



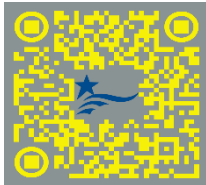
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, December 02, 2021 at 6:00 PM

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

Agenda

Scan the QR Code to sign up in advance to provide testimony.



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 the project. Then, members of the public are allowed up to 3 minutes each to address Commissioners regarding the application. Any citizen acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners consenting to yield their time to speak. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. Commissioners may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard.

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/86031414814>

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

Webinar ID: 860 3141 4814

ROLL-CALL ATTENDANCE

- Nate Wheeler Andrew Seal Bill Cassinelli
- Nick Grove Maria Lorcher Steven Yearsley
- Rhonda McCarvel, Chairperson

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Findings of Fact, Conclusions of Law for K1 Speed \(H-2021-0077\) by Josh Shiverick of Cushing Terrell, Located at 1075 N. Hickory Ave. on the Northwest Corner of E. State Ave. and N. Hickory Ave.](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

2. **Public Hearing for Fire Station 8 and Police Substation (H-2021-0078) by City of Meridian, Located at 4250 N. Owyhee Storm Ave.**
 - A. Request: A Conditional Use Permit to develop the property with two (2) public/quasi-public uses, an 11,560 square-foot police station and an 11,637 square-foot fire station on approximately 3.60 acres of land in the R-8 zoning district.
3. **Public Hearing Continued from November 18, 2021 for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.**
 - A. Request: Annexation of 10.41 acres of land with a request for C-C (2.01 acres) and R-15 (8.3 acres) zoning districts.
 - B. Request: Preliminary Plat consisting of 44 building lots (43 single-family residential and 1 multi-family residential), 1 commercial building lot, and 2 common lots on 8.8 acres of land in the proposed C-C and R-15 zoning districts.
 - C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 18 units on 1.18 acres in the proposed R-15 zoning district.
4. **Public Hearing for Inglewood Coffee Shop Drive-Through (H-2021-0073) by Gold Stream Holdings, LLC, Located at 3330 E. Victory Rd.**
 - A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of a residential use and zoning district on 0.83 of an acre of land in the C-C zoning district.
5. **Public Hearing for Woodcrest Townhomes (H-2021-0082) by Andrew Newell of Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way**
 - A. Request: Preliminary Plat consisting of 19 building lots and 4 common lots (including 1 lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district.
6. **Public Hearing for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.**
 - A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
 - B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.
 - C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for K1 Speed (H-2021-0077) by Josh Shiverick of Cushing Terrell, Located at 1075 N. Hickory Ave. on the Northwest Corner of E. State Ave. and N. Hickory Ave.

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND
DECISION & ORDER**



In the Matter of the Request for Conditional Use Permit to operate a 50,000 square foot indoor arts, entertainment and recreation facility within an existing 204,000 square foot industrial building. The proposed use includes an indoor electric go-kart track, concession area, meeting rooms, and associated spaces for K1 Speed, Located at 1075 N. Hickory Avenue, on 9.88 acres of land in the I-L Zoning District, by Cushing Terrell, Applicant Representative.

Case No(s). H-2021-0077

For the Planning & Zoning Commission Hearing Date of: November 18, 2021 (Findings on December 2, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 18, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 18, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 18, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 18, 2021, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.

6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of November 18, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of November 18, 2021, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff report for the hearing date of November 18, 2021

By action of the Planning & Zoning Commission at its regular meeting held on the _____ day of _____, 2021.

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED_____

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED_____

COMMISSIONER NATE WHEELER VOTED_____

COMMISSIONER STEVEN YEARSLEY VOTED_____

COMMISSIONER WILLIAM CASSINELLI VOTED_____

COMMISSIONER NICK GROVE VOTED_____

COMMISSIONER MARIA LORCHER VOTED_____

Rhonda McCarvel, Chairman

Attest:

Chris Johnson, City Clerk

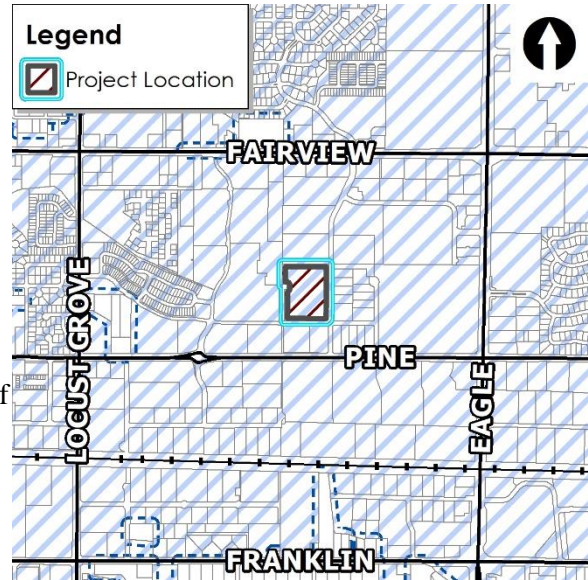
Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: November 18, 2021
TO: Planning & Zoning Commission
FROM: Joe Dodson, Associate Planner
208-884-5533
SUBJECT: H-2021-0077
K1 Speed – CUP
LOCATION: 1075 N. Hickory Avenue, in the SW ¼ of the NE ¼ of Section 8, T.3N., R.1E. (Parcel # R3073790250)



I. PROJECT DESCRIPTION

Conditional Use Permit to operate a 50,000 square foot indoor arts, entertainment and recreation facility within an existing 204,000 square foot industrial building. The proposed use includes an indoor electric go-kart track, concession area, meeting rooms, and associated spaces for K1 Speed on 9.88 acres of land in the I-L zoning district.

II. SUMMARY OF REPORT

A. Project Summary

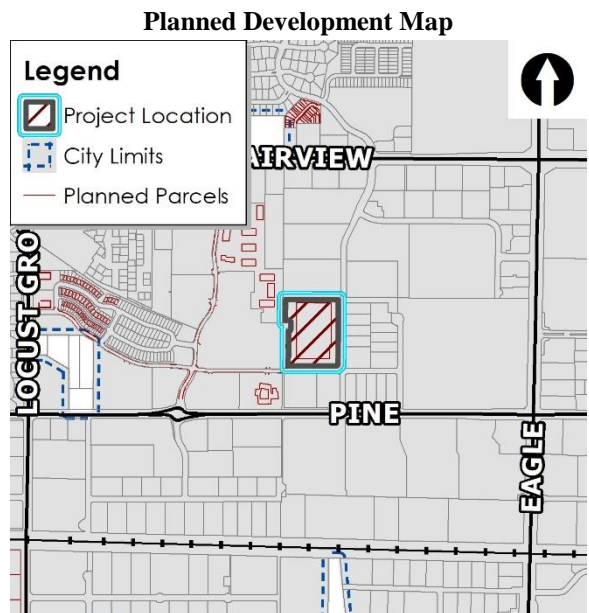
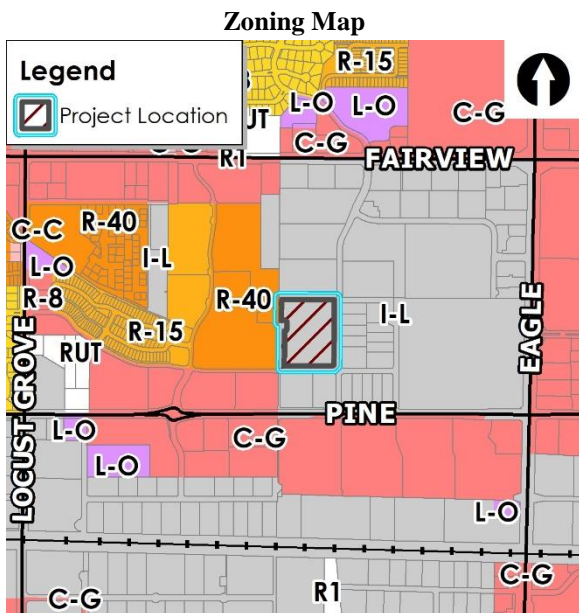
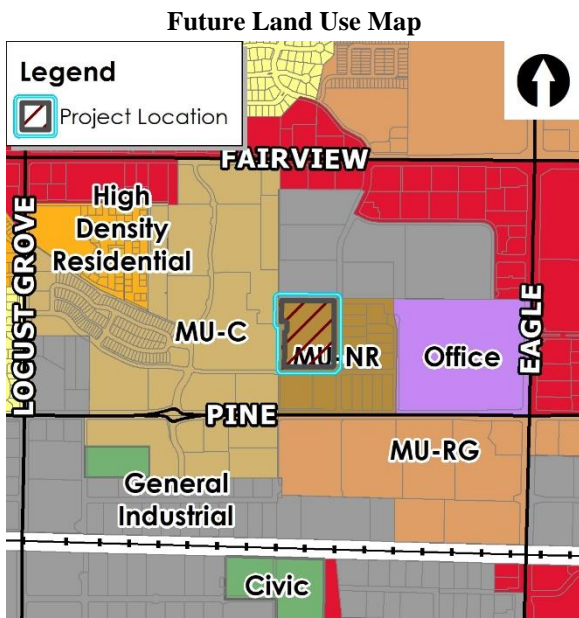
Description	Details	Page
Acreage	9.88 acre site	
Future Land Use Designation	Mixed Use – Non-Residential (MU-NR)	
Existing Land Use(s)	204,000 square foot warehouse building (under construction)	
Proposed Land Use(s)	Indoor recreation facility/go-kart track	
Neighborhood meeting date; # of attendees:	Sept. 20, 2021; no attendees	
History (previous approvals)	A CUP was approved in 1991 for a PUD – General (Gemtone Inc.). Platted as Lots 1-4, Block 4, Gemtone Center No. 3; H-2020-0094 (Vacation); A-2020-0165 (Hickory Warehouse CZC).	

B. Community Metrics

Description	Details	Page
Ada County Highway District		

Description	Details	Page
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses via E. State Avenue (local street) and two (2) accesses via N. Hickory Avenue (industrial collector). All access points are existing and approved from previous approvals (A-2020-0165) for the overall warehouse building.	
Existing Road Network	Yes	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Josh Shiverick, Cushing Terrell – 800 W. Main Street, Suite 800, Boise, ID 83702

B. Owner:

H.O.T. 2, LLLP – PO Box 1335, Meridian, ID 83680

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	11/2/2021
Radius notification mailed to properties within 300 feet	10/27/2021
Site Posting Date	11/3/2021
NextDoor posting	10/28/2021

V. COMPREHENSIVE PLAN (*Comp. Plan*)

This property is designated Mixed Use – Non-Residential (MU-NR) on the Future Land Use Map (FLUM) in the Comprehensive Plan.

The purpose of the MU-NR designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City’s Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Developments are encouraged to be designed similar to the conceptual MU-NR plan depicted in Figure 3E in the Comprehensive Plan (see page 3-18).

The Applicant proposes to develop the site with an indoor recreation facility (i.e. an indoor electric go-kart business) within a portion of an existing warehouse building. The warehouse was approved under an administrative application (A-2020-0165) due to the existing industrial zoning and planned unit development in 1991 (through Gemtone CUP). The planned unit development approved in 1991 allowed a myriad of uses beyond just those typically allowed in the I-L zoning district.

Across both adjacent streets there is a church, offices, flex space, other warehousing uses, and an indoor recreation facility for a swim school was recently approved—within the subject warehouse where this use is proposed only one other tenant is known at this time and that is a cabinet maker in the northwest corner of the building utilizing approximately 30,000 square feet of the 204,000 square foot building. Therefore, this industrial zoned area is already providing a number of varying uses in the vicinity of the proposed go-kart use. In addition, directly to the west of the subject warehouse is an area of Mixed-Use Community and multi-family housing in the R-15 zoning district that is partially constructed (Pine 43 project). A number of residential units are occupied at this time with additional units under construction; a mix of commercial buildings are also under construction further to the north and along Fairview Avenue. Staff finds the proposal to place an indoor recreation facility adjacent to multi-family residential as a benefit to both uses for the following reasons: the residential would activate the recreation component of the proposed use; an

indoor go-kart facility would offer an additional recreation opportunity for residences nearby and for those throughout the City; existing conditions of landscaping, physical separation, ingress/egress, and the use being indoors offers adequate mitigation of any noxious outcomes.

Therefore, because the use is adjacent to residential, office, flex space, and other recreation facilities uses, it should be an appropriate use in the MU-NR FLUM designation for the reasons noted above.

In reviewing development applications, the following items will be considered in MU-NR areas: *(Staff's analysis in italics.)*

- No new residential uses will be permitted (existing residential may remain). *No residential uses are proposed.*
- All developments should have a mix of at least two types of land uses. *Because the use is proposed within an existing building, it is too small of an area to allow the development of multiple land use types. However, the overall MU-NR designated area does have a mix of uses; offices, flex space, and a church exist to east of this site within the MU-NR area.*
- Development is not required to comply with the minimum number of uses in the general mixed-use standards. *Noted.*
- Street sections consistent with the Ada County Highway District Master Street Map are required within the Unified Development Code. *No new streets are proposed.*
- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, food service/restaurants, industry, or warehouse uses. *Noted.*
- A transitional use is encouraged on the perimeter of the MU-NR areas between any existing or planned residential development. *As discussed above, Staff finds an indoor recreation facility as a transitional use between the existing multi-family to the west and the western boundary of the MU-NR area where this use is proposed.*

The following goals and policies in the Comprehensive Plan are supported by the proposed development:

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)
The proposed use will contribute to the mix of uses in this area and should add to the livability and economic vitality of the community.
- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)
The subject mixed-use area currently contains office, church uses, and a swim school. The proposed use will provide a recreational opportunity in close proximity to residential neighbors to the west thereby reducing vehicle trips and enhancing livability of the area.
- “Provide, partner, and preserve public and private indoor and outdoor recreation amenities for a diverse range of physical activities.” (5.01.01C)
The proposed private recreation facility offers opportunities for recreation through electric go-karts to the public and will contribute to the range of physical activities offered in the City.

VI. UNIFIED DEVELOPMENT CODE (UDC)

The proposed use, an indoor recreation facility, is listed as a conditional use in the I-L (Light Industrial) zoning district per UDC Table 11-2C-2. Compliance with the dimensional standards listed in UDC Table 11-2C-3 is required and are met because the proposed use is internal to an approved structure.

VII. STAFF ANALYSIS

As discussed above in Section V, the proposed indoor go-kart facility is considered an appropriate use and meets the development guidelines listed for the MU-NR designation. The use is also consistent with the Planned Unit Development approved in 1991 for Gemtone Inc., which approved a mix of commercial and light industrial uses in the I-L zoning district.

This use is proposed to be contained within an existing warehouse, as noted above. The tenant space for the go-kart facility will be approximately 50,000 square feet within the warehouse with no exterior spaces or modifications proposed. The Applicant submitted a conceptual floor plan showing internal spaces that include a reception area, concession and seating area, and a few meeting rooms—these areas constitute a few of the accessory uses within the proposed space and are allowed per the specific use standards outlined below. In addition, the hours of operation are a key component of analysis when determining the compatibility of adjacent uses. The Applicant’s narrative states the planned hours of operation for the proposed use vary throughout the week but do not exceed 10am to 11pm. Because of the nature of the proposed use and the existing multi-family residential to the west, Staff is recommending a condition of approval consistent with these hours of operation.

The proposed use is subject to the following Specific Use Standards (UDC 11-4-3-2) - Arts, Entertainment or Recreation Facility, Indoors and Outdoors: (*Staff analysis in italics*)

A. General Standards:

- 1. All outdoor recreation areas and structures that are not fully enclosed shall maintain a minimum setback of one hundred feet (100') from any abutting residential districts. The playing areas of golf courses, including golf tees, fairways, and greens, are an exception to this standard. (Ord. 07-1325, 7-10-2007). *No outdoor recreation areas are proposed; all activities will take place within the building.*
- 2. No outdoor event or activity center shall be located within fifty feet (50') of any property line and shall operate only between the hours of six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. *No outdoor events or activities are proposed.*
- 3. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only. *Noted.*
- 4. Outdoor speaker systems shall comply with section 11-3A-13, "Outdoor Speaker Systems", of this title. *No outdoor speakers are proposed.*

B. Additional Standards for Swimming Pools: Any outdoor swimming pool shall be completely enclosed within a six foot (6') non-scalable fence that meets the requirements of the building code in accord with title 10, chapter 1, of this code. *Not applicable.*

C. Additional Standards for Outdoor Stage or Musical Venue: Any use with a capacity of one hundred (100) seats or more or within one thousand feet (1,000') of a residence or a residential district shall be subject to approval of a conditional use permit. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005). *No outdoor stage or musical venue is proposed.*

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

Four (4) driveway accesses are depicted and approved on the overall site plan – two (2) accesses via E. State Avenue (local street) to the south and two (2) accesses via N. Hickory Avenue (industrial collector) to the east. ACHD has approved the location of all access driveways with the administrative approvals for the overall warehouse (A-2020-0165).

The proposed use is located at the south end of the warehouse with the public entrance at the southeast corner of the building, closest to the “corner” accesses of State and Hickory. Staff anticipates these two access points will be the main points of ingress and egress for the facility due to their proximity to the business entrance. Should warehouse uses be introduced in the remaining area of the warehouse that require large truck traffic, Staff anticipates the other access points to the site located in close proximity to the west and north property boundaries will be used for ease of access to the roll-up doors on the west side of the building. Staff has no concerns with the ingress and egress to the proposed business.

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

Based on a proposed tenant space of approximately 50,000 s.f. of gross floor area, a minimum of 100 off-street parking spaces are required. As noted throughout the staff report, the building and other site improvements are existing and include the off-street parking for the entire warehouse building. According to the submitted site plan showing the existing site conditions, a total of 106 parking spaces are outlined in blue directly adjacent to the area proposed for K1 Speed, exceeding UDC standards. Based on 106 parking spaces provided for this use, a minimum of four (4) bicycle parking spaces are required to be provided. **Bicycle parking facilities were approved at the time of CZC submittal but the submitted plans do not appear to clearly depict where they are located. At the time of Certificate of Zoning Compliance Change of Use (CZCU) application, the Applicant should provide plans that clarify the bicycle parking location(s) for this use.**

Because a vast majority of the area proposed for K1 Speed is the actual track that has limited capacity of karts, Staff does not have concern on the number of parking spaces available for the proposed use.

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

There are existing 5-foot wide attached sidewalks along E. State Avenue and N. Hickory Avenue that meet UDC standards. Any damaged curb, gutter or sidewalk is required to be replaced.

A 5-foot wide continuous internal pedestrian walkway is required to be provided from the perimeter sidewalk to the main building entrance(s); the walkway should be distinguished from the vehicular driving surfaces as set forth in UDC [11-3A-19B.4](#).

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

A 10-foot wide street buffer is required to be provided along E. State Avenue, a local street, and a 20-foot wide street buffer is required along N. Hickory Avenue, a collector street, landscaped per the standards listed in UDC [11-3B-7C](#). Parking lot landscaping is required per the standards listed in UDC [11-3B-8C](#). A 25-foot landscape buffer to the existing multi-family residential to the east is also required.

All required landscaping has been proposed and approved with previous approvals. Staff’s analysis of the approved landscape plan show compliance with all applicable landscaping code sections. Staff anticipates the proposed use to be less noxious or detrimental to the existing residential so no additional landscaping is recommended by Staff at this time.

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

All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C unless otherwise approved through alternative compliance. Light fixtures that have a maximum output of

1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C.

All outdoor lighting was approved with the CZC approval in 2020. However, any future business signage must comply with all standards outlined in UDC 11-3D.

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

According to the approved landscape plans, it is unclear if any fencing is existing or proposed along the west boundary between the building and the multi-family residential. ***Code does not require perimeter fencing but if any fencing is proposed in the future, a detail of the proposed fencing should be included on with the CZCU application that demonstrates compliance with the standards in UDC 11-3A-7.***

Building Elevations:

The approved building elevations and perspectives were submitted for the warehouse structure as shown in Section IX.D. *As stated throughout this report, these elevations have already been approved through the administrative process and the building is already existing. The submitted elevations are for supplementary purposes only.*

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

A Certificate of Zoning Compliance Change of Use (CZCU) is required to be submitted for the proposed use prior to submittal of a building permit application to ensure compliance with UDC standards and the conditions listed in Section X.

VIII. DECISION

A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions in Section X per the Findings in Section XI.

B. The Meridian Planning & Zoning Commission heard this item on November 18, 2021. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

- a. In favor: Josh Hersel, Cushing Terrell (Applicant Representative)**
- b. In opposition: None**
- c. Commenting: Josh Hersel.**
- d. Written testimony: None**
- e. Staff presenting application: Bill Parsons, Planning Supervisor (on behalf of Joseph Dodson, Associate Planner).**
- f. Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. None**

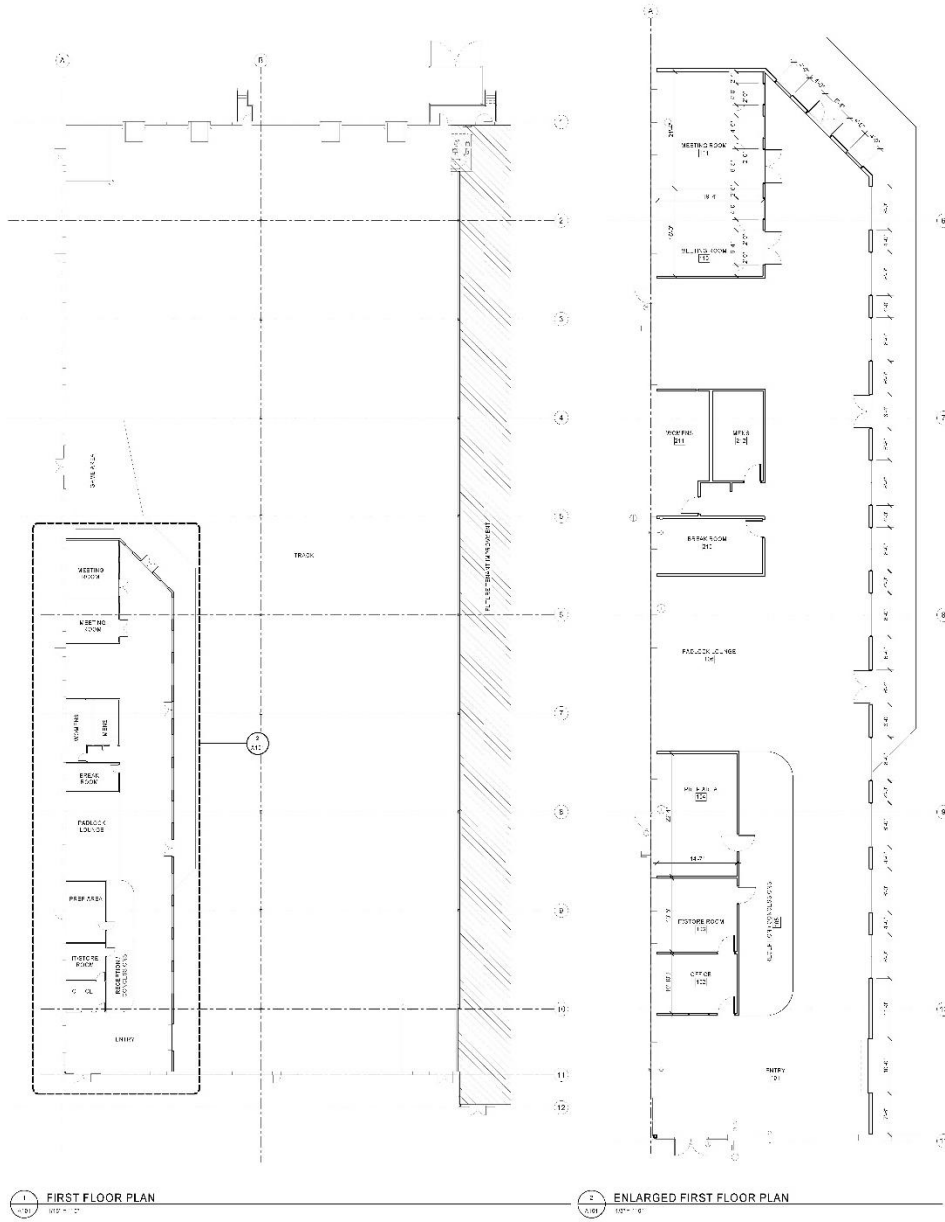
3. Key issue(s) of discussion by Commission:

- a. None**

4. Commission change(s) to Staff recommendation:

- a. None**

C. Conceptual Floor Plan (dated: October 2021)



Cushing Terrell.
 cush@terrell.com
 800.521.8677

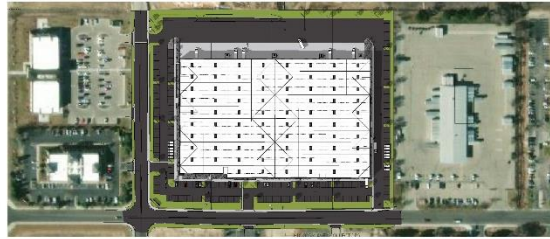
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 K1 SPEED
TENANT IMPROVEMENT
 10/21/21
 NOT FOR CONSTRUCTION
 2022009
 PROJECT INFORMATION
 PROVIDED BY CLIENT/OWNER
 FOR ARCHITECTURAL
 PURPOSES
 FLOOR PLAN
A101

D. Approved Building Elevations (dated: 8/7/2020)

HICKORY WAREHOUSE



SOUTH EAST AERIAL



CONTEXT SITE PLAN



NORTH EAST AERIAL



NORTH WEST AERIAL



SOUTH WEST AERIAL



SOUTH EAST AERIAL

Cushing Terrell

CUSHING TERRELL
ARCHITECTS
REGISTERED ARCHITECTS

CLIENT
HOLLIS

DATE
8/7/2020

PROJECT NO.
2000000

DRAWN BY
J. J. J.

DESCRIPTION
PROSPECTIVE

A
03

X. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. The applicant shall comply with the site plan, landscape plan, and building elevations approved with A-2020-0165.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-2 – Arts, Entertainment or Recreation Facility, Indoors and Outdoors, including but not limited to the following:
 - a. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only, and not the general public.
3. Hours of operation for the indoor recreation facility shall be limited to 12:00pm – 10:00pm Monday-Thursday, 10:00am – 10:00pm on Sundays, and 10:00am – 11:00pm Fridays and Saturdays as proposed.
4. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance Change of Use approval to establish the use and provide staff with any revised plans.
5. The site/landscape plans submitted with the Certificate of Zoning Compliance Change of Use application shall depict the following:
 - a. A detail of any proposed fencing that demonstrates compliance with the standards listed in UDC [11-3A-7](#).
 - b. A detail of the location of the required bicycle parking.
6. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242188&dbid=0&repo=MeridianCity>

A Traffic Impact Study (TIS) was not required for this project.

C. Nampa & Meridian Irrigation District (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242001&dbid=0&repo=MeridianCity>

D. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242183&dbid=0&repo=MeridianCity>

XI. FINDINGS

A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

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

The site meets all the dimensional and development regulations of the I-L zoning district for the proposed use. Therefore, Commission finds the site is large enough to accommodate the proposed use.

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

Commission finds the proposed use will be harmonious with the Comprehensive Plan in that it will provide an indoor recreation use which will contribute to the mix of uses desired in the MU-NR designation and should act as a transitional use to the existing residential to the west as desired.

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

Commission finds the design, construction, operation, and maintenance of the proposed use with the conditions imposed, should be compatible with other uses in the general vicinity and shouldn't adversely change the character of the area.

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

If the proposed use complies with the conditions of approval in Section X as required, Commission finds the proposed use should not adversely affect other properties in the vicinity.

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

Commission finds the proposed use will be serviced adequately by all of the essential public facilities and services listed.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Commission finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Although traffic will increase in this area due to the proposed use, it should not be excessive and would be less impactful than a warehouse use requiring additional truck traffic. The proposed use should not involve any other activities that would be detrimental to any persons, property or the general welfare.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Commission finds the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Fire Station 8 and Police Substation (H-2021-0078) by City of Meridian, Located at 4250 N. Owyhee Storm Ave.

A. Request: A Conditional Use Permit to develop the property with two (2) public/quasi-public uses, an 11,560 square-foot police station and an 11,637 square-foot fire station on approximately 3.60 acres of land in the R-8 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: December 2, 2021

Topic: **Public Hearing** for Fire Station 8 and Police Substation (H-2021-0078) by City of Meridian, Located at 4250 N. Owyhee Storm Ave.

- A. Request: A Conditional Use Permit to develop the property with two (2) public/quasi-public uses, an 11,560 square-foot police station and an 11,637 square-foot fire station on approximately 3.60 acres of land in the R-8 zoning district.
-

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



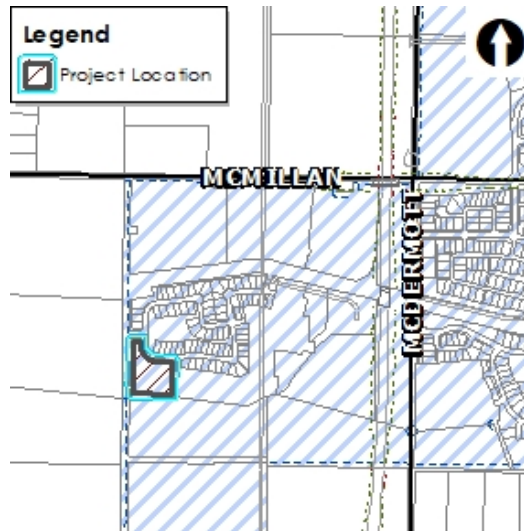
HEARING DATE: 12/2/2021

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner

SUBJECT: H-2021-0078
Fire Station 8 and Police Substation
Conditional Use Permit

LOCATION: 4250 N. Owyhee Storm
Near the southwest corner of W.
McMillian Rd and N. McDermott Rd.



I. PROJECT DESCRIPTION

Conditional Use Permit to develop a 11,637 sq. ft. fire station and 11,560 sq. ft. police substation building (public or quasi-public use) on approximately 3.6 acres of land in the R-8 zoning district.

II. SUMMARY OF REPORT

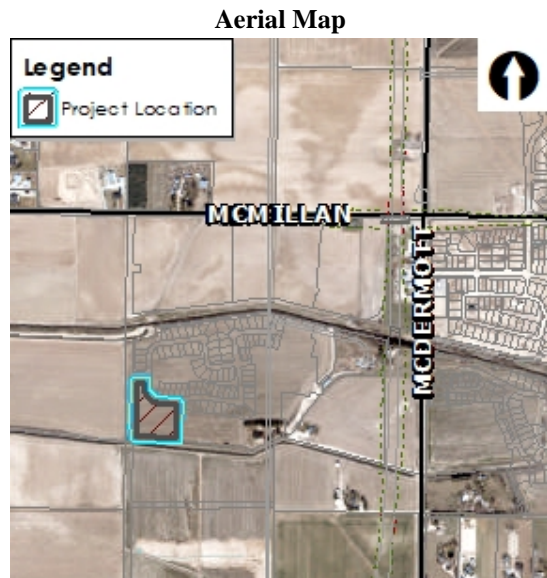
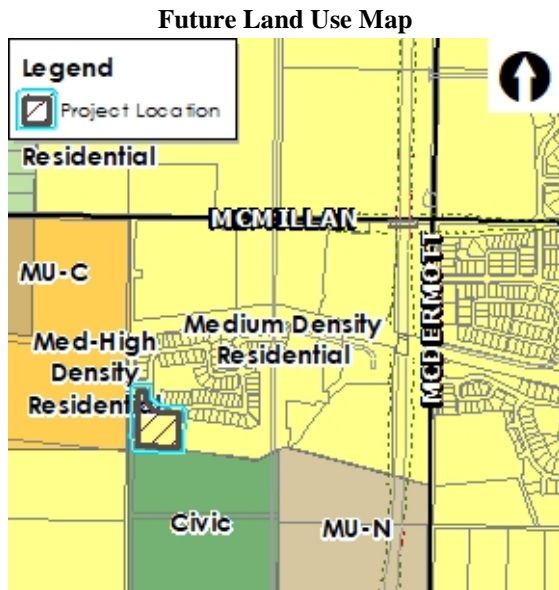
A. Project Summary

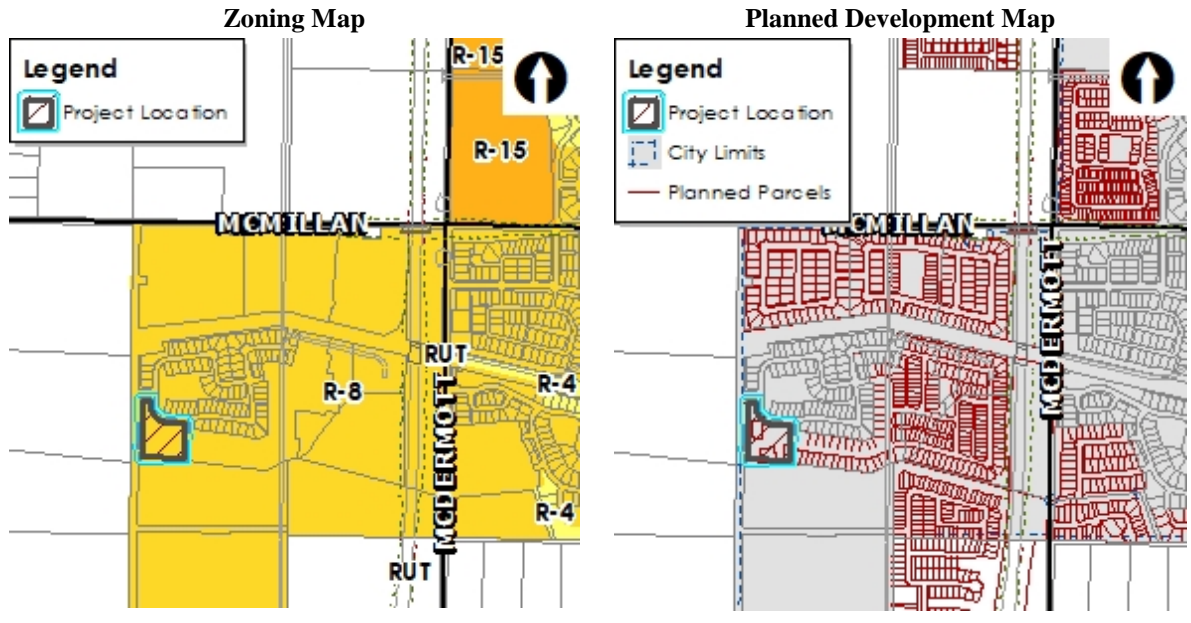
Description	Details	Page
Acreage	3.6 acres	
Future Land Use Designation	Medium Density Residential – Fire Station and Police Station	
Existing Land Use(s)	Rural	
Proposed Land Use(s)	Public or quasi-public use (Fire Station and Police Substation)	
Lots (# and type; bldg./common)	1	
Phasing Plan (# of phases)	2, with the fire station proposed for development first.	
Physical Features (waterways, hazards, flood plain, hillside)	McFadden Drain is to the south, although not on the subject property.	
Neighborhood meeting date; # of attendees:	September 22, 2021, no attendees	
History (previous approvals)	AZ H-2019-0013, DA Instr. 2019-060657, FP H-2019-0108	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Staff report was completed with the annexation / rezoning (Gander Creek Subdivision)	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	N. Owyhee Storm Ave (Collector)	
Existing Road Network	N. Owyhee Storm Ave (Collector)	
Existing Arterial Sidewalks / Buffers	Existing 10 ft. wide pathway along the eastern side of N. Owyhee Storm Ave, 5 ft. attached sidewalks along W. Black Butte St and W. Grand Rapids Dr.	
Proposed Road Improvements	None	
Fire Service		
	This proposal is for a fire station.	
Police Service		
	This proposal is for a police sub-station.	
Wastewater		
<ul style="list-style-type: none"> No changes to public sewer infrastructure shown in record. Any changes must be approved by Public Works. Ensure no sewer services pass through infiltration trenches. Flow is committed. 		
Water		
<ul style="list-style-type: none"> There is no water infrastructure shown in this record. Water will be served from the east from Gander Creek South No 2. 		

