 620.87 feet to the northwest corner of Larkspur Subdivision No. 2 in Book 97 of Plats, Page 12314-12317, recorded in the Ada County Recorder's Office;

Thence S. 00° 17' 40" E., 245.00 feet to northwest corner of Lot 1 Block 1 of San Gorgonio Subdivision and the **POINT OF BEGINNING**;

Thence N. 89° 44' 39" E., 179.66 feet along the northerly boundary of Lot 1 to the northeast corner of Lot 1;

Thence along the easterly boundary of Lot 1 Block 1 of San Gorgonio Subdivision the following courses and distances;

Thence S. 06° 21' 41" W., 60.40 feet;

Thence S. 08° 33' 35" E., 60.64 feet;



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Page 1 of 2

Thence S. 13° 15' 00" E., 64.29 feet to the southeast corner of Lot 1;

Thence along the southerly boundary of Lot 1 and the vacated right of way the following courses and distances;

Thence N. 88° 53' 28" W., 121.88 feet to the beginning of a curve right;

Thence a distance of 30.84 feet along the curve right, having a radius of 93.00 feet, a central angle of 19° 00' 03", the long chord of which bears N 79° 23' 28" W., a distance of 30.70 feet;

Thence N. 70° 32' 53" W., 46.54 feet;

Thence N. 00° 17' 40" W., 15.30 feet to the southwest corner of Lot 1;

Thence N. 00° 17' 40" W., 142.96 feet along the westerly boundary of Lot 1 to the **POINT OF BEGINNING**.

This parcel contains 0.733 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.



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F. Conceptual Building Elevations



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, and conceptual building elevations included in Section VIII and the provisions contained herein.
2. The final plat prepared and signed by Darin Holzhey with Mason and Associates on 2/19/2024 is approved as submitted.
3. The landscape plan prepared by Joshua R. Rennaker with Rodney Evans + Partners on 2/22/2024 is approved as submitted.
4. The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
5. Prior to the City Engineer's signature on the final plat, all existing structures that do not conform to the setbacks of the R-8 zoning district shall be removed.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
8. All fencing is required to comply with the standards listed in UDC 11-3A-7. If fencing is proposed for the development, the applicant should include it on the site plan submitted with the building permit. Additionally, solid fencing adjacent to common driveways shall be prohibited, unless separated by a minimum five (5) foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover in accordance with UDC 11-6C-3D.5.
9. The Applicant shall comply with all ACHD conditions of approval.
10. The applicant and/or assigns shall have the continuing obligation to provide irrigation that meets the standards as set forth in UDC 11-3B-6 and to install and maintain all landscaping as set forth in UDC 11-3B-5, UDC 11-3B-13 and UDC 11-3B-14.
12. The preliminary/final plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer's signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=312023&dbid=0&repo=MeridianCity>

C. FIRE DEPARTMENT

No comments at this time.

D. POLICE DEPARTMENT

No comments at this time.

E. PARK'S DEPARTMENT

No comments at this time.

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315578&dbid=0&repo=MeridianCity>

G. ADA COUNTY DEVELOPMENT SERVICES (ACDS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315717&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

No comments were received from WASD.

I. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=313137&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315718&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=314790&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;

Staff finds the Applicant's request to annex 0.14 of an acre, including the remaining portion of the E. Rosalyn Street cul-de-sac right-of-way with R-8 zoning and develop single-family detached dwellings on the site are consistent with the R-8 zone and policies in the Plan in Section V. above, if all conditions of approval are met.

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

Staff finds the proposed map amendment to R-8 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

Staff finds the proposed map amendment for the R-8 zoning for the 0.14 of an acre that encompasses the remaining portion of the E. Rosalyn Street cul-de-sac right-of-way, should not be detrimental to public health, safety and welfare.

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

Staff finds City services are available to be provided to this development. Comments were not received from WASD on this application so Staff is unable to determine impacts to the school district.

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

Staff finds the proposed annexation is in the best interest of the city if all conditions of approval are met.

B. Combined Preliminary Plat/Final Plat (UDC 11-6B-4)

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

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

Staff finds the proposed plat is generally in conformance with the UDC and the Comprehensive Plan.

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

Staff finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.

3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;

Staff finds the proposed plat is in conformance with scheduled public improvements in accord with the City's capital improvement program.

4. There is public financial capability of supporting services for the proposed development;

Staff finds there is public financial capability of supporting services for the proposed development.

5. The development will not be detrimental to the public health, safety or general welfare; and

Staff finds the proposed development should not be detrimental to the public health, safety or general welfare.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development.



AGENDA ITEM

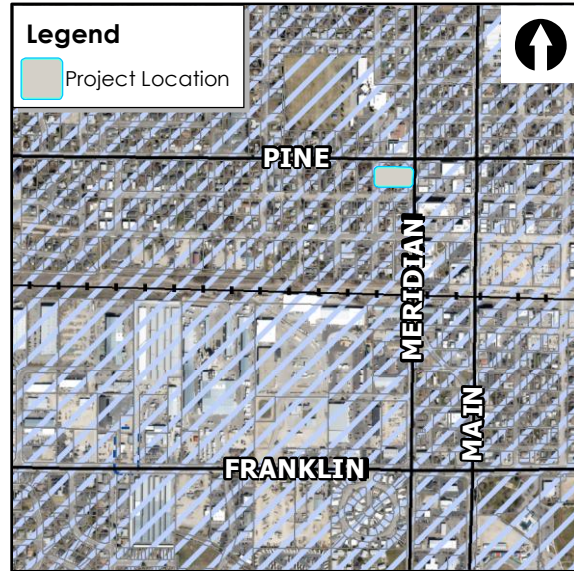
ITEM TOPIC: Public Hearing for Two Mustard Seeds Women's Resale Shop (H-2024-0009) by Arlene Hardy, Expansion International, located at 817 N. Meridian Rd.
Application Materials: <https://bit.ly/H-2024-0009>

A. Request: Rezone of 0.63 acres of land from the R-8 zoning district to the O-T zoning district for the purpose of converting the existing home into a women's resale retail store.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: July 9, 2024
 TO: Mayor & City Council
 FROM: Linda Ritter, Associate Planner
 208-884-5533
 SUBJECT: H-2024-0009
 Two Mustard Seeds Women’s Resale Shop – Rezone
 LOCATION: 817 N. Meridian Road (Parcel # R9323750041)



I. PROJECT DESCRIPTION

Request to rezone 0.63 acres of land from the R-8 zoning district to the O-T zoning district for the purpose of converting the existing home into a women's resale retail store.

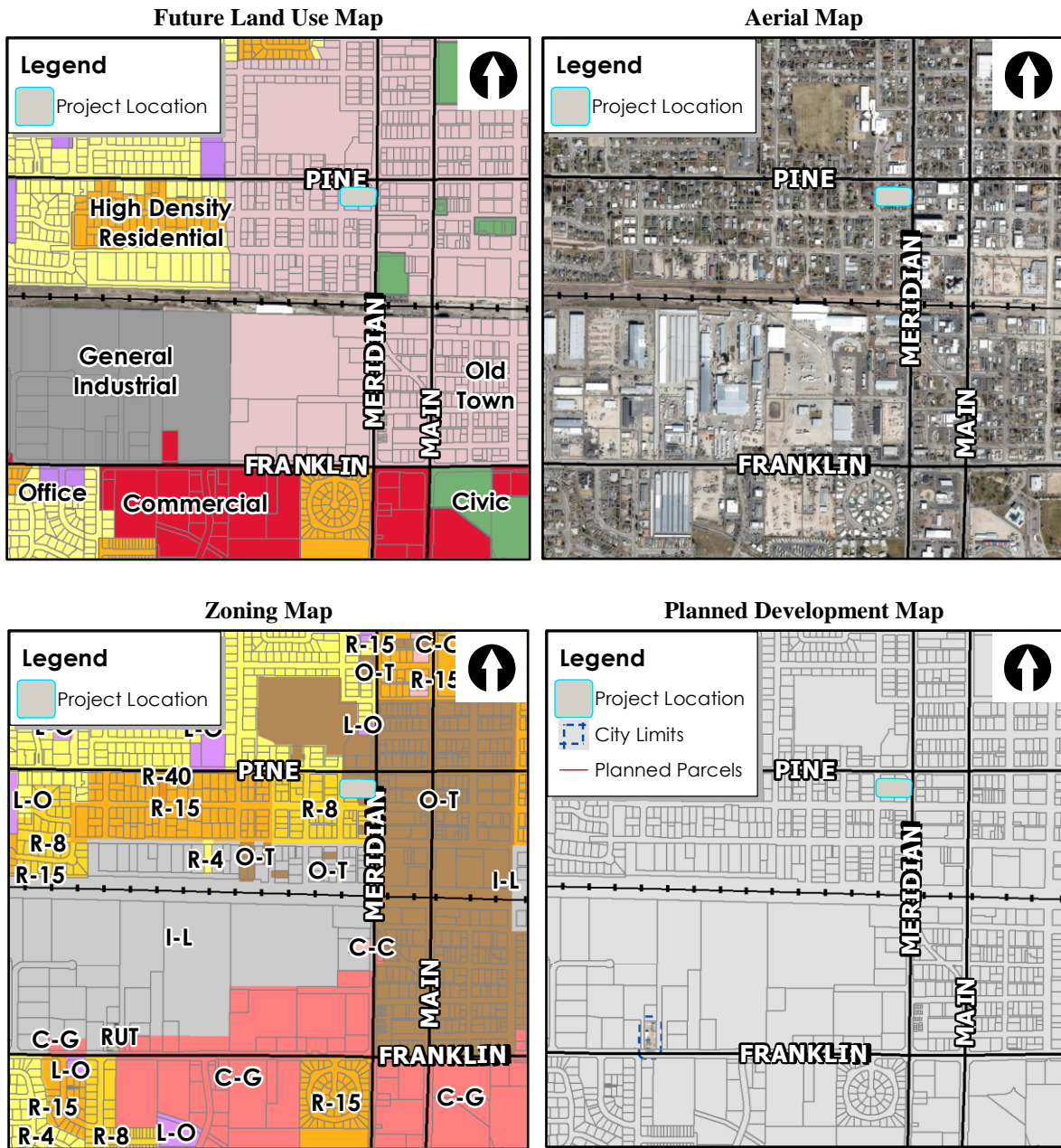
A. Project Summary

Description	Details	Page
Acreage	Rezone - 0.63 of an acre	
Future Land Use Designation	Old Town	
Existing Land Use(s)	Single-family residential	
Proposed Land Use(s)	Retail Store	
Lots (# and type; bldg./common)	1 lot	
Phasing Plan (# of phases)	NA	
Physical Features (waterways, hazards, flood plain, hillside)	No unique physical features	
Neighborhood meeting date; # of attendees:	3/24/2024	
History (previous approvals)	None	

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 occurs from NW 1 st Street, a local street via W. Idaho Avenue or W. Pine Avenue.	
Stub Street/Interconnectivity/Cross Access	N/A	
Existing Road Network	Meridian Road is improved with 5-travel lanes, vertical curb, gutter, and 7-foot wide sidewalk abutting the site. There are 5-foot wide sidewalks along NW 1 st Street.	
Existing Arterial Sidewalks / Buffers	There is an existing 7-foot wide sidewalk along Meridian Road and existing landscape buffer to remain. No landscape Additional landscape along the street frontage is required.	
Proposed Road Improvements	No road improvements are required.	
Fire Service	No comments	
Police Service	No comments	
Wastewater		
<ul style="list-style-type: none"> • Comments 	<ul style="list-style-type: none"> • No changes to public sewer infrastructure shown in records. Any changes need to be approved by public works. 	
Water		
Distance to Water Services	<ul style="list-style-type: none"> • No changes to public water infrastructure shown in records. Any changes need to be approved by public works. • Distance to Service – Water available at site • Pressure Zone – 2 • Estimated ERU – See Application • Water Quality Concerns – None • Project Consistent with Master Plan – Yes 	

C. Project Area Maps



II. APPLICANT INFORMATION

A. Applicant:

Arlene Hardy, Expansion International – 2484 E Summer Dawn Street, Meridian Road, Meridian, ID 83646

B. Owner:

Same as above

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	5/21/2024	6/18/2024
Radius notification mailed to properties within 500 feet	5/17/2024	6/17/2024
Sign Posting	5/23/2024/ 5/28/2024	6/11/2024
Nextdoor posting	5/20/2024	6/7/2024

IV. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPLAN](https://www.meridiancity.org/complan)):

Land Use:

This property is designated Old Town (O-T) on the Future Land Use Map (FLUM).