C. Project Area Maps





III. CITY INFORMATION

- A. City / Representative: Stacy Redman, City of Meridian
33 E. Broadway Ave, Meridian, ID 83642
- B. Owner: City of Meridian
33 E. Broadway Ave, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	11/16/2021	
Radius notification mailed to properties within 300 feet	11/10/2021	
Sign Posting	11/15/2021	
Nextdoor posting	11/12/2021	

V. STAFF ANALYSIS

The property is 3.6 acres in size, is zoned R-8, and was transferred to the City as part of the Gander Creek South No. 1 Final Plat in 2019. The subject lot is specifically designated for a fire station and police sub-station by the Future Land Use Map (FLUM). UDC defines fire station and police stations as a “public or quasi-public use.” This use is allowed in the R-8 zone district as a conditional use.

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

The property is designated for medium density residential (MDR). This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The FLUM shows a fire and police station symbol in the general vicinity (east of N. Owyhee Storm Ave. and south of N. Jarbridge Ave.). The purpose of this designation is to preserve and protect existing and planned fire and police station locations throughout the Area of City Impact which provide efficient emergency response. The proposed fire and police station in this location would be consistent with the recommendations of the FLUM.

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

- Develop and implement master plans for all public facilities, services, and safety to guide the growth of the City. (3.02.01).

The subject property is shown to be within an area designated as a fire / police station on the Future Land Use Map.

- Support the appropriate expansion of City facilities, services, staff, and other resources to keep up with demand and established levels of service. (3.02.01D)
- Ensure that quality fire protection, rescue and emergency medical services are provided within Meridian. (4.11.03)
- Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks. (3.02.01G)

A significant amount of land has been annexed and platted in the surrounding area. This includes the Owyhee High School, Gander Creek Subdivision (400 +/- lots), the Oaks North and South Subdivision (approximately 1,000 lots), Chukar Ridge (63 lots) and Jump Creek Subdivision (318 single family lots and 2 multifamily lots). There are also several significant nearby developments presently in the entitlement process such as Aviator Springs and Aegean Estates. The proposed fire station and police sub-station would increase response times and the approved and tentative developments anticipated location of these facilities during the project analysis. This conditional use would support appropriate expansion and maintenance of services and would ensure quality fire and emergency services and would significantly improve the emergency response times.

- Ensure that new development and subdivisions connect to the pathway system. (4.04.01A)

The Gander Creek South Subdivision No. 1 provides 10 ft. wide detached pathways along N. Owyhee Storm Ave. These pathways connect to the Owyhee High School to the south.

- Reduce the number of existing access points onto arterial streets by using methods such as cross access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity. (6.01.02B)

The Gander Creek South Subdivision No. 1 contains a plat note which prohibits direct lot access to N. Owyhee Storm Ave. with the exception for the subject property. This is to allow expeditious and unimpeded emergency access without traveling through the local neighborhood.

The site plan indicates one point of access from W. Grand Rapids Dr, (local street) and two points of access from N. Owyhee Storm Ave. a collector. The southern N. Owyhee Storm driveway provides the primary public access for the property. The northern driveway from N. Owyhee Storm Ave. is reserved only for fire equipment access. The access from W. Grand Rapids Dr. serves as access for employee parking.

- 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 site plan shows landscape buffers along S. Owyhee Storm Ave. at the west and W. Grand Rapids Dr. at the north and east. Access for emergency vehicles will occur at N. Owyhee Storm Ave., a collector, to reduce impacts on the internal neighborhood. Design review will be required during the time of Certificate of Zoning Compliance (CZC) to ensure the future facilities are compatible with the surrounding properties.

C. Existing Structures/Site Improvements:

The property is presently vacant.

D. Proposed Use Analysis:

UDC defines fire station and police stations as a “public or quasi-public use.” This use is allowed in the R-8 zone district as a conditional use, subject to the specific use stated below.

E. Specific Use Standards (*UDC 11-4-3*):

UDC 11-4-3-30 states public or quasi-public uses shall meet the standards for office use in accord with the district in which the use is located.

F. Dimensional Standards (*UDC 11-2*):

This is a conditional use to allow public or quasi-public uses in the R-8 zone district. Dimensional standards in the R-8 zone district include a minimum lot size of 4,000 sq. ft., front setbacks of 25 ft. from a collector street, rear setback of 12 ft. and 10 ft. side setback. Building height is limited to 35 feet. A 20 ft. wide buffer is required along collector roads. The site plan as submitted appears to meet the minimum dimensional standards.

G. Access (*UDC 11-3A-3, 11-3H-4*):

N. Owyhee Storm Road is improved with 2-travel lanes, and a 10 ft. wide detached pathway along the eastern side. W. Black Butte St. and W. Grand Rapids Dr., bordering the property at the north and east, contain 5 ft. wide attached sidewalk. Landscape buffers have not yet been installed.

Primary access will occur from two accesses off of N. Owyhee Storm Rd. Although UDC 11-3A-3 typically requires any property that takes direct access to an arterial and/or collector roadway to be configured to take access from a local street is available, the Gander Creek South No. 1 plat has a note which specifically allows these accesses. This is to allow unimpeded emergency access directly to the collector instead of requiring travel through the local neighborhoods. There is an additional employee access provided from W. Grand Rapids Dr., at the east side of the property.

H. Parking (*UDC 11-3C*):

UDC 11-3C-5 requires one (1) space for every five hundred (500) square feet of gross floor area. With 23,197 sq. ft. between the first station and the police sub-station, 46 parking spaces are required. The site plan indicates 69 parking spaces for the police substation, and 21 parking spaces for the fire station. 12 of the parking spaces would be covered and would be for the use of the police vehicles only. The concept plan shows at least 3 additional spaces for fire apparatus at the west side of the fire station. The parking plan appears to meet most of the landscaping requirements of UDC 11-3B-8.

I. Pathways (*UDC 11-3A-8*):

The Gander Creek South Subdivision No. 1 provides a 10 ft. wide detached pathway paralleling N. Owyhee Storm Ave. along the east. No other pathways are proposed with this project.

J. Sidewalks (*UDC 11-3A-17*):

Attached 5 ft. wide sidewalks have already been constructed along W. Black Butte St. and W. Grand Rapids Dr. at the north and east property lines. There is a 6 ft. wide walkway connecting the west side (front) of the proposed fire station to the 10 ft. detached pathway along N. Owyhee Storm Ave. This walkway also crosses the drive aisle and connects to the proposed police substation, although it appears the internal pedestrian walkway is not distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as required per UDC 11-3A-19.

K. Landscaping (*UDC 11-3B*):

UDC 11-2A-5 requires a 20 ft. landscape buffer along collector roads. These buffers must be landscaped at one (1) tree per thirty-five (35) linear feet. Parking lot landscaping is required around the perimeter of the parking lot, and no linear grouping of parking spaces shall exceed twelve (12) in a row, without an internal planter island. Parking islands are also required at the ends of all parking rows.

The landscape plan indicates a buffer of at least 50 ft. in width along N. Owyhee Storm Ave and landscaped per the minimum requirements. There are several large landscaped areas at the north and east of the proposed fire station as well as fit pads that can benefit the employees. The landscaping plan exceeds minimum requirements.

There are no existing trees that qualify for preservation or mitigation. The City Arborist has commented that the Norway Maples and Emerald Ash Borer trees that are proposed on the landscape plan are considered invasive species. The Arborist has included lists of recommended alternatives to these trees. Staff recommends the above listed trees be replaced with one of the alternatives as a condition of approval in accord with the approved tree species listed in UDC 11-3B-5A.1.

L. Fencing (*UDC 11-3A-6, 11-3A-7*):

Wrought-iron fencing of up to 8' in height is indicated on the site plan to provide security for police vehicles. Staff notes fencing height is limited to 6' in height in the R-8 zone district. The City should apply for alternative compliance concurrently with the CZC to allow the increased fence height as proposed.

M. Utilities (*UDC 11-3A-21*):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Water and sewer will be provided from the Gander Creek South No. 1 to the east.

N. Building Elevations (*UDC 11-3A-19 | Architectural Standards Manual*):

The City has submitted elevations for both buildings. Architecture consists of sloped roof buildings with CMU and wood grain metal panel as the primary field materials.

The building elevations as submitted may not meet the minimum requirements of the ASM for commercial buildings. The only field materials indicated on the elevations are smooth face CMU and horizontal metal panel whereas 5.1B requires at least two distinct field materials (material of more than 20% of the façade) and only allows metal panel and untextured concrete as a field material if there are at least two other qualifying field materials. At least 30% of the façade must use a combination of concrete, masonry, stone, landscaping or unique variation in color around

the base of the building, whereas it does not appear there are any distinct materials along the base. At the time of Certificate of Zoning Compliance (CZC) and Design Review (DE) the standards of the ASM must be met, or design exceptions may be granted.

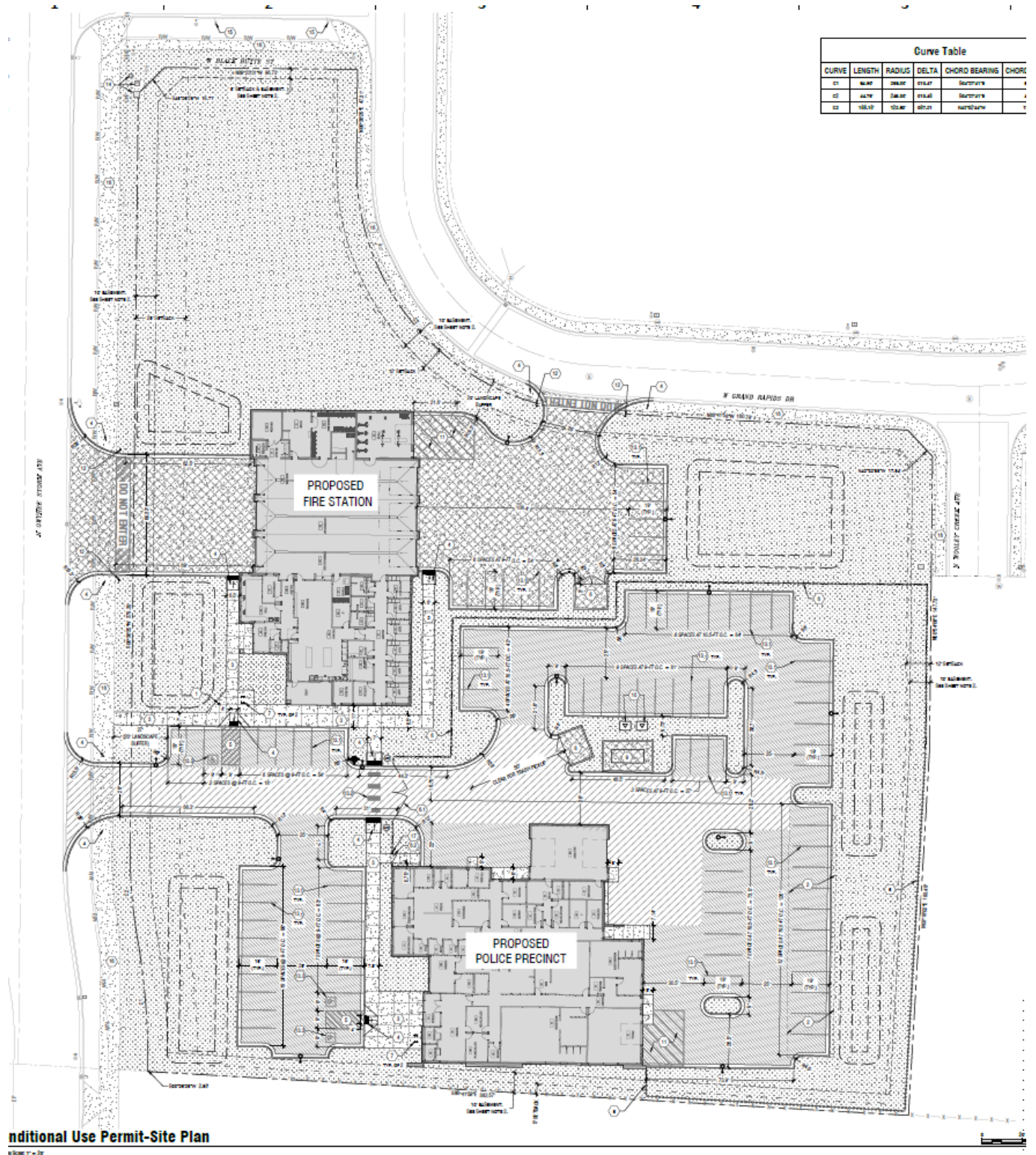
VI. DECISION

A. Staff:

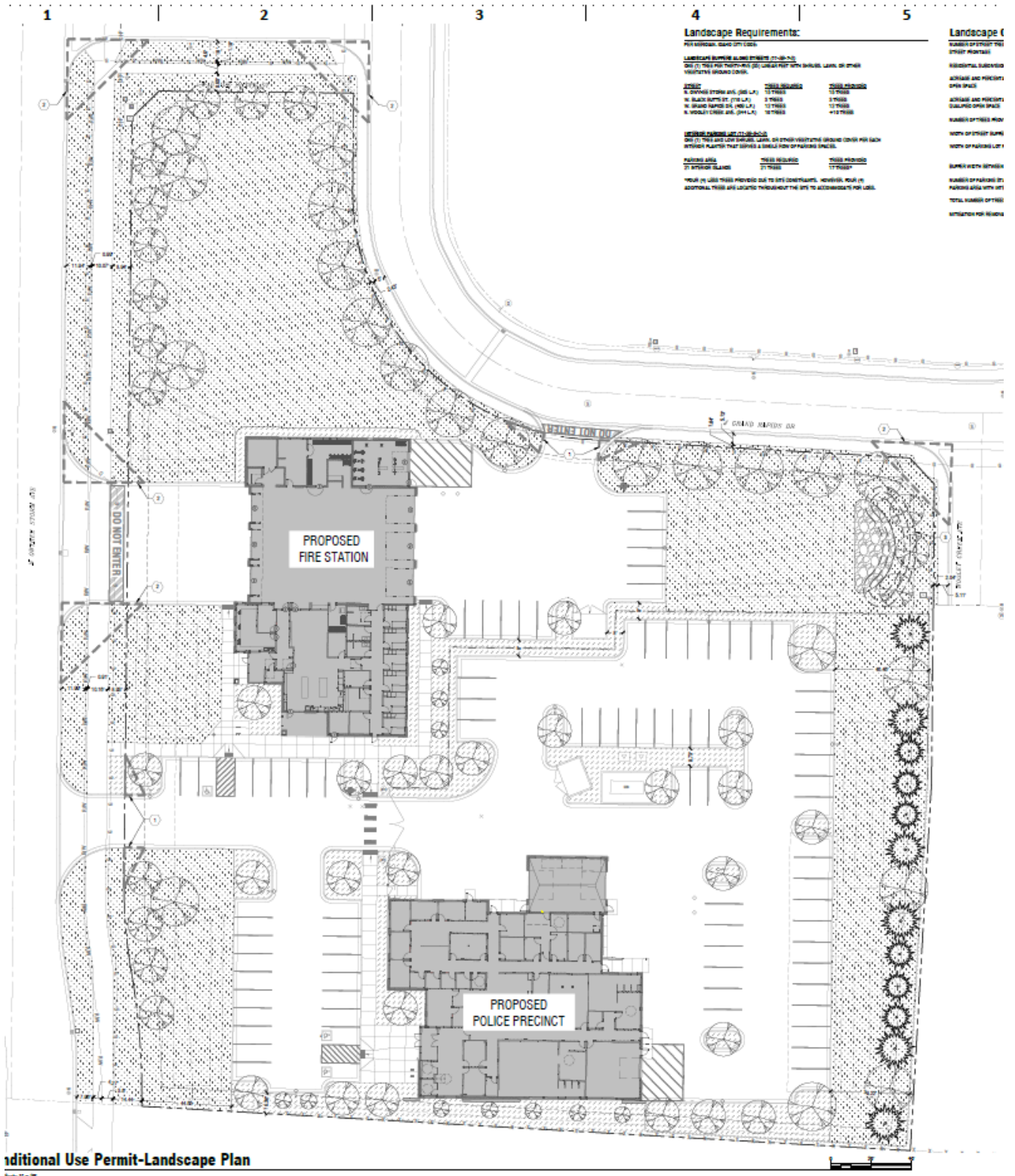
Staff recommends approval of the proposed conditional use permit per the provisions and comments included in Section V in accord with the Findings in Section IX.

VII. EXHIBITS

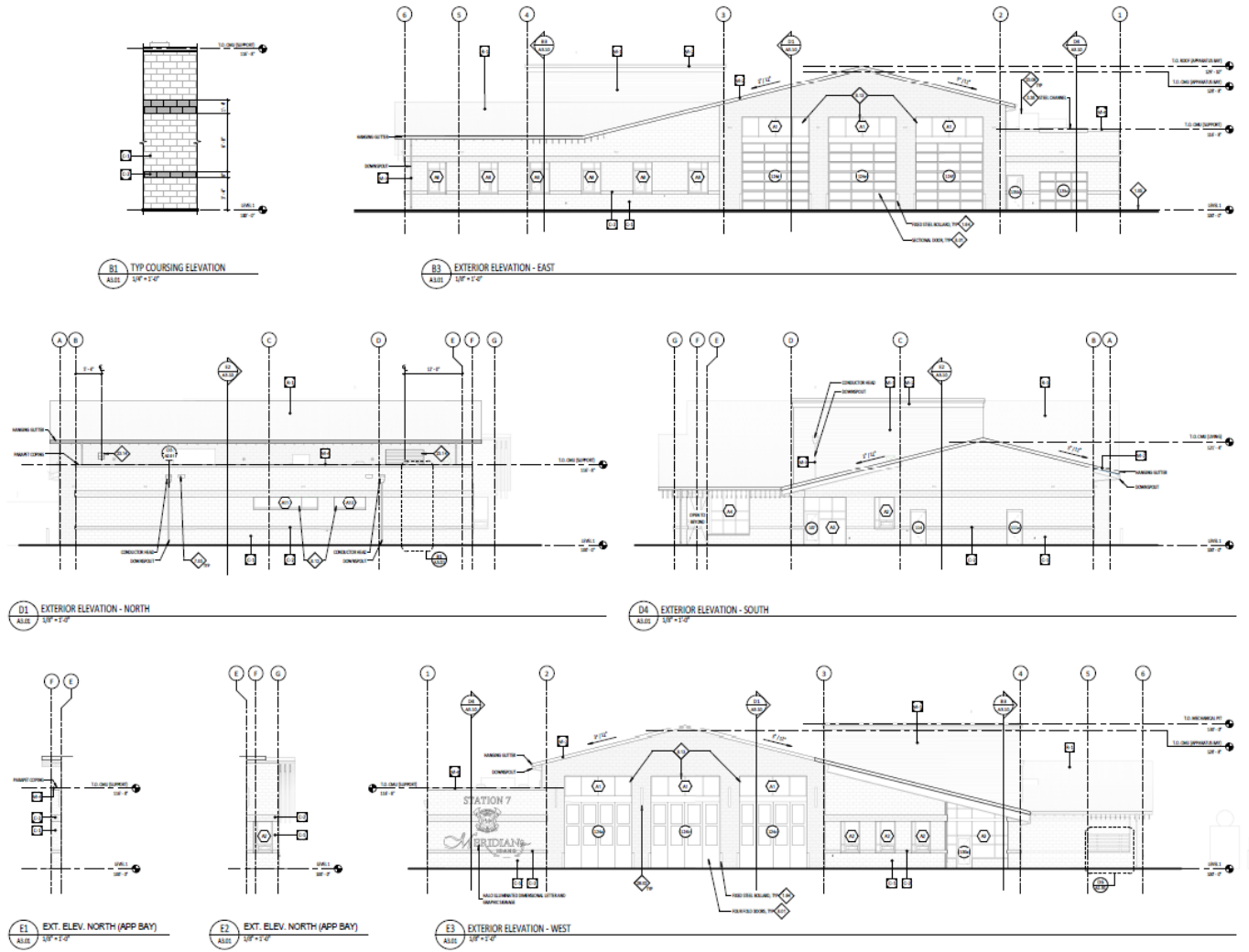
A. Site Plan (date: 10/7/2021)



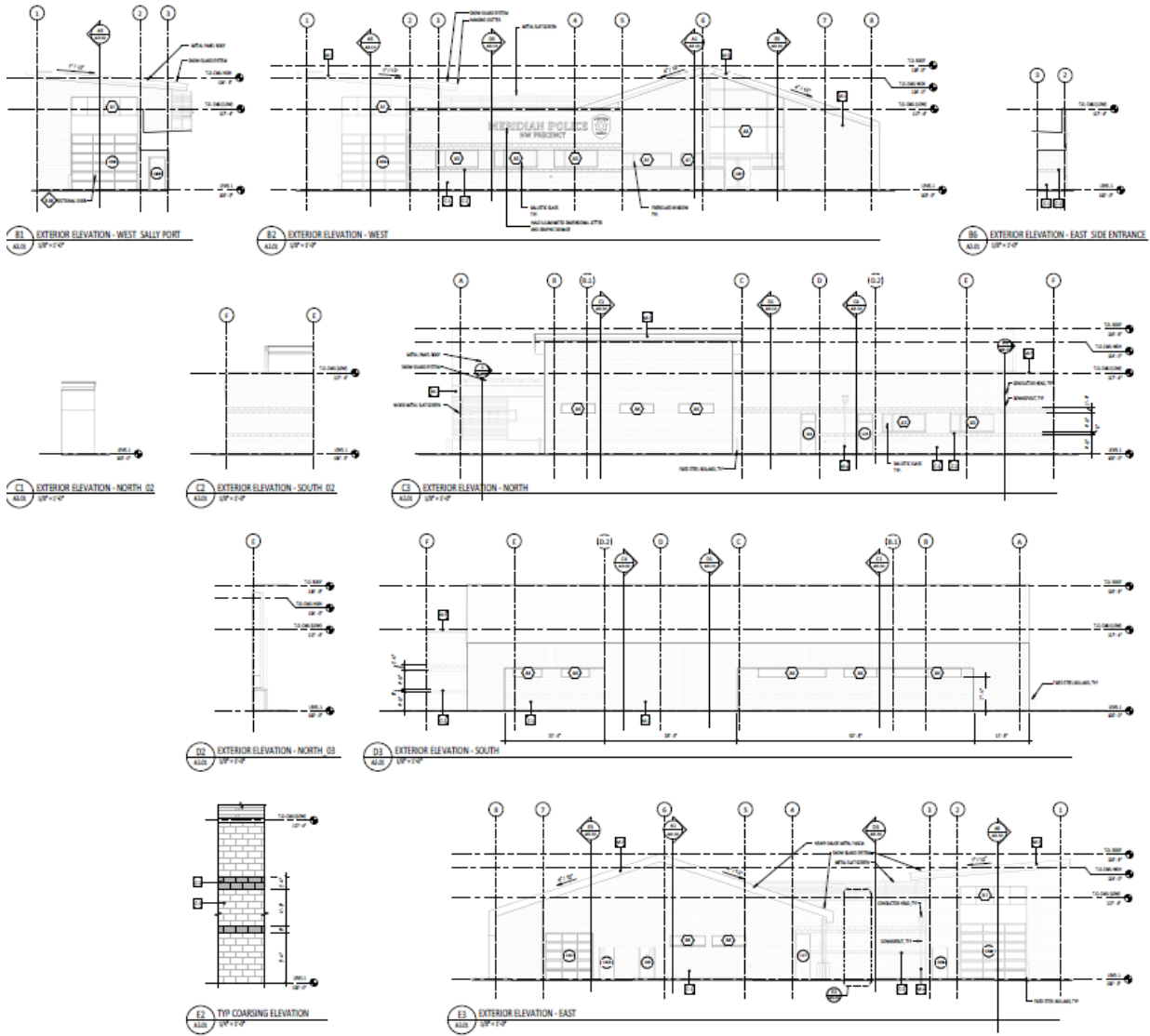
B. Landscape Plan (date: 10/7/2021)



C. Fire Station Elevations (date: 9/22/2021)



D. Police Station Elevations (date 9/22/2021)



GENERAL NOTES - BUILDING ELEV

- SEE GENERAL NOTES FOR ALL MATERIALS.
- SEE GENERAL NOTES FOR ALL MATERIALS.

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Certificate of Zoning Compliance and administrative design review application is required to be submitted to the Planning Division and approved prior to submittal of building permit applications. The buildings shall either meet all architectural requirements of the Architectural Standards Manual (ASM) or there should be a request for a design exception as part of the CZC submittal.
2. Future development of this site shall be generally consistent with the site plan, landscape plan, building elevations, and the provisions contained herein.
3. All Norway Maples and Emerald Ash Borer trees indicated on the landscape plan shall be replaced with alternatives as indicated on the list provided by the City Arborist in accord with UDC 11-3B-5A.1.
4. The project is subject to all current City of Meridian ordinances and previous conditions of approval associated with this site (H-2021-0003, H-2019-0013).
5. The required landscape buffers along streets shall be constructed consistent with the standards as set forth in UDC 11-3B-7C.
6. All ACHD conditions of approval shall be complied with.
7. All proposed fencing and/or any fencing shall be constructed as required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable, or developer shall submit a concurrent alternative compliance to increase the fence height to 8 feet as proposed.
8. Per UDC 11-3A-19, 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 internal pedestrian walkway shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks.
9. Outdoor lighting provisions as set forth in UDC 11-3A-11 shall be complied with.
10. The applicant and/or assigns shall have the continuing obligation to meet the specific use standards for the proposed use as set forth in UDC 11-4-3-30.
11. The Applicant shall have a maximum of two (2) years to commence the use as permitted in accord with the conditions of approval listed above. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension must be requested in accord with UDC 11-5B-6F.

B. PUBLIC WORKS DIVISION

Site Specific Conditions of Approval

1. Ensure no sewer services pass through infiltration trenches

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

- 2. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 3. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer’s Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 4. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 5. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 6. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.

C. CITY ARBORIST

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243356&dbid=0&repo=MeridianCity>

D. ACHD

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239734&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

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

The site meets all dimensional and development regulations of the R-8 zoning district. The site will provide the required landscape buffers, parking is adequate, and the parking area will be landscaped as required by UDC 11-3B-8. There are additional areas for employee fitness and leisure. Staff finds the site is large enough to accommodate the proposed use.

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

Staff finds the proposed fire station and police sub-station will be harmonious with the Comprehensive Plan per the analysis in Section V of this staff report.

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

As mentioned in the Comprehensive Plan analysis, the subject property is specifically within an area designated for a fire and police station. The required landscape buffers will be installed, all landscape requirements for a parking lot will be met, and architecture will be required to meet the standards of the ASM for commercial architecture. The proposed use should not change the character nature of the area.

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

As the subdivision was platted and designed with a fire station and police substation intended in this location, the proposed use should not adversely affect other properties in the vicinity.

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

The proposed use will be served adequately by all services and is a public facility.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

This proposal is for a fire station and police station. There could be sirens associated with emergency events. However, this is a critically-needed facility in this location to serve the North Meridian area.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Staff is unaware of any natural, scenic, or historic features on this site; thus, Staff finds the proposed use should not result in damage of any such features.



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from November 18, 2021 for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.

A. Request: Annexation of 10.41 acres of land with a request for C-C (2.01 acres) and R-15 (8.3 acres) zoning districts.

B. Request: Preliminary Plat consisting of 44 building lots (43 single-family residential and 1 multi-family residential), 1 commercial building lot, and 2 common lots on 8.8 acres of land in the proposed C-C and R-15 zoning districts.

C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 18 units on 1.18 acres in the proposed R-15 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: December 2, 2021

- Topic:** **Public Hearing** Continued from November 18, 2021 for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.
- A. Request: Annexation of 10.41 acres of land with a request for C-C (2.01 acres) and R-15 (8.3 acres) zoning districts.
 - B. Request: Preliminary Plat consisting of 44 building lots (43 single-family residential and 1 multi-family residential), 1 commercial building lot, and 2 common lots on 8.8 acres of land in the proposed C-C and R-15 zoning districts.
 - C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 18 units on 1.18 acres in the proposed R-15 zoning district.
-

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



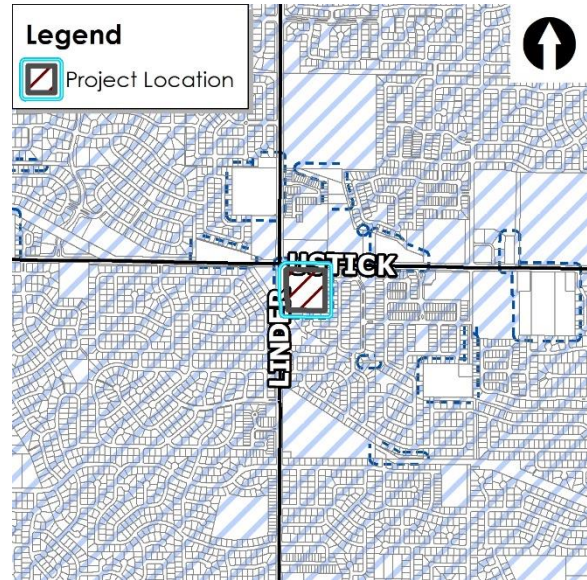
HEARING DATE: 12/2/2021

TO: Planning & Zoning Commission

FROM: Joe Dodson, Associate Planner
208-884-5533

SUBJECT: H-2021-0071
Lennon Pointe Community

LOCATION: The site is located at 1515 W. Ustick Road, in the southeast corner of N. Linder Road and W. Ustick Road, in the NW ¼ of the NW ¼ of Section 1, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

- Annexation of 10.41 acres of land with a request for C-C (2.01 acres) and R-15 (8.3 acres) zoning districts;
- Preliminary Plat consisting of 44 residential building lots (43 single-family residential and 1 multi-family residential), 1 commercial building lot, and 2 common lots on 8.8 acres of land in the proposed C-C and R-15 zoning districts;
- Conditional Use Permit for a multi-family development consisting of a total of 18 units on 1.18 acres in the proposed R-15 zoning district, by DG Group Architecture, PLLC.

Note: The Applicant is also applying for private streets in a portion of the project. This application is reviewed and approved by the Director; Commission action is not required. Analysis of the private street design is provided below in section V.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acres	10.41 (R-15 – 8.3 acres; C-C – 2.01 acres)
Future Land Use Designation	Mixed Use Community
Existing Land Use(s)	County residential
Proposed Land Use(s)	Residential (townhomes, single-family attached, single-family detached, and multi-family) and Commercial
Lots (# and type; bldg./common)	47 total lots – 43 residential lots; 1 multi-family residential lot; 1 commercial; and 2 common lot.
Phasing Plan (# of phases)	No phasing plan was submitted

Description	Details
Number of Residential Units (type of units)	61 residential units – 4 detached single-family lots, 30 single-family attached lots, 9 townhome lots, and 18 multi-family units.
Density	Gross – 7.35 du/ac.; Net – 18.55 du/ac.
Open Space (acres, total [%]/buffer/qualified)	1.64 acres of qualified open space (18.7%) – large open space area in the southwest corner of the site, the large central mew, and half of the required arterial street buffers
Amenities	2 qualifying amenities for UDC 11-3G-3 – segment of 10-foot multi-use pathway and tot-lot (non-qualifying dog-park area is also proposed). 2 qualifying amenities for the multi-family residential (UDC 11-4-3-27) – shared plaza and public art feature.
Physical Features (waterways, hazards, flood plain, hillside)	Kellogg Drain and Creason Lateral traverse the southern portion of the site. Floodplain exists over a majority of the site. See Public Works comments for further requirements, Section VIII.B.
Neighborhood meeting date	September 7, 2021
History (previous approvals)	N/A

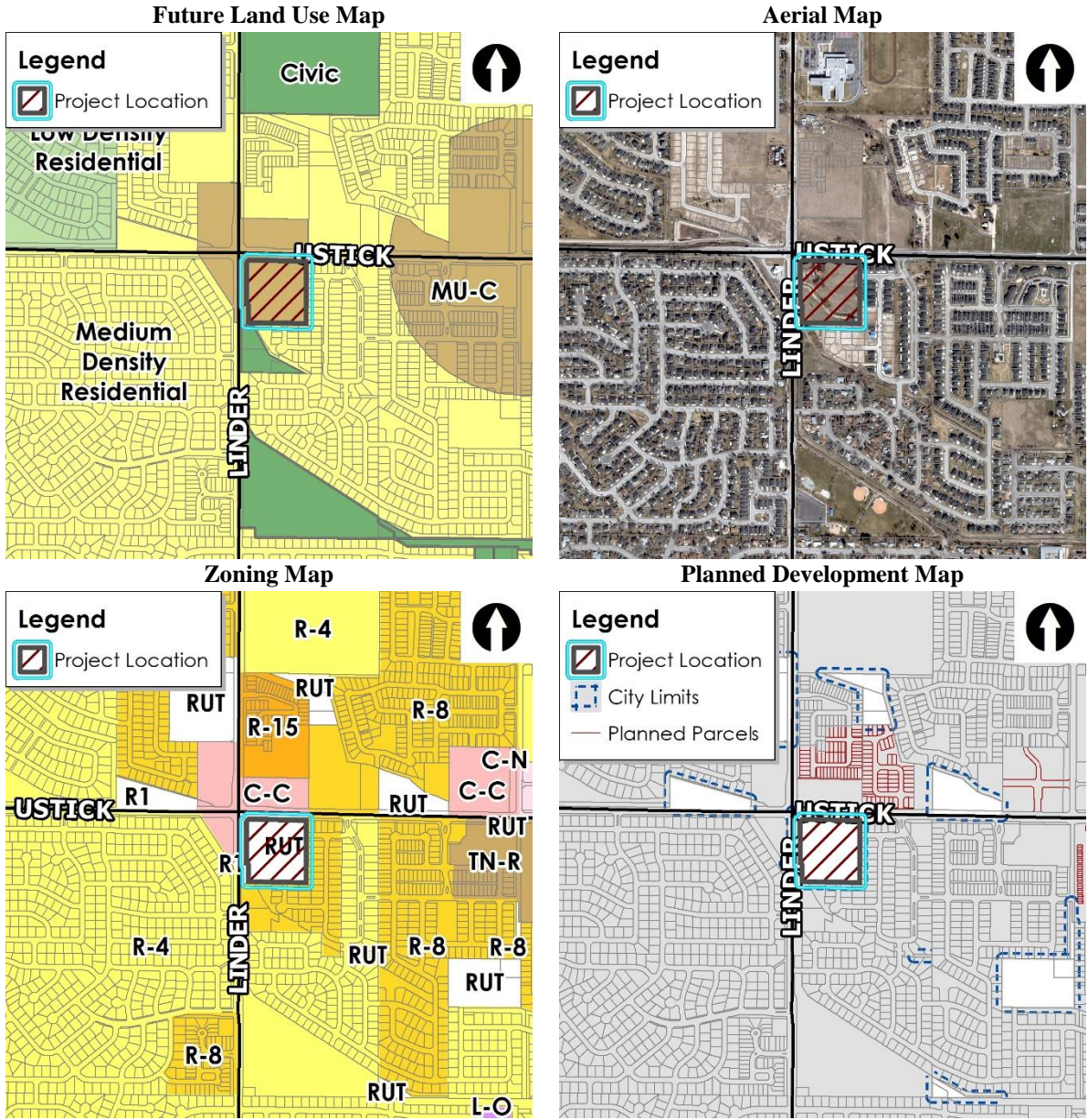
B. Community Metrics

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access to the adjacent arterials (Ustick and Linder) is proposed via one driveway connection to each. Private Street access is proposed to the internal local street being extended through the site.
Traffic Level of Service	Ten Mile Road – Better than “E” (1.474/1,540 VPH) Pine Avenue (existing section only) – Better than “D” (182/425 VPH)
Stub Street/Interconnectivity/Cross Access	Two local stub streets exist to the east and south property boundaries – Applicant is proposing to extend each street and intersect them within the site. Applicant is proposing a private street through the west half of the development that connects to the extended local street. Access to the commercial property at the northwest corner of the site is proposed via drive aisle connections to the proposed private street and the multi-family drive aisle. Access to the multi-family units is proposed via a typical drive aisle.
Existing Road Network	Internal road network is not existing.
Existing Arterial Sidewalks / Buffers	Existing arterial sidewalks; The required landscape buffers will be installed with this project.
Proposed Road Improvements	None proposed or required with this application. Below are anticipated improvements to adjacent roadways: Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): <ul style="list-style-type: none"> Linder Road is scheduled in the IFYWP to be widened to 5-lanes from Ustick Road to Cherry Lane in the future with the design year of 2025. Ustick Road is scheduled in the IFYWP to be widened to 5-lanes from Linder Road to Ten Mile Road in 2025. Linder Road is listed in the CIP to be widened to 3-lanes from Ustick Road to Cherry Lane between 2036 and 2040. Ustick Road is listed in the CIP to be widened to 5-lanes from Linder Road to Ten Mile Road between 2021 and 2025.

Description	Details																																										
Fire Service																																											
<ul style="list-style-type: none"> Distance to Fire Station Fire Response Time Resource Reliability Risk Identification Accessibility 	<p>1.5 miles from Fire Station #2</p> <p>This project lies within the Meridian Fire response time goal of 5 minutes.</p> <p>Fire Station #2 reliability is 85%.</p> <p>Risk Factor 4 – commercial with hazards (multi-family waterway)</p> <p>Proposed project meets all required access, road widths, and turnarounds; Fire has signed off on Private Street layout.</p> <p>Addressing for project is very important for emergency responses; Applicant shall work with City Addressing Agent and the Fire Official to have lighted maps wherever necessary.</p>																																										
Police Service																																											
<ul style="list-style-type: none"> Distance to Station Response Time Call Data Additional Concerns 	<p>Approximately 4.2 miles from Meridian Police Department</p> <p>Approximate 4-minute response time to an emergency.</p> <p>Between 10/1/2019- 9/31/2021, the Meridian Police Department responded to 4,584 calls for service within the reporting district (M731) of the proposed development. The crime count on the calls for service was 442. See attached documents for details. Between 10/1/2019- 9/31/2021, the Meridian Police Department responded to 62 crashes within a mile of the proposed development. See attached documents for details.</p> <p>None</p>																																										
West Ada School District																																											
	<table border="1"> <thead> <tr> <th></th> <th><u>Enrollment</u></th> <th><u>Capacity</u></th> <th><u>Approved prelim plat parcels per attendance area</u></th> <th><u>Approved MF units per attendance area</u></th> <th><u>Miles (Dev. to School)</u></th> </tr> </thead> <tbody> <tr> <td>River Valley Elementary</td> <td>453</td> <td>700</td> <td>433</td> <td>560</td> <td>4.8</td> </tr> <tr> <td>Meridian Middle School</td> <td>1097</td> <td>1000</td> <td>800</td> <td>1798</td> <td>2.2</td> </tr> <tr> <td>Meridian High School</td> <td>1769</td> <td>2075</td> <td>3728</td> <td>2300</td> <td>2.0</td> </tr> <tr> <td colspan="6">School of Choice Options</td> </tr> <tr> <td>Chief Joseph School -Arts</td> <td>498</td> <td>700</td> <td>N/A</td> <td>N/A</td> <td>3.7</td> </tr> <tr> <td>Barbara Morgan - STEM</td> <td>412</td> <td>500</td> <td>N/A</td> <td>N/A</td> <td>1.0</td> </tr> </tbody> </table>		<u>Enrollment</u>	<u>Capacity</u>	<u>Approved prelim plat parcels per attendance area</u>	<u>Approved MF units per attendance area</u>	<u>Miles (Dev. to School)</u>	River Valley Elementary	453	700	433	560	4.8	Meridian Middle School	1097	1000	800	1798	2.2	Meridian High School	1769	2075	3728	2300	2.0	School of Choice Options						Chief Joseph School -Arts	498	700	N/A	N/A	3.7	Barbara Morgan - STEM	412	500	N/A	N/A	1.0
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<ul style="list-style-type: none"> Project Consistent with Master Plan Comments 	<p>No – See attached water markup in Exhibit VII.F and conditions in Section VIII.B for required revisions.</p> <ul style="list-style-type: none"> A water main connection will be required to Ustick Road. Current design does not follow the utility corridor. Water mains should be located north and east of roadway centerline. A water main connection will be required to the existing stubs in North Zion Park Avenue and West Pebblestone Drive. The proposed main west of Building B should be eliminated. Complete the water loop by extending the water main in the private road between Building B and Building D1 to the northeast. Minimize water main length near the commercial lot at the northwest corner of the development. Bring the water main only as far as needed to provide a hydrant for the buildings’ fire protection. Extend service lines from the main to serve the two retail buildings. Water mains should not cross through landscaping or sidewalks. 																																										
Wastewater																																											
<ul style="list-style-type: none"> Project Consistent with Master Plan 	<p>No – Development needs to tie into sewer at W. Pebblestone Dr. and not in W. Ustick.</p>																																										

Description	Details
<ul style="list-style-type: none"> Comments 	<ul style="list-style-type: none"> Services should not cross other residential lots. The services in the southeast corner do this and need to be adjusted. Sewer needs to tie into the cleanout in W. Pebblestone Dr. The cleanout is supposed to be temporary until this parcel developed. The City does not want the clean out there permanently. There is a manhole located in a landscaping area (located at the NE corner nearest Pebblestone Dr). Reconfigure so this manhole is in the ROW. 20' Utility easement for sewer and 30' utility easement for sewer and water needed. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. Ensure no sewer services cross infiltration trenches.
COMPASS – Communities in Motion 2040 2.0 Review	
Housing w/in 1 mile	5,240
Jobs w/in 1 mile	970
<ul style="list-style-type: none"> Ratio 	0.2 – indicates an employment need (ratio between 1-1.5 is considered healthy ratio).
Nearest Bus Stop	3.1 miles
Nearest Public School	0.5 miles
Nearest Public Park	0.25 miles – Approximately ¼ mile north of Tully Park (18.3 acres in size).
Nearest Grocery Store	1.6 miles
Recommendations	See agency comment section for link to full file.

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Same as Representative

B. Owner:

Jeff Sindon – PO Box 383, McCall, ID 83638

C. Representative:

Andrew Wheeler, DG Group Architecture, PLLC – 430 E. State Street, Eagle, ID 83616

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	11/2/2021	
Radius notification mailed to properties within 500 feet	10/27/2021	
Site Posting	11/2/2021	
Nextdoor posting	10/28/2021	

V. STAFF ANALYSIS

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

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

The subject site has existing City of Meridian zoning in all directions, including across the adjacent arterials to the north and west. The site is directly bordered to its north and west by arterial streets, Ustick and Linder Roads, respectively. Development of these areas are ongoing with detached single-family to the east and south in Creason Creek Subdivision and multiple office buildings being constructed to the north across Ustick Road. An ambulance service and C-C zoning exist to the west across Linder Road. In addition to the existing land uses around the property, the subject site contains two major waterways and a large area of floodplain that traverse a large segment of the southern half of the site, the Creason Lateral and the Kellogg Drain. The Applicant is proposing to pipe the Kellogg Drain and reroute it to make more area of the site usable as well as provide open space and pathways in the southwest corner of the site and along the west boundary.

*The proposed land uses are attached single-family, townhomes, multi-family residential, and commercial. These land uses are consistent with those outlined in the MU-C future land use designation definitions and preferred uses when properly integrated with both internal and external uses. Overall, Staff finds the proposed site design does integrate the project and proposed uses in appropriate manners. Specifically, the Applicant has proposed their multi-family residential product along Ustick and the commercial buildings at the hard corner of the Ustick and Linder intersection which places the most intense uses closest to the arterials. Therefore, the single-family uses are proposed on the remaining area of the site that makes up approximately 70% of the site area. The Applicant is proposing the single-family portion of the site as all two-story except for the 6-unit townhomes along Linder which are proposed 3-stories. **Because of the proposed transitional density and placement of the proposed uses, this project is generally consistent with the concept diagrams in the City’s Comprehensive Plan for mixed-use designations.***

However, the one area of the site that Staff finds could provide more transition is the 4-story multi-family building along Ustick that is also adjacent to single-family to the east. The existing detached single-family home in Creason Creek directly adjacent to the site is a single-story home

with an upstairs bonus room. Despite the separation of the side yard of the single-family home and a proposed micro-path area of 20 feet wide between the two uses, Staff finds the height disparity of the existing home and the proposed 4-story multi-family building is an adequate transition. According to the Applicant, the multi-family units are each two stories and are being proposed as being stacked, which is how the 4-story concept is proposed. Therefore, Staff is recommending the top two (2) units directly adjacent to Creason Creek are removed so there is approximately 65 feet (includes landscaping and unit width) of separation between the existing home and the 4-story portion of the multi-family. With this revision, the height of the two story multi-family units would be approximately 21 feet depending on how the Applicant proposes to roof the units (flat roof or pitched roof).

In addition to site design, certain densities are required to be met for residential projects within the MU-C future land use designation. The proposed project as shown is approximately 7.35 du/ac, meeting the 6-15 du/ac requirement (see community metrics above). Therefore, Staff finds the density proposed with the annexation and plat is consistent with the Future Land Use Map designation of Mixed-Use Community (MU-C). *NOTE: The gross density will decrease slightly with staff's recommendation to lose two of the multi-family units.*

Mixed-use designations also require at least three (3) types of land uses. When analyzing projects within the MU-C future land use designation, the approved and/or developed land uses nearby must be considered. Therefore, Staff has taken into account adjacent land uses that can be traveled between with relative ease. The closest development to this property is an office development that is under construction to the north. Specific uses of this project are not known at this time but the property is zoned C-C and does not have limitations on the allowed uses outside of zoning. Furthermore, this project is proposed with different residential land uses as well as two commercial building footprints. Staff finds the appropriate number of uses for a mixed-use area is met.

Therefore, as noted previously and with Staff's recommended revision, Staff finds the proposed project to be generally consistent with the Mixed-Use Community purpose statement and concept diagram. Further and specific policy analysis is below.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation. A final plat will not be accepted until the DA is executed and the AZ ordinance is approved by City Council.*

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

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

“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). Lennon Pointe Community is proposing a project with a combination of land uses in the form of single-family attached, townhomes, multi-family, and commercial within one development. A vast majority of the housing that exists around this development are traditional detached single-family homes. The Applicant hopes to add additional housing types in this geographic area and within this MU-C area that will delineate a unique living opportunity in the City and add to the housing diversity available while being within safe walking distance to future commercial uses.

“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

proposed site design incorporates mews, private streets, an extension of public streets, common open space, and different land uses within the same project area. As discussed above, Staff finds the proposed site design is compatible with adjacent uses through transitional density, buffering, and overall design.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are available for this project site due to existing facilities abutting the site. This project also lies within the Fire Department response time goal of 5 minutes. Linder and Ustick Roads are currently built at their ultimate anticipated widths directly abutting the site.

West Ada School District offered comments on this project and estimates 32 additional school aged children would be housed in this development. According to the letter received, the allocated elementary and high school for this site have capacity but the middle school is already over capacity. Staff understands that school enrollment is a major issue to be dealt with on a city-wide scale. Due to the incorporation of different housing types and a unit count on the low end of the allowed density, the Applicant has minimized the project impact on area schools.

Staff finds that the existing and planned development of the immediate area create conditions for adequate levels of service to and for this proposed project.

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). The proposed project offers open space that exceeds the minimum requirements in the unified development code (UDC). The Applicant has placed a large area of open space in the southwest corner of the development where the irrigation facilities and their easements exist. In addition, there is a mew running north-south through the center of the development for the attached single-family units to front on green space rather than the road network. This adds to the green space and adds a more livable component to the project. Other areas of open space are also proposed along the west boundary that would act as a buffer from Linder as well as a proposed dog park area in the southeast corner of the site. In addition, all of the open space areas are accessible through pedestrian facilities that connect throughout the entire site. Staff supports the proposed open space areas and anticipates they will provide recreation, conservation, and add to the aesthetic of the project.

See further analysis in Section V.F and V.L.

“Establish distinct, engaging identities within commercial and mixed-use centers through design standards.” (2.09.03A). As discussed above, the proposed project offers a distinct set of uses and design that are currently not available nearby the site. Included in this is the incorporation of two commercial buildings at the northwest corner of the site with a shared plaza for use by the residents and future business patrons. This is a desired aspect of mixed-use areas that helps engage the commercial buildings with the residential component of a project. In addition, according the submitted elevations and site renderings, the Applicant is proposing distinct architecture for the project that creates a specific identity for this development and corner property.

In addition to general Comprehensive Plan policies, projects in mixed-use areas should also aim to meet the mixed-use policies. Rather than list them all in this report, Staff has analyzed the project against them and finds the project to be consistent with a majority of those policies outlined in the mixed-use area of the Comprehensive Plan [here](#).

Therefore, Staff finds this development to be generally consistent with the Comprehensive Plan and a majority of the mixed use-policies.

C. Existing Structures/Site Improvements:

The site currently houses a single-family home and other accessory buildings. All existing structures will be removed upon development of this site. The Applicant will be responsible for maintaining the existing arterial sidewalks along Ustick and Linder Roads during construction.

D. Proposed Use Analysis:

The Lennon Pointe Community proposes multiple residential uses and a commercial component within the same project. The commercial area is proposed at the very northwest corner of the site and shows two building pads totaling 12,000 square feet on 1.47 acres of requested C-C zoning. No tenants are currently known at this time but the submitted site plan shows the larger building closest to the hard corner with a drive-through and the smaller building along the south boundary of the C-C area adjacent to a shared plaza. Should a drive-through be proposed on this commercial lot, it will require a future Conditional Use Permit (CUP) because it is within 300 feet of a residential use and district. Commercial buildings require Certificate of Zoning Compliance (CZC) and Design Review so Staff will evaluate uses for compliance with code with future application submittals.

The remaining area of the site (7.28 acres) is proposed with the R-15 zoning district and residential uses. The residential areas of the site are proposed with three (3) detached single-family homes (located at the very southeast corner of the site), attached single-family (2 attached units with each on their own lot), townhomes (3 or more attached units on individual lots), and multi-family residential. All of the proposed single-family uses are permitted uses within the requested R-15 zoning district. The multi-family residential use is a conditional use in R-15 zoning district per UDC Table 11-2A-2.

No phasing plan was submitted so it can be assumed development is proposed to be constructed in one phase. Administrative Design Review is required for all of the proposed residential uses except for the three (3) detached homes proposed in the southeast corner of the site. This application was not submitted concurrently with the other applications so the Applicant will be required to submit this prior to obtaining building permits for any of the attached product and the multi-family. The Applicant has provided conceptual elevations and renderings of all residential uses and Staff's initial analysis is that the buildings comply with the Architectural Standards Manual (ASM).

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

The commercial and multi-family residential lots appear to meet all UDC dimensional standards per the submitted plat. *All of the single family lots also meet the UDC minimum lot size standard except for the central lot in the 3-unit townhome at the south end of the site—this lot is shown as less than the minimum required 2,000 square feet and should be corrected with the final plat submittal to meet UDC standards. The 3-unit townhome building contains the three smallest building lots in the development and includes the non-conforming lot. Other than these three lots, the smallest building lot is approximately 2,800 square feet.*

Furthermore, it appears the site plan shows building footprints too large for the proposed building lots—the building footprints do not meet the minimum building setback to the entrance sidewalks of 10 feet. When future building permits are submitted, the Applicant will be required to show compliance with all R-15 dimensional standards as outlined in [UDC Table 11-2A-7](#).

According to the submitted conceptual elevations, the proposed 4-story multi-family buildings are 46 feet in height which is above the 40 foot height limit for the requested R-15 zoning district. Prior to submitting for CZC and Design Review, the Applicant is required to correct this to comply with the R-15 dimensional standards.

In addition to the building lots, the Applicant is proposing a private street through a portion of the residential area. According to the submitted plans, the Applicant is proposing this private street to be at least 26 feet wide and be within a 30-foot easement on the plat. Sidewalks are not required along private streets but the Applicant has proposed a 5-foot wide sidewalk along the proposed building rather than adjacent to the private street. Overall, the minimum UDC standards outlined in UDC 11-3F for the proposed private street are met per the submitted plans.

The inclusion of sidewalks adjacent to the townhome units on the west end of the development adds to the pedestrian circulation of the site despite not being required for private streets. The same can be said for all of the pedestrian facilities shown on the submitted site plan that provide the entrances to each unit and creates alley-loaded homes for a majority of the site. However, the "detached" sidewalk on the east side of the 6-unit townhome building should be moved to be located adjacent to the private street so the sidewalk is less likely to be blocked by cars parked on the parking pad between the street and the garage door.

In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). *The proposed preliminary plat and submitted plans appear to meet the UDC requirements of this section.*

F. Specific Use Standards (UDC 11-4-3):

The proposed multi-family development use is subject to conditional use permit approval by the Planning and Zoning Commission and subject to specific use standards outlined in UDC 11-4-3-27 and below:

[11-4-3-27](#) – **Multi-Family Development:**

A. Purpose:

1. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
2. To create quality buildings and designs for multi-family development that enhance the visual character of the community.
3. To create building and site design in multi-family development that is sensitive to and well integrated with the surrounding neighborhood.
4. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.

B. Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or *title 10* of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Proposed project complies with this requirement according to the submitted plans.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The site plan depicts screened trash enclosures that are only visible from internal to the site; all proposed transformer/utility vaults shall also comply with this requirement.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this

requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *Each multi-family unit is proposed as a two-story unit with the units on levels 1 & 2 differing from those on levels 3 & 4. According to a document submitted by the Applicant, the lower units provide at least 132 square feet of private open space in the form of private patios. This document also states the units on the upper levels provide at least 251 square feet of private open space per unit in the form of private patios. The submitted conceptual elevations show the fourth floor patio is essentially a roof-top deck above the third floor. **Based on the submitted elevations and data provided by the Applicant, Staff supports the proposed private common open space and finds it exceeds the required area.***

4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *Applicant shall comply with this requirement.*
6. The parking shall meet the requirements set forth in *chapter 3*, "Regulations Applying to All Districts", of this title. *See analysis in staff report below.*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location (including provisions for parcel mail) that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

Applicant is proposing 18 units so this requirement is not applicable to this development.

The site plan submitted with the Certificate of Zoning Compliance application shall depict these items.

C. Common Open Space Design Requirements:

1. A minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.
2. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *Each multi-family unit is proposed as greater than 1,200 square feet so 350 square feet of common open space per unit is needed to meet the specific use standards. The maximum common open space*

required for the overall project is 44,415 square feet with 6,300 square feet of that needed to satisfy the multi-family standards. Because the project is relatively small, all open space is proposed to be shared between the single and multi-family residential units. The open space shown on the submitted open space exhibit shows 48,824 square feet of total qualified open space but does not include all areas that are qualifying per UDC standards. However, based on the number of units, the inaccurate amount of open space shown still meets all required open space area. With the pedestrian facilities proposed in this project Staff finds it applicable for all of the residential units to share the common open space proposed.

3. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *This project is proposed to be developed in one (1) phase.*
4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009). *The buffers along Linder and Ustick Roads are not included in the open space exhibit calculations at all so this area was not part of the area shown to satisfy the common open space requirement for the multi-family units.*

D. Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. Quality of life:
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - b. Open space:
 - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
 - (2) Community garden.
 - (3) Ponds or water features.
 - (4) Plaza.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
2. The number of amenities shall depend on the size of multi-family development as follows:
 - a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.

- b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
 - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
 - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Based on 18 proposed units, a minimum of two (2) amenities are required. The Applicant is proposing a shared plaza and public art from two categories to satisfy this requirement.

E. Landscaping Requirements:

- 1. Development shall meet the minimum landscaping requirements in accord with *chapter 3, "Regulations Applying to All Districts"*, of this title.
- 2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three feet (3') wide.
 - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted.
 - c. Ground cover plants shall be planted in the remainder of the landscaped area.

The landscape plans provided appear to show compliance with these landscape requirements and will also be verified at the time of CZC submittal (see Exhibit VII.D).

G. Access (*UDC [11-3A-3](#), [11-3H-4](#)*) & Private Streets (*UDC 11-3F-4*):

Access from the adjacent arterials (N. Linder Road and W. Ustick Road) is proposed via one 25-foot wide driveway connection to each arterial street. The driveway to Ustick Road shall be restricted to right-in/right-out, per ACHD, and passes through the multi-family portion of the project where it connects to the parking drive aisle for the multi-family units and then connects to the proposed private street. The driveway access to Linder Road is a temporary full access and is located approximately 360 feet south of the Linder/Ustick intersection. ACHD has approved both of these arterial access points through analysis of driveway analyses made by the Applicant's traffic engineer. No Traffic Impact Study (TIS) was required because less than 100 residential units are proposed.

The other public access points to the site are proposed via extending a public local street through the site. N. Zion Park Avenue is being extended from the south property boundary and W. Pebblestone Drive is being extended from the east property boundary in the northeast corner of the site. The proposed local street is shown as 32 feet wide with 5.5-foot wide attached sidewalk within 47 feet of right-of-way. *This does not meet ACHD standards so the Applicant will be required to revise the plat to show the public road as 33 feet wide with 5-foot wide attached sidewalk. This revision can be easily made as the Applicant is providing the correct amount of right-of-way; no revisions to the plat are needed to make this correction.*

A private street is proposed through the west portion of the site for vehicular access to some of the residential units. The proposed private street and local street are functioning as alleys for a

majority of the proposed residential units as the main entrance to each home is located opposite of the garage access. As discussed in section V.E above, the private street meets UDC 11-3F-4 standards by being proposed as at least 26 feet wide.

As noted, the Applicant is proposing three (3) detached homes in the southeast corner of the site. These three lots take access from a common drive off of the local street extension, N. Zion Park Avenue. The proposal for the number of units and access complies with code requirements.

In general, and consistent with ACHD analysis and approvals, Staff supports the proposed road layout and arterial access points because the proposal offers appropriate site circulation while also providing avenues to minimize cut-through traffic to the east and south through driveway connections to Linder and Ustick Roads.

H. 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 multi-family and single-family dwellings based on the number of bedrooms per unit. Based on the proposal of 18 3-bedroom apartment units, 36 parking spaces total are required to be provided—one space per unit must be covered, per UDC standards. The submitted site plan shows 44 total parking spaces for the multi-family portion of the site. *Each 2-story unit that enters on the first level is proposed with a two-car garage. The 2-story units that enter on the third level appear utilize the surface spaces but none of these spaces are shown to be covered. Therefore, the submitted site plan does not show compliance with code requirements. The Applicant should revise the site plan to show at least nine (9) covered spaces for the upper level units to satisfy this requirement. If this is not desired, the Applicant can provide a single-car garage space on the first level for each proposed unit.*

NOTE: Staff is recommending a loss of two units along the east side of the building. This recommended change would reduce the parking requirement by 4 total spaces, two covered and two uncovered. However, due to the overall issues with insufficient parking for multi-family projects, Staff does not recommend a reduction in parking.

The single-family portion of the site consists of 43 homes but the bedroom count of each is not known at this time. However, each home is shown with a two-car garage and a 20' x 22' parking pad that allows for a 4-bedroom home, per UDC standards. *In addition, the submitted site plan shows 35 additional off-street parking spaces around the private street portion of the site meant for guest parking for the single-family homes. The proposed 33-foot wide local street also allows on-street parking where no driveways exist. Staff supports the proposed amount of parking for the single-family portion of the project because it exceeds UDC minimum requirements.*

The commercial area proposed in the northwest corner of the site is shown with two buildings totaling approximately 12,000 square feet requiring at least 24 parking spaces based on the nonresidential parking ratio of 1 space for every 500 square feet of commercial gross floor area. *According to the submitted site plan, 25 parking spaces are being proposed. Each space appears to meet the minimum dimensional standards of 9' x 19' as well. Complete analysis of the proposed commercial area will take place with the first CZC application for the commercial site. Initial analysis shows compliance with all UDC dimensional standards except for how the drive aisle along the north and east of the commercial site functions. The drive aisle along the north boundary of the site is shown as 12 feet wide which implies a one-way drive aisle and it leads to the drive aisle along the east boundary of the site that is shown as approximately 26 feet wide which implies two-way traffic. There does not appear to be a need for the eastern drive aisle to allow two-way traffic if the north drive aisle is a one-way exit in this area.*

The commercial area depicted on the site plan is conceptual in nature so future submittals and proposed uses will dictate more detail in the submitted plans. At this point, Staff is not recommending any specific revisions to the commercial area of the site for the reasons noted.

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

A 10-foot wide multi-use pathway is required along the Creason Lateral in the southwest corner of the property. This pathway is slated to connect to the existing arterial sidewalk along Linder Road and to future improvements to the south for a more complete regional pathway network. *The Applicant is proposing the multi-use pathway in an appropriate location but its connection to the southern boundary does not appear to match with location of the regional pathway segment approved with Creason Creek No. 2 directly to the south. Upon review of the modified landscape plans for that plat, it appears the Applicant should shift the regional pathway stub to the west to be closer to the Creason Lateral. Final approval of the pathway connections will be verified by the Park's Department and our pathways coordinator. In the interim, Staff is recommending the Applicant show this shift of the regional pathway prior to the Council hearing to better match adjacent approvals to the south.*

*In addition to the proposed regional pathway segment, the proposed sidewalks in this project are essentially micro-pathways that connect throughout the entire development and traverse through every open space area as well. They offer increased pedestrian connection and provide for the inclusion of a majority alley loaded residential units. **The proposed pedestrian facilities offer connectivity to and from nearby subdivisions as well as safe access to all amenities and the commercial area in the northwest corner of the project.***

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

Attached sidewalks at least 5 feet wide are proposed along the proposed local street extension, in accord with the standards listed in UDC 11-3A-17. Other sidewalks are proposed throughout the rest of the site for added pedestrian connectivity, as discussed throughout this report.

*The sidewalks in this development create connections throughout the entire project including to and from the commercial portion of the site. The proposed large open space area and regional pathway in the southwest corner of the development are also easily accessible because of these sidewalks. The sidewalks along N. Linder Road and W. Ustick Road are existing; the Applicant is required to maintain and/or repair any of this sidewalk that is disturbed during construction. **As stated above, Staff supports the sidewalk and pedestrian circulation element of this project.***

In consideration of pedestrian safety as well as traffic calming for the site, Staff is recommending that all pedestrian crossings that cross the private street and any drive aisle be constructed with brick pavers, stamped concrete, or equal, as outlined in UDC 11-3A-19B.4.b.

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

A 25-foot wide street buffer is required adjacent to N. Linder Road and W. Ustick Road, arterial streets, and to be landscaped per the standards listed in UDC 11-3B-7C. A 25-foot wide easement is depicted on the plat adjacent to both arterials starting at the back of the existing attached sidewalk along each arterial, meeting the UDC requirements for the minimum width.

*UDC 11-3B-7C.2 dictates that required landscape buffers for residential subdivisions shall be located on common lots and owned and maintained by a homeowner's association. The Applicant's proposal to include this required buffer in an easement does not comply with this code section. **Therefore, the Applicant should revise the plat to show the required arterial landscape buffers adjacent to the residential portions of the project within a common lot at least 25 feet in width. The required landscape buffer adjacent to the commercial site can remain in an easement per this code section.***

*In addition, an area of the Creason Lateral and Kellogg Drain irrigation easements underlay a large portion of the landscape buffer along Linder Road that is currently shown with trees. Staff anticipates the applicable irrigation district will not allow trees within their easements so the landscape plans should be revised to show the removal of trees from the easement area. Furthermore, code requires that if a required landscape buffer is encumbered by easements, at least 5 feet of landscaping be proposed outside of the easement area to include the required number of trees. **Because of the extensive impediment these two irrigation facilities create in this area of the site, Staff does not find it feasible to comply with this code requirement in its fullest extent as it would require half of the site to shift to the east reducing the width of the new in the center of the development. Staff finds the trees that are allowed outside of the easement area, the placement of the access point to Linder, and the separation of the townhome units from Linder offer appropriate and adequate landscaping and buffering. However, to formalize this finding and comply with code, the Applicant should apply for Alternative Compliance with the first final plat application.***

Landscaping is required along all pathways (including micro-pathways) in accord with the standards listed in *UDC 11-3B-12C*. The total lineal feet of *all* pathways with the required and proposed number of trees is included on the first sheet of the submitted landscape plans.

According to the submitted landscape plans, the proposed regional pathway in the southwest corner of the site is also within the Kellogg Drain irrigation easement which generally does not allow trees and minimal landscaping. The submitted landscape plans show no trees proposed within this easement.

Common open space is required to be landscaped in accord with the standards listed in *UDC 11-3G-3E*. The total square footage of common open space and the required number of trees to demonstrate compliance with UDC standards is included in the Landscape Calculations table and shows compliance with code requirements.

The proposed C-C zoning district requires a 25-foot landscape buffer to any residential district.

According to the submitted plans, a 20-foot buffer is proposed to be shared over the commercial property boundary – 10 feet on the commercial property and 10 feet on the residential side. It appears the additional required 5 feet of area can be easily accommodated and will not require any revision to the placement of buildings. In addition, in order to allow the commercial site to be more viable and the fact the proposed development is planned together, Staff approves of the proposal to share the width of the 25-foot landscape buffer across the shared property line.

L. Waterways (*UDC 11-3A-6*):

As noted throughout the report, the subject site has two waterways subject to review—the Kellogg Drain and the Creason Lateral. *UDC 11-3A-6* dictates these waterways be piped.

So, the Applicant is proposing to pipe both waterways to help with the usable area of the site. The Applicant is also proposing to reroute the Kellogg Drain because its easement would greatly encumber the site if left in its current position. The Applicant is proposing to move it closer to the southern property boundary and underneath a segment of the public road and private street; it is then proposed to move north and connect to the existing section of the drain that is piped and currently passes under Linder Road. Staff supports the proposal to pipe and vegetate these waterways.

In addition, a majority of the site contains floodplain which will require specific permits and building requirements. Public Works and Land Development will be the departments to handle these reviews as final platting and building permits are submitted.

A portion of one of the building lots (Lot 2, Block 1) is shown on the preliminary plat and site plan within the floodplain area. The building footprint is not so this technically complies with City and floodplain standards. However, to ensure the future homeowner has the easiest access to use their property, Staff recommends this 6-unit townhome building be shifted to the north to get as much of the building lot out of the floodplain as possible. There is adequate room on the north side of this building for this to occur without any other changes to the development.

M. Qualified Open Space ([UDC 11-3G](#)):

A minimum of 10% **qualified** open space meeting the standards listed in UDC 11-3G-3B is required for the single-family portion of the site. Analysis on the open space area required and proposed for the multi-family portion of the site is above in Section V.F. Based on the proposed plat of 8.75 acres, a minimum of 0.88 acres of qualified common open space should be provided to satisfy this requirement.

The Applicant has revised the open space exhibit per Staff's request to depict the qualified areas and accurately note the amount of qualified open space for the project. According to the revised exhibit, the Applicant is proposing 1.64 acres of qualified open space, approximately 18.7%. The majority of the qualified open space consists of the large open space area in the southwest corner of the site, the large central mew, and half of the required arterial street buffers. This area exceeds the minimum UDC requirements.

Staff finds the proposed open space is adequate in amount and placement to satisfy all code requirements.

N. Qualified Site Amenities ([UDC 11-3G](#)):

Based on the area of the proposed plat (8.75 acres), a minimum of one (1) qualified site amenity is required to be provided per the standards listed in [UDC 11-3G-3C](#).

The applicant proposes two (2) qualified amenities to satisfy the requirements in this section of the UDC, a 10-foot multi-use pathway segment and a children's play structure. The proposed amenities meet the minimum UDC standards.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is proposed as shown on the landscape plan and appears to meet UDC standards.

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

As discussed in the comprehensive plan policies analysis, Staff believes the submitted elevations meet the required Architectural Standards. The applicant has not submitted a concurrent design review application for the attached residential buildings. With the final plat application, the Applicant should also submit an Administrative Design Review (DES) application for these units.

The Applicant also submitted conceptual elevations for the commercial buildings. These elevations show multiple field materials of brick, concrete wainscot, and lap siding with roof parapet variations and wall modulation—in all, the conceptual elevations appear to also meet the ASM. A separate DES will be required for the Commercial portion of the development with future CZC submittals to verify ASM compliance.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement and approval of the requested conditional use permit and preliminary

plat applications per the Findings in Section IX of this staff report. The Director approved the private street application.

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

VII. EXHIBITS

A. Annexation and Zoning Legal Descriptions and Exhibit Maps



**Lennon Pointe
Annexation
Legal Description**

A parcel of land situate in the North 1/2 of the West 1/2 of Government Lot 4 in Section 1, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

BEGINNING at the northwest corner of Section 1, from which the west one-quarter corner bears, South 00°01'03" East, 2699.19 feet, thence along the northerly line of Government Lot 4, South 88°43'02" East, 665.57 feet;

Thence along the westerly boundary of the Creason Creek Subdivision No.1 recorded in Book 112 of Plats at Pages 16486-16488, South 00°02'45" West, 680.06 feet to the northerly boundary of the Creason Creek Subdivision No.2 recorded in Book 119 of Plats at Pages 18301-18303;

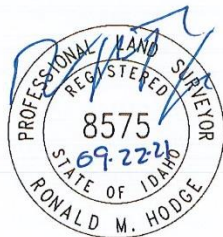
Thence along said northerly boundary, North 88°59'01" West, 664.76 feet to westerly line of Government Lot 4;

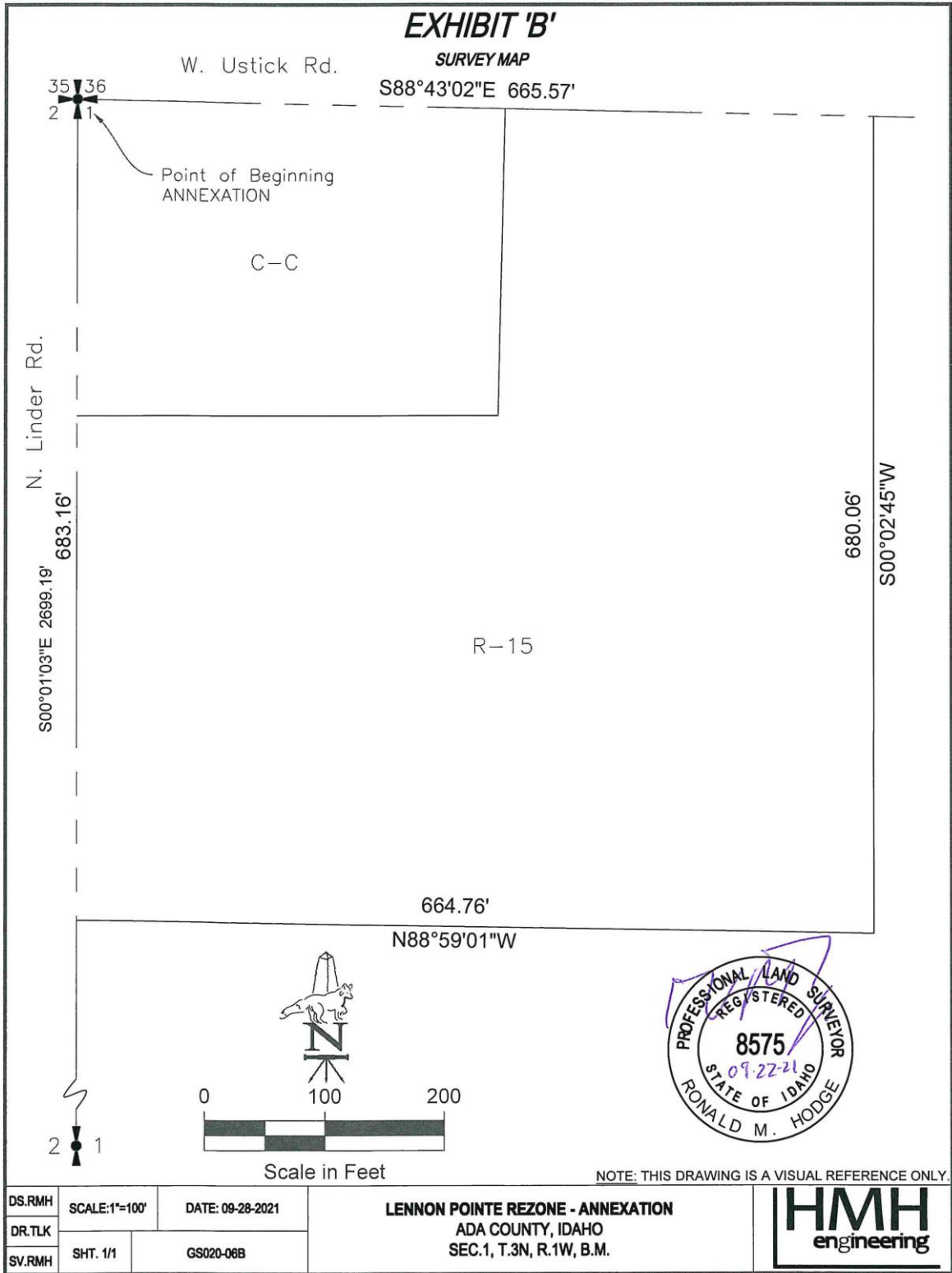
Thence North 00°01'03" West, 683.16 feet to the **POINT OF BEGINNING**.