This designation includes the historic downtown and the true community center. The boundary of the Old Town district predominantly follows Meridian’s historic plat boundaries. In several areas, both sides of a street were incorporated into the boundary to encourage similar uses and complimentary design of the facing houses and buildings. Sample uses include offices, retail and lodging, theatres, restaurants, and service retail for surrounding residents and visitors. A variety of residential uses are also envisioned and could include reuse of existing buildings, new construction of multi-family residential over ground floor retail or office uses.

Proposed Use: The Applicant proposes to develop the site with a retail store, which will resale upscale women’s clothing, accessory and home décor items. These items will be donated by local area residents in Boise, Meridian and Nampa. The store will be open 3-4 days per week and will have volunteers to manage the sorting, pricing and stocking of items. The proceeds from the store will provide matching scholarships for students in Kenya, Africa to attend high school.

Remodel will include handicap bathroom access and ramp for store access. As well, new flooring, paint, landscape and other minor interior makeovers. Access will be off of NW 1st Street and parking with a handicap stall will be at the back of the retail store. A five (5) foot walkway and handicap ramp will provide access to front door from the rear of the property.

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

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*):

- “Support a compatible mix of land uses Downtown that activate the area during day and night.” (2.09.02G). *Introducing a retail store into the Downtown area presents an opportunity for increased foot traffic and commerce to occur within a desired location during the day and early evening. This addition contributes to the overall appeal and character of Downtown Meridian. The proposed operational hours are from Wednesday to Saturday, 9:00 am to 5:00 pm. This new commercial use should be a welcome addition to the other uses in the surrounding area.*
- “Support owners of historic buildings in their efforts to restore and/or preserve their properties. (5.02.01B). *Permitting the establishment of retail store in a historical downtown home has the potential to share knowledge and history regarding both Meridian and the specific house. This, in turn, is likely to boost the economic impact of more foot traffic, leading to the growth of other historical sites in the downtown area.*

V. UNIFIED DEVELOPMENT CODE ([UDC](#))

The proposed use, retail store (used merchandise) is listed as a principally permitted use in the O-T (Old Town) zoning district per UDC Table [11-2C-2](#). Compliance with the standards listed in UDC [11-2D-3 and 11-2D-4](#) is required.

VI. STAFF ANALYSIS

A. Rezone (RZ):

The Applicant is requesting to rezone 0.63 acres of land from R-8 to O-T to operate a retail store on the subject property. A legal description and exhibit map for the rezone area is included in Section VIII.A. This property is within the City's Area of City Impact boundary.

Personal services - The use of a site that offers merchandise to the public for monetary compensation. The use includes, but is not limited to, convenience stores; food stores; apparel and accessories stores; book, computer, and music stores; electronics and appliances; florists; furniture and home furnishings; general merchandise stores; health and personal care stores; hobby, office supplies, stationery and gift stores; specialty stores; sporting goods; and used merchandise stores is listed as a principal permitted use in the O-T (Old Town) zoning district per UDC Table [11-2C-2](#).

The proposed 2,463-square-foot retail store will be located in the downtown area within the Meridian Urban Renewal District. The home was built in 1902 and is slated for further improvements to meet city code requirements and enhance the customer experience. Remodel will include handicap bathroom access and ramp for store access. As well, new flooring, paint, landscape and other minor interior makeovers. Access will be off of NW 1st Street and parking with handicap stall will be at the back of the retail store. Walk and handicap ramp will provide access to front door. Five (5) off-street parking spaces are being proposed as part of the rezone from residential to commercial.

The proposed hours of operation would be from Wednesday to Saturday, 9:00 am to 5:00 pm.

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Due to the size of the development, Staff believes a DA should not be required.

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

The existing home meets all dimensional standards.

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

Access is provided off NW 1st Street a local road via W. Pine Avenue a residential arterial or W. Idaho Avenue a local street.

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

The existing home has unpaved parking in the rear of the property off NW 1st Street. The Applicant is required to pave both the access and the five (5) proposed parking stalls with the development of the site upon submittal of a future Certificate of Zoning Compliance Application. **Wheel restraints should be added to prevent overhanging beyond the designated parking stall dimension in accordance with UDC 11-3C-5.B(3).**

Old-Town is classified as a Traditional Neighborhood zoning district and no off-street parking is required for a lawfully existing structure unless an addition occurs (UDC 11-3C-6B). No additions are proposed with this project except for expanding the rear entry area. The Applicant is providing 5 parking stalls at the rear of the existing building which meets the required number of off-street parking spaces (2 spaces required) per UDC 11-3C-6B.3 for the Traditional Neighborhood district.

A minimum of one (1) bicycle parking space is required to be provided based on one (1) space for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). The site plan does not

include bicycle racks. *The Applicant should revise the plans and include one (1) bicycle rack and submit a detail of the bicycle rack with the CZC submittal.*

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

There is an existing 7-foot wide attached sidewalk on N. Meridian Road along the existing property frontage. Staff does not recommend any additional changes to the frontage improvements. There are also existing five (5) foot wide sidewalks along NW 1st Street. All sidewalks around buildings and serving public street shall be a minimum of five (5) feet in width in accordance with UDC 11-3A-17.

A continuous internal pedestrian walkway that is a minimum of five (5) feet in width shall be provided from the perimeter sidewalk to the main building entrance(s) for nonresidential uses. The walkway width shall be maintained clear of any obstructions, such as vehicles, outdoor sale displays, vending machines, or temporary structures.

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

The Applicant is not proposing any additional landscaping to be added to the site with this project. For additions less than twenty-five (25) percent of the existing structure or developed area, no additional landscaping shall be required except for buffers to adjacent residential uses in accordance with UDC 11-3B-2D(1).

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

Fences shall comply with the standards listed in UDC 11-3A-7. No additional fencing is being proposed.

Outdoor Lighting (UDC [11-3A-11](#)):

All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C.

Building Elevations:

Conceptual building elevations and perspectives were submitted for the existing structure as shown in Section IX.D. The building consists of existing siding, fascia trim, asphalt roof shingles and new ADA ramp. The only addition to the existing building is the new ADA ramp. This addition will not require design review.

Certificate of Zoning Compliance (UDC [11-5B-1](#)):

A Certificate of Zoning Compliance (CZC) is required to be submitted for the proposed use and site changes prior to submittal of a building permit application to ensure compliance with UDC standards and staff comments listed in Section IX.

VII. DECISION

A. Staff:

Staff recommends approval of the proposed rezone from R-8 to O-T per the comments in Section IX and the Findings in Section X of this report.

B. The Meridian Planning & Zoning Commission heard this item on June 6, 2024. At the public hearing, the Commission moved to recommend approval of the subject Rezone request.

1. Summary of Commission public hearing:
 - a. In favor: Arlene Hardy, Expansion International - Applicant
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Linda Ritter, 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. None.
4. Commission change(s) to Staff recommendation:
 - a. None.
5. Outstanding issue(s) for City Council:
 - a. None

VIII. EXHIBITS

A. Rezoning Legal Description and Exhibit Map



IDAHO
SURVEY
GROUP

W Emerald St
, ID 83704

☎: (208) 846-8570
(208) 884-5399

**Rezone Description for
Expansion International Inc.,**

The following Describes a Parcel of Land being a portion of Lot 2, Block 1 of West View Addition to Meridian Subdivision as filed in Book 2 of Plats at Page 68, Records of Ada County, Idaho Lying in a Portion of the Southeast 1/4 of Section 12, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more Particularly Described as follows:

COMMENCING at the Northeast Corner of the Southeast 1/4 (East 1/4 Corner) of said Section 12; From which, the Southeast Corner of said Section 12 bears, South 00°43'35" West, 2652.62 feet; Thence along the Easterly Boundary Line of the Southeast 1/4 of said Section 12, South 00°43'35" West, 114.88 feet to a point being on the Prolongation of the Northerly Boundary Line of Lot 2, Block 1 of said West View Addition to Meridian Subdivision, the **POINT OF BEGINNING**:

Thence continuing along said Easterly Boundary Line, South 00°43'35" West, 84.75 feet to a point being on the Prolongation of the Southerly Boundary Line of Lot 2, Block 1 of said West View Addition to Meridian Subdivision;

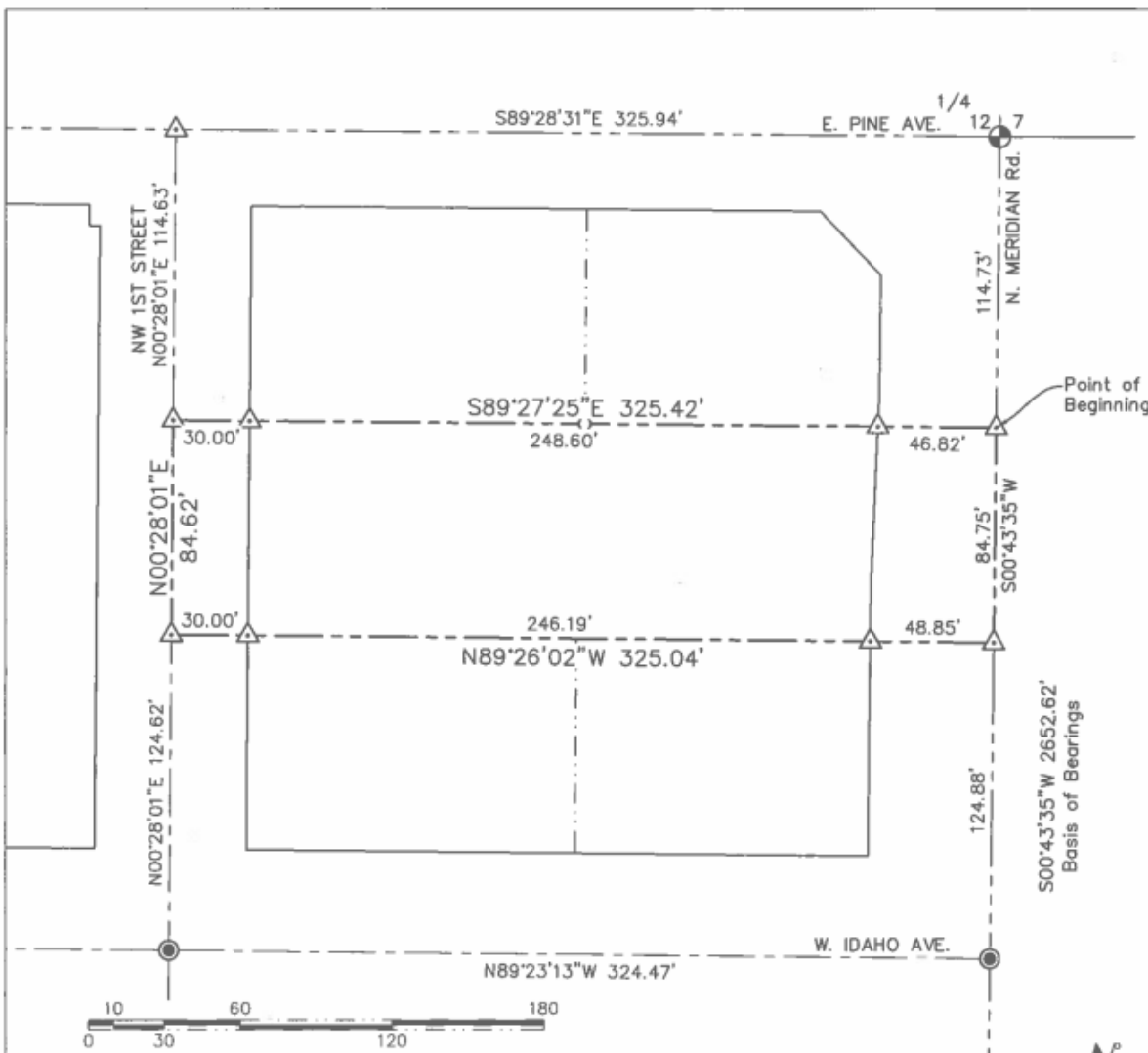
Thence leaving said Easterly Boundary Line, and along the Southerly Boundary Line of said Lot 2, and its Prolongation, North 89°26'02" West, 325.04 feet to the Centerline of Northwest 1st Street;

Thence leaving said Southerly Boundary Line, and its Prolongation, and along the Centerline of Northwest 1st Street, North 00°28'01" East, 84.62 feet to a point being on the Prolongation of the Northerly Boundary Line of said Lot 2;

Thence leaving said Centerline, and along the Northerly Boundary Line of said Lot 2, and its Prolongation, South 89°27'25" East, 325.42 feet to the **POINT OF BEGINNING**:

The above Described Parcel of Land contains 0.63 acres (27,542 Sq. ft.) more or less.