Containing 10.41 acres, more or less
END OF DESCRIPTION

Prepared by:
Ronald M. Hodge, PLS
Survey Department Manager

RMH:tk







**Lennon Pointe Rezone
(C-C) Community Commercial
Legal Description**

A parcel of land situate in the North 1/2 of the West 1/2 of Government Lot 4 in Section 1, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

BEGINNING at the northwest corner of Section 1, from which the west one-quarter corner bears, South 00°01'03" East, 2699.19 feet, thence along the northerly line of Government Lot 4, South 88°43'02" East, 356.54 feet;

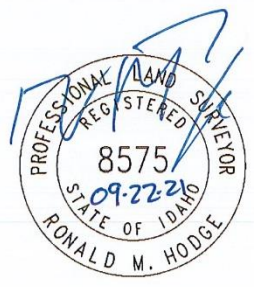
Thence South 01°16'58" West, 255.14 feet;

Thence South 89°58'57" West, 350.66 feet to westerly line of Government Lot 4;

Thence North 00°01'03" West, 263.17 feet to the **POINT OF BEGINNING**.

Containing 2.10 acres, more or less
END OF DESCRIPTION

Prepared by:
Ronald M. Hodge, PLS
Survey Department Manager



RMH:tk



Lennon Pointe R-15 Rezone Legal Description

A parcel of land situate in the North 1/2 of the West 1/2 of Government Lot 4 in Section 1, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

COMMENCING at the northwest corner of Section 1, from which the west one-quarter corner bears, South 00°01'03" East, 2699.19 feet, thence along the northerly line of Government Lot 4, South 88°43'02" East, 356.54 feet to the **POINT OF BEGINNING**;

Thence continuing along the northerly line of Government Lot 4, South 88°43'02" East, 309.03 feet;

Thence along the westerly boundary of the Creason Creek Subdivision No.1 recorded in Book 112 of Plats at Pages 16486-16488, South 00°02'45" West, 680.06 feet to the northerly boundary of the Creason Creek Subdivision No.2 recorded in Book 119 of Plats at Pages 18301-18303;

Thence along said northerly boundary, North 88°59'01" West, 664.76 feet to westerly line of Government Lot 4;

Thence along said westerly line, North 00°01'03" West, 420.00 feet;

Thence North 89°58'57" East, 350.66 feet;

Thence North 01°16'58" East, 255.14 feet to the **POINT OF BEGINNING**.

Containing 8.30 acres, more or less
END OF DESCRIPTION

Prepared by:
Ronald M. Hodge, PLS
Survey Department Manager



RMH:tk


Item 3.

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C. Open Space Exhibit (date: 9/13/2021)

REVISIONS

NO.	DATE	DESCRIPTION
1	09/13/21	ISSUED FOR PERMIT
2	09/13/21	REVISED PER COMMENTS



PROJECT: LENNON POINTE
 429 S. STATE STREET, SUITE 100
 CHICAGO, IL 60605
 (312) 896-1888 FAX
 (312) 896-1888

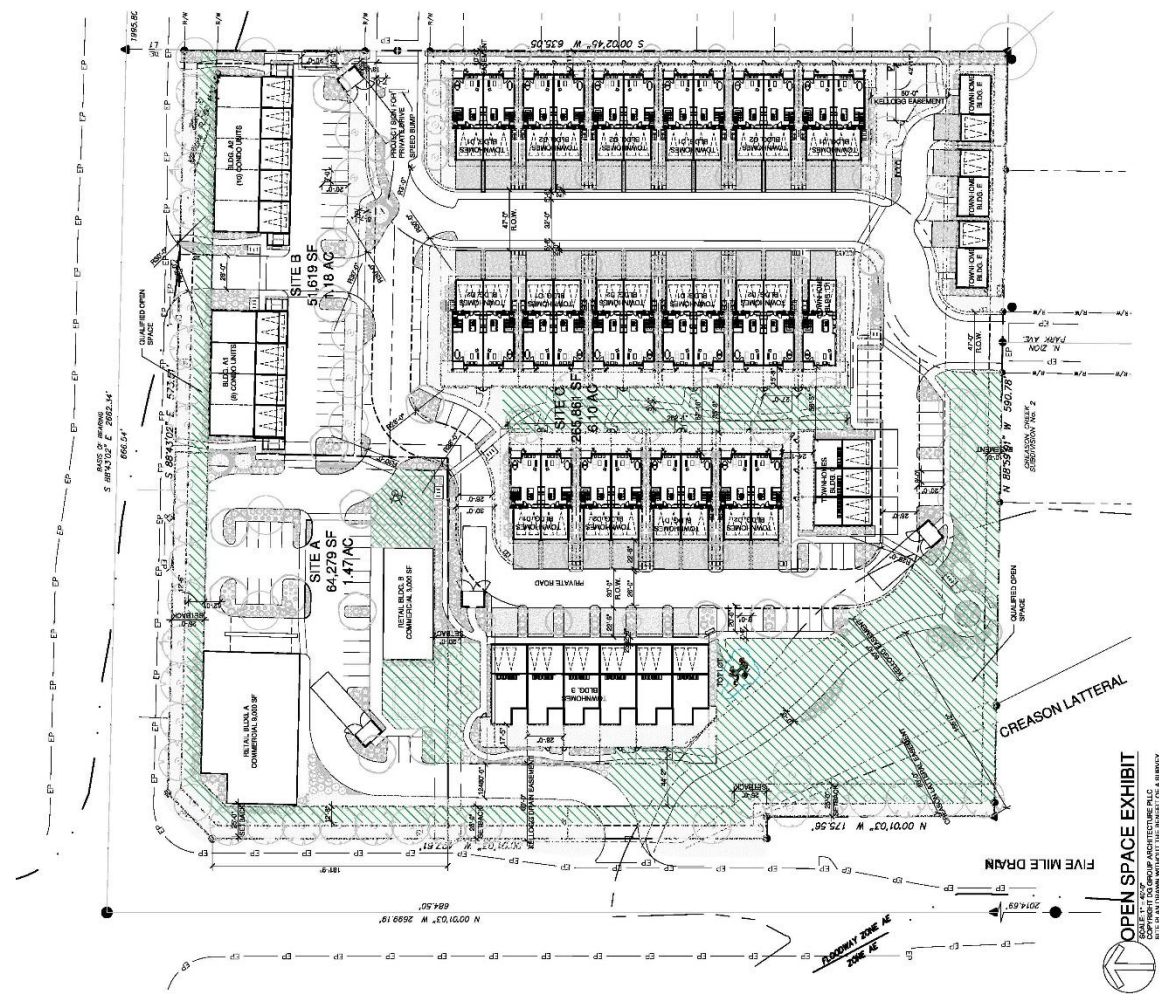
ENTITLEMENT APPLICATION
 1818 W. LUTHER RD.
 MEDIUM DENSITY

LOT COVERAGE CALCULATIONS

- BELOW FOOTPRINT: 34.00%
- CONCRETE WALLS: 12.00%
- CONCRETE DRIVEWAYS: 10.00%
- PAVING: 10.00%
- LANDSCAPE: 10.00%
- MAXIMUM LOT COVERAGE: 76.00%

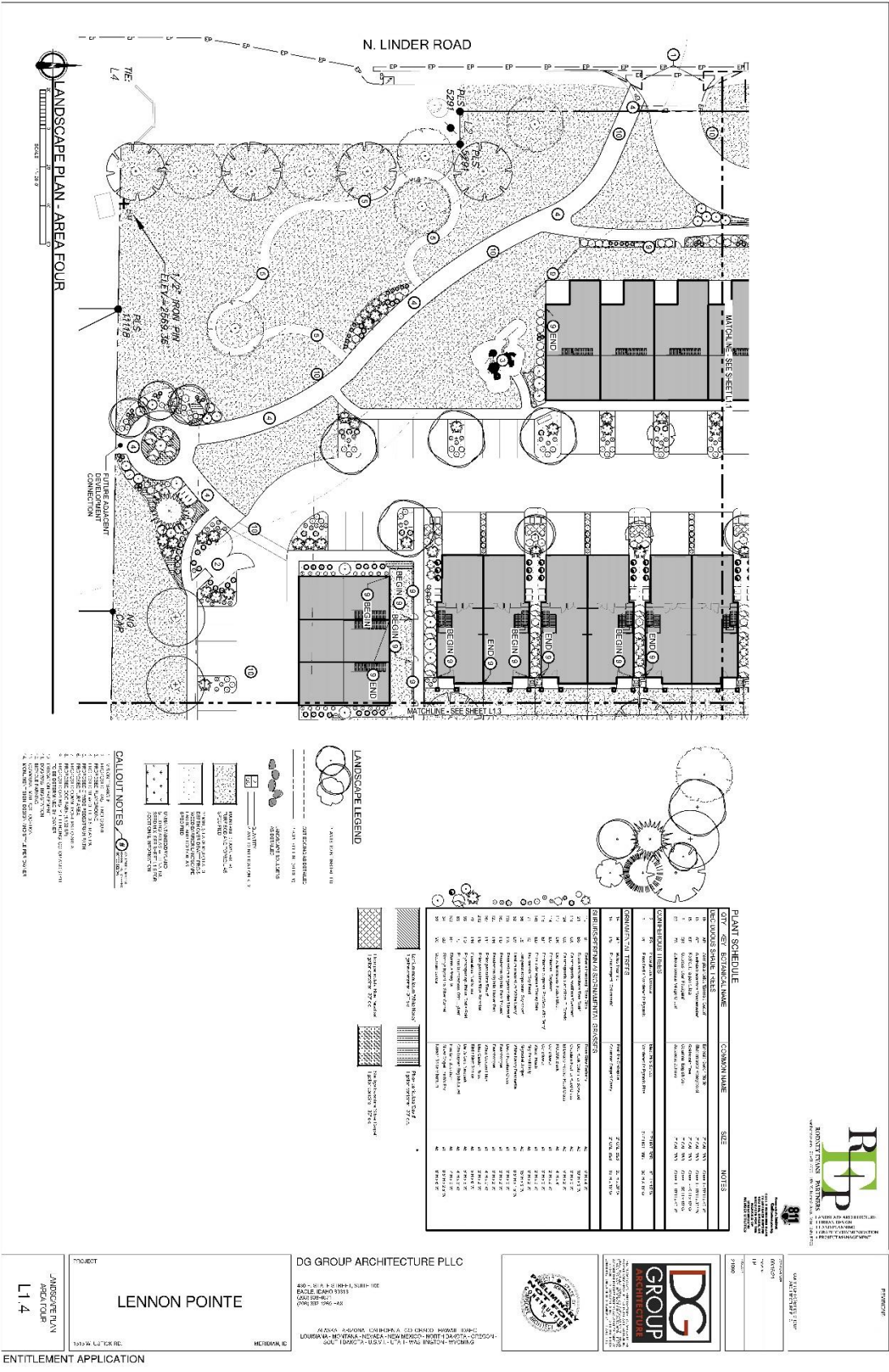
LOT COVERAGE CALCULATIONS

- BELOW FOOTPRINT: 34.00%
- CONCRETE WALLS: 12.00%
- CONCRETE DRIVEWAYS: 10.00%
- PAVING: 10.00%
- LANDSCAPE: 10.00%
- MAXIMUM LOT COVERAGE: 76.00%



OPEN SPACE EXHIBIT
 SCALE: 1"=40'-0"
 THIS PLAN SHALL BE CONSIDERED VOID WITHOUT THE SUPPORT OF A SURVEY

Page 25



LANDSCAPE PLAN - AREA FOUR

N. LINDER ROAD

PLANT SCHEDULE

QTY	SYMBOL	COMMON NAME	SIZE	NOTES
1	1	Redbud	12-18"	Plant in clusters
2	2	Blackberry	12-18"	Plant in clusters
3	3	Blackberry	12-18"	Plant in clusters
4	4	Blackberry	12-18"	Plant in clusters
5	5	Blackberry	12-18"	Plant in clusters
6	6	Blackberry	12-18"	Plant in clusters
7	7	Blackberry	12-18"	Plant in clusters
8	8	Blackberry	12-18"	Plant in clusters
9	9	Blackberry	12-18"	Plant in clusters
10	10	Blackberry	12-18"	Plant in clusters
11	11	Blackberry	12-18"	Plant in clusters
12	12	Blackberry	12-18"	Plant in clusters
13	13	Blackberry	12-18"	Plant in clusters
14	14	Blackberry	12-18"	Plant in clusters
15	15	Blackberry	12-18"	Plant in clusters
16	16	Blackberry	12-18"	Plant in clusters
17	17	Blackberry	12-18"	Plant in clusters
18	18	Blackberry	12-18"	Plant in clusters
19	19	Blackberry	12-18"	Plant in clusters
20	20	Blackberry	12-18"	Plant in clusters
21	21	Blackberry	12-18"	Plant in clusters
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24	24	Blackberry	12-18"	Plant in clusters
25	25	Blackberry	12-18"	Plant in clusters
26	26	Blackberry	12-18"	Plant in clusters
27	27	Blackberry	12-18"	Plant in clusters
28	28	Blackberry	12-18"	Plant in clusters
29	29	Blackberry	12-18"	Plant in clusters
30	30	Blackberry	12-18"	Plant in clusters

LANDSCAPE LEGEND

- Grass
- Gravel
- Asphalt
- Concrete
- Water
- Plantings

CALLOUT NOTES

1. All plantings to be installed by 10/1/2020.
2. All plantings to be installed by 10/1/2020.
3. All plantings to be installed by 10/1/2020.
4. All plantings to be installed by 10/1/2020.
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30. All plantings to be installed by 10/1/2020.

PROJECT: LENNON POINTE

ARCHITECT: DG GROUP ARCHITECTURE PLLC

DATE: 10/1/2020

SCALE: 1/8" = 1'-0"

PROJECT: LENNON POINTE

ARCHITECT: DG GROUP ARCHITECTURE PLLC

DATE: 10/1/2020

SCALE: 1/8" = 1'-0"

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SCALE: 1/8" = 1'-0"

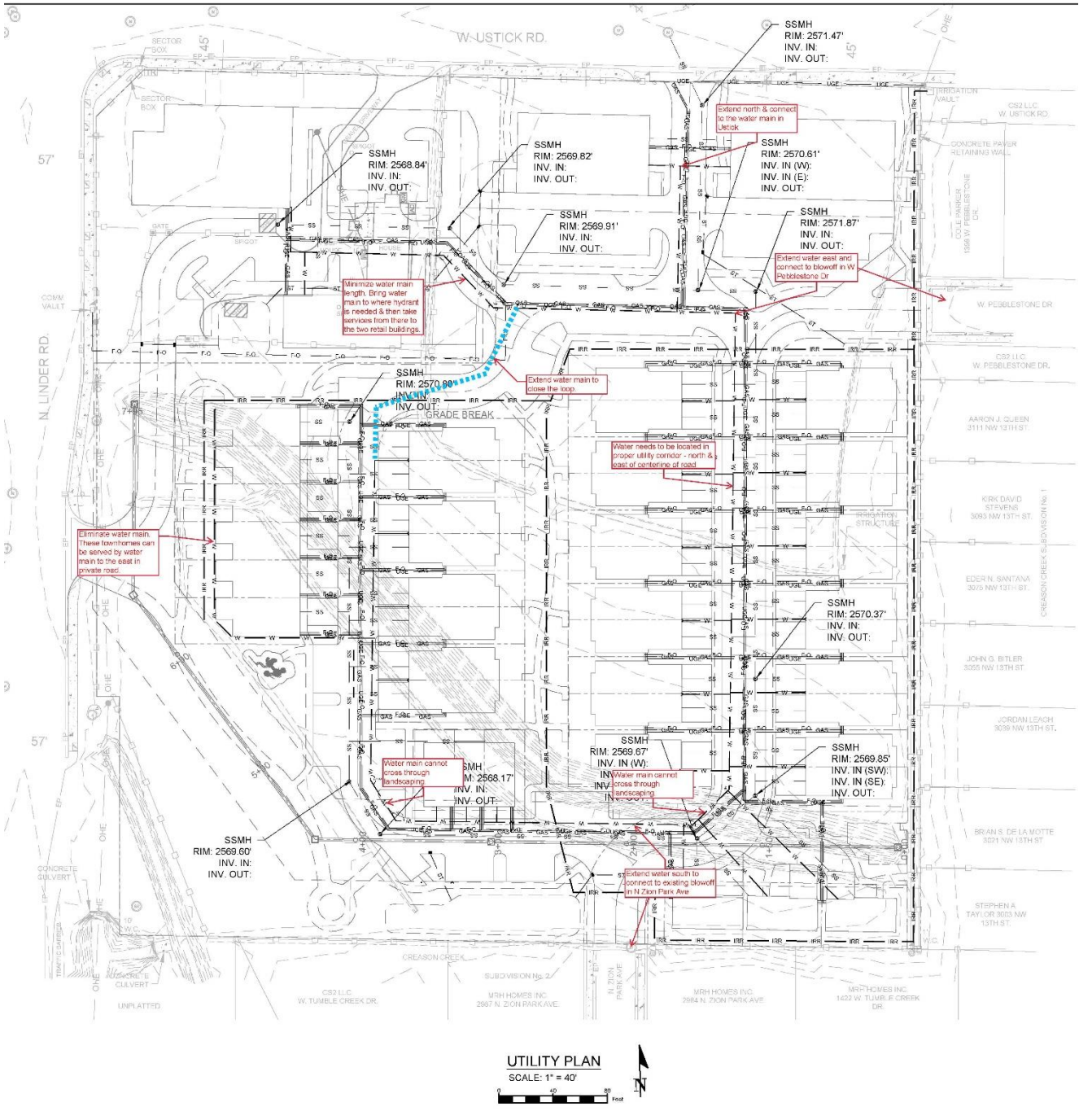
PROJECT: LENNON POINTE

ARCHITECT: DG GROUP ARCHITECTURE PLLC

DATE: 10/1/2020

SCALE: 1/8" = 1'-0"

F. Public Works – Water Markup



KEY NOTES

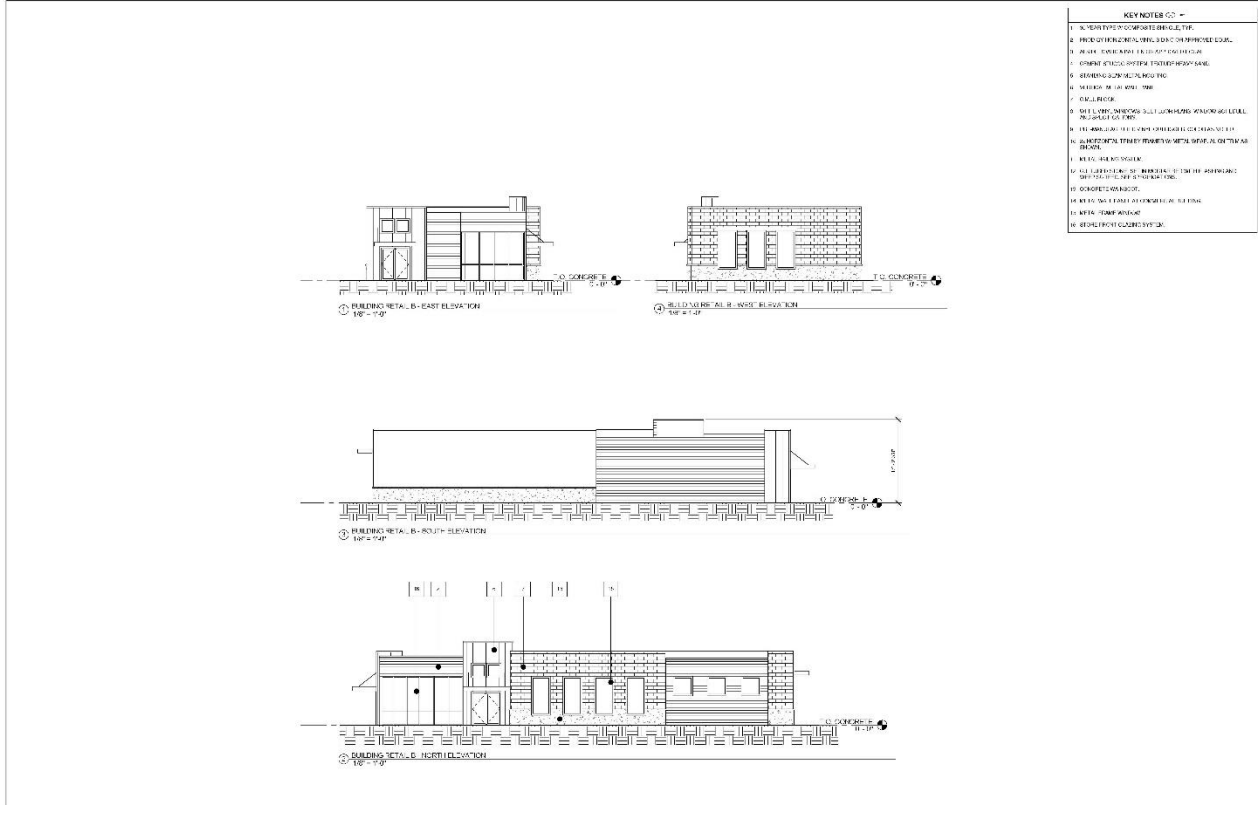
1. EXISTING FINISHES TO REMAIN
2. EXISTING FINISHES TO BE REMOVED
3. NEW FINISHES TO BE INSTALLED
4. EXISTING FINISHES TO BE REPAIRED
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PROJECT
LENNON POINTE
A6.2B
 ENTITLEMENT APPLICATION

KEY NOTES

1. EXISTING FINISHES TO REMAIN
2. EXISTING FINISHES TO BE REMOVED
3. NEW FINISHES TO BE INSTALLED
4. EXISTING FINISHES TO BE REPAIRED
5. EXISTING FINISHES TO BE REFINISHED
6. EXISTING FINISHES TO BE REPLACED
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PROJECT
LENNON POINTE
A7.2
 ENTITLEMENT APPLICATION



REVISIONS

1. REVISED TO CORRECT ELEVATION
2. PROPOSED FINISHES, MATERIALS AND COLORS
3. ALUM. PANEL PANEL FINISH
4. CORNER FINISHES
5. REVISIONS TO FINISHES
6. MATERIALS
7. CORRECTIONS
8. REVISED TO CORRECT ELEVATION
9. REVISED TO CORRECT ELEVATION
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REVISIONS

DATE: 11/15/2024

BY: [Signature]

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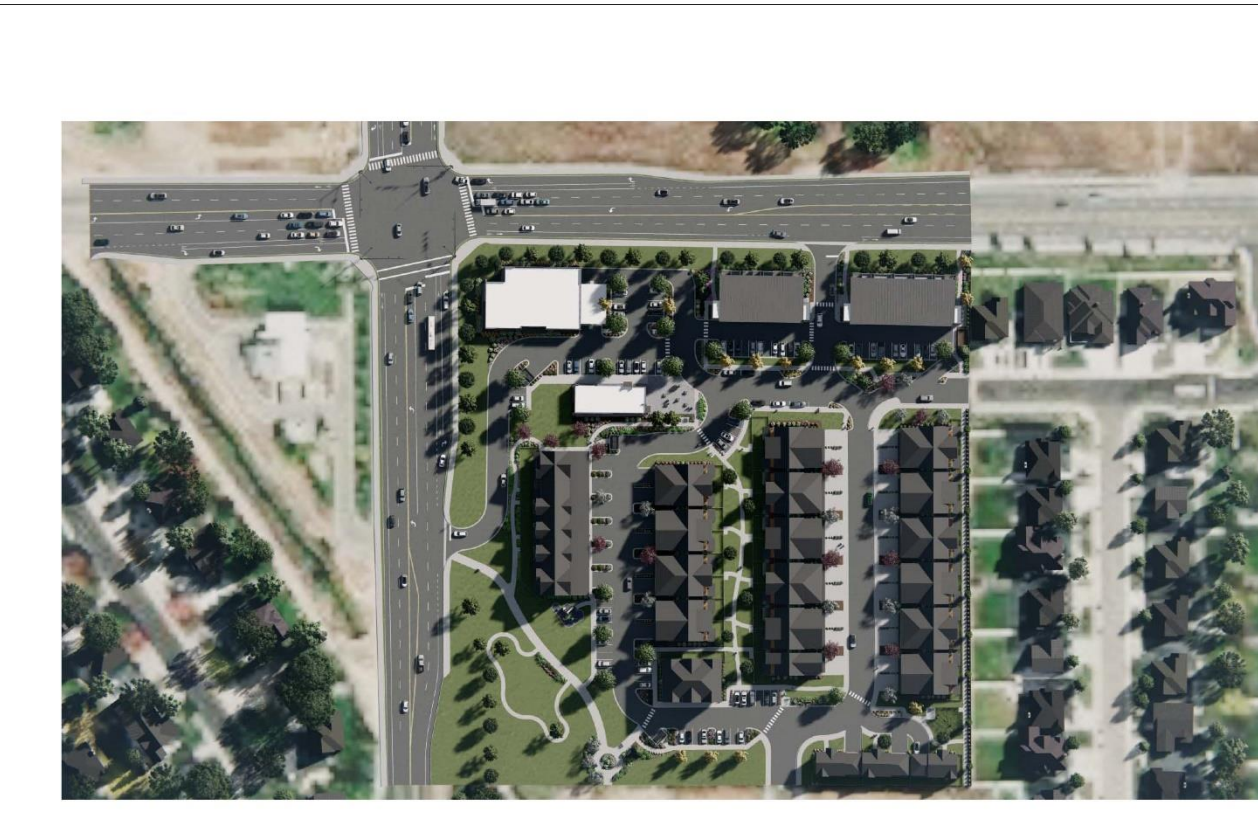
TRAC27

DG GROUP ARCHITECTURE PLLC
 10000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80231
 PHONE: 303.733.1100
 FAX: 303.733.1101
 WWW.DGGROUP.COM

LENNON POINTE

PHASE 1 - 2024

APPLICATION



REVISIONS

DATE: 11/15/2024

BY: [Signature]

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LENNON POINTE

PHASE 1 - 2024

APPLICATION



HILLSIDE
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TRACT 11
LENNON POINTE
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 MPT 11.01.16

A10.6
 ENTITLEMENT APPLICATION



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TRACT 11
LENNON POINTE
 11800 N. WINDY HOLLOW, SUITE 100, DALLAS, TEXAS 75243
 MPT 11.01.16

A10.7
 ENTITLEMENT APPLICATION

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the approved plat, site plan, landscape plan, open space exhibit, and conceptual building elevations included in Section VII and the provisions contained herein.
 - b. The 10-foot multi-use pathway along the Kellogg Drain and Creason Lateral in the southwest quadrant of the site shall be constructed with Phase 1 of the development.
 - c. The existing county residential access onto W. Ustick Road shall be closed upon development of the subject site; the only approved accesses to the adjacent arterials are those shown on the site plan.
 - d. All pedestrian crossings within the private street and drive aisle portions of the site shall be constructed with brick, pavers, stamped concrete, or equal to clearly delineate pedestrian facilities.
 - e. The required landscape street buffers shall be constructed and vegetated along the entire perimeter (along N. Linder Road and W. Ustick Road) with the first phase of development.
 - f. No more than 16 multi-family units are approved with the Lennon Pointe Community development—the first two units closest to the east property boundary and Creason Creek Subdivision are limited to two-story units in height.
2. The preliminary plat included in Section VII.B, dated October 14, 2021, shall be revised as follows at least ten (10) days prior to the City Council hearing:
 - a. Correct the size of Lot 9, Block 1 to meet the 2,000 square foot minimum lot size requirement of the R-15 zoning district.
 - b. Add additional common lots for the required landscape street buffers to N. Linder Road and W. Ustick road adjacent to residential uses, per UDC 11-3B-7C.2.
 - c. Stamped and signed by the licensed land surveyor.
 - d. Add a note stating direct lot access to N. Linder Road and W. Ustick Road is prohibited except for those access points approved by ACHD and as shown on the approved site plan.
 - e. Add a common lot for the proposed common drive currently shown on Lot 13, Block 2 and add a plat note stating the purpose of the common drive and which building lots it serves.

3. The landscape plan included in Section VII.D, dated September 15, 2021, shall be revised as follows prior to submittal of the Final Plat application:
 - a. Revise the location of the trees for the Linder Road street buffer to be outside of any waterway easement.
 - b. Shift the proposed regional pathway on Lot 1, Block 1 to the west to better align with the approved segment to the south in Creason Creek No. 2.
 - c. Show the required 25-foot landscape buffer between the C-C zoning district and the R-15 zoning district as required by UDC 11-3B-9C.
4. The site plan, as shown in Exhibit VII.E, shall be revised as follows prior to Final Plat submittal:
 - a. Shift the 6-unit townhome building to the north to move as much of Lot 2, Block 1 out of the floodway zone.
 - b. Move the detached sidewalk adjacent to the east side of the 6-unit townhome building to the east to be an attached sidewalk to the private street.
 - c. Show the required number of covered spaces for the proposed multi-family residential development, per UDC Table 11-3C-6.
 - d. Shift the proposed regional pathway on Lot 1, Block 1 to the west to better align with the approved segment to the south in Creason Creek No. 2.
5. The multi-family residential elevations, shall be revised as follows at least ten (10) days prior to the City Council hearing:
 - a. Reduce the height of the proposed buildings to meet the maximum building height limit of forty (40) feet for the R-15 zoning district.
 - b. Show the loss of the two units on the third and fourth levels of the eastern multi-family building consistent with the DA provision above.
6. With Final Plat application, the Applicant shall submit for Alternative Compliance to the landscape street buffer tree requirements along N. Linder Road for that area encumbered by the Kellogg Drain and Creason Lateral easements.
7. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7, UDC Table 11-2B-3, and those listed in the specific use standards for multi-family development, UDC 11-4-3-27.
8. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family and single-family dwellings based on the number of bedrooms per unit.
9. The Applicant shall comply with all ACHD conditions of approval.
10. The Applicant shall obtain Administrative Design Review (DES) for the attached single-family and townhome units prior to building permit submittal. One DES may be utilized for the entire single-family portion of the site.
11. The Applicant shall obtain Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approval for the future commercial buildings and multi-family structures prior to building permit submittal.
12. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.

13. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
14. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
15. The applicant and/or assigns shall comply with the private street standards as set forth in UDC 11-3F-3 and 11-3F-4.
16. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.
17. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer 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.
18. Prior to City Engineer signature on the plat, the applicant shall submit a public access easement for the multi-use pathway along the southern boundary of the site to the Planning Division for approval by City Council and subsequent recordation.
19. Prior to issuance of Certificate of Occupancy on any building, the Applicant shall provide proof of the required maintenance agreement to the Planning Division in accord with UDC 11-4-3-27 – all multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features.
20. Business hours of operation within the C-C zoning district shall be limited from 6 am to 11 pm as set forth in UDC 11-2B-3A.4.
21. Any drive-thru establishment use shall require Conditional Use Permit approval in accord with UDC 11-4-3-11.

B. Public Works

Site Specific Conditions of Approval

1. The geotechnical investigative report prepared by SITE Consulting, LLC indicates some very specific construction considerations due to shallow ground water on site. The applicant shall be responsible for the adherence of these recommendations.
2. A portion of this project lies within the Meridian Floodplain and Floodway Overlay District. Prior to any development occurring in the Overlay District a floodplain permit application, including hydraulic and hydrologic analysis is required to be completed and submitted to the City and approved by the Floodplain Administrator per MCC 10-6—All structures in the overlay district must be elevated to flood protection elevations.
3. A water main connection will be required to Ustick Road.
4. Current design does not follow the utility corridor. Water mains should be located north and east of roadway centerline.
5. A water main connection will be required to the existing stubs in North Zion Park Avenue and West Pebblestone Drive.

6. The proposed main west of Building B should be eliminated. Townhomes can be served by the water main east of Building B.
7. Complete the water loop by extending the proposed water main in the private road between Building B and Building D1 northeast to connect into the water main located south of Building A1.
8. Minimize water main length near the commercial lot at the northwest corner of the development. Bring the water main only as far as needed to provide a hydrant for the buildings' fire protection. Extend service lines from the main to serve the two retail buildings.
9. Water mains should not cross through landscaping or sidewalks.
10. Sewer service lines should not cross lots other than the lot they serve. Services in the southeast corner do not meet this requirement and must be adjusted.
11. Sewer needs to connect to West Pebblestone Drive by removing the temporary cleanout and connecting to the existing main.
12. The manhole located at the northeast corner of the development near Pebblestone Drive must be moved so it is located out of the landscaped area and instead located in Right-of-Way.
13. Sewer services should not cross infiltration trenches.
14. Utility easements are required for all mains outside of Right-of-Way.
15. No permanent structures can be built within a City of Meridian utility easement including but not limited to buildings, car ports, trash enclosures, fences, trees, bushes, infiltration trenches, light poles, etc.

General Conditions of Approval

16. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
17. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
18. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.

19. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
20. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
21. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
22. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
23. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
24. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
25. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
26. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
27. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
28. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
29. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
30. Developer shall coordinate mailbox locations with the Meridian Post Office.
31. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
32. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.

33. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
34. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
35. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
36. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
37. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240228&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240012&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT – PATHWAY COMMENTS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242744&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243241&dbid=0&repo=MeridianCity&cr=1>

G. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242517&dbid=0&repo=MeridianCity>

H. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240139&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244361&dbid=0&repo=MeridianCity>

J. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240461&dbid=0&repo=MeridianCity>

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

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

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

Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with R-15 and C-C zoning districts and subsequent development is consistent with the Comprehensive Plan, if all conditions of approval are met.

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

Staff finds the proposed zoning map amendment and request for the development of multiple housing types will contribute to the range of housing opportunities available within the City and within this area. Staff finds the proposed addition of commercial within the development is generally consistent with the purpose statement of the commercial district and consistent with the future land use designation of Mixed-Use Community.

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

Staff 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

Staff 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.

Because of the unique and distinct project proposed, the proposed addition of more commercial zoning, and the varying types of housing options proposed, Staff finds the annexation is in the best interest of the City.

B. Preliminary Plat Findings:

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;

Staff finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

Staff finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)

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

Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.

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 based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VII for more information.)

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

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has approved the proposed road layout and connections to adjacent arterials.

6. The development preserves significant natural, scenic or historic features.

Staff is unaware of any significant natural, scenic, or historic features that exist on this site that require preserving.

C. Conditional Use Permit Findings:

The commission shall base its determination on the conditional use permit request upon the following:

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

Staff finds that the submitted site plan shows compliance with all dimensional and development regulations in the R-15 zoning district in which it resides except for those noted and required to be revised.

- 2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.**

Staff finds the proposed use of multi-family residential, in conjunction with the other residential housing types proposed, is in accord with the comprehensive plan designation of Mixed-Use Community and the requirements of this title.

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

Despite the proposed use being different than the residential uses closest to the subject site, Staff finds the design, construction, and proposed operation and maintenance will be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same area, if all conditions of approval are met.

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

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

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

Staff finds the proposed use will be served adequately by essential public facilities and services as all services are readily available, the nearby arterial street is widened to its full width, and the Applicant is required to construct a new public road extension to accommodate additional traffic flow.

- 6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.**

All public facilities and services are readily available for the subject site so Staff finds that the proposed use will not be detrimental to the economic welfare of the community or create excessive additional costs for public facilities and services.

- 7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**

Although traffic will likely increase in the vicinity with the proposed use, all major roadways adjacent to the site are already at their full width and the proposed layout offers the best opportunity for safe circulation. Therefore, Staff finds the proposed use will not be detrimental to any persons, property, or the general welfare.

- 8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

Staff is not aware of any such features; the proposed use should not result in damage of any such features.

D. Private Street Findings:

In order to approve the application, the director shall find the following:

- 1. The design of the private street meets the requirements of this article;**

The Director finds that the proposed private street design meets the requirements.

- 2. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and**

The Director finds that the proposed private streets would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity if all conditions of approval are met.

- 3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

The Director finds the use and location of the private streets do not conflict with the comprehensive plan or the regional transportation plan because the proposed design meets all requirements and the project is also extending the required public road through the site.

- 4. The proposed residential development (if applicable) is a mew or gated development. (Ord. 10-1463, 11-3-2010, eff. 11-8-2010)**

The Director finds the proposed residential development is a mew development by having a majority of the units facing green space instead of the private street.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Inglewood Coffee Shop Drive-Through (H-2021-0073) by Gold Stream Holdings, LLC, Located at 3330 E. Victory Rd.

A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of a residential use and zoning district on 0.83 of an acre of land in the C-C zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: December 2, 2021

Topic: **Public Hearing** for Inglewood Coffee Shop Drive-Through (H-2021-0073) by Gold Stream Holdings, LLC, Located at 3330 E. Victory Rd.

- A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of a residential use and zoning district on 0.83 of an acre of land in the C-C zoning district.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)



STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

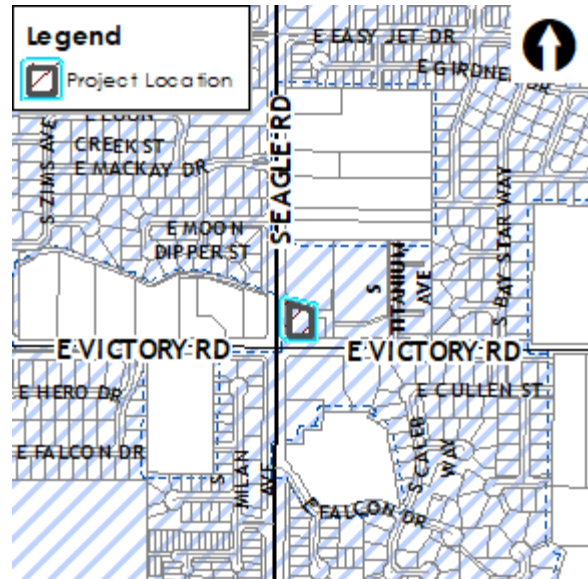
HEARING DATE: 12/2/2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0073
Inglewood Coffee Shop Drive-Through – CUP

LOCATION: 3330 E. Victory Rd., in the SW ¼ of Section 21, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

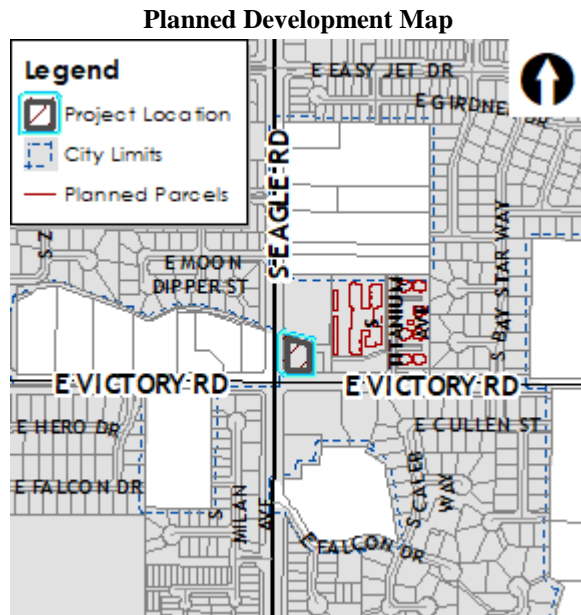
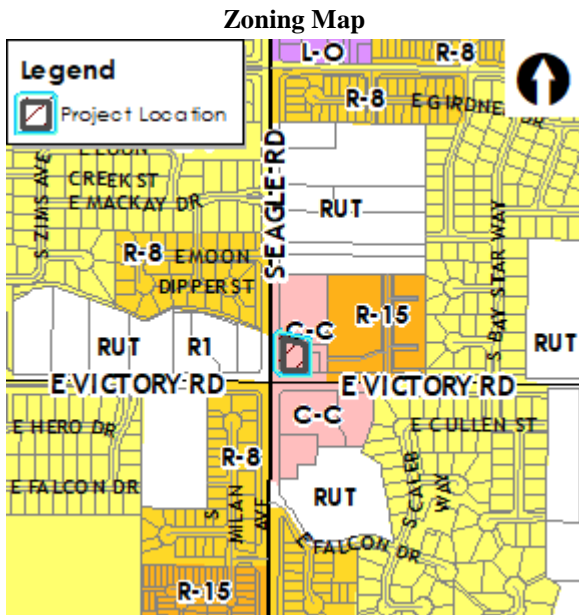
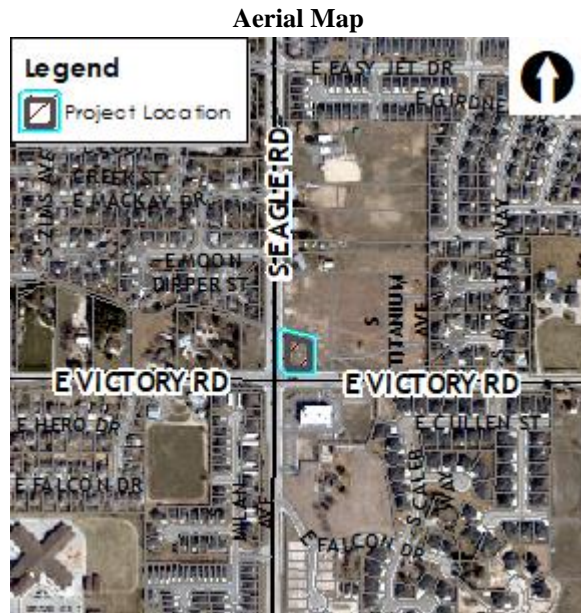
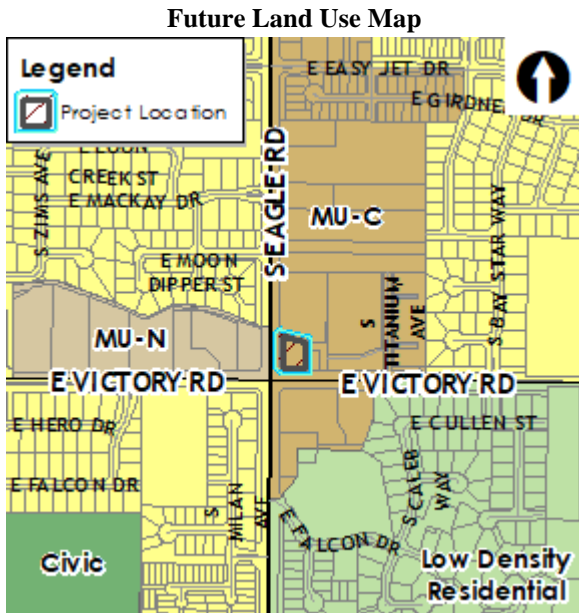
Conditional use permit (CUP) for a drive-through establishment for a coffee shop within 300-feet of a residential use and zoning district on 0.83 of an acre of land in the C-C zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	0.83-acre	
Future Land Use Designation	Mixed Use – Community (MU-C)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Restaurant (coffee shop) with a drive-through	
Current Zoning	Community Business District (C-C)	
Physical Features (waterways, hazards, flood plain, hillside)	The McDonald Lateral runs through this site.	
Neighborhood meeting date; # of attendees:	5/25/21; 2 attendees	
History (previous approvals)	H-2019-0099 (Inglewood Sub. AZ, PP – Development Agreement Inst. #2019-124424); FP-2021-0037 (Inglewood Sub. 2)	

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Clint Tolman, Gold Stream – 197 W. 4860 S., Murray, UT 84107

B. Owner:

Jim Petersen, Gold Stream – 197 W. 4860 S., Murray, UT 84107

C. Representative:

Emily Mueller, Gold Stream Holdings, LLC – 197 W. 4860 S., Murray, UT 84107

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	11/16/2021
Radius notification mailed to properties within 300 feet	11/10/2021
Site Posting Date	11/18/2021
Next Door posting	11/12/2021

V. STAFF ANALYSIS

The proposed drive-through is for a 2,365 square foot Starbucks coffee shop (classified as a restaurant) within 300-feet of a residential use and zoning district, which requires Conditional Use Permit approval (CUP) per UDC Table 11-2B-2 and 11-4-3-11A.1.

The proposed development plan is in substantial conformance with the provisions in the existing Development Agreement (Inst. #2019-124424) and with the approved conceptual development plan included in the agreement. A common green space gathering area (5%) with seating and tables is proposed on the east side of the site in accord with provisions #5.1c and #5.1d in the Development Agreement. Other off-site common areas are proposed on the adjacent properties to the north and east as shown on the site plan.

Specific Use Standards: The proposed drive-through establishment is subject to the specific use standards listed in UDC [11-4-3-11](#), Drive-Through Establishment. All establishments providing drive-through service are required to identify the stacking lane, menu and speaker location (if applicable), and window location. A site plan is required to be submitted that demonstrates safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum, the plan is required to demonstrate compliance with the following standards: *Staff’s analysis is in italics.*

- 1) Stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons;

The stacking lane appears to have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons as required.

- 2) The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designated employee parking.

The stacking lane is a separate lane from the circulation lanes needed for access and parking.

- 3) The stacking lane shall not be located within ten (10) feet of any residential district or existing residence;

The stacking lane is not located within 10’ of any residential district or residence.

4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

The stacking lane exceeds 100' in length and an escape lane is proposed.

5) The site should be designed so that the drive-through is visible from a public street for surveillance purposes.

The drive-through is visible from S. Eagle Rd. and E. Victory Rd., public streets along the west and south boundaries of the site, for surveillance purposes.

Based on the above analysis, Staff deems the proposed drive-through in compliance with the specific use standards as required.

The proposed use is also subject to the specific use standards listed in UDC [11-4-3-49](#) Restaurant, which requires at a minimum, one (1) parking space to be provided for every 250 square feet of gross floor area. Upon any change of use for an existing building or tenant space, a detailed parking plan is required to be submitted that identifies the available parking for the overall site that complies with UDC standards. Based on 2,365 square feet, a minimum of nine (9) off-street parking spaces are required to be provided; a total of 19 spaces are proposed, including 6 compact spaces, which exceed the minimum standard.

Hours of Operation: The hours of operation are restricted to 6:00 am to 11:00 pm in the C-C zoning district per UDC 11-2B-3B.

Dimensional Standards: Future development should be consistent with the dimensional standards listed in UDC Table [11-2B-3](#) for the C-C zoning district.

Access: A right-in/right-out driveway access is proposed via S. Eagle Rd. to the north of this site as shown on the site/landscape plans. Access is also available through an ingress-egress easement with the property to the east via S. Titanium Ave., a local street off E. Victory Rd.

Parking: As noted above, UDC 11-4-3-49 includes parking standards for restaurants, which the site plan demonstrates compliance.

A minimum one (1) bicycle parking space is required to be provided 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](#). A bicycle rack is proposed north of the building for two (2) bicycles in accord with this requirement. **A detail of the bicycle rack should be submitted with the Certificate of Zoning Compliance application that demonstrates compliance with the standards in UDC 11-3C-5C.**

Pedestrian Walkways: Where pathways cross vehicular driving surfaces, they're required to be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks. **The site plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard.**

Landscaping: Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C; where it's not feasible to comply with the standards due to the irrigation district easement for the McDonald Lateral, alternative compliance should be requested as set forth in UDC 11-5B-5. **The landscape plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard; or an alternative compliance application should be submitted.**

Street buffer landscaping along S. Eagle Rd. and E. Victory Rd. is required to be installed with the Phase 2 subdivision improvements. **Because ACHD is requiring the construction of a northbound right-turn lane on Eagle Rd. that may affect the width of the street buffer approved with the**

final plat, Staff recommends the site and landscape plans are updated accordingly to include the right-turn lane and the minimum 25-foot wide street buffer along Eagle Rd. required by UDC Table 11-2B-3. If the existing sidewalk is being removed to allow for the construction of the right-turn lane, a detached sidewalk should be constructed in accord with UDC 11-3A-17C.

Waterways: The McDonald Lateral crosses this site within a 41-foot wide easement. The lateral is proposed to be piped with the subdivision improvements. The building is proposed to be located outside of the easement.

Mechanical Equipment: All mechanical equipment on the back of the building and outdoor service and equipment should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).

Building Elevations: Conceptual building elevations were submitted as shown in Section VII.C that incorporate a mix of materials consisting of fiber cement lap and board and batten siding with metal panel accents. The proposed materials are consistent with those in the residential portion of the development to the east in accord with the Development Agreement. The final design shall be consistent with the design standards listed in the [Architectural Standards Manual](#) and with the Development Agreement.

Certificate of Zoning Compliance & Design Review: A Certificate of Zoning Compliance and Design Review application is required to be submitted for the proposed use prior to submittal of a building permit application to ensure consistency with the conditions in Section VII, UDC standards and design standards.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions included in Section VIII per the Findings in Section IX.

C. Building Elevations (dated: 7/21/21)

ELEVATION / SECTION MATERIAL LEGEND	
DESCRIPTION	CONSTRUCTION
VERTICAL PANELS AS SHOWN BY SHOWN ARCHITECT	[Symbol]
WOOD GRANT LUMBER WITH FINISHES: PRELIMINARY AS SHOWN	[Symbol]
PAINT (COLOR SHOWN) AS SHOWN WITH FINISHES AS SHOWN BY SHOWN ARCHITECT	[Symbol]

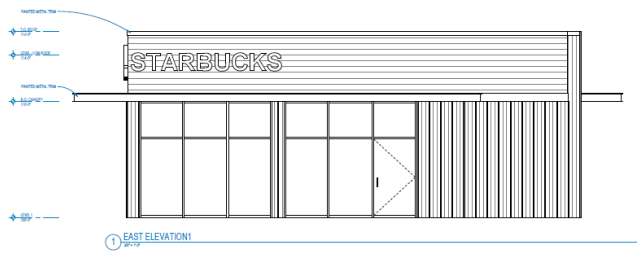
LMnt
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202.462.1100
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www.lmnt.com

The design shown and number of sheets are preliminary. All work is subject to change without notice. All work is subject to the terms and conditions of the contract. The design is not to be used for construction without the written consent of LMnt Architecture.

Not for Construction



1 EAST ELEVATION
DATE: 7/21/21

project: Starbucks
Owner address here

project no: Project Number

date: 2.27.21

revisions:

Schematic Design
sheet: ELEVATIONS

SD2.1

SHEET SIZE: 24" x 36"

ELEVATION / SECTION MATERIAL LEGEND	
DESCRIPTION	CONSTRUCTION
VERTICAL PANELS AS SHOWN BY SHOWN ARCHITECT	[Symbol]
WOOD GRANT LUMBER WITH FINISHES: PRELIMINARY AS SHOWN	[Symbol]
PAINT (COLOR SHOWN) AS SHOWN WITH FINISHES AS SHOWN BY SHOWN ARCHITECT	[Symbol]

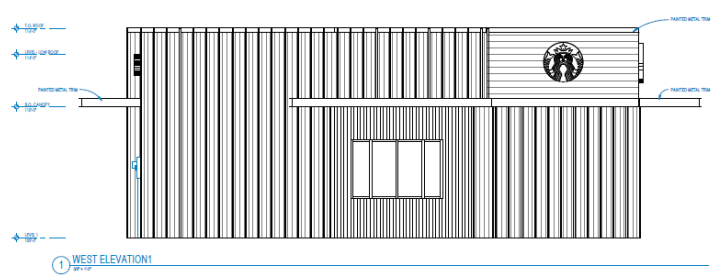
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Not for Construction



1 WEST ELEVATION
DATE: 7/21/21

project: Starbucks
Owner address here

project no: Project Number

date: 2.27.21

revisions:

Schematic Design
sheet: ELEVATIONS

SD2.2

SHEET SIZE: 24" x 36"

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement [H-2019-0099 Inglewood Place Subdivision (AZ, PP) – Inst. #[2019-124424](#); FP-2021-0037 (Inglewood Place Subdivision No. 2)] and the conditions contained herein.
2. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
 - a. The stacking lane, menu and speaker location(s), and window location shall be depicted in accord with UDC [11-4-3-11B](#).
 - b. All mechanical equipment on the back of the building and outdoor service and equipment areas should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).
 - c. Include a detail of the bicycle rack that demonstrates compliance with the design standards in UDC 11-3C-5C.
 - d. Where pathways cross vehicular driving surfaces, they shall be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4b.
 - e. Depict landscaping within all planter islands within the parking area in accord with the standards listed in UDC [11-3B-8C](#); where it's not feasible to comply with the standards due to the irrigation district easement for the McDonald Lateral, alternative compliance shall be requested as set forth in UDC [11-5B-5](#).
 - f. Depict the northbound right-turn lane on S. Eagle Rd. as required by ACHD with a minimum 25-foot wide street buffer in accord with UDC Table 11-2B-3 and a 5-foot wide detached sidewalk in accord with UDC 11-3A-17C.
3. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and [11-4-3-49](#) – Restaurant is required.
4. The driveway access via S. Eagle Rd. is restricted to a right-in/right-out access per the Development Agreement.
5. No building permits shall be issued for this site until the property has been subdivided.
6. The hours of operation are restricted to 6:00 am to 11:00 pm in the C-C zoning district per UDC 11-2B-3B.
7. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC [11-3A-19](#); the design standards listed in the *Architectural Standards Manual* and with the Development Agreement. *The Development Agreement requires some of the same design elements to be incorporated in the commercial portion of the development as in the residential portion.*
8. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or

structures on or in the ground as set forth in UDC 11-5B-6. A time extension may be requested as set forth in UDC 11-5B-6F.

B. ADA COUNTY HIGHWAY DISTRICT (ACHD)

Staff Report:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243245&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241022&dbid=0&repo=MeridianCity>

C. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242203&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243209&dbid=0&repo=MeridianCity>

IX. FINDINGS

Conditional Use (UDC 11-5B-6)

Findings: The commission shall base its determination on the conditional use permit request upon the following:

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

Staff finds the site is large enough to accommodate the proposed development and meet all dimensional and development regulations of the C-C zoning district.

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

Staff finds the proposed restaurant (coffee shop) with a drive-through will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.

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

Staff finds the design, construction, operation and maintenance of the proposed use will be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential character of the area.

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

Staff finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section VIII of this report.

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

Staff finds the proposed use will be served by essential public facilities and services as required.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff finds the proposed use will not create additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Staff finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Staff finds the proposed use will not result in the destruction, loss or damage of any such features.

9. Additional findings for the alteration or extension of a nonconforming use:

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

This finding is not applicable.

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

This finding is not applicable.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Woodcrest Townhomes (H-2021-0082) by Andrew Newell of Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way
A. Request: Preliminary Plat consisting of 19 building lots and 4 common lots (including 1 lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: December 2, 2021

Topic: **Public Hearing** for Woodcrest Townhomes (H-2021-0082) by Andrew Newell of Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way

- A. Request: Preliminary Plat consisting of 19 building lots and 4 common lots (including 1 lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district.
-

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



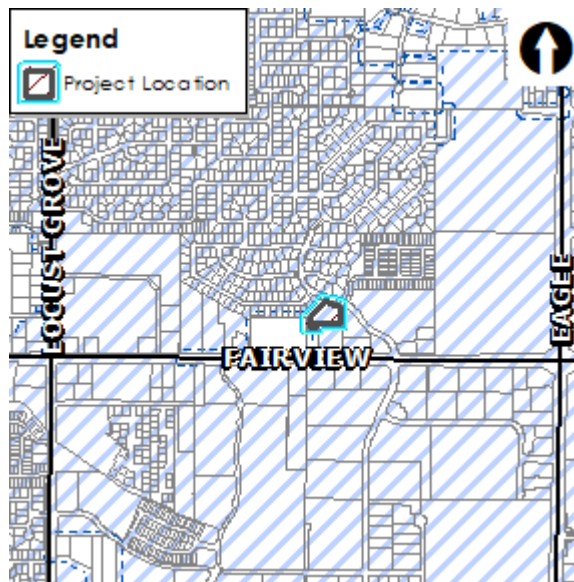
HEARING DATE: December 2, 2021

TO: Planning & Zoning Commission

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

SUBJECT: Woodcrest Townhomes
H-2021-0015 (CPAM & RZ)
H-2021-0082 (PP)

LOCATION: 1789 N. Hickory Way, in the SE ¼ of Section 5, Township 3N., Range 1E.



The Commission heard the CPAM & RZ requests on June 3rd and July 1st and recommended approval of these applications to City Council. At the City Council hearing on Sept. 7th, City Council directed the Applicant to submit a preliminary plat (PP) application to be heard concurrently with the CPAM & RZ requests. The Applicant has submitted a PP application as directed & Staff has updated the staff report to include analysis on the PP application (see underlined text).

I. PROJECT DESCRIPTION

Amendment to the Comprehensive Plan Future Land Use Map (CPAM) to change the future land use designation on 2.10-acres of land from Commercial to Medium High-Density Residential; and Rezone (RZ) of 2.10-acres of land from the L-O (Limited Office) to the R-15 (Medium High-Density Residential) zoning district. Preliminary Plat (PP) consisting of 19 building lots and 4 common lots (including one lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.97-acres	
Future Land Use Designation	Commercial	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Residential and office	
Current Zoning	Limited Office (L-O)	
Proposed Zoning	R-15 (Medium High-Density Residential)	
Lots (# and type; bldg/common)	<u>19 building/4 common</u>	
Phasing plan (# of phases)	NA	
Number of Residential Units (type of units)	19 units (single-family attached & townhouse dwellings)	
Density (gross & net)	9.64 units/acre (gross)/13.5 units/acre (net)	
Open Space (acres, total [%] / buffer / qualified)	NA	

Amenities	10' wide multi-use pathway along Meridian Rd./SH-69	
Physical Features (waterways, hazards, flood plain, hillside)	None	

Neighborhood meeting date; # of attendees:	1/28/21; 10 attendees	
History (previous approvals)	Annexed & subdivided in 1992 as Angel Park Sub. (Lot 1, Block 1) with L-O zoning; re-subdivided in 2001 (Mallane Commercial Complex PP-00-021); FP-03-001 (Lot 4, Block 1); H-2017-0165 (RZ & CUP – denied)	

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 	Hickory Way is improved with 2-travel lanes, curb, gutter & 5' attached sidewalk. <i>No additional improvements or right-of-way dedication is required with this application.</i>	
<ul style="list-style-type: none"> CIP/IFYWP 	NA	

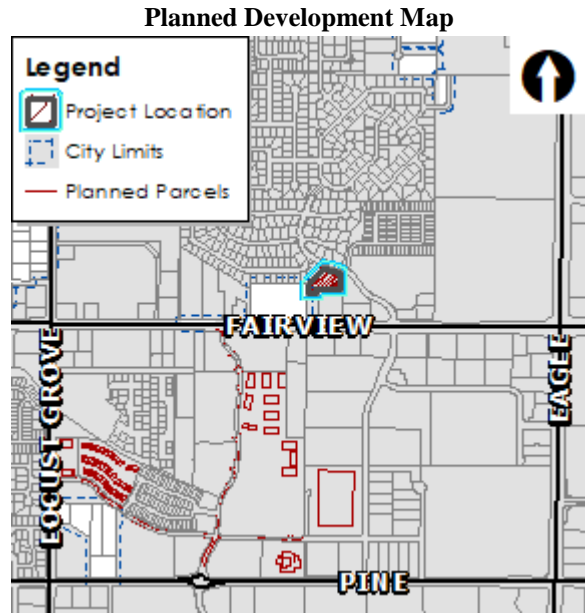
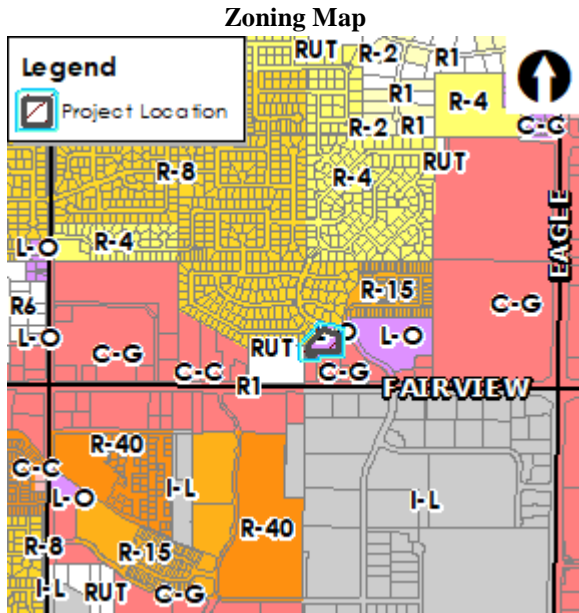
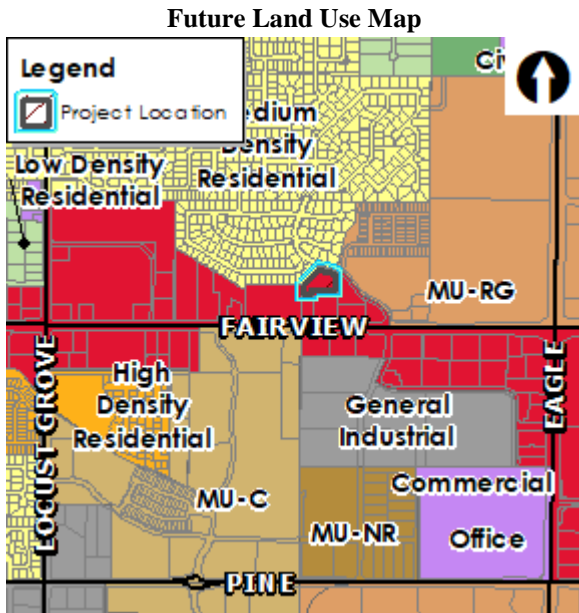
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via the existing driveway via Hickory Way.	
Proposed Road Improvements	None	
Fire Service	<i>See Section IX.C</i>	
Police Service	<i>No comment.</i>	

West Ada School District		
Distance (elem, ms, hs)		

Capacity of Schools # of Students Enrolled	Enrolled for 21-22	Capacity	Approved prelim plat parcels per attendance area	Approved MF units per attendance area	Miles (Dev. to School)
River Valley Elementary	445	700	571	764	1.6
Lewis & Clark Middle School	866	1000	978	1319	2.4
Centennial High School	1981	1900	549	1234	4.8
<u>School of Choice Options</u>					
Pioneer Elementary (Arts)	713	775	N/A	N/A	4.4
Spalding Elementary (Stem)	697	750	N/A	N/A	4.1

Wastewater	
• Distance to Sewer Services	Directly Adjacent
• Sewer Shed	Five Mile Trunkshed
• Estimated Project Sewer ERU's	See application
• WRRF Declining Balance	14.14
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/Concerns	<ul style="list-style-type: none"> • Do not have services crossing private lots • Flow is committed. • Existing sewer not shown correctly. Missing existing manhole and shown as extends further into the property then existing sewer actually goes. • There is an existing 8" stub from existing manhole that looks like it will not be used. If this is the case the existing stub must be abandoned at the manhole per City Requirements. • Ensure that infiltration trenches are located so that sewer services do no pass through them.
Water	
• Distance to Services	Directly adjacent
• Pressure Zone	3
• Estimated Project Water ERU's	See application
• Water Quality Concerns	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	• Do not have services crossing private lots

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Andrew Newell, Blaine A. Womer Civil Engineering – 4355 W. Emerald St., Ste. 145, Boise, ID 83706

B. Owner:

Don Newell, Landmark Pacific Development, LLC – PO Box 1939, Eagle, ID 83616

C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	5/14/2021 & 11/16/2021	7/23/2021
Radius notification mailed to property owners within 300 feet	5/12/2021 & 11/10/2021	7/20/2021
Public hearing notice sign posted on site	6/10/2021 & 11/19/2021	7/15/2021 & 8/23/21
Nextdoor posting	5/11/2021 & 11/12/2021	7/20/2021

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Commercial on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation provides for a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses.

The Applicant proposes an amendment to the FLUM to change the existing Commercial designation to Medium High-Density Residential (MHDR). The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

The Applicant proposes to develop the site with a total of 19 single-family attached and townhome dwellings at a gross density of 10.8 units per acre consistent with the land uses and density desired in MHDR designated areas; ~~and an office building.~~

This site abuts a larger residential neighborhood to the north and is located in close proximity to mixed use designated land and employment uses to the east and southeast, including vacant land yet to be developed, The Village at Meridian, Scentsy and other uses along the Eagle Road corridor, which will provide convenient access to services and jobs for residents. **The development should incorporate high quality architectural and site design to ensure quality of place and incorporate connectivity with adjacent uses and pathways and include attractive landscaping and a project identity as desired in MHDR designated areas.**

Transportation: The Master Street Map (MSM) does not depict any collector streets across this property.

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 attached dwellings and 3- and 4-unit townhomes will contribute to the variety of residential housing types in this area and within the City as desired. Single-family detached and attached homes exist to the north and northeast in Dove Meadows subdivision, zoned R-8.

- “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)

The proposed single-family attached and townhouse dwellings will contribute to the diversity in housing types in this area, which currently consist of single-family attached and detached homes.

- “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 proposed residential uses will provide a transition in uses between existing single-family homes to the north and commercial/office uses to the south.

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

The proposed residential development and site design should be compatible with existing abutting single-family residential homes to the north.

- “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 residential infill development shouldn't negatively impact abutting development as existing uses are also residential in nature and the medium high-density residential uses will assist in providing a transition to the commercial/office uses to the south.

- “Maintain a range of residential land use designations that allow diverse lot sizes, housing types, and densities.” (2.01.01C)

The proposed MHDR FLUM designation for this property will contribute to the range of residential land use designations in this area of the City which mainly consists of medium density residential (MDR).

- “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 appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.)” (3.07.01C)

A street buffer already exists along N. Hickory Way, a collector street, along the northern boundary of the 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 required to be provided with development of the future 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.

VI. STAFF ANALYSIS

A. COMPREHENSIVE PLAN MAP AMENDMENT (CPAM)

As discussed above, the Applicant requests an amendment to the FLUM to change the future land use designation on 2.10-acres of land from Commercial to MHDR for the development of 19 single-family attached and townhome dwellings at a gross density of 10.8 units per acre. An exhibit map showing the existing and proposed FLUM designations is included in Section VIII.A.

Approval of the proposed amendment to MHDR will contribute to the range of residential land use designations and diversity in housing types and densities in this area as desired. Additionally, it will provide for a transition in land uses between existing medium density residential uses to the north and commercial/office uses to the south and east. The change to a residential designation and subsequent proposed development will provide for fewer vehicle trips per day than would result from commercial development. For these reasons, Staff is in support of the request for a map amendment to MHDR.

B. REZONE (RZ)

The Applicant proposes to rezone 2.10-acre of land from the L-O (Limited Office) to the R-15 (Medium High-Density Residential) zoning district consistent with the proposed FLUM designation of MHDR. A legal description and exhibit map for the rezone area is included in Section VIII.B.

This vacant/undeveloped property is an enclave surrounded by property developed with single-family residential uses to the north and commercial/office uses to the south and east; only the property to the west is yet to develop. Development of the subject property will provide more efficient provision of City services.

A conceptual site plan and building elevations were submitted showing how the property is planned to develop with (19) single-family attached and townhouse dwelling units consisting of (1) single-family attached structure, (3) 3-unit townhouses, and (2) 4-unit townhouses ~~and a 2,500 square foot office building.~~

The property is ~~planned~~ proposed to be subdivided ~~through a future application.~~ The existing subdivision plat (i.e. Mallane Subdivision) requires all lots in the subdivision to obtain conditional use permit approval prior to construction commencing on the lots; this requirement will be removed with re-subdivision of the property. The existing plat also depicts a 10’ PUDI easement and 25’ wide landscape easement along the west and north boundaries and a sanitary sewer, water main and public utilities easement along the east boundary of the site. The landscape buffer easement will be removed since a landscape buffer isn’t required between residential uses and the PUDI easements will be replaced with new easements with the future plat.

Single-family attached and townhouse dwellings are listed as a principal permitted use in the R-15 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table [11-2A-7](#) for the R-15 zoning district.

The conceptual development plan depicts access to the site via a cross-access easement from an existing driveway from N. Hickory Way, a collector street; no stub streets exist to this property. Direct access via N. Hickory Way is prohibited. A private street is planned to provide access to the proposed development and for addressing purposes; an application for such should be submitted prior to the City Council meeting with the preliminary plat application and compliance with the standards listed in UDC [11-3F-4](#) is required. **Staff recommends the Applicant work with the property owner to the east to extend the private street to Hickory Way in order to better facilitate emergency access to the site for wayfinding purposes and to comply with UDC 11-3F-4A.2, which requires the private street to connect to a local or collector street.**

An attached sidewalk is proposed along one side of the private street for pedestrian access.

Off-street parking is required to be provided in accord with the standards listed in UDC Table [11-3C-6](#). A minimum of 2 spaces are required per dwelling unit for 1- and 2-bedroom units, with at least one of those in an enclosed garage, the other space may be enclosed or a minimum 10' x 20' parking pad. For 3- and 4-bedroom units, a minimum of 4 spaces are required per dwelling unit with at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10' x 20' parking pad. Garages are proposed for each unit with parking pads in front of the garages. ~~Four~~ Twenty (20) extra spaces for guests are proposed in the common areas ~~near the entry~~. On-street parking is not allowed due to the width of the private street.

~~A minimum of one (1) off-street parking space is required for every 500 square feet (s.f.) of gross floor area for non-residential uses (i.e. the office). Based on 2,500 s.f. for the office, a minimum of (5) spaces are required. A total of (9) spaces are proposed, exceeding the minimum standards. Most of the parking spaces for the office encroach within the required 20-foot wide buffer to residential uses, which is not allowed. An office is no longer proposed.~~

Because the site is below 5-acres in size, qualified open space and site amenities are not required by the UDC per UDC 11-3G-2. A total of ~~0.29~~ 0.40-acre of open space is proposed as shown on the concept plan, which includes the street buffer along Hickory Way and parking.