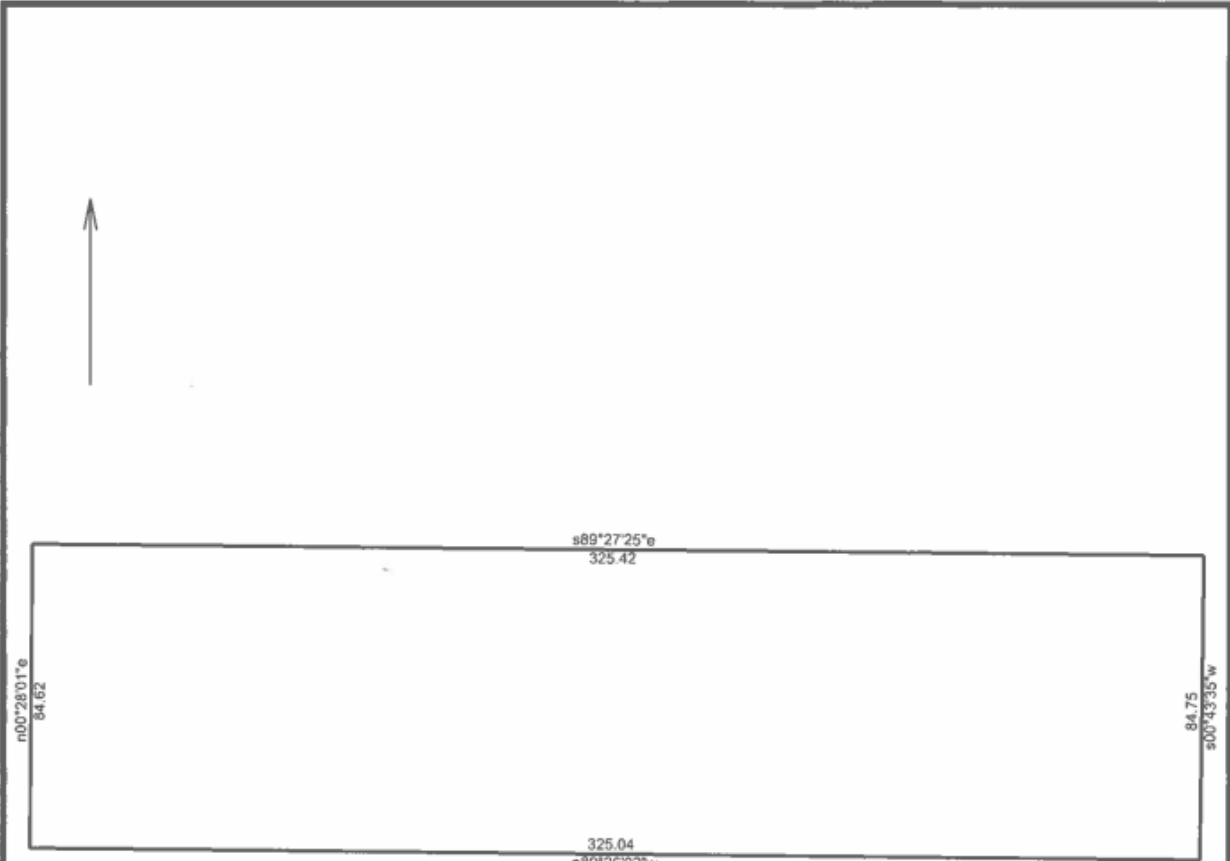
- Legend
- Found Aluminum Cap Monument
 - △ Calculated Point, Nothing Found or Set
 - Property Boundary/Rezone Line
 - Right-of-Way Line
 - Lot/Parcel Line of Record
 - Section Line
 - Centerline




IDAHO SURVEY GROUP, LLC
 9955 W. EMERALD ST.
 BOISE, IDAHO 83704
 (208) 845-8370

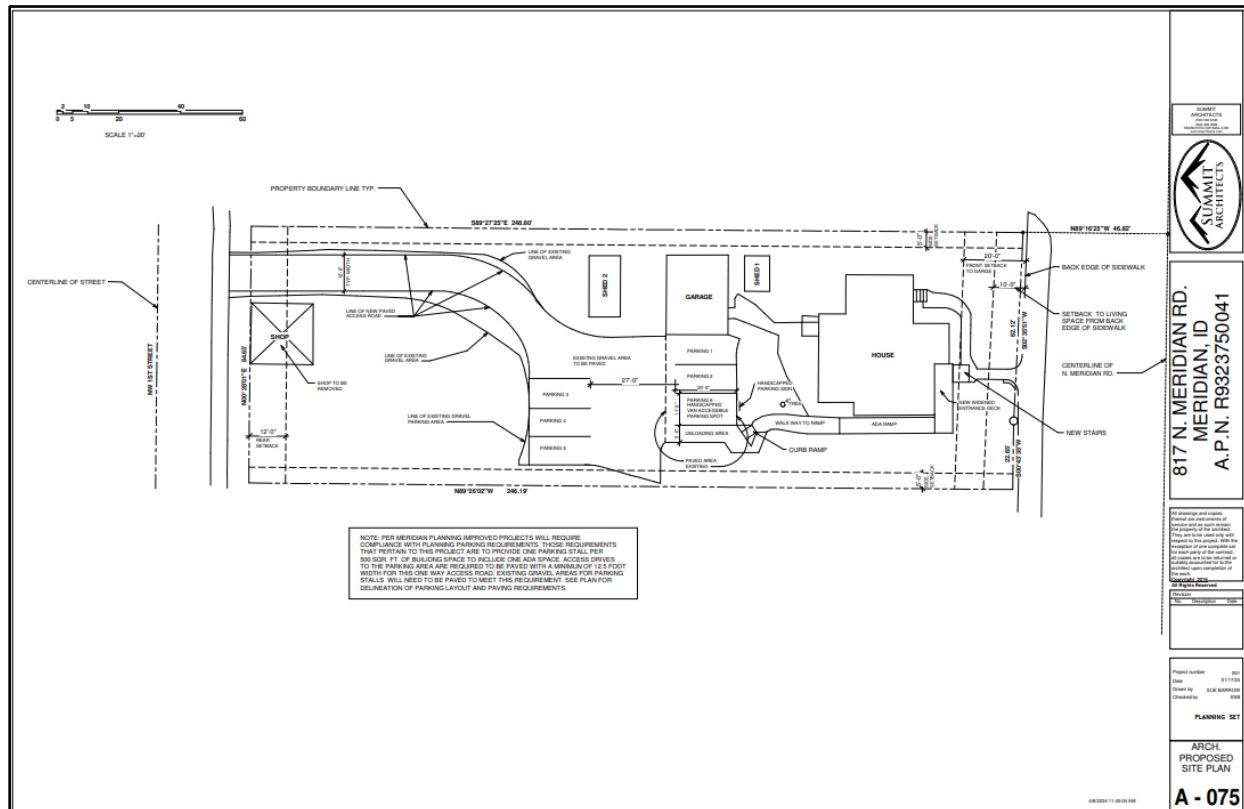
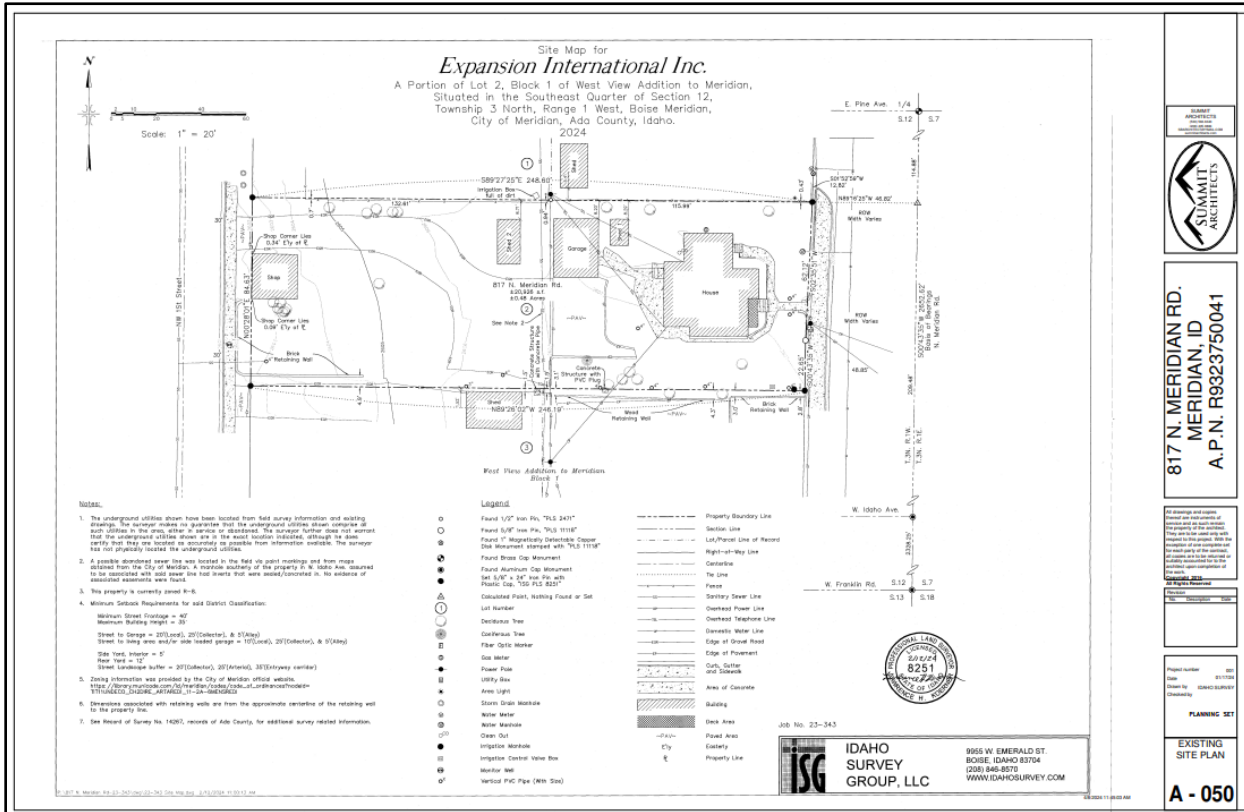
Rezone Exhibit Drawing for
Expansion International Inc.,
 A Portion on Lot 2, Block 1 of West View Addition to Meridian
 Located in the SE 1/4 of Section 12,
 T.3N., R.1E., B.M., City of Meridian, Ada County, Idaho.

Job No. 23-343
Sheet No. 1
Dwg. Date 1/3/2024

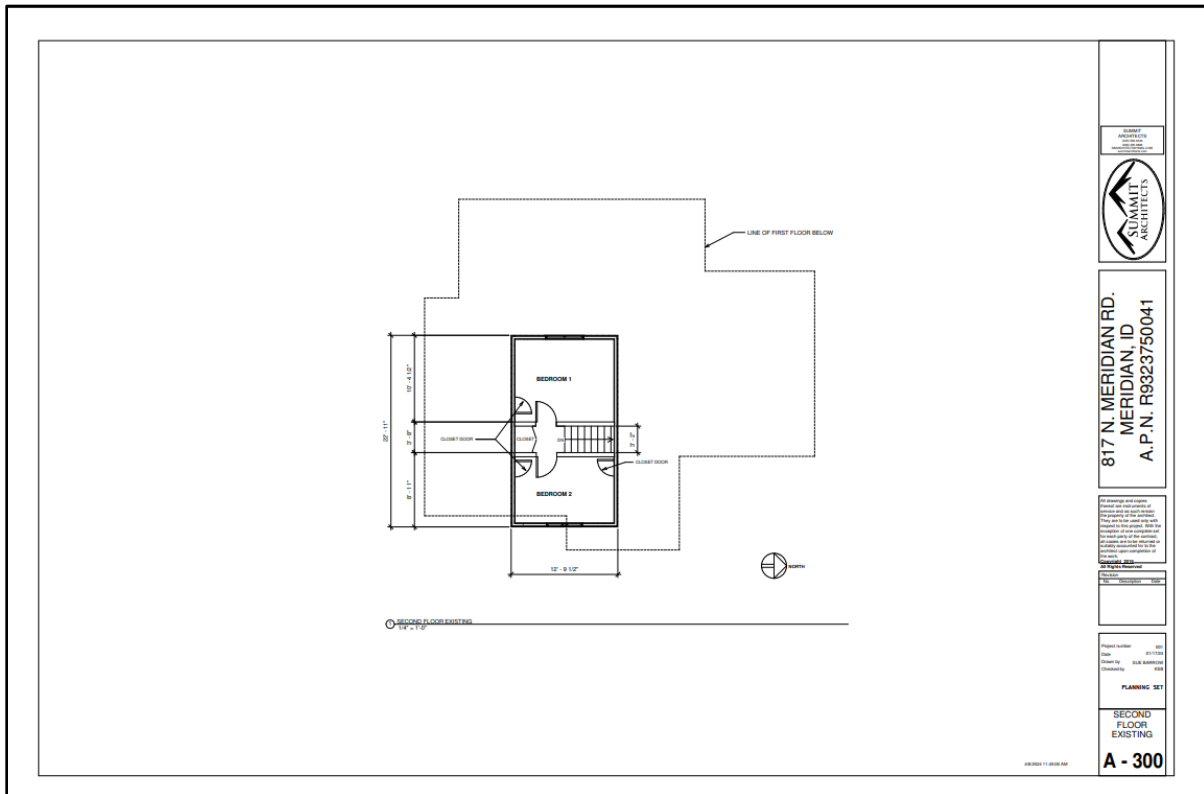
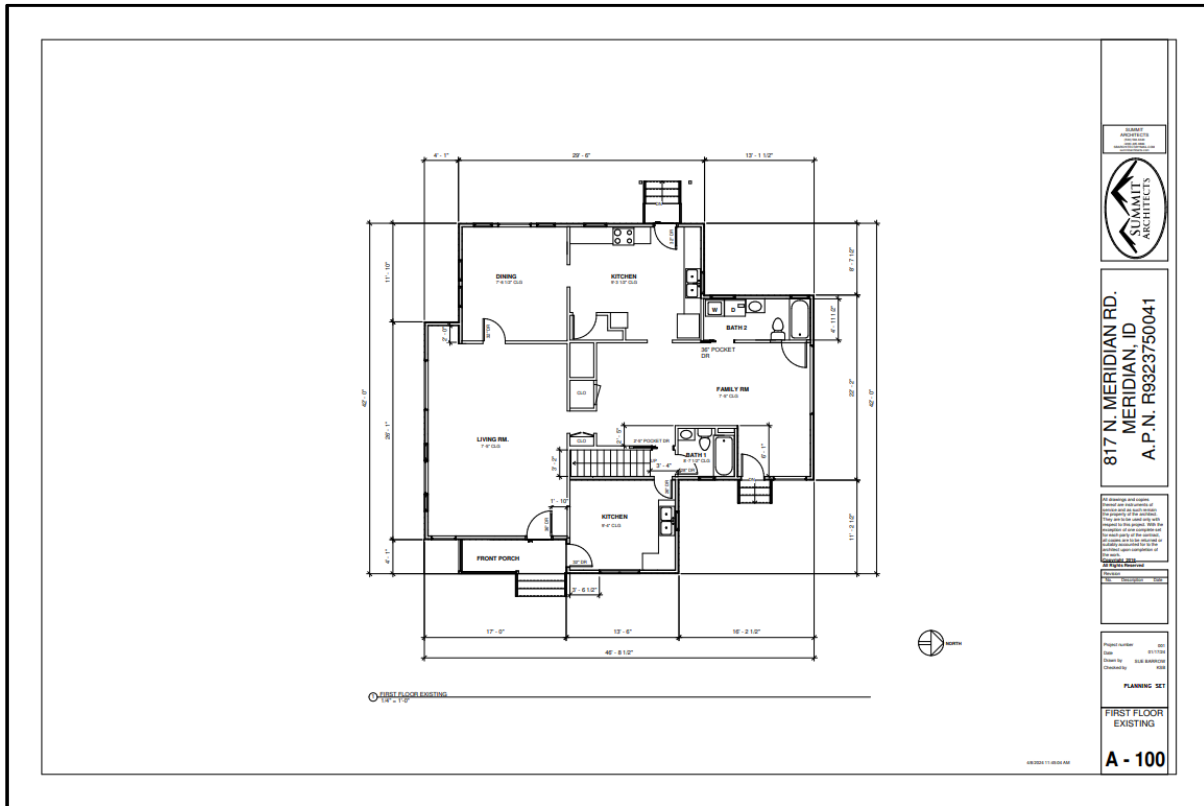


Expansion International Inc., Rezone Description		4/17/2024
Scale: 1 inch= 43 feet	File:	
Tract 1: 0.6323 Acres (27542 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/218899), Perimeter=820 ft.		
01 s00.4335w 84.75		
02 n89.2602w 325.04		
03 n00.2801e 84.62		
04 s89.2725e 325.42		

B. Existing and Proposed Site Plan (1/17/2024)



C. Existing and Proposed Floor Plans (1/17/2024)



D. Existing and Proposed Elevations (1/17/2024)

SECOND FLOOR
FIRST FLOOR
GARAGE

SECOND FLOOR
SECOND FLOOR
FIRST FLOOR
GARAGE

⊙ EAST ELEVATION EXISTING
13'-1 1/2"

⊙ SOUTH ELEVATION EXISTING
13'-1 1/2"

817 N. MERIDIAN RD.
MERIDIAN, ID
A.P.N. R9323750041

Project Number: 001
Date: 01/17/24
Drawn by: SSS ARCHITECTS
Checked by: SSS

PLANNING SET

ELEVATION
VIEWS
EXISTING

A - 500

SECOND FLOOR
SECOND FLOOR
FIRST FLOOR
GARAGE

SECOND FLOOR
SECOND FLOOR
FIRST FLOOR
GARAGE

⊙ WEST ELEVATION EXISTING
13'-1 1/2"

⊙ NORTH ELEVATION EXISTING
13'-1 1/2"

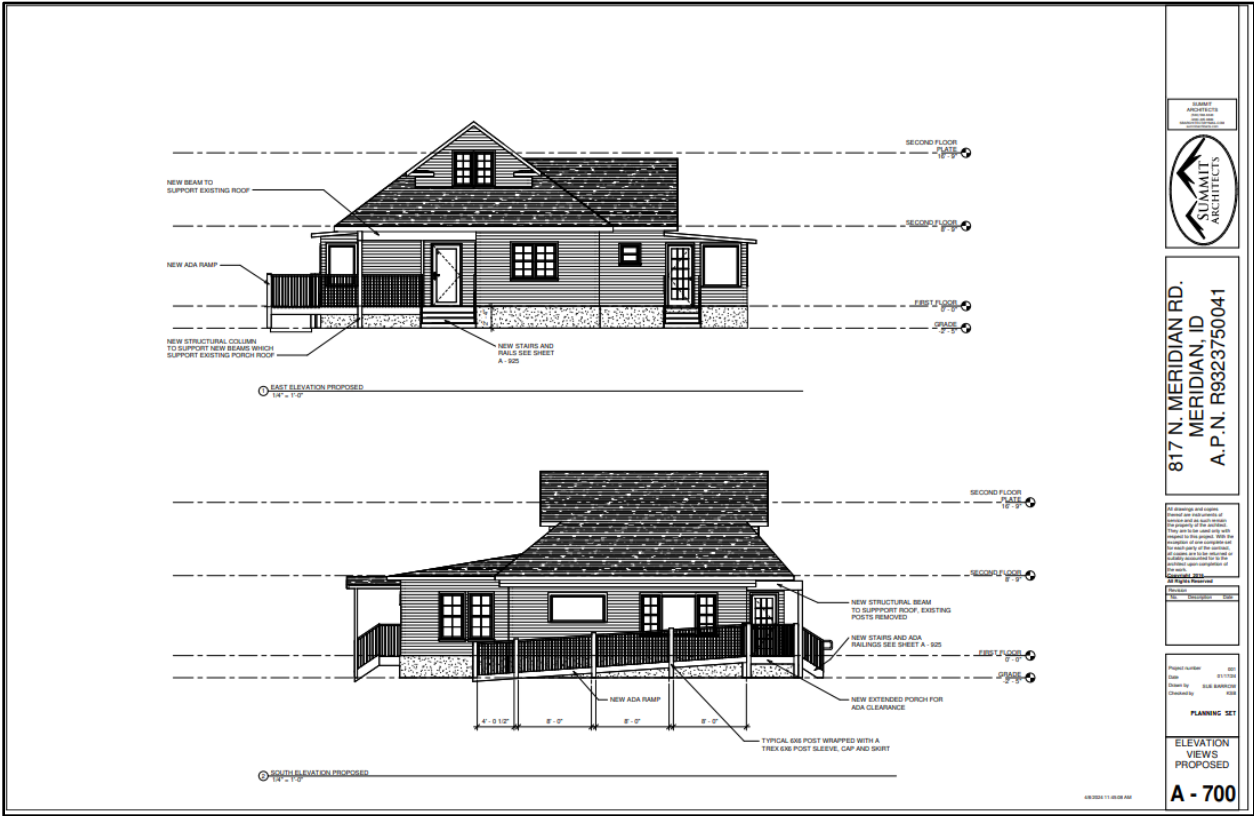
817 N. MERIDIAN RD.
MERIDIAN, ID
A.P.N. R9323750041