A 20-foot wide landscaped street buffer and attached sidewalk exists on this site along N. Hickory Way that was installed with the subdivision improvements that is proposed (and required) to remain.

Conceptual building elevations were submitted for the single-family attached and 3-unit and 4-unit townhouse structures as shown in Section VIII.D. Building elevations consist of a mix of materials including horizontal wood siding, vertical board and batten siding, wood shake siding and cement plaster with stone veneer accents and architectural asphalt roofing. ~~Conceptual building elevations were also submitted for the office with building materials consisting of cement plaster with stone veneer and decorative wood timber accents and architectural asphalt roofing consistent with the residential structures.~~ Final design of all structures is required to comply with the design standards in the [Architectural Standards Manual](#). Detailed review of the elevations for compliance with these standards will take place with the ~~Certificate of Zoning Compliance~~ and Design Review application prior to application for building permits.

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. **To ensure the site develops as proposed with this application, Staff recommends a DA is required with the provisions discussed above and included in Section IX.A.**

Staff Recommendation: ~~Because this is an infill property and has an irregular configuration, development of this site is difficult. The proposed concept plan with an office at the southeast corner with parking that encroaches within the required land use buffer does not comply with UDC standards as noted above and is constricted.~~ The Comprehensive Plan states development in MHDR designated areas should incorporate high quality architectural and site design to ensure

quality of place and incorporate connectivity with adjacent uses and pathways and include attractive landscaping and a project identity. To achieve this goal ~~and alleviate some of the spacial constrictions on the site, Staff recommends as a provision of the rezone that the office building is removed from the plan and the plans were updated to include additional open space with quality landscaping and some additional parking as directed by the City Council is provided instead with a pathways along the south and east sides of the development and a gazebo with a seating area as an amenity which can be shared between the residential and commercial development. Staff recommends a pathway is also provided from the sidewalk along the private street through the common area to the parking area at the southeast corner of the site. Prior to the City Council hearing, the Applicant should revise the concept plan accordingly.~~

C. PRELIMINARY PLAT (PP):

The proposed PP consists of 19 building lots and 4 common lots (including one lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district. Proposed lots range in size from 3,789 to 2,000 square feet (s.f.) with an average lot size of 2,701 s.f. The proposed gross density of the subdivision is 9.64 units per acre. The subdivision is proposed to develop in one phase.

Existing Structures/Site Improvements: There are no existing structures on this site. The western portion of the drive-aisle along the eastern boundary on the site lies on this property.

Dimensional Standards (UDC 11-2):

The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-15](#) for the R-15 zoning district. The proposed plat appears to comply with the dimensional standards of the district.

Access: Access is proposed from an existing driveway from N. Hickory Way, a collector street. A private street is proposed for internal access to the proposed lots. **A private street application should be submitted prior to the City Council hearing.** Compliance with the standards listed in UDC [11-3F-4](#) is required.

Landscaping (UDC 11-3B): A street buffer exists along N. Hickory Way, a collector street, that complies with the standards listed in UDC [11-3B-7C](#).

Landscaping is required to be provided in internal common open space areas in accord with the standards listed in UDC [11-3G-3E](#).

The stormwater drainage pond on Lot 16, Block 1 is required to be landscaped per the standards listed in UDC [11-3B-11C](#).

Landscaping is required along all pathways per the standards listed in UDC [11-3B-12C](#); the landscape plan shall be revised accordingly.

Common Open Space & Site Amenities (UDC 11-3G-3): Because this site is below 5-acres in size, common open space and site amenities are not required. A total of 0.40-acre of open space is proposed as shown on the concept plan, which includes the street buffer along Hickory Way and parking.

Sidewalks (11-3A-17): There is an existing attached sidewalk along N. Hickory Way, a collector street. The UDC requires 5-foot wide detached sidewalk along collector streets; however, because the existing sidewalk is in good condition, Staff does not recommend it's reconstructed as a detached sidewalk.

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.

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.

VII. DECISION

A. Staff:

Staff recommends approval of the proposed amendment to the Future Land Use Map and Rezone with the requirement of a Development Agreement, and preliminary 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 June 3, and July 1, 2021. At the public hearing on July 1st, the Commission moved to recommend approval of the subject CPAM and RZ requests to the City Council.

1. Summary of Commission public hearing:

- a. In favor: Blaine Womer, Applicant's Representative; Louie Mallane
- b. In opposition: None
- c. Commenting: Dave McDonald; Shirley Moon; Randy Nelson; Ann Atarian
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. Desire for a time limit to be put on the residential FLUM designation/R-15 zoning (if development doesn't occur within a certain timeline, the land use and zoning would revert to Commercial/L-O zoning); traffic & safety concerns on Hickory Way; maintenance of the existing masonry wall and landscape strip along north boundary of site;
- b. Inadequacy of parking in this area (Louie's restaurant/bank patrons park on this property);
- c. Unsafe driving conditions due to lack of visibility of cars pulling out onto Hickory Way from the site due to the curve of the road.

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

- a. In favor of the proposed development plan over previous plans for this site;
- b. Concern pertaining to safety of access onto Hickory Way;
- c. Preference for the 4-unit townhome proposed along the north boundary to be reduced to a 2- or 3-unit townhouses for better transition to the existing homes to the north.

4. Commission change(s) to Staff recommendation:

- a. None

5. Outstanding issue(s) for City Council:

- a. None

C. The Meridian City Council heard these items on August 10 and September 7, 2021. At the public hearing on August 10th, the Council moved to continue the project to September 7th in order for the Applicant to prepare a parking analysis for the overall area. See submitted [parking analysis](#). At the September 7th hearing, Council continued the project to a future hearing date to be scheduled concurrently with the future preliminary plat application.

1. Summary of the City Council public hearing:

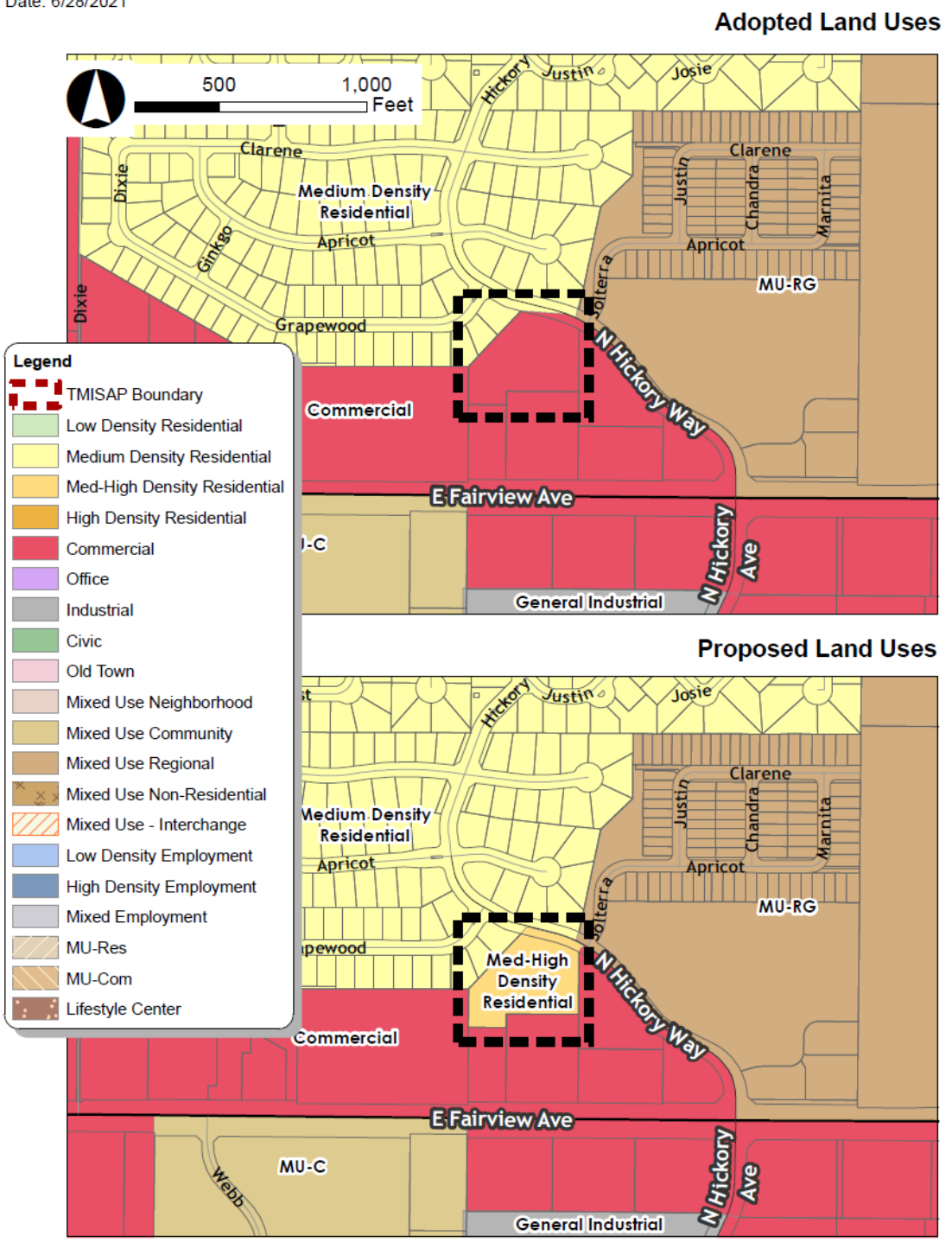
- a. In favor: Blaine Womer, Applicant's Representative

- b. In opposition: None
- c. Commenting: Dave McDonald, Ryan Abbott, Louie Mallane
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
 - a. Request for the 4-unit townhomes to be relocated to the southern lots or reduced to fewer units;
 - b. Concerns pertaining to traffic and parking.
- 3. Key issue(s) of discussion by City Council:
 - a. Council questioned the Applicant on why residential is more appropriate than commercial office use of the property as currently zoned – concern due to the loss of commercially zoned land;
 - b. The bulk and height of structures proposed along the northern boundary of the site adjacent to existing single-family residential homes;
 - c. The adequacy of parking proposed for the development and concern for the parking situation for the overall development area including the adjacent restaurant/commercial and bank uses.
- 4. City Council change(s) to Commission recommendation:
 - a. At the hearing on Sept. 7th, Council directed the Applicant to make changes to the conceptual development plan to include additional parking in one of the common areas (wherever it can be fit in); and expressed concern pertaining to the height and location of the structures proposed along the north boundary adjacent to existing residents.

VIII. EXHIBITS

A. Future Land Use Map – Adopted & Proposed Land Uses

Date: 6/28/2021



B. Rezone Legal Description and Exhibit Map

**WOODCREST TOWNHOMES SUBDIVISION
EXHIBIT 'A'
LEGAL DESCRIPTION**

A PARCEL LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AND ALSO BEING A PORTION OF LOT 4, BLOCK 1 OF MALLANE SUBDIVISION, AS SHOWN IN BOOK 87 OF PLATS ON PAGES 9881 THROUGH 9883, RECORDS OF ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 5 AS SHOWN ON SAID PLAT;

THENCE NORTH 00°28'03" EAST A DISTANCE OF 67.14 FEET TO A 5/8 INCH DIAMETER IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 3, BLOCK 1 OF SAID MALLANE SUBDIVISION;

THENCE CONTINUING NORTH 00°28'03" EAST ALONG THE WESTERLY LINE OF SAID LOT 3, A DISTANCE OF 252.95 FEET TO A 1/2 INCH DIAMETER IRON PIN MARKING THE SOUTHWEST CORNER OF SAID LOT 4 AND THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING NORTH 00°28'03" EAST ALONG THE WESTERLY BOUNDARY OF SAID LOT 4, A DISTANCE OF 129.73 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE NORTH 43°19'32" EAST ALONG THE NORTHWESTERLY BOUNDARY OF SAID LOT 4, A DISTANCE OF 257.72 FEET TO 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING NORTH 43°19'32" EAST ALONG THE NORTHEASTERLY PROLONGATION OF SAID NORTHWESTERLY BOUNDARY, A DISTANCE OF 34.48 FEET TO THE CENTER LINE OF NORTH HICKORY WAY;

THENCE SOUTH 76°12'56" EAST ALONG SAID CENTER LINE, A DISTANCE OF 90.01 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 400.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CENTER LINE AND SAID TANGENT CURVE, 93.24 FEET THROUGH A CENTRAL ANGLE OF 13°21'21" TO A POINT OF INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY BOUNDARY OF SAID LOT 4;

PAGE 1 OF 2

THENCE SOUTH 00°26'44" WEST ALONG SAID PROLONGATION, A DISTANCE OF 33.93 FEET TO A 1/2 INCH DIAMETER IRON PIN MARKING THE NORTHEAST CORNER OF SAID LOT 4;

THENCE SOUTH 00°26'44" WEST ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 210.08 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE LEAVING SAID EASTERLY BOUNDARY NORTH 89°34'20" WEST, A DISTANCE OF 244.66 FEET TO A 5/8 INCH DIAMETER IRON PIN;

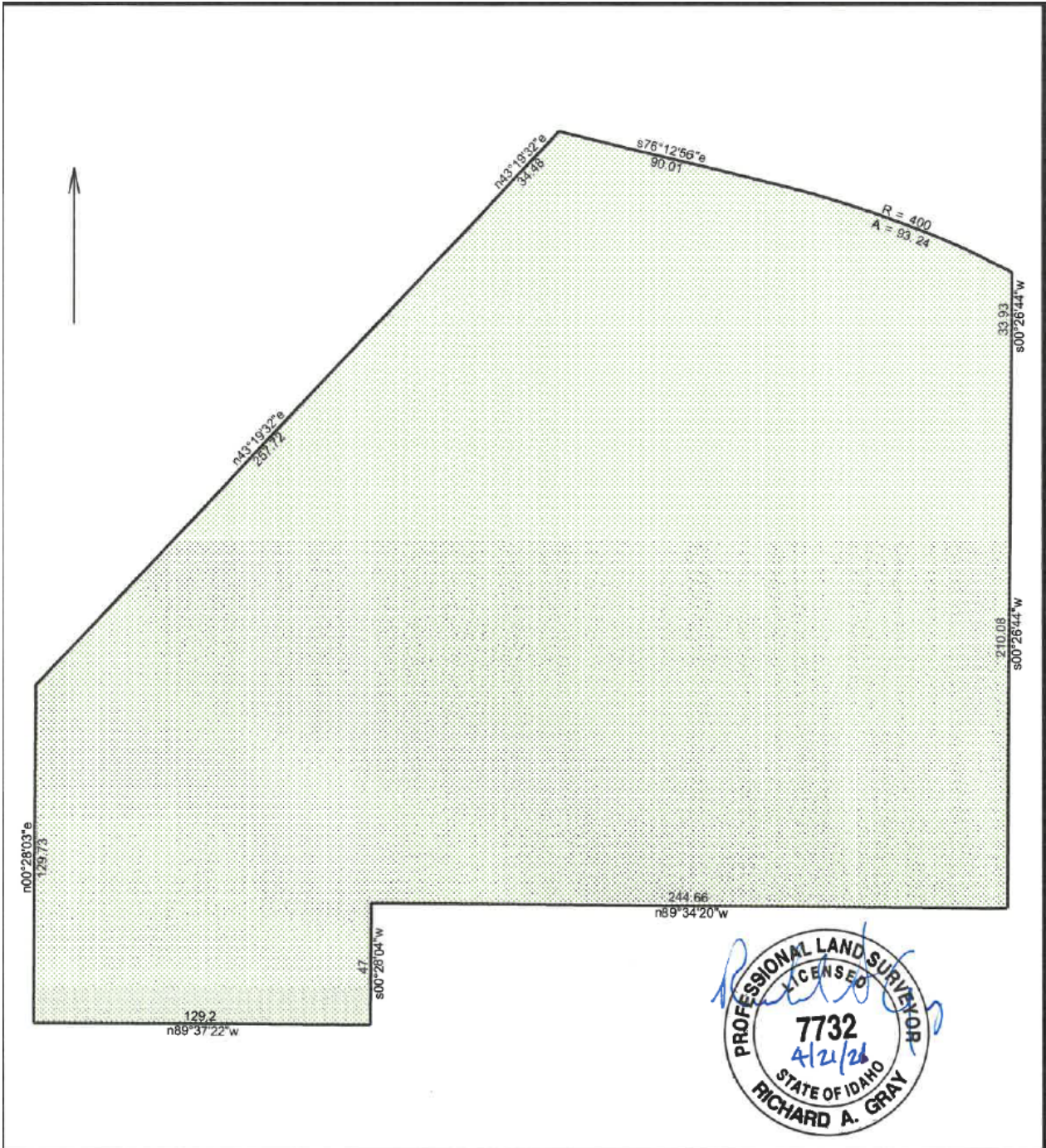
THENCE SOUTH 00°28'04" WEST, A DISTANCE OF 47.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE SOUTHERLY BOUNDARY OF SAID LOT 4;

THENCE NORTH 89°37'22" WEST ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 129.20 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINS 2.10 ACRES, MORE OR LESS.

EXHIBIT 'B' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.



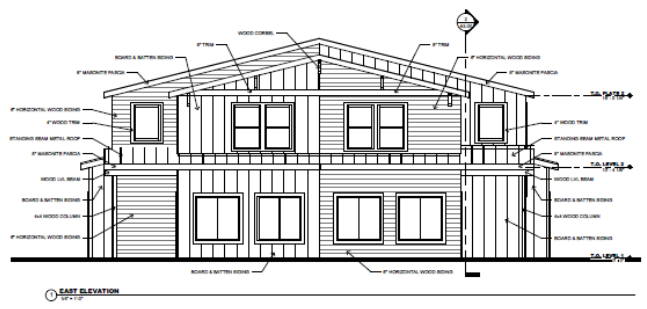
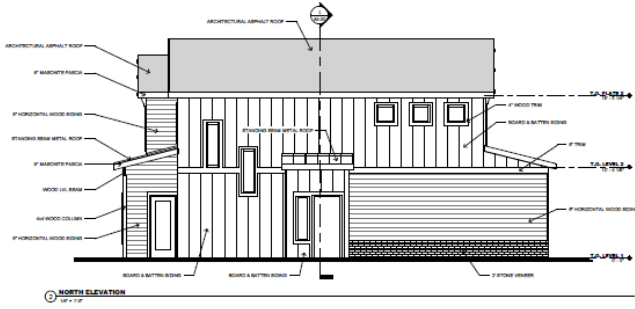
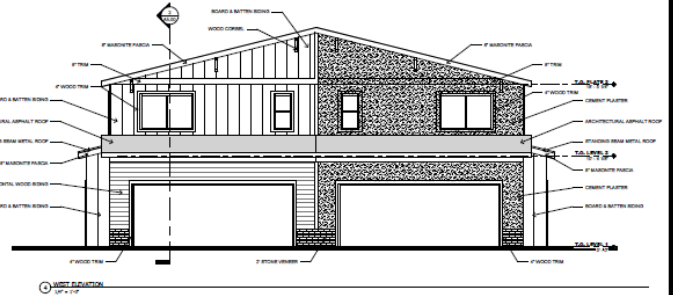
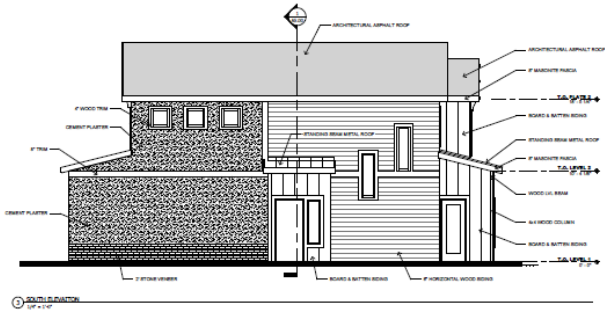


JN14120 Annexation Description 4/21/2021

Scale: 1 inch= 50 feet File:

Tract 1: 2.1063 Acres (91752 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/281991), Perimeter=1270 ft.	
01 n00.2803e 129.73	08 n89.3420w 244.66
02 n43.1932e 257.72	09 s00.2804w 47
03 n43.1932e 34.48	10 n89.3722w 129.2
04 s76.1256e 90.01	
05 Rt, r=400.00, delta=013.2121, arc=93.24	
06 s00.2644w 33.93	
07 s00.2644w 210.08	

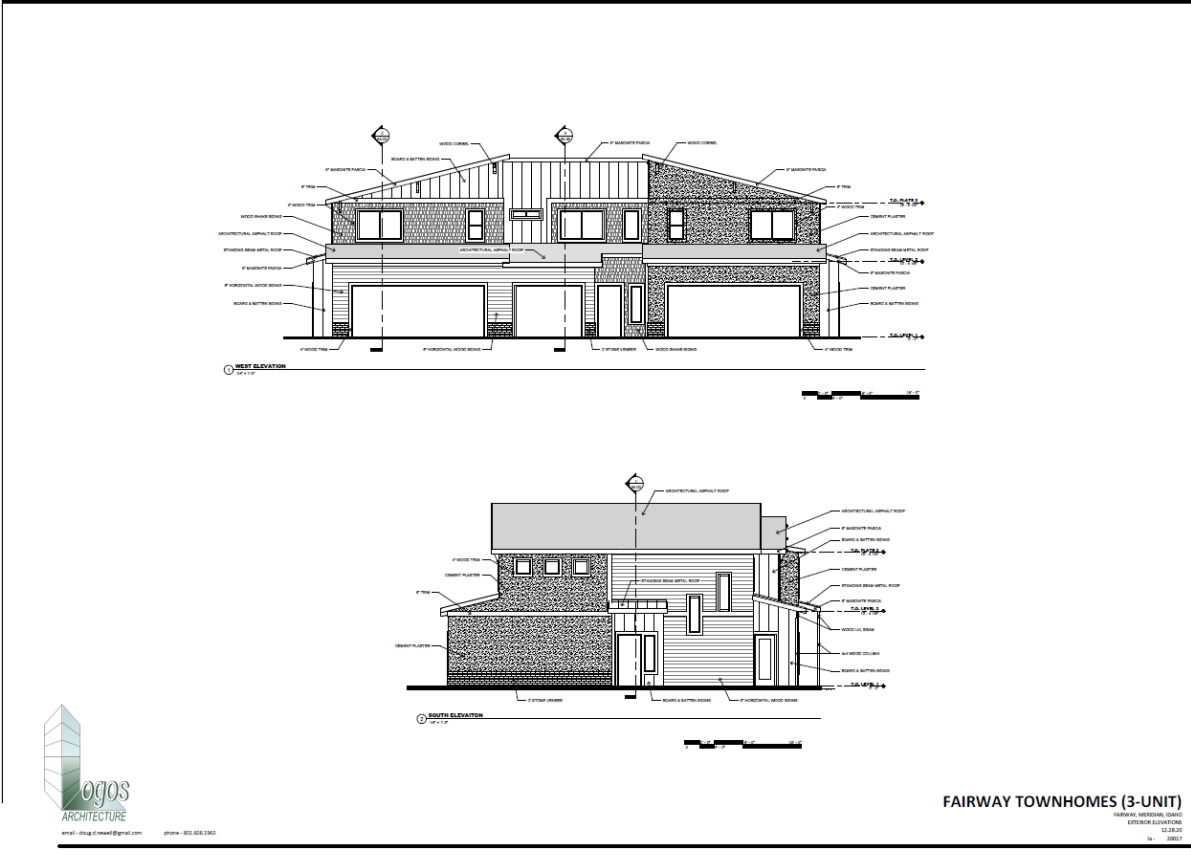
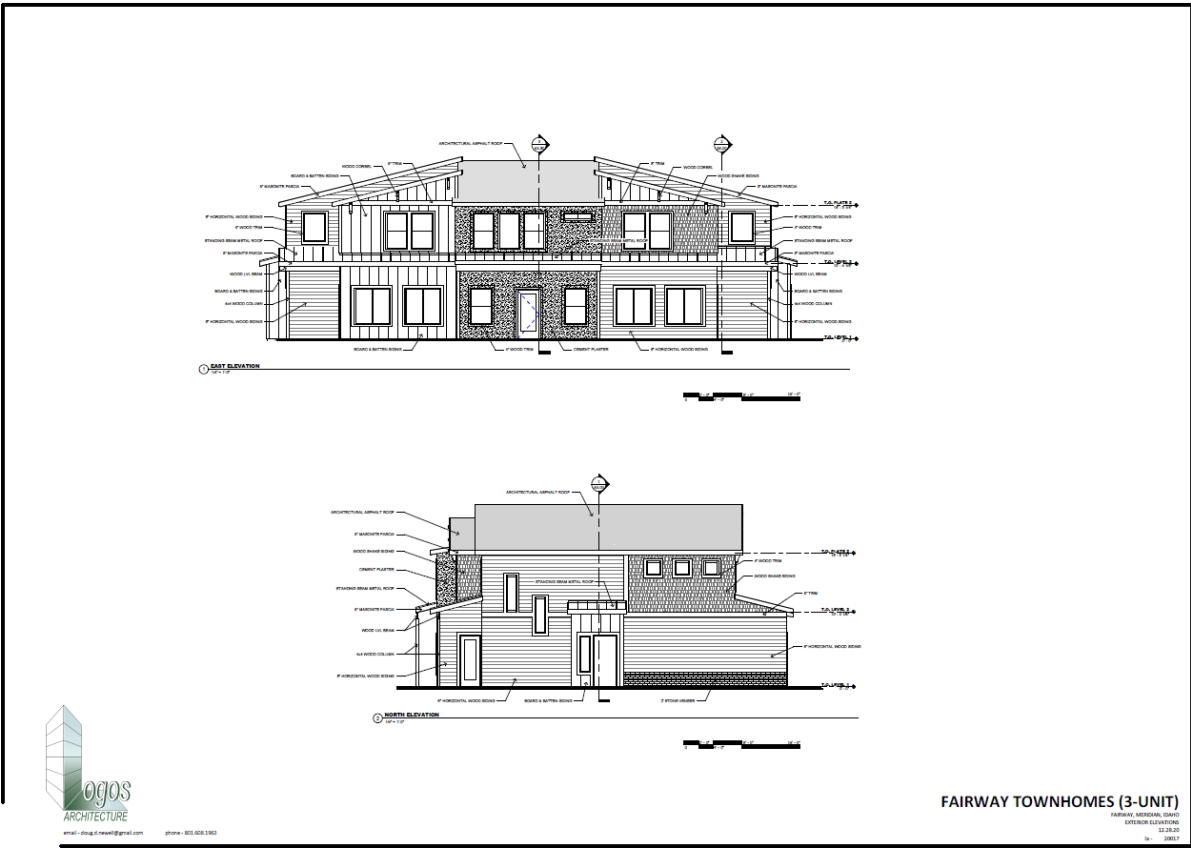
D. Conceptual Building Elevations – REVISED

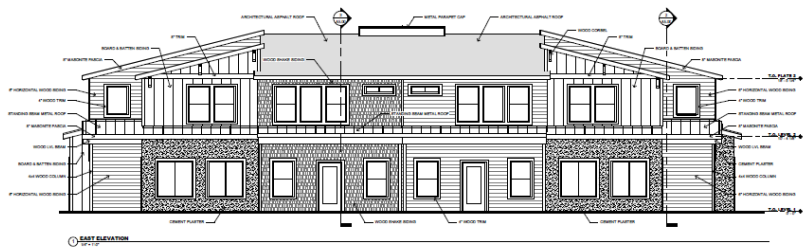


ogOS ARCHITECTURE
 email - dog.d.newell@gmail.com phone - 803.638.1963

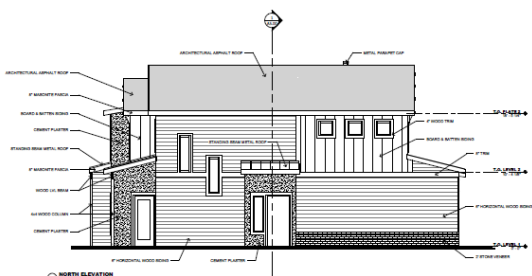
FAIRWAY TOWNHOMES (2 UNIT)

FAIRWAY MEDICAL CENTER
 EXTERIOR ELEVATIONS
 12.28.20
 3x - 20627





EAST ELEVATION



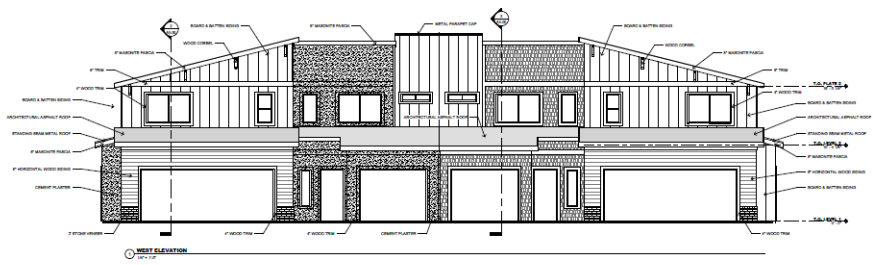
SOUTH ELEVATION



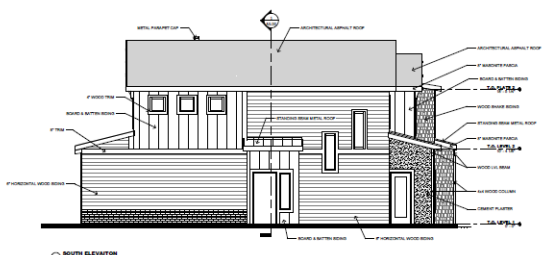
ogOS ARCHITECTURE
 email - ogos@ogos.com phone - 801.608.1383

FAIRWAY TOWNHOMES (4-UNIT)

FAIRWAY, MIDVALE, UTAH
 EXTERIOR ELEVATIONS
 12.28.20
 14 20817



WEST ELEVATION



NORTH ELEVATION



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 email - ogos@ogos.com phone - 801.608.1383

FAIRWAY TOWNHOMES (4-UNIT)

FAIRWAY, MIDVALE, UTAH
 EXTERIOR ELEVATIONS
 12.28.20
 14 20817

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

~~Prior to the City Council hearing, Staff recommends the conceptual development plan is revised to remove the office building and replace it with common open space with quality landscaping that incorporates the following: parking, pedestrian pathways along the south and east sides of the development, and a gazebo with a seating area which can be shared between the residential and commercial development.~~

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

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

- a. Future development of this site shall be generally consistent with the conceptual development plan, preliminary plat and building elevations included in Section VIII and the provisions contained herein.
 - b. Future development shall comply with the design standards listed in the Architectural Standards Manual. An application for Design Review shall be submitted and approved for the single-family attached and townhouse structures prior to submittal of building permit applications.
 - c. Direct lot access via Hickory Way is prohibited.
 - d. The proposed development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Medium High-Density Residential Future Land Use Map designation in the Comprehensive Plan.
 - e. The subject property shall be subdivided prior to submittal of a ~~Certificate of Zoning Compliance and Design Review~~ building permit application(s) for the site.
 - f. The Applicant shall work with the property owner to the east to extend the private street to Hickory Way if possible in order to better facilitate emergency access to the site for wayfinding purposes.
2. The final plat shall include the following revisions:
 - a. A separate common lot shall be provided for the private street; include the portion along the east boundary in a separate common lot.
 3. The landscape plan submitted with the final plat shall include the following revisions:
 - a. Depict a pathway from the sidewalk along the private street on the west end of the site through the common area to the parking area at the southeast corner of the site.
 - b. Depict landscaping along all pathways in accord with the standards listed in UDC 11-3B-12C.
 4. A private street application shall be submitted and approved for the proposed private street; compliance with the standards for such listed in UDC [11-3F-4](#) is required.
 5. Submit a detail of the proposed gazebo on Lot 16, Block 1 with the final plat application.
 6. A Design Review application shall be submitted for all of the structures in the development and approved prior to submittal of application(s) for building permits. The elevations submitted shall

comply with the design standards in the Architectural Standards Manual and the provisions in the Development Agreement.

B. PUBLIC WORKS

Site Specific Conditions of Approval

- 1.1 No Permanent structures (buildings, carports, trash receptacle walls, fences, infiltration trenches, lightpoles, etc.) can be built within the utility easement.
- 1.2 Do not have water and/or sewer services crossing private lots.
- 1.3 The existing sewer is not shown correctly. Missing existing manhole and shown as extending further into the property than existing sewer actually goes.
- 1.4 There is an existing 8" sewer stub from existing manhole that looks like it will not be used. If this is the case the existing stub must be abandoned at the manhole per City Requirements.
- 1.5 Ensure that infiltration trenches are located so that sewer services do not pass through them.

General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per

- UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
 - 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
 - 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
 - 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
 - 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
 - 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
 - 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
 - 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 - 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
 - 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
 - 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
 - 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
 - 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
 - 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.

- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211..

C. FIRE DEPARTMENT

1. Roadways: When required by the Fire Marshall, “No Parking Fire Lane” signs shall be used per appendix D of the 2018 IFC. No other signs shall be approved:
 Roadways: All entrances, internal roads, drive aisles, and alleys shall have a turning radius of 28’ inside and 48’ outside, per International Fire Code Section 503.2.4.
 Roadways: All common driveways and alleys shall be maintained at all times for access by fire, police and EMS at all times of the year.

D. POLICE DEPARTMENT

No comments at this time.

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228988&dbid=0&repo=MeridianCity&cr=1>

F. CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228242&dbid=0&repo=MeridianCity>

G. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229685&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228193&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Comprehensive Plan Map Amendment

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

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

The Commission finds the proposed amendment to MHDR is consistent with the Comprehensive Plan in that the proposed infill development will provide a transition in uses from single-family residential to commercial uses to the south and contribute to the diversity in housing types in this area as desired.

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

The Commission finds that the proposal to change the FLUM designation from Commercial to MHDR will allow a transition in uses between existing medium density residential homes and commercial uses and will provide an improved guide to future growth and development of the City.

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

The Commission finds that the proposed amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan as noted in Section V.

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

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

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

The Commission finds the proposed amendment will be compatible with abutting existing residential uses and existing commercial land uses in the near vicinity.

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

The Commission finds that the proposed amendment will not burden existing and planned service capabilities in this portion of the city. Sewer and water services are available to be extended to this site.

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

The Commission finds the proposed map amendment provides a logical juxtaposition of uses and sufficient area to mitigate any development impacts to adjacent properties.

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

For the reasons stated in Section V and the subject findings above, the Commission finds that the proposed amendment is in the best interest of the City.

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

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

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

The Commission finds the Applicant's request to rezone the subject property with R-15 zoning and develop single-family attached and townhouse dwellings on the site at a gross density of 9.64 units per acre is consistent with the proposed MHDR FLUM designation for this property. (See section V above for more information.)

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

The Commission finds the proposed map amendment to R-15 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;

The Commission finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed residential uses should be compatible with adjacent single-family residential homes/uses in the area.

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

The Commission finds City services are available to be provided to this development.

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

This findings is not applicable as a rezone, not an annexation, is proposed.

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

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

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

Staff finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the Development Agreement provisions and conditions of approval in Section IX.

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 there are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.

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 will not be detrimental to the public health, safety or general welfare.

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

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 Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

A. Request: Annexation of 25.76 acres of land with a C-G zoning district.

B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.

C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: December 2, 2021

Topic: **Public Hearing** for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

- A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
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-

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



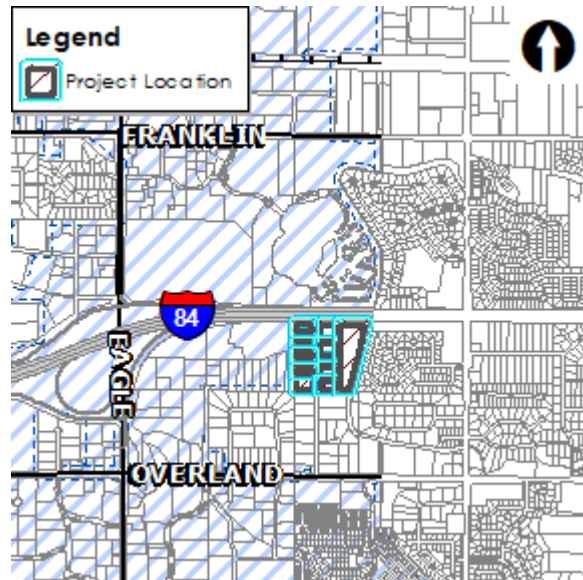
HEARING DATE: December 2, 2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0075
Rackham East – AZ, PP
Eagle View Apartments – CUP, ALT

LOCATION: South side of I-84, ¼ mile east of S. Eagle Rd., in the south ½ of Section 16, T.3N., R.1E.