Project Number: 001
Date: 01/17/24
Drawn by: SSS ARCHITECTS
Checked by: SSS

PLANNING SET

ELEVATION
VIEWS
EXISTING

A - 600



817 N. MERIDIAN RD.
 MERIDIAN, ID
 A.P.N. R9323750041

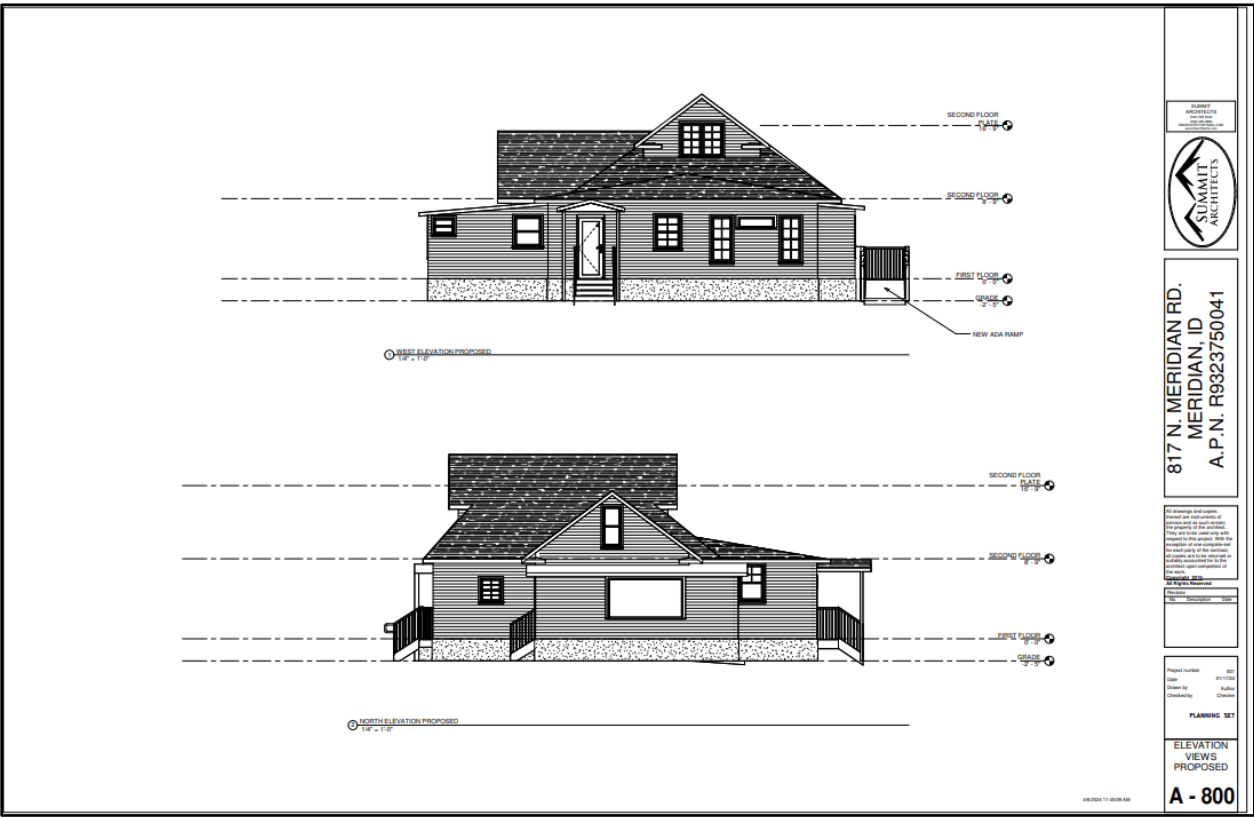
Professional seal and stamp area.

Project Number:	800
Date:	01/17/20
Drawn by:	SSB BARRON
Checked by:	SSB

PLANNING SET

ELEVATION VIEWS PROPOSED

A - 700



817 N. MERIDIAN RD.
 MERIDIAN, ID
 A.P.N. R9323750041

Professional seal and stamp area.

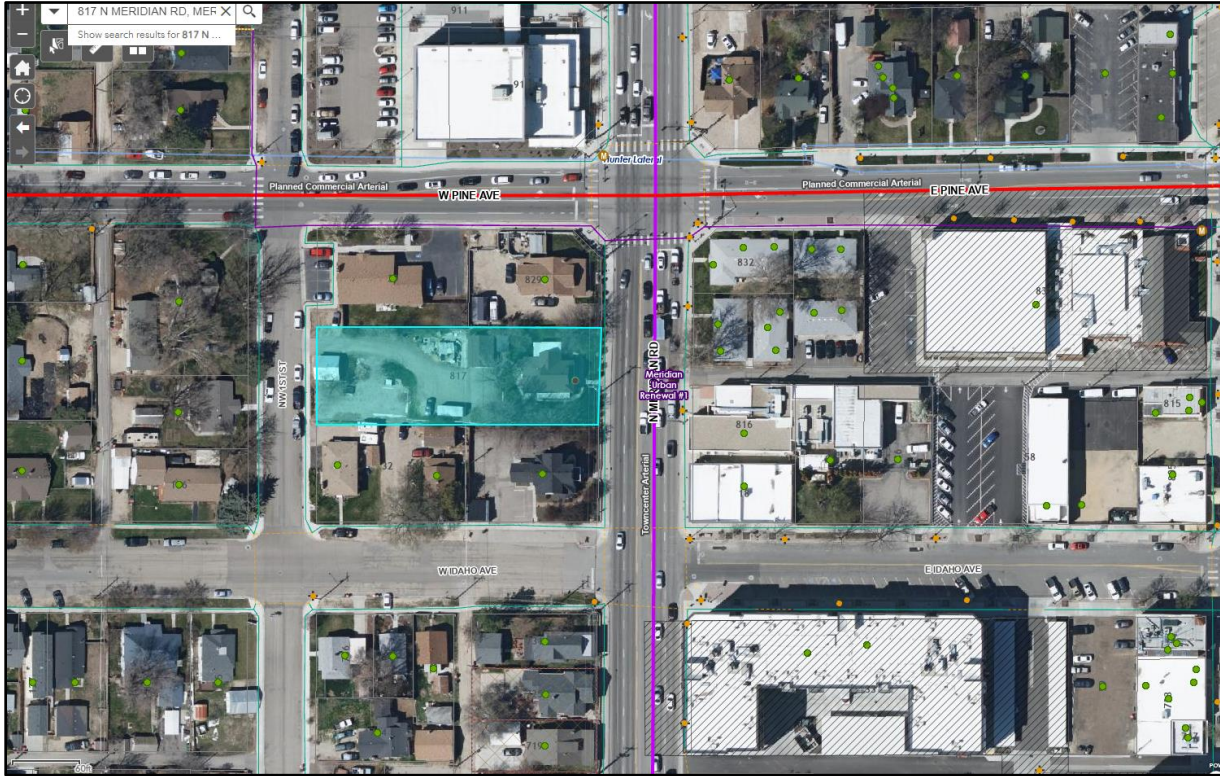
Project Number:	800
Date:	01/17/20
Drawn by:	SSB BARRON
Checked by:	SSB

PLANNING SET

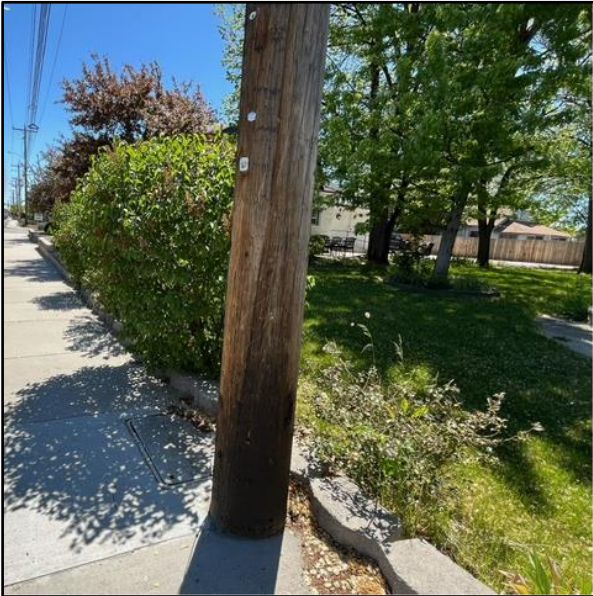
ELEVATION VIEWS PROPOSED

A - 800

E. Pictures of Existing Property and Structure







IX. CITY/AGENCY COMMENTS

A. PLANNING

Staff Comments:

1. The maximum number of allowable customers at the facility at *one time* at any given time must not exceed the maximum occupant load specified in the Fire Code.
2. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance (CZC) approval to establish the use and approval for the exterior modifications to the property.
3. The site and landscape plans submitted with the Certificate of Zoning Compliance application shall depict the following:
 - a. Pave the entire driveway and parking area. Any unpaved areas need to be landscaped to prevent vehicles from expanding the approved parking area.
 - b. The drive aisle onto the property shall be a minimum of twenty-six (26) feet in width.
 - c. All internal pedestrian circulation shall be a minimum of five (5) feet in width.
 - d. Install wheel restraints in front of the 5 parking stalls in accordance with UDC 11-3C-5.B(3).
 - e. Include a bicycle rack and a detail of the bicycle rack with the CZC submittal.
 - f. Coordinate with and provide documentation of approval from Republic Services on the size and location of your trash enclosure with the CZC submittal.
4. Direct lot access from N. Meridian Road is prohibited.

B. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330209&dbid=0&repo=MeridianCity>

C. IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=345724&dbid=0&repo=MeridianCity>

D. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331687&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;
Commission finds the proposed zoning map amendment to rezone the property from the R-8 zoning district to the O-T zoning district is consistent with the Comprehensive Plan.
2. The map amendment complies with the regulations outlined for the proposed districts, specifically the purpose statement;

Commission finds the proposed zoning map amendment complies with the regulations outlined in the requested Old Town designation.

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.

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.

Subject site is already annexed so staff finds this finding not applicable.

Meeting of the Meridian Planning and Zoning Commission of June 6, 2024, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Commissioner Andrew Seal, Commissioner Maria Lorcher, Commissioner Patrick Grace, Commissioner Jared Smith, Commissioner Brian Garrett and Commissioner Matthew Sandoval.

Members Absent: Commissioner Enrique Rivera.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons, Stacy Hersh and Linda Ritter.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Brian Garrett	<input checked="" type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Matthew Sandoval	<input checked="" type="checkbox"/> Patrick Grace
<input type="checkbox"/> Enrique Rivera	<input checked="" type="checkbox"/> Jared Smith
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

2. Public Hearing for Two Mustard Seeds Women's Resale Shop (H-2024-0009) by Arlene Hardy, Expansion International, located at 817 N. Meridian Rd.

- A. Request: Rezone of 0.63 acres of land from the R-8 zoning district to the O-T zoning district for the purpose of converting the existing home into a women's resale retail store.

Seal: So, at this time I would like to open the public hearing for Item No. H-2024-0009 for Two Mustard Seeds Women's Resale Shop. We will begin with the staff report.

Ritter: Good evening -- good evening, Commissioners. I'm Linda Ritter, associate planner, and tonight we are here for -- the applicant is requesting a rezone of 0.63 acres of land located at 817 North Meridian Road from R-8 to Old Town Zoning District for the purpose of converting the existing home into a women's resale retail store. The proposed 2,463 square foot retail store will be located in the downtown area within the Meridian Urban Renewal District. The home was built in 1902 and is slated for further improvements to meet city code requirements and enhance the customer experience. The remodel will include a handicapped bathroom, access -- and ramp for store access, as well as new flooring, paint, landscape and other minor interior makeovers. Access to the site is off of North 1st Street -- Northwest 1st Street and parking with handicapped stalls will be located at the back of the retail store. Walk-in handicap ramps will be -- provide access to the front door. There is a five foot -- there is five off-street parking spaces are being proposed as part of this rezone from residential to commercial. The proposed hours for the operation will be from Wednesday to Saturday from 9:00 a.m. to 5:00 p.m. So, this is like the existing floor plan and this is the proposed. So, they are

taking away a few items in the down -- in the downstairs and converting it to the commercial and this is the upstairs where they have bedrooms and they are converting it to -- from bedrooms to office and storage. And these are pictures of the property. It's a beautiful piece of property. So, for this property the city may require a development agreement in conjunction with the rezone pursuant to the Idaho Code, but due to the size of the development staff believes that a DA should not be required. Again, the existing home has unpaved parking in the rear of the property and the applicant is required to pave both the access and the area for the -- for the five parking spots with this development. We are asking that wheel restraints be added to prevent overhang beyond the designated parking stall dimensions in accordance with the UDC. There are existing sidewalks along North Meridian Road and Northwest 1st Street and there is existing landscaping along North Meridian Road, so no additional landscaping will be required, except for the buffers adjacent to the residential uses in accordance with the UDC. There was no written testimonies on this and because of this staff recommends approval of the proposed rezone with the conditions per the findings in the staff report. And so at this time I will stand for any questions that you have.

Seal: Great. Thank you very much. Would the applicant might come forward? Good evening. I will need your name and address for the record, please.

Hardy: My name is Arlene Hardy. My address is 2484 East Summer Dawn Street in Meridian. 83646. Well, I just wanted to say thank you for having us today and getting on the agenda. On behalf of Expansion International and the board of directors there I just want to say we are very excited about this property and -- and being able to come into the City of Meridian. We are excited about having the store and we know that it can be a great place for the community of Meridian. We have been doing resale -- a pop up store once a year for the past ten years. Very successful. About a thousand people shop the sale every year. So, we think it's a great sale item for the City of Meridian as well, because we will bring in a lot of traffic for the city. We also really see that our demographic being women that are -- have young families or, you know, that age group between 30 and 45, that's really a lot of people -- a lot of families in Meridian are our demographic and so we feel like that will draw them in and as well draw them to shop other places in Meridian and shop around the Meridian area. So, we are very excited about this project. We think it's going to be a great asset to the City of Meridian and we are excited that it's so close to the downtown area. The pictures she showed are beautiful. There -- it's a hundred -- over a hundred year old house and we are not planning to change it very much, just do the -- the ramp on the side of the house and change that bathroom into an ADA. Of course we will put in new floors and paint and, you know, clean up inside and it's going to be a boutique type store and offer, you know, women who come there to enjoy the shopping experience as well. So, thank you for hearing us tonight and I look forward to any questions you have.

Seal: Thank you very much. Commissioners, do we have any questions for the applicant or staff? Commissioner Smith?

Smith: My question -- I can wait until --

Seal: No? No. All right. Do we have anybody signed up to testify?

Lomeli: Mr. Chair, a Lauren Phillips.

Seal: Okay. Would anybody else like to come up and testify? All right. Going once. Going twice. Don't know if the applicant has anything further to add or -- if not, then, we can go ahead and -- so, if -- if you have nothing further to add then -- and the applicant is indicating that they do not have any -- anything further to add; right? Thank you very much. And with that I will take a motion to close the public hearing for File No. H-2024-0009.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2024-0009 for Two Mustard Seeds Women's Resale Shop. All in favor, please, say aye. Opposed nay? The hearing is closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Comments, questions, anyone?

Smith: Mr. Chair?

Seal: Go ahead.

Smith: And this is a perfect fit for the idea of what downtown -- or for Old Town zoning is -- is for and what the -- kind of the Old Town vision is. Fully in support of it.

Seal: Okay. I will say on the application I'm very happy to see that there is some parking provided with it, so -- as well as, you know, a beautiful piece of property that's going to be well maintained in the future for Meridian. So, I do like to see that in the Old Town area. So, parking is always -- whenever we can get a parking space we will take it. So, I'm glad to see that that's happening and very happy to see this happening in Old Town. If there is nothing further I will always take a motion.

Smith: Mr. Chair?

Seal: Commissioner Smith, go right ahead.

Smith: After -- sorry. After considering staff, applicant and public testimony I move to recommend approval to the City Council of File No. H-2024-0009 as presented in the staff report.

Lorcher: Second.

Seal: It's been moved and seconded to approve -- recommend approval of file H-2024-0009, Two Mustard Seeds Women's Resale Shop to City Council. All in favor, please, say. Opposed nay? Item passes. Thank you very much and good luck.

MOTION CARRIED: SIX AYES. ONE ABSENT.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Vanguard Village Subdivision (H-2023-0074) by Adler Industrial, located at 1085 S. Ten Mile Rd.

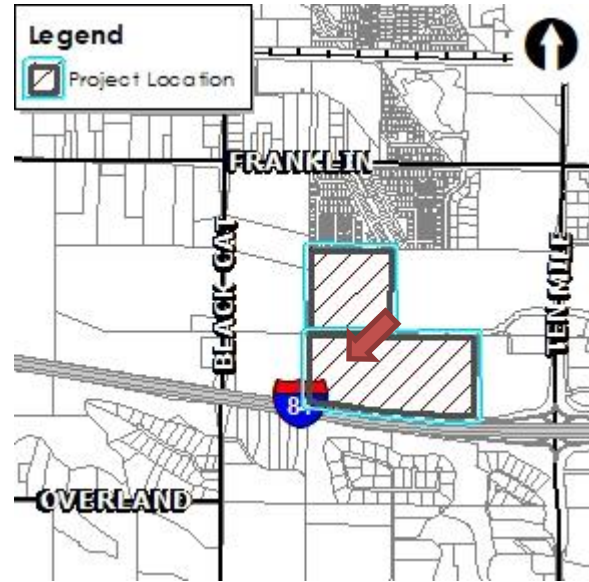
Application Materials: <https://bit.ly/H-2023-0072>

A. Request: Modified Development Agreement to amend the existing development agreement (H-2021-0081 Inst.#2022-049799) to clarify the uses allowed in the M-E zone; update the phasing plan, include an alternative design and development guidelines for distribution & light manufacturing area (i.e. warehouse and light industry uses) with conceptual elevations and other miscellaneous changes.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: July 9, 2024
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: [H-2023-0072](#)
 Vanguard Village – MDA
 LOCATION: Generally located 1/4 mile south of W. Franklin Rd. and west of S. Ten Mile Rd., in the center of Section 15, T.3N. R.1W.



I. PROJECT DESCRIPTION

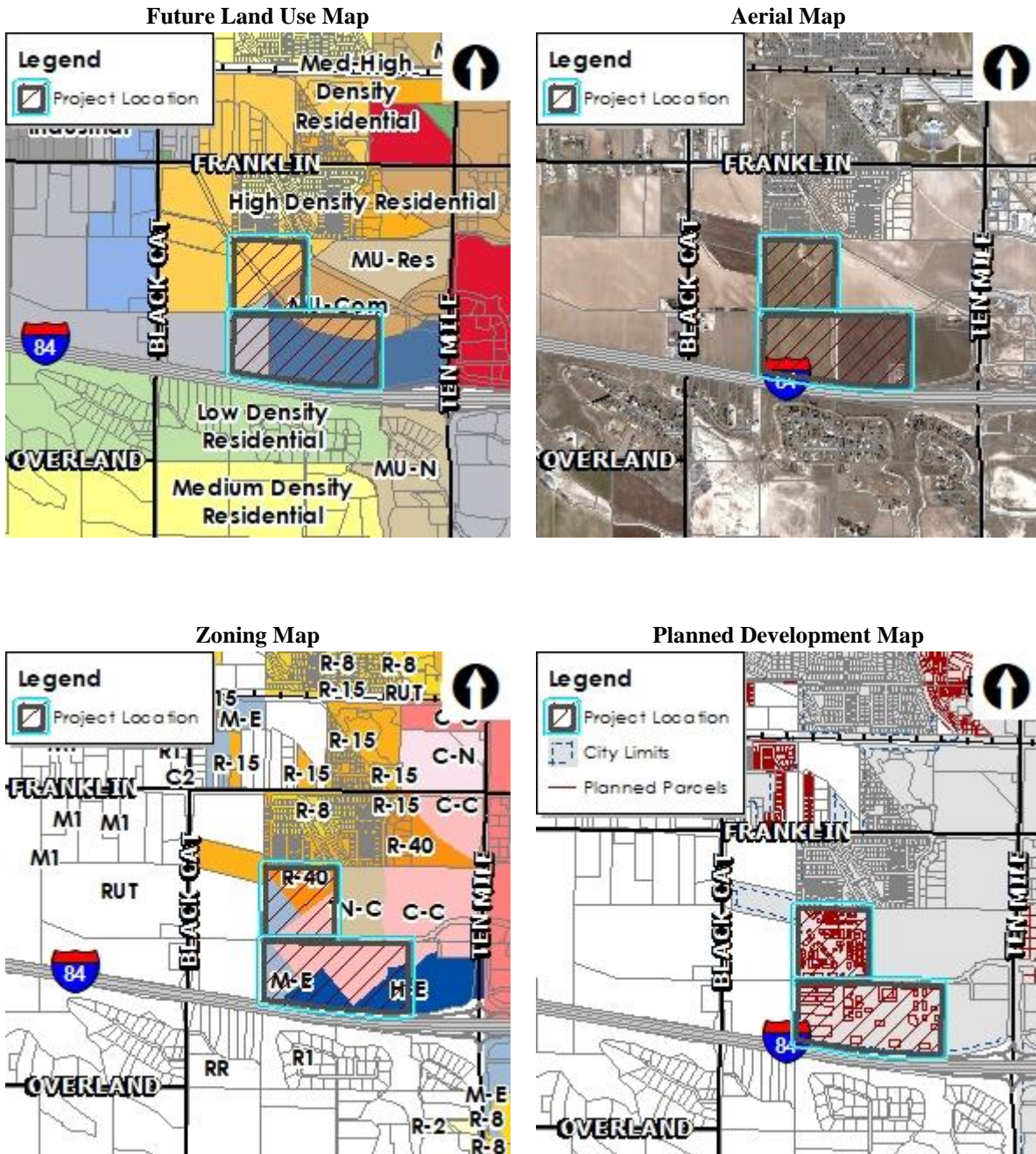
The Applicant has submitted an application for a modification to the existing Development Agreement associated with H-2021-0081, recorded as Inst. #[2022-049799](#). See Section V below for more information.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	115.26 acres overall	
Existing Zoning	R-15, M-E, C-C and H-E	
Future Land Use Designation	Mixed Use – Commercial (MU-COM); Medium High-Density Residential (MHDR); Mixed Employment (ME); High Density Employment (HDE)	
Existing Land Use(s)	Vacant/agricultural land	
Proposed Land Use(s)	Multi-family residential, vertically integrated residential, light industry/warehouse, commercial/retail, research and development and other uses (overall).	
Physical Features (waterways, hazards, flood plain, hillside)	The Williams gas pipeline bisects this site	
Neighborhood meeting date; # of attendees:	11/30/23	
History (previous approvals)	AZ-09-008 Meridian Crossing (Ord. #10-1467; DA Inst. #110115738); ROS #7623 (Inst. #106170019 2006); H-2021-0081 [MDA, RZ, PP, CUP – DA Inst. #2022-049799 (replaced previous DA)]	

B. Project Area Maps



Note: The boundary of the site shown on the above maps is the entire property subject to the DA; the portion of the property that is the subject of this amended DA is only that at the southwest corner of the site in the M-E zoning district.

A. Applicant:

Will Goede, Adler Industrial – 8665 W. Emerald St., Se. 200, Boise, ID 83704

B. Owners:

Ten Mile West Commercial, LLC – 1144 S. Silverstone Way, Ste. 500, Meridian, ID 83642

C. Representative:

Same as Applicant

III. NOTICING

	City Council Posting Date
Notification published in newspaper	6/23/2024
Notification mailed to property owners within 300 feet	6/21/2024
Applicant posted public hearing notice on site	6/24/2024
Nextdoor posting	6/17/2024

IV. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

A. Development Agreement Modification (MDA):

The Applicant proposes an amendment to the existing Development Agreement (DA) associated with H-2021-0081, recorded as Inst. #[2022-049799](#), as follows: *(Staff’s comments in italics)*

- New DA provision – “4.3: Notwithstanding anything in the UDC or this Agreement to the contrary, Warehouse, including distribution, and Flex Space uses shall not be permitted in that portion of the property zoned M-E and designated “Warehouse & Flex Space Use Not Allowed” as shown on the map and described in the associated legal description/exhibit map in Section VI.B of the First Amendment.”

The inclusion of this restriction on approximately 1/3 of the M-E (Mixed-Employment) zoned area will ensure the property develops with a mix of employment uses as desired by the City with a limitation on flex and warehouse uses.

- Modify DA provision #5.1a, as follows: “Development of the subject property shall be generally consistent with the site plan, qualified open space exhibit, site amenity exhibit, pedestrian circulation plan, preliminary plat, phasing plan, landscape plan and conceptual building elevations submitted with the applications contained herein in the Development Agreement. An updated phasing plan for the development is included in Section VI.A of the First Amendment and by this reference incorporated herein as if set forth in full.”