I. PROJECT DESCRIPTION

Annexation (AZ) of 25.76 acres of land with a C-G zoning district; Preliminary Plat (PP) consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land; and Conditional Use Permit (CUP) for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.

Alternative Compliance is requested to the following UDC standards with the CUP application:

- UDC 11-3A-19B.3, which requires no more than 50% of the total off-street parking area for the site to be located between building facades and abutting streets, to be allowed due the site design which enhances usable site amenities by placing them internal to the development with parking mostly on the periphery of the site;
- UDC Table 11-3C-6, which doesn't include off-street parking standards for studio unit apartments, to allow the parking standards for vertically integrated residential to apply;
- UDC 11-4-3-27B.3, which requires a minimum of 80 square feet of private, usable open space to be provided for each unit, to allow zero (0) for studio units (0% of the standard), 54-60 square feet (s.f.) for 1-bedroom units (67.5%-75% of the standard) and 58-85 s.f. for 2-bedroom units (68%-106% of the standard).

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acres	25.76-acres (AZ); 29.7-acres (PP); 15.94-acres (CUP)	

Description	Details	Page
Existing/Proposed Zoning	R1 and RUT in Ada County (existing)/C-G (proposed)	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use(s)	Vacant land (formerly single-family homes)	
Proposed Land Use(s)	Commercial (mixed use) and multi-family apartments	
Lots (# and type; bldg./common)	8 buildable lots (2 multi-family & 6 commercial)/0 common lots	
Phasing Plan (# of phases)	1 phase (plat); 2 phases (CUP)	
Number of Residential Units (type of units)	396 multi-family apartment units	
Physical Features (waterways, hazards, flood plain, hillside)	The Ridenbaugh Canal runs along the east boundary of the site.	
Neighborhood meeting date; # of attendees:	3/3/21 – 6 attendees; and 9/1/21 – 7 attendees	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Pg
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Not yet</p> <p>No</p> <p>A Traffic Impact Study (TIS) was submitted.</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One access is proposed via S. Rolling Hill Dr. from E. Overland Rd. to the south; and two driveways will provide access from the commercial development to the west via S. Silverstone Way from E. Overland Rd.	
Traffic Level of Service	Only Overland Rd. from Silverstone to Eagle Rd. exceeds LOS thresholds under the 2023 total conditions, there isn't enough ROW to widen it. All other segments meet LOS thresholds. Overland Rd./Eagle Rd. and Overland Rd./Silverstone Way exceeds thresholds under all conditions, but there is not enough existing ROW to improve it.	
Stub Street/Interconnectivity/Cross Access	Two (2) driveways will be extended into the site from the west boundary. S. Rolling Hill Dr. will stub at the southern boundary of the site.	
Existing Road Network	S. Rolling Hill Dr., a local street, extends from the south to the north boundary of the site.	
Existing Arterial Sidewalks / Buffers	There are no existing arterial streets on or abutting this site.	
Proposed Road Improvements	None	
West Ada School District		
<ul style="list-style-type: none"> Distance (elem, ms, hs) Capacity of Schools 		

Description	Details	Pg																																										
<ul style="list-style-type: none"> # of Students Enrolled 	<table border="1"> <thead> <tr> <th></th> <th style="text-align: center;">Enrollment</th> <th style="text-align: center;">Capacity</th> <th style="text-align: center;">Approved prelim plat parcels per attendance area</th> <th style="text-align: center;">Approved MF units per attendance area</th> <th style="text-align: center;">Miles (Dev. to School)</th> </tr> </thead> <tbody> <tr> <td>Pepper Ridge Elementary</td> <td style="text-align: center;">542</td> <td style="text-align: center;">675</td> <td style="text-align: center;">313</td> <td style="text-align: center;">360</td> <td style="text-align: center;">1.6</td> </tr> <tr> <td>Lewis & Clark Middle School</td> <td style="text-align: center;">886</td> <td style="text-align: center;">1000</td> <td style="text-align: center;">774</td> <td style="text-align: center;">1331</td> <td style="text-align: center;">2.5</td> </tr> <tr> <td>Centennial High School</td> <td style="text-align: center;">1946</td> <td style="text-align: center;">1900</td> <td style="text-align: center;">443</td> <td style="text-align: center;">1358</td> <td style="text-align: center;">4.9</td> </tr> <tr> <td colspan="6"><u>School of Choice Options</u></td> </tr> <tr> <td>Christine Donnell-Arts</td> <td style="text-align: center;">489</td> <td style="text-align: center;">500</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">5.3</td> </tr> <tr> <td>Spalding Elementary - STEM</td> <td style="text-align: center;">657</td> <td style="text-align: center;">750</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">1.5</td> </tr> </tbody> </table>		Enrollment	Capacity	Approved prelim plat parcels per attendance area	Approved MF units per attendance area	Miles (Dev. to School)	Pepper Ridge Elementary	542	675	313	360	1.6	Lewis & Clark Middle School	886	1000	774	1331	2.5	Centennial High School	1946	1900	443	1358	4.9	<u>School of Choice Options</u>						Christine Donnell-Arts	489	500	N/A	N/A	5.3	Spalding Elementary - STEM	657	750	N/A	N/A	1.5	
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<ul style="list-style-type: none"> Predicted # of students generated from proposed development 	40 +/-																																											

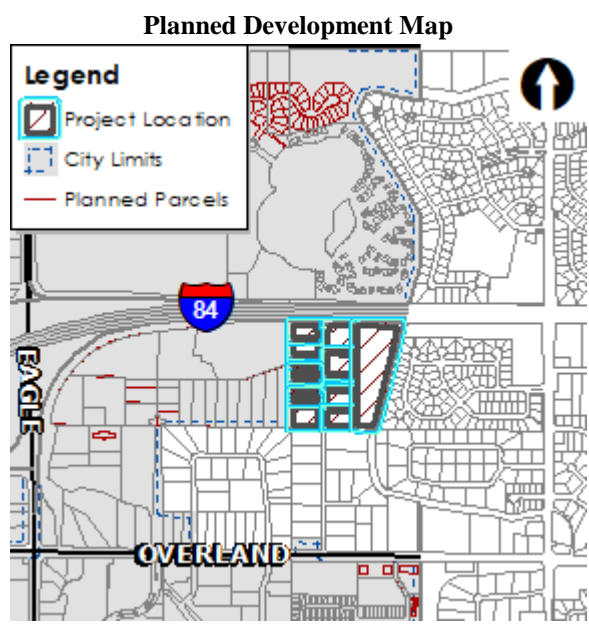
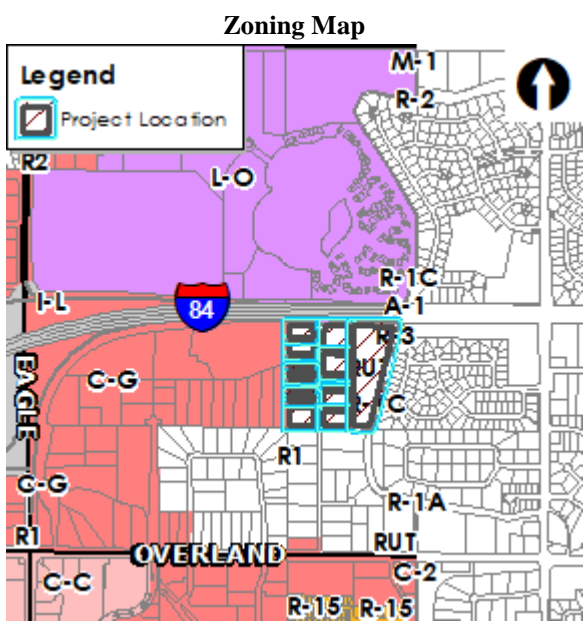
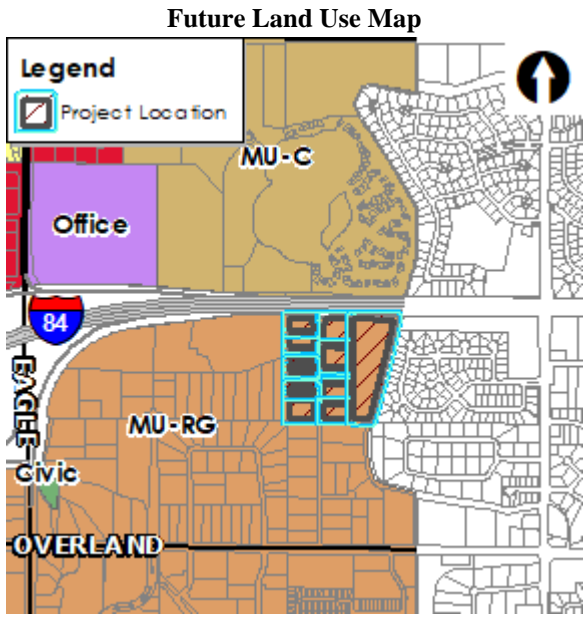
Police Service	
<ul style="list-style-type: none"> Distance to Police Station 	2.7 miles
<ul style="list-style-type: none"> Police Response Time 	Meets response time goals
<ul style="list-style-type: none"> Calls for Service 	3,400 (in RD 'M752') – between 10/16/19 and 10/15/21)
<ul style="list-style-type: none"> % of calls for service split by priority 	% of P3 CFS 2.9% % of P2 CFS 76.0% % of P1 CFS 19.9% % of P0 CFS 1.3%
<ul style="list-style-type: none"> Accessibility 	
<ul style="list-style-type: none"> Specialty/resource needs 	
<ul style="list-style-type: none"> Crimes 	185 (RD – M752 – between 10/16/19 and 10/15/21)
<ul style="list-style-type: none"> Crashes 	224 (RD – M752 – between 10/16/19 and 10/15/21)
<ul style="list-style-type: none"> Other 	MPD can service this area if approved. For more info, see: https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241580&dbid=0&repo=MeridianCity&cr=1

Wastewater	
<ul style="list-style-type: none"> Distance to Sewer Services 	Directly adjacent
<ul style="list-style-type: none"> Sewer Shed 	Five Mile Trunk Shed
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	See application
<ul style="list-style-type: none"> WRRF Declining Balance 	14.25
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes
<ul style="list-style-type: none"> Impacts/concerns 	<ul style="list-style-type: none"> Flow is committed Do not have a sewer stub to the south on Rolling Hill Dr. These properties will be serviced from Overland Rd.

Water	
<ul style="list-style-type: none"> Distance to Water Services 	Directly adjacent
<ul style="list-style-type: none"> Pressure Zone 	4
<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

Description	Details	Pg
<ul style="list-style-type: none"> Impacts/Concerns 	The development needs a second connection to water. There are two options to do so; either connect to Overland Rd via S Rolling Hills Dr or connect to the northwest existing 16'' water main.	

C. Project Area Maps



A. Applicant:

Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

B. Owners:

BVA Rolling Hills No. 1, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

C. Representative:

Josh Beach, Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	11/16/2021	
Notification mailed to property owners within 300 feet	11/12/2021	
Applicant posted public hearing notice on site	11/22/2021	
Nextdoor posting	11/12/2021	

IV. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Mixed Use – Regional (MU-R).

The purpose of the MU-R designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. The developments are encouraged to be designed consistent with the conceptual MU-R plan depicted in Figure 3D (pg. 3-17).

The Applicant proposes to develop the site with office (and possibly some secondary retail uses) and multi-family residential uses. The site is located near S. Eagle Rd. and E. Overland Rd., a major arterial intersection, and the Eagle Rd./I-84 interchange. The proposed offices will provide nearby employment opportunities and services for residents in the vicinity. Other commercial uses (offices, entertainment, multi-tenant retail, hotel, etc.) exist to the west in the larger MU-R designated area for a larger mix of uses as desired in MU-R designated areas. Pedestrian walkways are proposed for interconnectivity within the overall area.

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

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

The proposed development includes office and multi-family residential (i.e. apartments) which will add to the variety of uses planned in the larger MU-R designated area to the west consisting of office, retail, entertainment and hotel uses.

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

The proposed multi-family high density development should provide housing options in close proximity to nearby employment uses located along SH-55 and I-84.

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

A conceptual development plan was submitted with the proposed annexation application for the subject property that’s located within the MU-R designation. A Development Agreement that ties future development to this plan and the general guidelines for mixed use developments and specifically the MU-R designation is recommended as a provision of annexation.

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

The conceptual development plan depicts a common area between the two office buildings that appears to meet this guideline; more details should be submitted on a site plan submitted for development of these buildings that comply with this guideline.

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

Multi-family residential uses are proposed on the southern portion of the site adjacent to existing rural residential properties as a transition and buffer to commercial office uses on the northern portion of the site. A 25-foot wide landscaped buffer with dense landscaping is also required in the C-G zoning district along the southern boundary of the site to residential uses. Staff also recommends a 6-foot tall sight obscuring fence is constructed along the southern boundary of the site as an added buffer to adjacent rural residential properties.

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

No such uses are specifically proposed in this development – the tenants of the office buildings are unknown at this time; however, St. Luke’s hospital and medical offices are less than a mile away to the northwest of this site.

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

An outdoor gathering area is depicted on the conceptual development plan between the two office buildings on the northern portion of the site. Details should be submitted with development of these buildings that demonstrate compliance with this guideline.

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

The proposed conceptual development plan depicts a plaza/gathering area between the two office buildings on the northern portion of the site. A pedestrian circulation network, which will connect to the larger 90-acre Eagle View/Rackham development to the west, is proposed around the perimeter of the overall development as well as throughout the site that provide pedestrian connections to the multi-family development, office, retail, restaurant and hospitality uses within the development.

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

The proposed development is directly accessible to residents in Rolling Hill Subdivision to the south by vehicle via S. Rolling Hill Dr. There are no pedestrian pathway stubs to this site from the adjacent residential development. S. Rolling Hill Dr. is currently a substandard street and lacks pedestrian facilities; ACHD is requiring off-site improvements with this application consisting of a sidewalk along one side of Rolling Hill and possibly pavement widening.

The Ridenbaugh Canal provides a barrier between the subject property and the residential development to the east; no vehicular or pedestrian connections exist across the canal to this site.

Staff recommends pathway stubs are provided at the southern boundary of the site near the west and east boundaries of the site for future extension upon redevelopment of the properties to the south for pedestrian connectivity with adjacent developments.

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

A 25-foot wide densely landscaped buffer and a driveway is proposed along the southern boundary of the site as a transition and buffer between existing rural residential properties and the proposed high-density multi-family residential development.

- “Because of the parcel configuration within Old Town, development is not subject to the Mixed-Use standards listed herein.”

The subject property is not located in Old Town; therefore, this item is not applicable.

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

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

Staff’s analysis on the proposed project’s compliance with these guidelines is included above.

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

The total development area consists of 29.7 acres; the multi-family residential portion consists of 15.94 acres, which is 53% of the site in accord with this guideline. Multi-family apartments are proposed at a gross density of 24.8 units/acre, which falls within the desired density range.

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

A mix of non-residential commercial uses will be provided on 47% of the development area in accord with this guideline. Retail uses are expected to comprise only a small portion of the development.

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

based on the ratios below:

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

This guideline is not applicable as no public/quasi-public uses are proposed in the MU-R designated area on this site.

Comprehensive Plan Policies: The following Comprehensive Plan Policies are applicable to this development:

- “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. Urban services are available to be provided upon development.

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

The proposed commercial uses should be compatible with existing and future commercial uses to the west and the proposed residential apartments should be compatible with existing residential uses to the south.

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

The proposed mix of residential and office uses will provide opportunities to live and work in close proximity. The existing and planned office, retail and entertainment uses to the west will provide nearby shopping, work and play opportunities to enhance livability and sustainability.

- “Encourage the development of supportive commercial near employment areas.” (3.06.02C)

Ancillary retail uses may be provided in the proposed office buildings; no stand-alone retail uses are proposed on the site. However, retail/restaurant uses are anticipated in the multi-tenant building(s) within the development to the west.

- “Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A)

The conceptual development plan depicts a pathway within the street buffer along I-84. The pedestrian plan included in Section VII.H depicts internal pedestrian walkways throughout

the site for safe and convenient access.

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

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

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

City water and sewer services are available to this site and can be extended by the developer with development in accord with UDC 11-3A-21. The emergency response times for Police Dept. and Fire Dept. meets the established goals.

- “Require appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.).” (3.07.01C)

A 50-foot wide landscaped street buffer is required to be provided along the northern boundary of the site on land that abuts I-84; noise mitigation is not required per UDC 11-3H-4D.

- “Evaluate the feasibility of annexing existing county enclaves and discourage the creation of additional enclaves.” (3.03.03I)

Excluding the outparcel (#S1116427890) along the northern boundary of the east portion of the site from the subject annexation and development plan will create a County enclave surrounded by City annexed land, which is not desired. Note: The Applicant is attempting to acquire this parcel.

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

Urban infrastructure is required to be provided with development in accord with UDC standards.

In summary, Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan for this area per the analysis above.

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

A. Annexation:

The proposed annexation is for 25.76-acres of land with a C-G (General Retail and Service Commercial) zoning district. The proposed use of the property will include multi-family residential apartments and office uses. A multi-family development requires approval of a CUP in the C-G zoning district and is subject to the specific use standards for such listed in UDC [11-4-3-27](#); office uses are principally permitted in the C-G zoning district as are retail uses.

Staff recommended in the pre-application meeting to the Applicant that they request R-40 zoning for the multi-family portion of the development – they did not do so. The proposed use still requires approval of a CUP in the R-40 district; however, the R-40 zoning would more accurately reflect the land uses developed on the site when looking at the City’s zoning map. For this reason, Staff recommends the multi-family portion of the site is zoned R-40 instead of C-G; the remainder of the site should be zoned C-G as requested. With this

change, new legal descriptions and exhibit maps should be submitted prior to the City Council hearing. *Because the R-40 district is less intense than the C-G district, the project does not need to be re-noticed.*

The proposed C-G zoning and recommended R-40 zoning is consistent with the associated MU-R FLUM designation as are the proposed uses.

The property is contiguous to City annexed land and is within the City's Area of City Impact boundary. A legal description and exhibit map of the overall annexation area is included in Section VIII.A.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. Because this site is part of a larger 90-acre overall development that includes the property to the west, Staff recommends that DA (Inst. #2019-037825 – Rackham) is amended to include this property and the provisions noted in Section VIII.A., To ensure future development is consistent with the Comprehensive Plan and with the development plan proposed with this application, Staff recommends a DA is required with this application, containing the provisions noted in Section VIII.A, as discussed herein.

B. Preliminary Plat:

The proposed plat is a re-subdivision of Lots 18 and 19, Block 1, Rackham Subdivision No. 1 and Lots 8-12, Block 2 and Lots 13-16, Block 1, Rolling Hill Subdivision. The proposed plat consists of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land and is proposed to be developed in one phase. *Note: The Applicant anticipates that many of the commercial lots will be consolidated or realigned at the time of final plat as users determine precise site area requirements.*

Staff recommends the property is subdivided prior to application for any building permits for the site; or, the existing PUDI easements and right-of-way for S. Rolling Hill Dr. may be vacated and a property boundary adjustment application approved to consolidate the existing lots into one (1) parcel. Either method should be done prior to submittal of applications for building permits.

Note: There is a 14-foot wide sliver of land (Parcel #S1116427890) that exists to the north of the eastern portion of Lot 6 and Lots 7 and 8 that is not included in the proposed subdivision (see preliminary plat exhibit in Section VII.B). It appears to previously have been part of the right-of-way (ROW) for I-84 that was sold off as surplus ROW. It was not included as part of the adjacent building lots in the Rolling Hill Subdivision plat in 1968; therefore, Staff determines it to be an original parcel of record as defined in UDC 11-1A-1. As such, the subject property is deemed to be eligible for development without that parcel. However, Staff strongly urges the Applicant pursue obtaining the parcel and include it in this development; otherwise, there will be an undeveloped enclave with County zoning surrounded by City annexed land with no access and likely no maintenance of the property. Ideally, it would be included in the subject annexation and preliminary plat application, which would require re-noticing and a continuance of the hearing – Staff has suggested this to the Applicant but they wish to proceed without it as they continue trying to acquire the property. Since it is not included with this application, the applicant will have to submit a subsequent AZ application to the City for review and approval.

Existing Structures/Site Improvements:

There are no existing structures on this site; the previous homes and accessory structures have been removed.

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards of the C-G and R-40 zoning districts in UDC Tables [11-2B-3](#) and [11-2A-8](#).

Subdivision Design and Improvement Standards (UDC [11-6C-3](#)):

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

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

Access to the site exists via S. Rolling Hill Dr., a local public street that currently extends from E. Overland Rd. to the south and runs through this site to the north boundary; this street will ultimately stub at the south boundary. **The portion of Rolling Hill north of the southern boundary of the site is required to be vacated prior to signature on the final plat.**

Rolling Hills Dr. is not improved to urban standards (i.e. it's narrow, lacks street lights and doesn't have curb, gutter or sidewalk). Two (2) driveway accesses are proposed to be extended from the commercial property to the west for access via S. Silverstone Way from E. Overland Rd. **Cross-access/ingress-egress easements should be provided between all lots in the subdivision as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on the final plat or a separate recorded easement in accord with UDC [11-3A-3A.2](#).**

Road Improvements: There are no projects in the Capital Improvement Plan (CIP) or Integrated Five Year Work Plan (IFYWP) that effect this site. ACHD is not requiring any additional off-site improvements at any of the ACHD intersections, or road segments of Overland Rd. or Silverstone Way. ACHD may require pavement widening and will require the construction of passive traffic calming measures on Rolling Hill Dr. A mini roundabout may be required at the intersection of Rolling Hills Dr. and the Rackham Way private drive. Rolling Hill Dr. will be restricted to right-in/right-out only on Overland Rd.

Although Overland Road from Silverstone to Eagle Road exceeds level of service (LOS) thresholds under the 2023 total conditions, there isn't enough ROW to widen it. All other segments meet LOS thresholds. The intersections of Overland Road/Eagle Road and Overland Road/Silverstone Way exceed thresholds under all conditions, but there is not enough existing ROW to improve them.

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

There are no pathways depicted on the Pathways Master Plan for this site. **Staff recommends internal pedestrian walkways are provided throughout the site for interconnectivity; where pedestrian walkways cross vehicular use areas they should be distinguished through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4.**

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

There are no public streets proposed within this site; therefore, sidewalks are not required. Sidewalks are not required along I-84; however, a pathway is proposed within the buffer. **ACHD is requiring a sidewalk to be constructed off-site along one side of S. Rolling Hill Dr. with development of this site.**

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

A 50-foot wide street buffer is required on Lots 3-6 along the north boundary of the site adjacent to I-84 per UDC [Table 11-2B-3](#), landscaped per the standards listed in UDC [11-3B-7C](#). The buffer depicted on the landscape plan complies with this standard. The street buffer is required to be maintained by the property owner or business owners' association per UDC [11-3B-7C.2b](#) and should be depicted on the plat in a common lot or permanent dedicated buffer.

Landscaping is required adjacent to the pathway proposed along the northern boundary of the site in accord with the standards listed in UDC [11-3B-12C](#). **A 5-foot wide landscape strip is required on both sides of the pathway planted with a mix of trees, shrubs, lawn and/or other vegetative ground cover.**

Storm Drainage:

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practices as adopted by the City. The Applicant submitted a [Geotechnical Engineering Report](#) for the subdivision. Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

Pressure Irrigation (UDC [11-3A-15](#)):

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15. This property lies within the Nampa-Meridian Irrigation District boundary.

Utilities (UDC [11-3A-21](#)):

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21. **Staff recommends street lights are installed along S. Rolling Hill Dr. in accord with the City's adopted standards, specifications and ordinances in accord with UDC [11-3A-21](#).**

Waterways (UDC [11-3A-6](#)):

The Ridenbaugh Canal is a large open waterway that lies within a 100-foot wide NMID easement (50 feet on each side) along the east boundary of the site. **The Applicant requests approval from City Council of a waiver to UDC 11-3A-6B, which requires canals to be piped when not used as a water amenity or linear open space as defined in UDC 11-1A-1, to leave the canal open due to its large capacity. Council may grant a waiver if it finds that the public purpose requiring such will not be served and public safety can be preserved.** In order to ensure public safety can be preserved if the canal is approved to be left open, the Applicant proposes to construct a 6-foot tall open vision (wrought iron) fence along the eastern boundary of the site at the edge of the irrigation easement.

This project is not within the flood plain.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is not depicted on the landscape plan; however, a 6-foot tall open vision wrought iron fence is proposed along the Ridenbaugh Canal to preserve public safety if Council approves a waiver to allow it to remain open and not be piped.

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

Conceptual building elevations were submitted for the future 5-story office buildings, 4-story multi-family residential buildings, leasing and fitness buildings as shown in Section VII.I. **Final design must comply with the design standards in the Architectural Standards Manual.**

C. Conditional Use Permit (CUP):

A CUP is requested for a multi-family development consisting of 396-units in four (4) 4-story buildings on 15.94 acres of land in the proposed C-G zoning district. Unit types consist of 48 studio, 196 1-bedroom and 152 2-bedroom units. The proposed gross density of the development is 24.8 units per acre, which is consistent with that desired in MU-R designated areas. *Note: Staff is recommending R-40 zoning, instead of C-G, for the multi-family residential portion of the development.*

Specific Use Standards (UDC 11-4-3):

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

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

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Staff is unable to determine if the buildings depicted on the concept plan meet the minimum setback standard. The site plan submitted with the Certificate of Zoning Compliance application should clearly depict the property lines in order to determine compliance with this standard.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The plans submitted with the Certificate of Zoning Compliance application should demonstrate compliance with this standard.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title.

Alternative Compliance is requested to this standard to allow zero (0) for studio units (0% of the standard), 54-60 square feet (s.f.) for 1-bedroom units (67.5%-75% of the standard) and 58-85 s.f. for 2-bedroom units (68%-106% of the standard). The Applicant's justification for the request is that the extraordinary site amenities proposed coupled with innovative, new urban design with an emphasis on integrated, internal open space, facilities, form the basis of the request in lieu of the standard. The Director is of the opinion that the requested reduction is too much for this site. As an alternative, the Director approves a 20% reduction (i.e. 64 square feet) for the reasons offered by the Applicant as justification for the reduction.

4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant should comply with this requirement.*
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *The proposed parking meets and exceeds UDC standards (see parking analysis below).*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.

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

These items should be depicted on the site plan submitted with the Certificate of Zoning Compliance application.

C. Common Open Space Design Requirements:

- 1. A minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *All units contain more than 500 square feet of living area.*
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *All 396 units contain between 500 and 1,200 square feet of living area.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *None of the units exceed 1,200 square feet of living area.*

At a minimum, a total of 99,000 s.f. (or 2.27 acres) of outdoor common open space is required to be provided in the proposed development. A total of 3.49 acres is proposed consisting of street/driveway buffers, area around leasing building, landscaped areas in parking lot and amenity areas, in excess of the minimum requirement as shown on the exhibit in Section VII.G.

- 2. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *All of the common open space areas depicted on the open space exhibit in Section VII.G meet this requirement.*
- 3. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *This project is proposed to develop in two phases. The first phase will consist of the west two buildings along with their associated garages and carports, the west courtyard amenities, the leasing office and the fitness building. The second phase will consist of the east two residential buildings along with their associated garages and carports, and the east courtyard amenities (see phasing plan in Section VII.E).*
- 4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *None of the common open space areas are located adjacent to a collector or arterial street.*

D. Site Development Amenities:

- 1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. Quality of life:

- (1) Clubhouse.
- (2) Fitness facilities.
- (3) Enclosed bike storage.
- (4) Public art such as a statue.
- b. Open space:
 - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
 - (2) Community garden.
 - (3) Ponds or water features.
 - (4) Plaza.
- c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
2. The number of amenities shall depend on the size of multi-family development as follows:
 - a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
 - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
 - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Based on 396-units, a minimum of 5 amenities are required but the decision-making body is authorized to consider additional similar amenities if they believe the proposed amenities aren't adequate for the size of the development.

Amenities are proposed from each of the three categories in excess of the minimum standards (see list and exhibit in Section VII.G). Amenities include several outdoor sport courts/games (snook ball, cornhole boards, bocce ball, ping pong table, volleyball), open grassy areas at least 50' x 100' in size, walking trails, a swimming pool, a clubhouse with a fitness facility, kitchen and lounge, shade structures with seating and outdoor seating around a fire table.

E. Landscaping Requirements:

1. Development shall meet the minimum landscaping requirements in accord with [chapter 3](#), "Regulations Applying to All Districts", of this title.

2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three feet (3') wide.
 - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted.
 - c. Ground cover plants shall be planted in the remainder of the landscaped area.

The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping on all elevations facing the private drives in accord with these standards.

- F. Maintenance and Ownership Responsibilities: All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. ***The Applicant shall comply with this requirement.***

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

Street buffer landscaping is required to be provided with the subdivision improvements as noted above in Section V.B.

Landscaping is required to be provided along all pathways per the standards listed in UDC [11-3B-12C](#). **A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.**

A minimum 25-foot wide buffer to residential uses is required with development along the southern boundary of the site per UDC Table 11-2B-3, landscaped per the standards in UDC 11-3B-9C, which requires a mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative ground cover. **The buffer depicted on the landscape plan needs to be widened and additional landscaping depicted in accord with these standards.**

Parking: Off-street vehicle parking is required for the proposed multi-family dwellings as set forth in UDC Table [11-3C-6](#). The UDC standards applicable to this application do not include minimum parking standards for studio units; the code has since been updated (on 10/5/21) to require one (1) space per studio unit. The Applicant has requested alternative compliance to allow the parking standards for vertically integrated residential to apply. Because one (1) space is required for vertically integrated residential uses, which is the same as the current code for studio units, the Director finds this request acceptable and grants the request.

Based on 48 studio, 196 1-bedroom units and 152 2-bedroom units, a minimum of ~~570~~ 646 off-street spaces are required with ~~396~~ 348 of those being in a covered carport or garage. Off-street parking is required for the clubhouse as set forth in UDC 11-3C-6B.1 for non-residential uses. Based on 6,952 square feet, a minimum of 14 spaces are required to be provided. Overall, a *minimum* of ~~584~~ 660 standard parking spaces are required.

A total of ~~651~~ 649 spaces are proposed with 391 of those being covered in garages (88)/carports (303), which includes compact spaces; **compact stalls are discouraged but may be used for parking above the number of required parking spaces. Additional parking should be provided to meet the minimum standards; the site/landscape plan submitted with the Certificate of Zoning Compliance application should be revised to reflect compliance.** *Note: The calculations on the landscape plan state 651 spaces are proposed, which differs from that on the site plan.*

Bicycle parking is required per the standards listed in UDC [11-3C-6G](#) and should comply with the standards listed in UDC [11-3C-5C](#). **Based on 651 spaces, a minimum of 26 spaces are required. Bike racks should be provided in central locations for each building.**

Alternative Compliance (ALT) is also requested to UDC 11-3A-19B.3, which requires no more than 50% of the total off-street parking area for the site to be located between building facades and abutting streets, to be allowed due the site design which enhances usable site amenities by placing them internal to the development with parking mostly on the periphery of the site. Because the parking areas on the east and west sides of the site are screened by garages and there is only one drive aisle with parking on each side on the north and south sides of the site and internal parking between the structures, leaving less than 50% of the off-street parking visible from the abutting street/driveway, Staff is of the opinion the site design complies with UDC standards without approval of ALT.

Fencing: No fencing is depicted on the landscape plan for this development. A 6-foot tall open vision wrought iron fence is proposed along the Ridenbaugh canal to preserve public safety if Council approves a waiver to allow the canal to remain open and not be piped.

As an added buffer to the two adjacent rural residential properties to the south in Rolling Hill Subdivision, Staff recommends a 6-foot tall sight obscuring fence or wall is constructed along the southern boundary of the site.

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

Conceptual building elevations were submitted for the proposed 4-story multi-family residential buildings, leasing and fitness buildings as shown in Section VII.I. Final design must comply with the design standards in the Architectural Standards Manual. **A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications.**

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation with the requirement of a development agreement, preliminary plat and conditional use permit with the provisions noted in Section VIII, per the Findings in Section IX.

VII. EXHIBITS

A. Annexation Legal Description & Exhibit Map

NOT APPROVED



June 2, 2021
Project No. 20-219

**Exhibit A
Legal Description for
Annexation and Rezone to C-G
Rackham Subdivision No. 2**

A parcel of land being Lots 13 through 16, Block 1, Lots 8 through 12, Block 2 of Rolling Hill Subdivision (Book 18 of Plats at Page 1,202, records of Ada County, Idaho) and unplatted land situated in a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Center 1/4 corner of said Section 16, which bears N00°05'15"W a distance of 2,653.59 feet from a brass cap marking the South 1/4 corner of said Section 16, thence following the westerly line of said Northwest 1/4 of the Southeast 1/4, S00°05'15"E a distance of 227.22 feet to a 5/8-inch rebar on the southerly right-of-way line of Interstate 84 and being the **POINT OF BEGINNING**.