Development priorities have changed, along with property ownership, since the time of the initial approvals; the proposed change will allow development to proceed in an alternate order.

- Update the phasing plan – see Section VI.A below for existing vs. proposed phasing plan.

The existing phasing plan depicts the following: 1) 1st phase – the southern portion of the R-15 zoned property; 2) 2nd phase – the M-E zoned property; 3) 3rd phase – the northern portion of the R-15 zoned property; 4) 4th phase – the H-E zoned property; and 5) the C-C zoned property.

The proposed plan depicts the following: 1) 1st phase – the M-E zoned property at the southwest corner of the property; 2) 2nd phase – the C-C and H-E zoned property on the

eastern portion of the property; and 3) 3rd phase – the R-15 zoned property on the northern portion of the site.

- Inclusion of alternative design and development guidelines for the distribution and light manufacturing area (i.e. warehouse/distribution and light industry/manufacturing uses) with the conceptual elevations shown in Section VI.C; and modification to the following DA provisions:
 - #5.1b: “All future development, site design and building design shall comply with the guidelines in the Ten Mile Interchange Specific Area Plan (TMISAP) and the standards in the Architectural Standards Manual (ASM), as applicable unless otherwise modified herein. The City Council approved alternatives to the design guidelines in the TMISAP consisting of lower roof pitches of 2:12 for the community clubhouse amenity buildings and 3:12 for the townhome garages to allow larger windows with lower sills at the second level; and front patios with railings that frame off the entrances that are covered by the above balconies instead of front stoops due to concerns pertaining to compliance with ADA requirements.”
 - #5.1i: “Development in the M-E district shall be consistent with the development guidelines contained in the Ten Mile Interchange Specific Area Plan (TMISAP) for Mixed Employment (ME) designated areas except for the M-E zoned area where warehouse, including distribution, and light industry, including manufacturing, uses are proposed as shown on the map and described in the associated legal description/exhibit map included in Section VI.C. In that area, a minimum of 8% windows on the frontage and a single plane wall maximum distance of 150’ without building modulation will be allowed as shown on the exhibits in Section VI.C instead of 20% windows and a single plane wall maximum equal to the building height without building modulation shown as examples on the transect on pg. 3-50 in the TMISAP. Only the building faces shown in red on the exhibit will be considered frontage.”

The TMISAP has elevated guidelines that apply to development within the TMISAP area. The Architectural Standards Manual (ASM) applies to all properties within the City, with established baseline minimum standards. These are in addition to the elevated guidelines in the Plan. The front/south side of the southernmost building will be highly visible from I-84; the front of the other buildings will be internal to the site and not as visible. Staff is unable to support requests for deviations from the guidelines in the Plan due to conflicts with the lesser ASM standards prior, apart from and prior to the design review process. Commercial ASM standards apply to M-E zoned areas, but the buildings are of an industrial style and may conflict with other citywide ASM standards as well. Action is needed from Council for such requests.

If Council approves the proposed deviations to the design guidelines in the Plan, the Applicant will need to include a request for a design standard exception with each commercial standard in the ASM that is not met, with subsequent administrative Design Review applications. Any such related request will likely not comply with the design standards in the ASM.

- #5.1l: “Design elements shall be provided within the overall development as required in the Application of the Design Elements matrix on pg. 3-49 of the TMISAP, except as otherwise allowed herein.”

This change allows for the above-noted exceptions if approved by City Council.

- Modification to DA provision #5.1.m – ~~“The subject property shall be subdivided prior to submittal of any Certificate of Zoning Compliance application(s) and/or building permit application(s). The Applicant may submit a Design Review, Certificate of Zoning Compliance, and building permit application(s) to finalize building design prior to recordation of the final plat(s) for the lot on which a building is located, however, the applicant will not receive the Certificate of Occupancy for any buildings prior to the recordation of the final plat for the lot on which the building is located.”~~

The proposed change will allow development to commence but will still require the plat to be recorded prior to occupancy.

V. DECISION

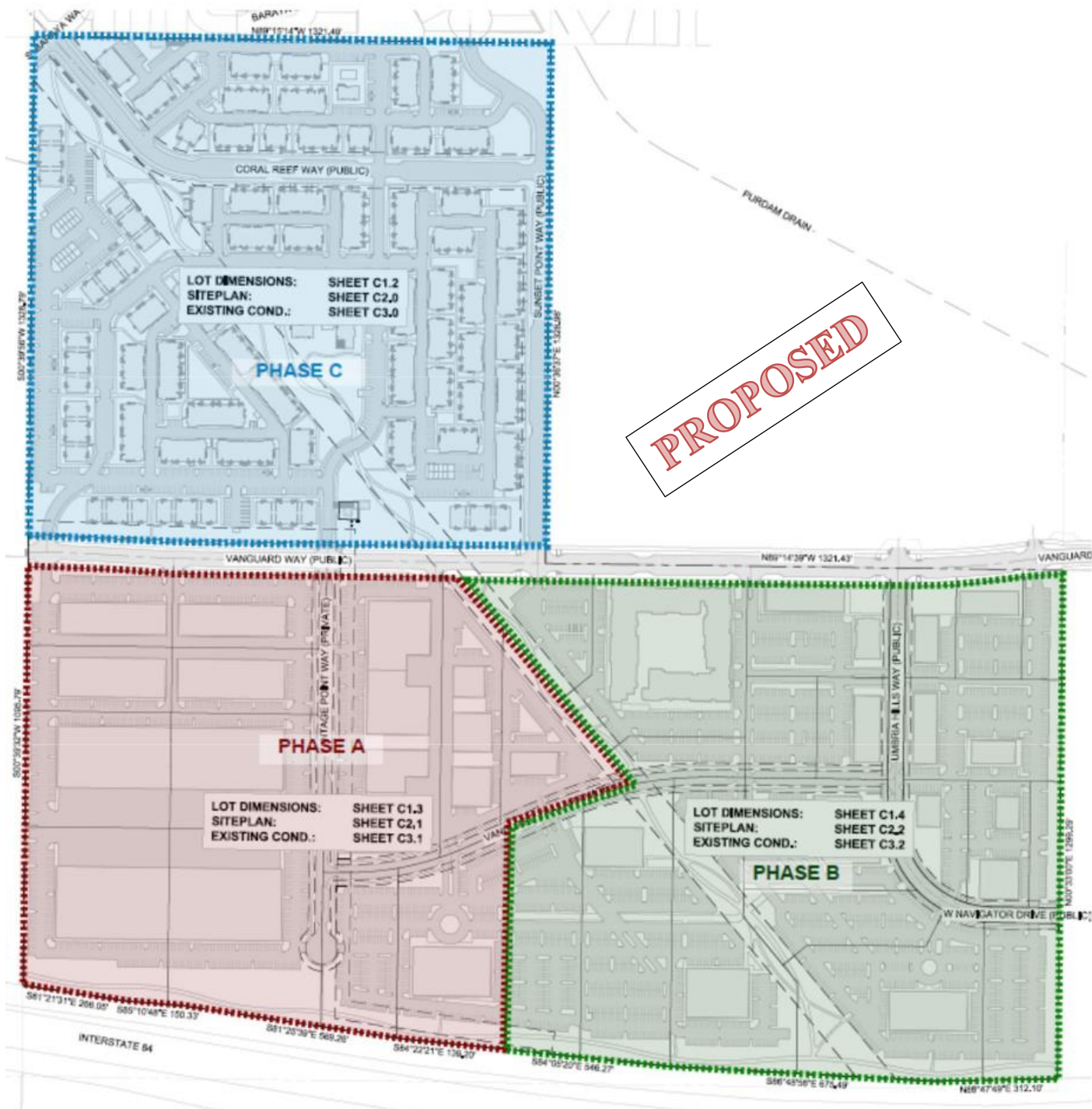
A. Staff:

Staff recommends approval of the requested modifications to the DA, except for the deviations from the design guidelines in the TMISAP, which require Council approval.

VI. EXHIBITS

A. Existing & Proposed Phasing Plan





PROPOSED

B. Exhibit Depicting Warehouse & Flex Space Use Not Allowed Area and Legal Description/Exhibit Map of that Area

Depiction of Warehouse & Flex Space Use Not Allowed Area





Project No: 240076
Date: May 21, 2024
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**EXHIBIT "C"
TO FIRST AMENDMENT**

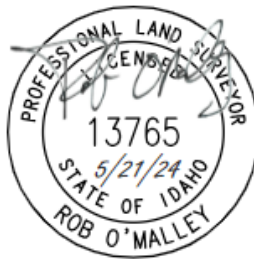
**LEGAL DESCRIPTION OF WAREHOUSE &
FLEX SPACE USE NOT ALLOWED AREA**

A parcel of land located in the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4 of Section 15, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the center one-quarter corner of Section 15; thence, along the north boundary of said NE1/4 of the SW1/4,

- A. S.89°14'48"E., 291.84 feet to the **POINT OF BEGINNING**, thence leaving said north boundary,
 - 1. S.39°31'08"E., 748.08 feet to the beginning of a non-tangent curve; thence,
 - 2. Southwesterly along said curve to the left having a radius of 1000.00 feet, an arc length of 185.66 feet, through a central angle of 10°38'16", of which the long chord bears S.71°25'13"W., 185.40 feet; thence, tangent from said curve,
 - 3. S.66°06'05"W., 231.67 feet to the beginning of a tangent curve; thence,
 - 4. Southwesterly along said curve to the right having a radius of 750.00 feet, an arc length of 70.03 feet, through a central angle of 5°21'01", of which the long chord bears S.68°46'35"W., 70.01 feet; thence, non-tangent from said curve,
 - 5. N.89°17'19"W., 299.81 feet; thence,
 - 6. N.00°45'12"E., 755.20 feet; thence,
 - 7. S.89°14'48"E., 266.65 feet to the **POINT OF BEGINNING**.

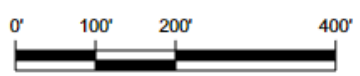
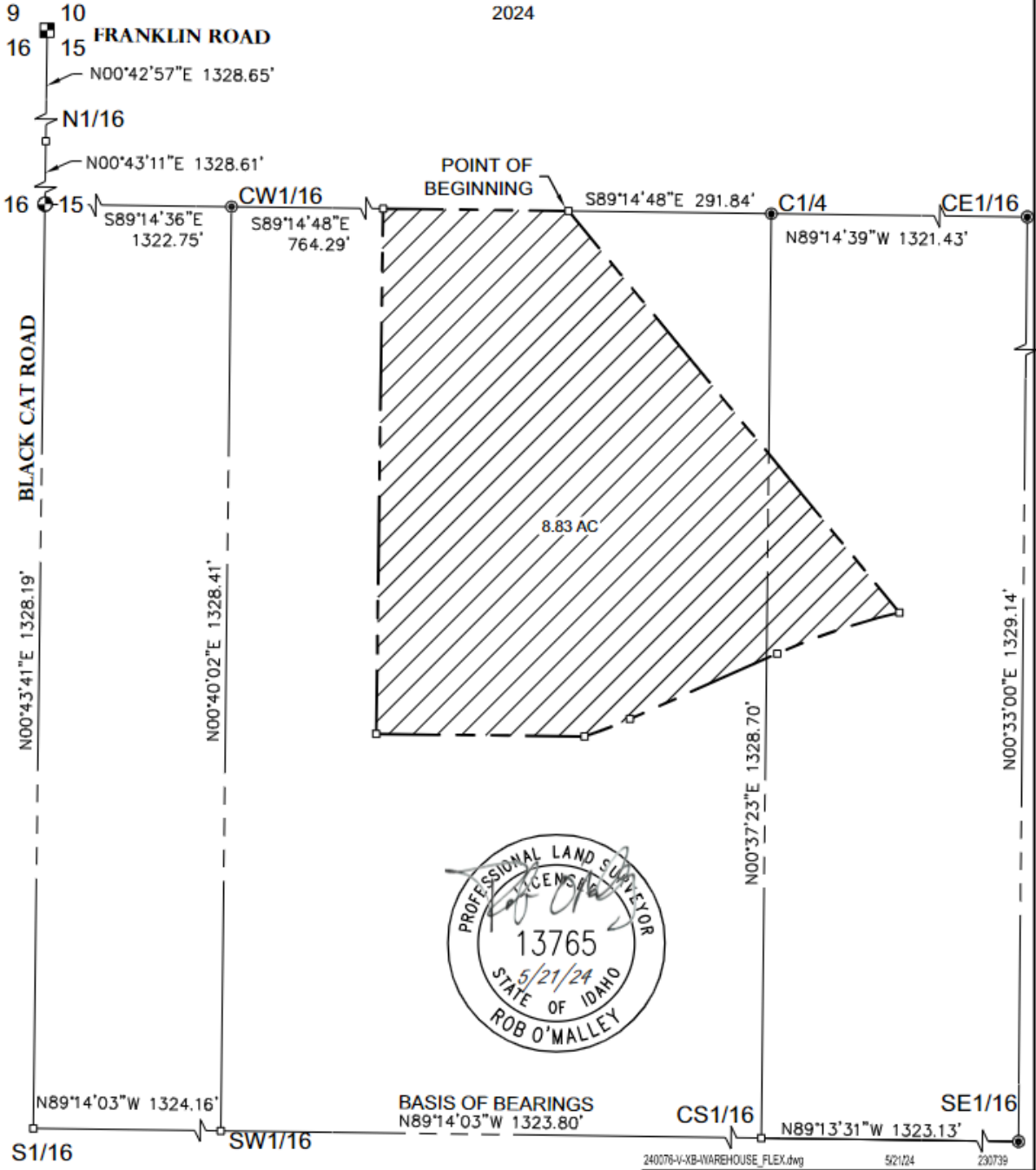
CONTAINING: 8.83 Ac.



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EXHIBIT SKETCH - WAREHOUSE AND FLEX SPACE

LOCATED IN THE NE1/4 OF THE SW14 AND THE NW1/4 OF THE SE1/4 OF SECTION 15,
TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2024



ARDURRA
332 N. BROADMORE WAY
NAMPA, IDAHO 83687
208-442-6300 | WWW.ARDURRA.COM

C. Distribution & Light Manufacturing Area Design Guidelines & Legal Description/Exhibit Map of that Area

EXHIBIT E - DISTRIBUTION & LIGHT MANUFACTURING AREA DESIGN GUIDELINES

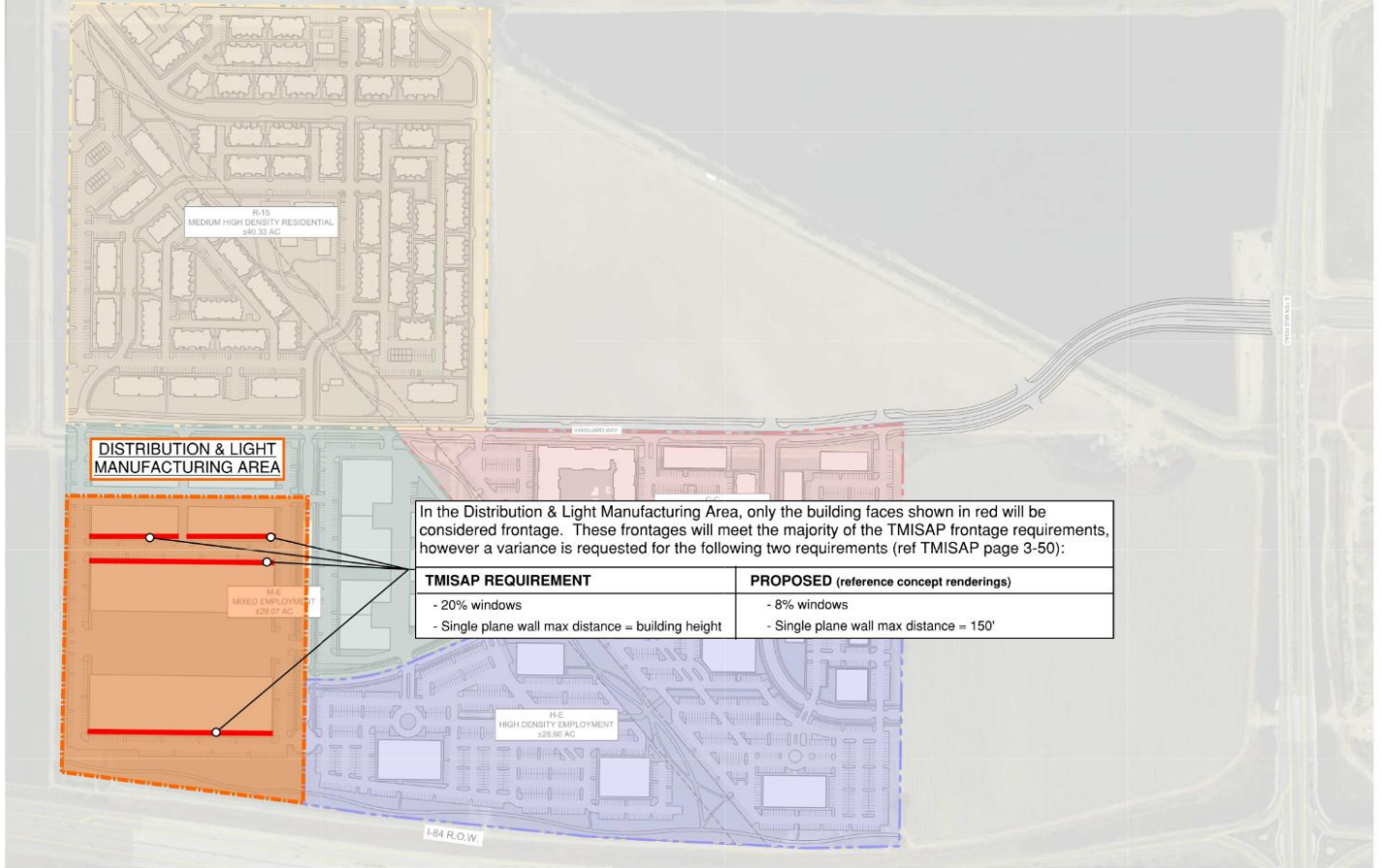


EXHIBIT E - DISTRIBUTION & LIGHT MANUFACTURING AREA DESIGN GUIDELINES



EXHIBIT E - DISTRIBUTION & LIGHT MANUFACTURING AREA DESIGN GUIDELINES



EXHIBIT E - DISTRIBUTION & LIGHT MANUFACTURING AREA DESIGN GUIDELINES





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Date: May 21, 2024
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**EXHIBIT "F"
TO FIRST AMENDMENT**

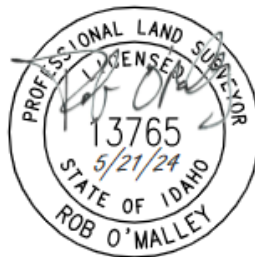
**LEGAL DESCRIPTION OF DISTRIBUTION
AND LAND MANUFACTURING AREA**

A parcel of land located in the NE1/4 of the SW1/4 of Section 15, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the center west one-sixteenth corner of Section 15; thence, along the west boundary of said NE1/4 of the SW1/4,

- A. S.00°40'02"W., 231.45 feet to the **POINT OF BEGINNING**, thence leaving said boundary,
1. S.89°14'48"E., 763.91 feet; thence,
 2. S.00°45'12"W., 959.44 feet; thence,
 3. N.81°25'39"W., 352.27 feet; thence,
 4. N.85°10'48"W., 150.33 feet; thence,
 5. N.81°21'31"W., 266.05 feet to the west boundary of said NE1/4 of the SW1/4; thence, along said boundary,
 6. N.00°39'32"E., 864.35 feet to the **POINT OF BEGINNING**.

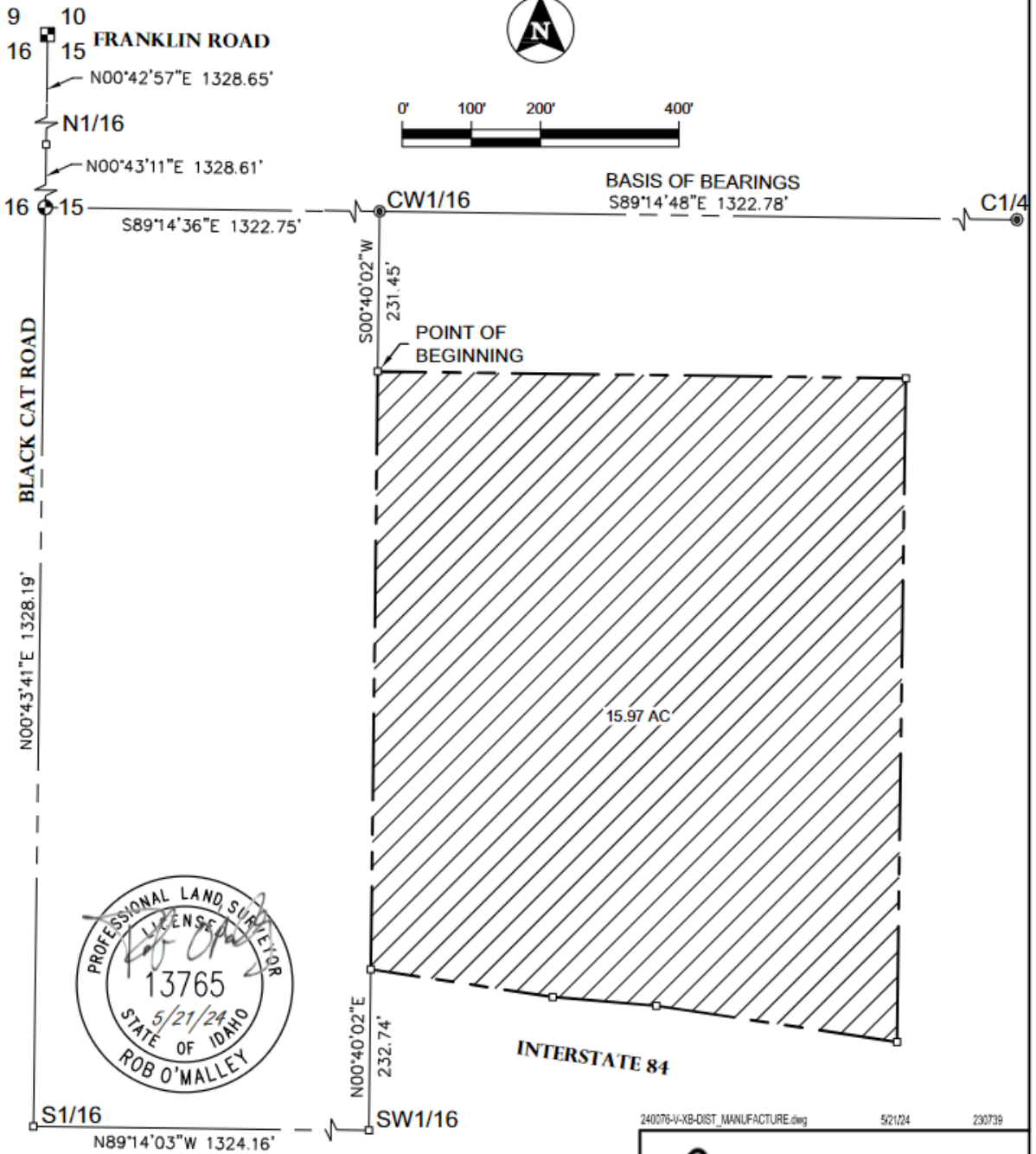
CONTAINING: 15.97 Ac.



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EXHIBIT SKETCH - DISTRIBUTION & LIGHT MANUFACTURING

LOCATED IN THE NE1/4 OF THE SW14 OF SECTION 15,
TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2024



240076-V-XB-DIST_MANUFACTURE.dwg 52124 230739



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