Thence following said southerly right-of-way line, S89°34'32"E a distance of 672.76 feet;
Thence leaving said southerly right-of-way line, S00°00'07"E a distance of 14.37 feet;
Thence S89°15'23"E a distance of 478.72 feet to the westerly boundary of Ironwood Subdivision No. 3 (Book 77 at Page 8,098, records of Ada County, Idaho) and the centerline of the Ridenbaugh Canal;
Thence following said westerly boundary and said centerline the following two (2) courses:

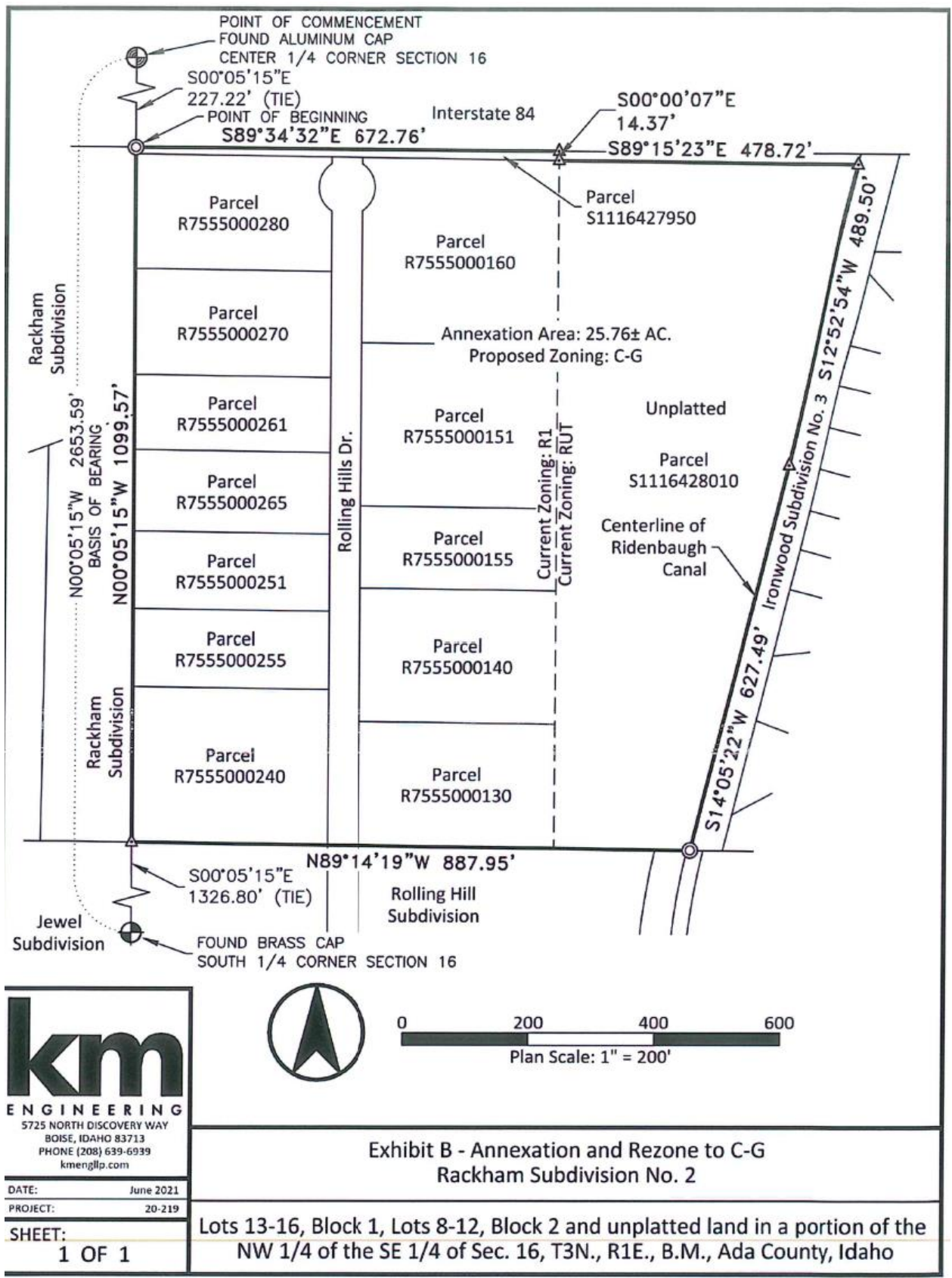
1. S12°52'54"W a distance of 489.50 feet;
2. S14°05'22"W a distance of 627.49 feet to a 5/8-inch rebar on the southerly line of said Northwest 1/4 of the Southeast 1/4;

Thence leaving said westerly line and said centerline and following said southerly line, N89°14'19"W a distance of 887.95 feet to the Southwest corner of said Northwest 1/4 of the Southeast 1/4 (Center-South 1/16 corner);
Thence leaving said southerly line and following the westerly line of said Northwest 1/4 of the Southeast 1/4, N00°05'15"W a distance of 1099.57 feet to the **POINT OF BEGINNING**.

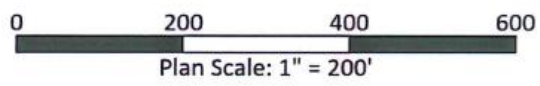
Said parcel contains a total of 25.76 acres, more or less.

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





km
ENGINEERING
 5725 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 639-6939
 kmengllp.com

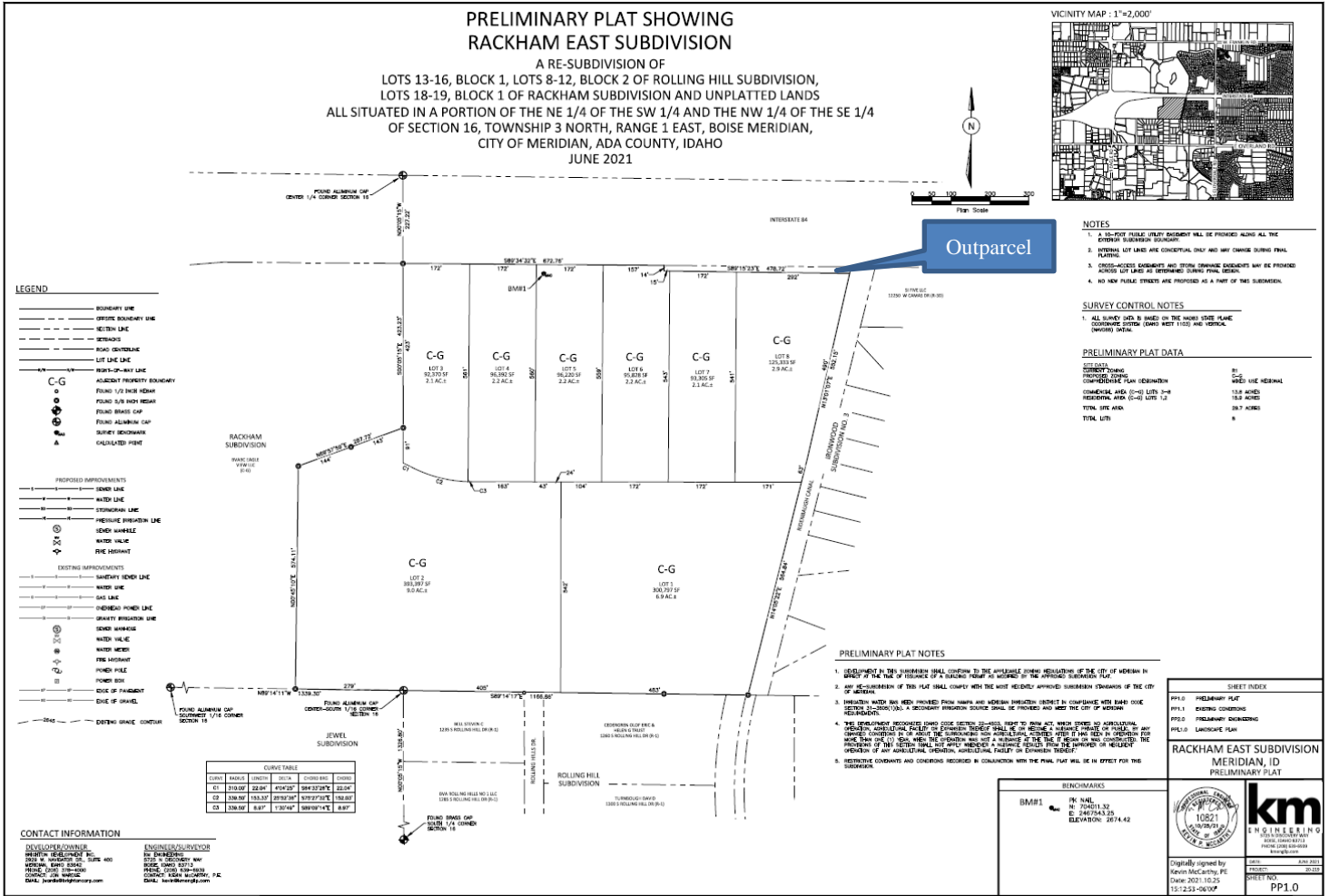


DATE:	June 2021
PROJECT:	20-219
SHEET:	1 OF 1

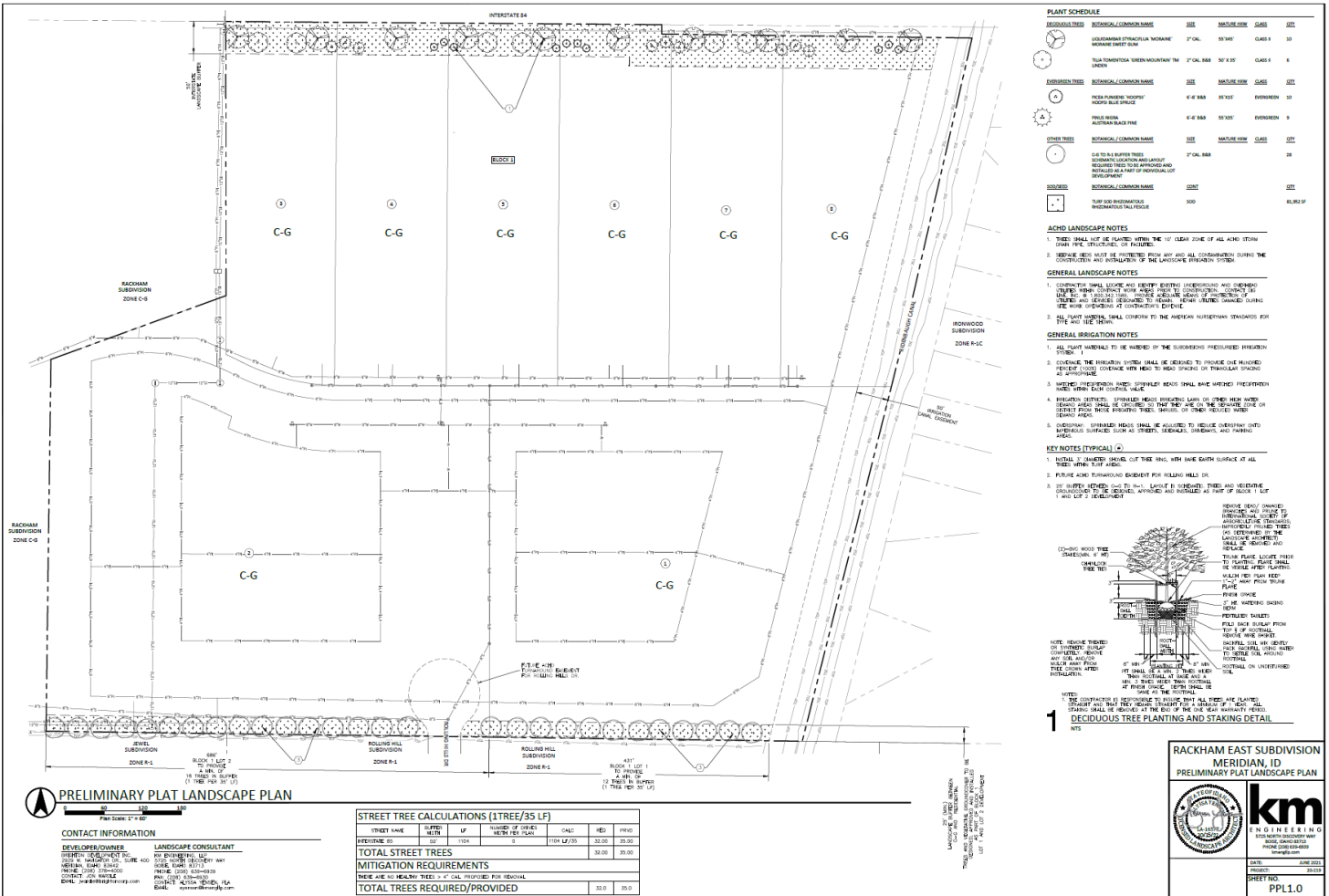
**Exhibit B - Annexation and Rezone to C-G
 Rackham Subdivision No. 2**

Lots 13-16, Block 1, Lots 8-12, Block 2 and unplatted land in a portion of the
 NW 1/4 of the SE 1/4 of Sec. 16, T3N., R1E., B.M., Ada County, Idaho

B. Preliminary Plat (date: 10/25/2021)

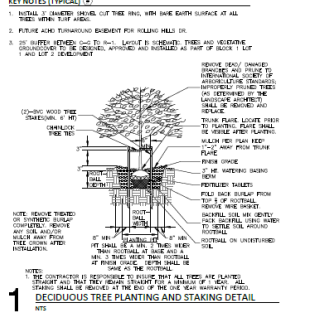


C. Landscape Plan – Preliminary Plat (date: 10/15/2021)



SYMBOL	BOTANICAL COMMON NAME	SIZE	MATURE SIZE	CLASS	QTY
1	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
2	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
3	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
4	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
5	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
6	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
7	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
8	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
9	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
10	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
11	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
12	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
13	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
14	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
15	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
16	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
17	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
18	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
19	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
20	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
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45	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
46	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
47	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
48	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
49	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10
50	QUERCUS PRINCEPINUM NORWAY	2" CAL. 8-10'	30'-40'	CLASS 1	10

- ACHD LANDSCAPE NOTES**
- THIS SHALL NOT BE PLANTED WITHIN THE 10' CLEAR ZONE OF ALL ACHD TRUCK LOAD PILES, STRUCTURES, OR FACILITIES.
 - REMOVE WEEDS AND WEEDS MUST BE PREVENTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND MAINTENANCE OF THE LANDSCAPE THROUGHOUT.
- GENERAL LANDSCAPE NOTES**
- CONTRACTOR SHALL LOCATE AND VERIFY EXISTING UNDERGROUND AND OVERGROUND UTILITIES BEFORE ANY CONSTRUCTION WORK BEGINS TO AVOID DAMAGE TO UTILITIES. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 18" BELOW FINISHED GRADE OR DEEPER AS REQUIRED.
 - ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR THE SPECIES AND SIZE.
 - ALL PLANT MATERIAL SHALL BE PLANTED WITHIN THE SPECIFIED PLANTING ZONES AND SHALL BE WATERED FREQUENTLY THROUGHOUT THE GROWING SEASON.
 - PROVIDE SUFFICIENT IRRIGATION SYSTEMS TO MAINTAIN PLANT HEALTH THROUGHOUT THE GROWING SEASON. IRRIGATION SYSTEMS SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO THE PLANTS THROUGHOUT THE GROWING SEASON.
 - CONTRACTOR SHALL PROVIDE SUFFICIENT IRRIGATION SYSTEMS TO MAINTAIN PLANT HEALTH THROUGHOUT THE GROWING SEASON. IRRIGATION SYSTEMS SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO THE PLANTS THROUGHOUT THE GROWING SEASON.
- KEY NOTES (TYPICAL)**
- INSTALL 1" (MINIMUM) GRAVEL OUT THIS SIDE WITH 6" (MINIMUM) SURFACE AT ALL TREE PLANTING LOCATIONS.
 - PLANTING AND FORWARD SLOPE FOR ROLLING HILLS OR.
 - ALL PLANTING SHALL BE PLANTED WITHIN THE SPECIFIED PLANTING ZONES AND SHALL BE WATERED FREQUENTLY THROUGHOUT THE GROWING SEASON.



1 DECIDUOUS TREE PLANTING AND STAKING DETAIL

RACKHAM EAST SUBDIVISION
MERIDIAN, ID
PRELIMINARY PLAT LANDSCAPE PLAN

K.M. ENGINEERING
 4000 S. GARDNER BLVD.
 MERIDIAN, ID 83645
 PHONE: 208-261-1111
 FAX: 208-261-1112
 WWW: www.km-engineering.com

DATE: 10/15/2021
 PROJECT: 202104
 SHEET: PPL1.0

STREET TREE CALCULATIONS (1 TREE/35 LF)					
STREET NAME	STREET WIDTH	LF	NUMBER OF TREES PER 35 LF	QTY	PROV
INTERSTATE 84	104'	104	3	1104 (32/35)	32.00 35.00
TOTAL STREET TREES					
				32.00	35.00
MITIGATION REQUIREMENTS					
THERE ARE NO HEALTHY TREES TO BE MAINTAINED FOR MITIGATION.					
TOTAL TREES REQUIRED/PROVIDED				32.0	35.0

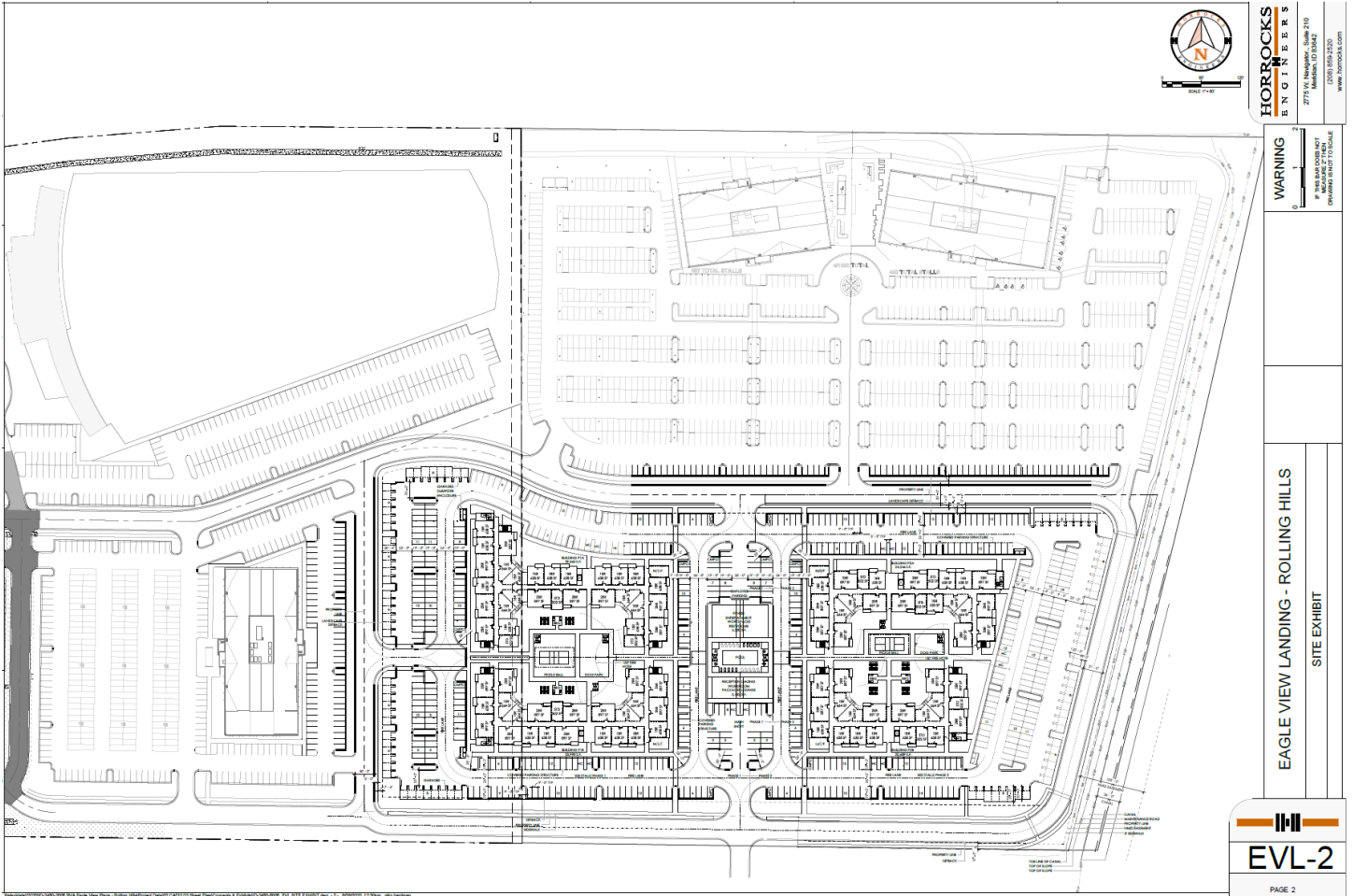
PRELIMINARY PLAT LANDSCAPE PLAN

CONTACT INFORMATION

DEVELOPER/OWNER:
 RACKHAM DEVELOPMENT, INC.
 1000 N. WASHINGTON ST., SUITE 400
 MERIDIAN, IDAHO 83645
 PHONE: 208-261-1111
 FAX: 208-261-1112
 WWW: www.rackham.com

LANDSCAPE CONSULTANT:
 K.M. ENGINEERING, INC.
 4000 S. GARDNER BLVD., SUITE 400
 MERIDIAN, IDAHO 83645
 PHONE: 208-261-1111
 FAX: 208-261-1112
 WWW: www.km-engineering.com

D. Conceptual Development Plan



HORROCKS ENGINEERS
 2775 W. WASHINGTON ST. #210
 MOUNTAIN VIEW, CO 80502
 (303) 833-2500
 www.horrock.com

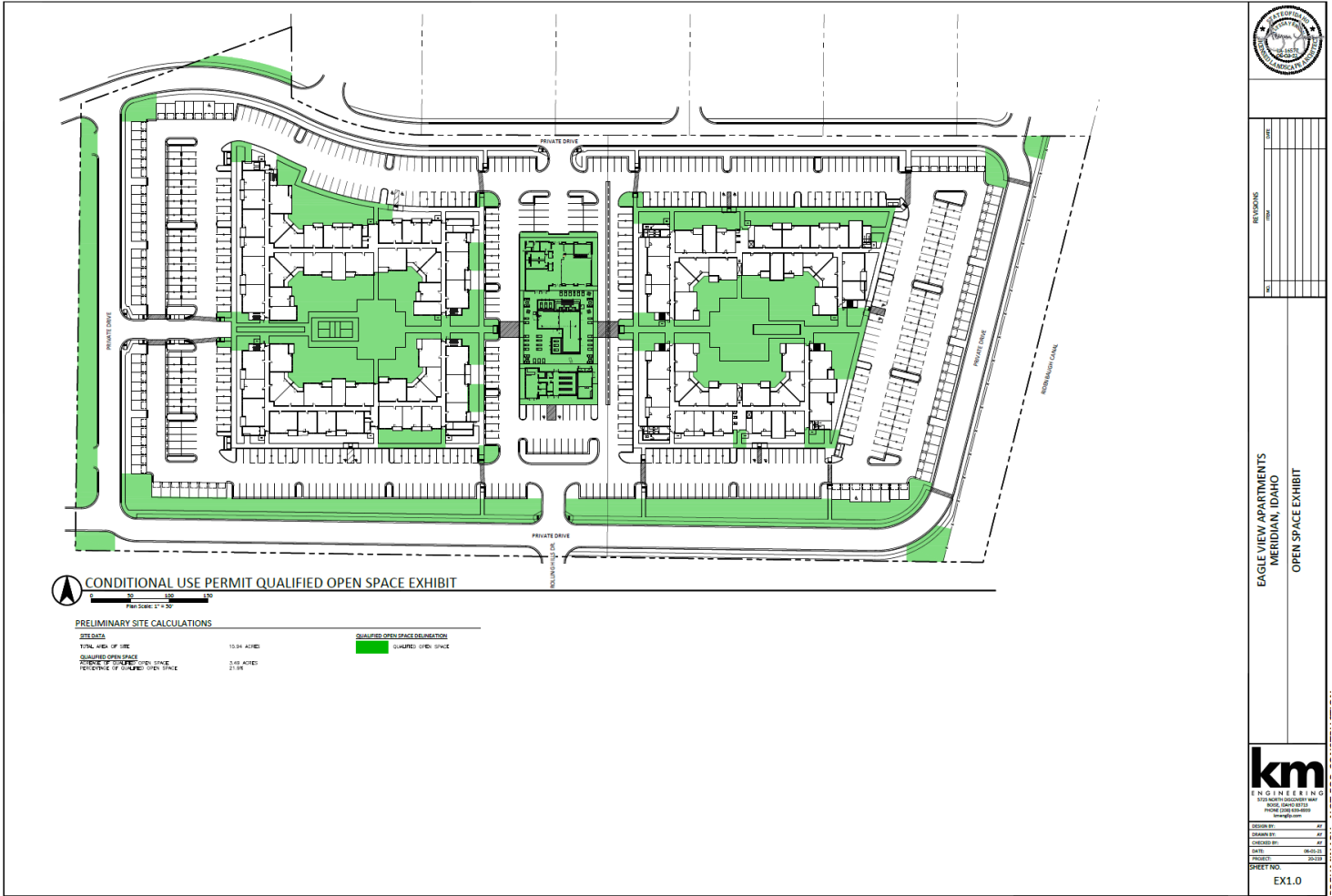
WARNING
 THIS IS A CONCEPTUAL SITE PLAN.
 IT IS NOT TO BE USED FOR CONSTRUCTION.

EAGLE VIEW LANDING - ROLLING HILLS
 SITE EXHIBIT

EVL-2
 PAGE 2



G. Open Space Exhibit for Multi-Family Development (dated: 6/3/21) & Amenities



STATE OF IDAHO
PLANNING AND ZONING BOARD

REVISIONS

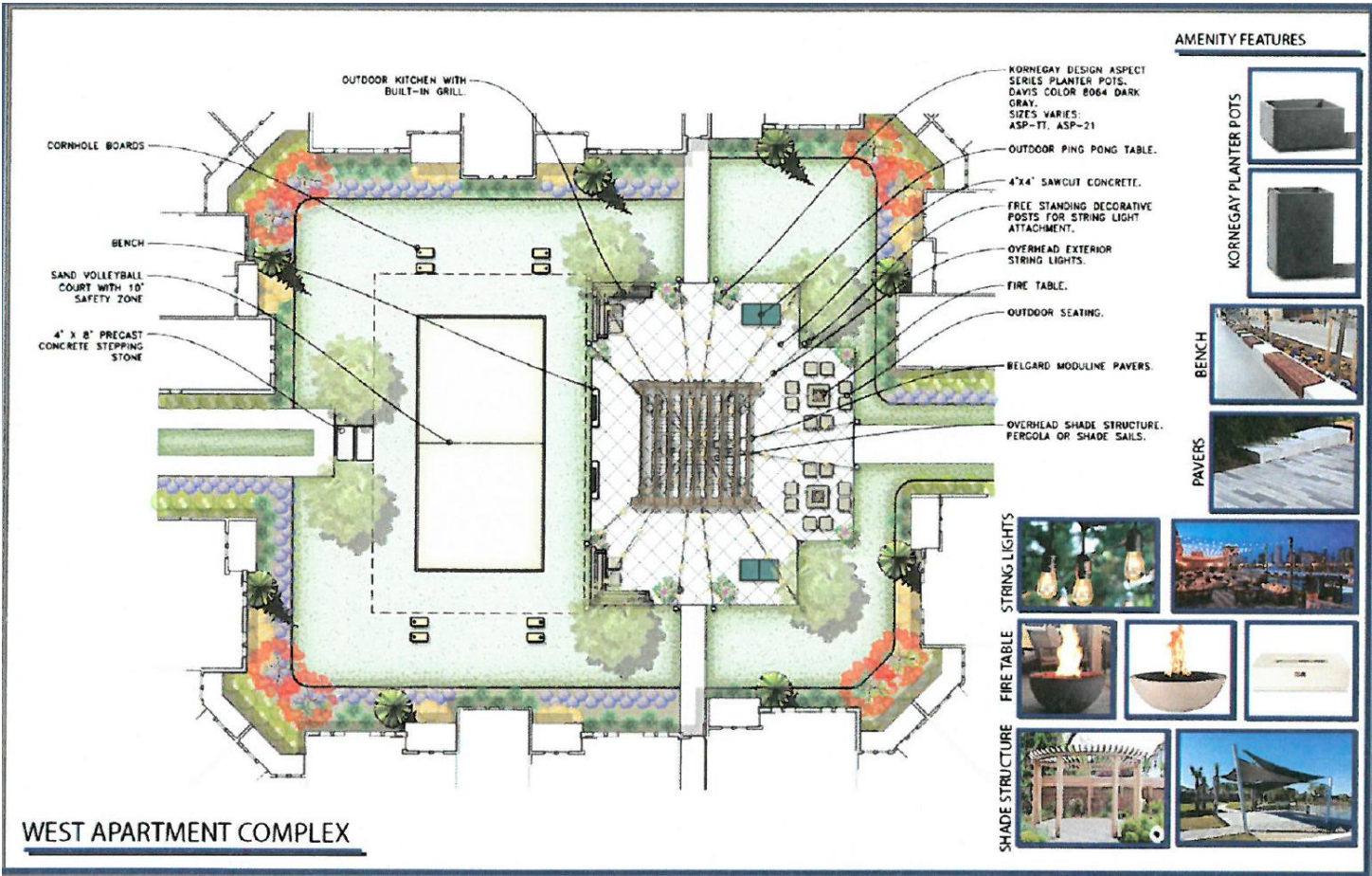
EAGLE VIEW APARTMENTS
MERIDIAN, IDAHO
OPEN SPACE EXHIBIT

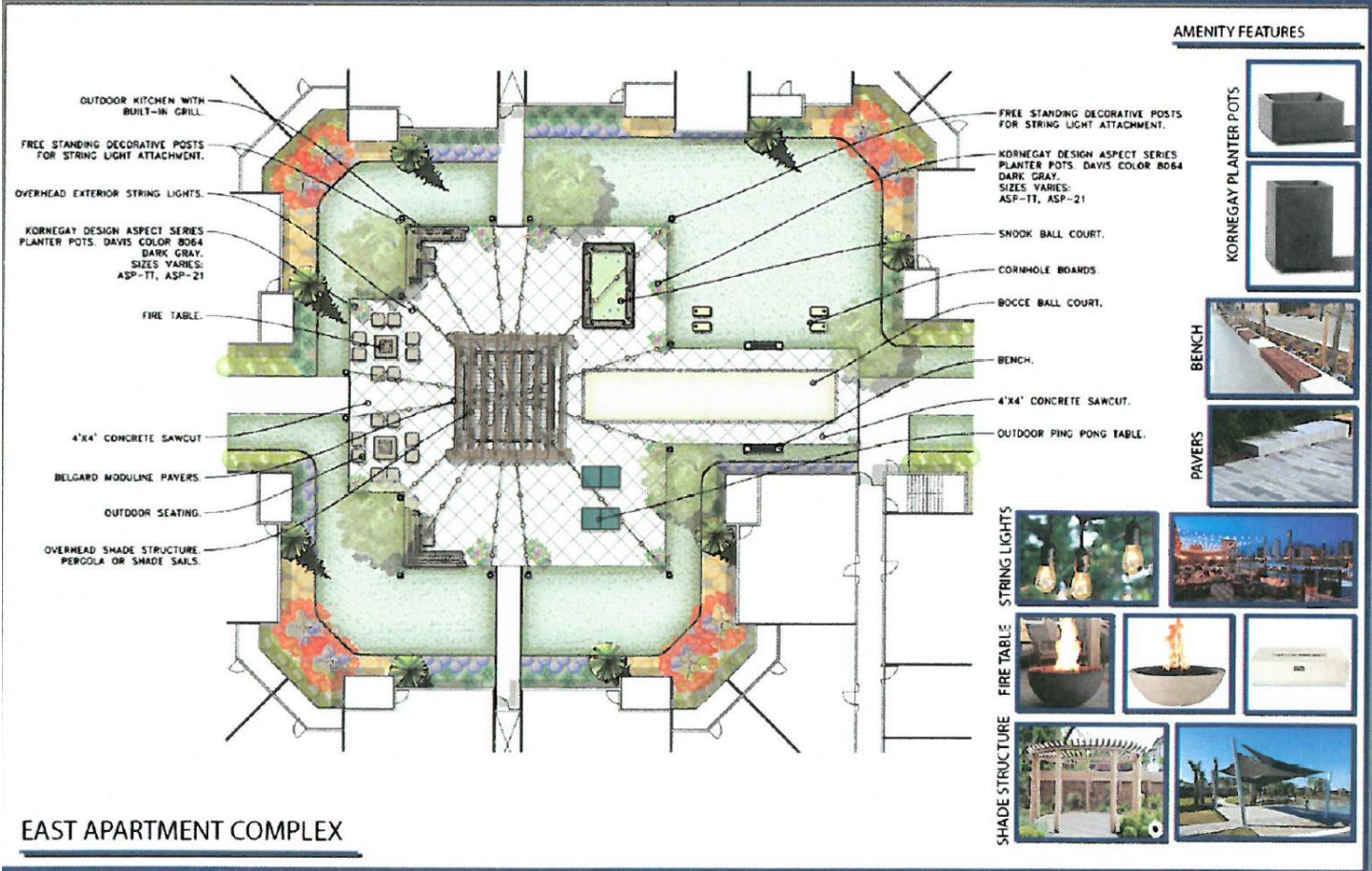
km
ENGINEERING

100 SOUTH OLYMPIA BLVD
BOISE, IDAHO 83725
PHONE: 208-333-8888
WWW.KME.COM

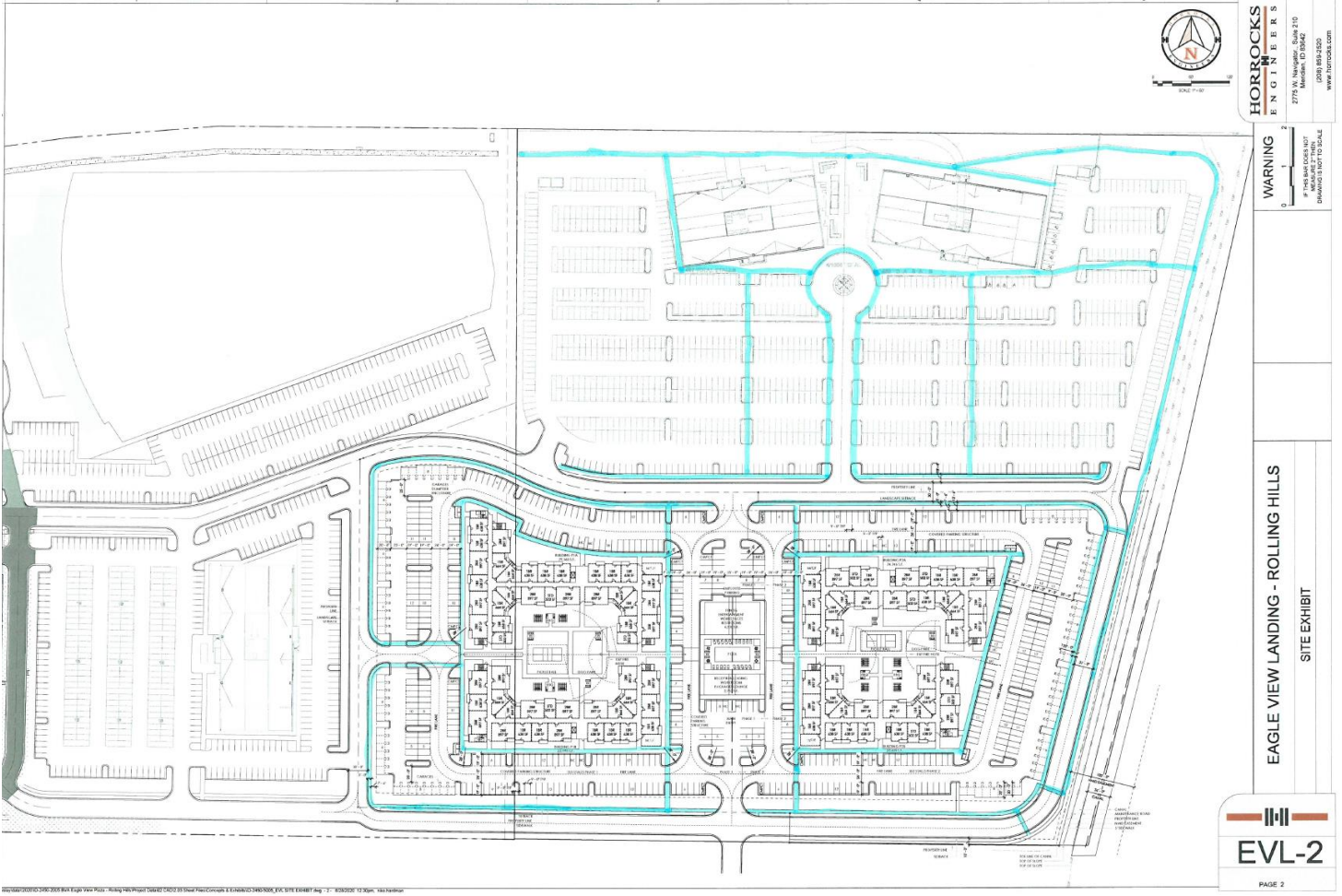
DESIGNED BY	AP
DRAWN BY	AP
CHECKED BY	AP
DATE	06/03/21
PROJECT NO.	202102
SHEET NO.	EX1.0

- Amenities
 - Central Core Amenities
 - 24-hour resident lounge
 - Warming kitchen
 - Entertainment area
 - Game area
 - 24-hour fitness center featuring Rogue equipment
 - Locker Rooms with showers
 - Zoom conference room(s)
 - Wi-fi throughout all amenity areas
 - Resort style pool & year-round spa
 - Pool-side patio and grilling area
 - Outdoor pool lounge
 - Amazon parcel system
 - Dwelo Smart Home Technology
 - West Courtyard (*see page 10 for exhibit*)
 - Shade structure
 - Outdoor Kitchen with BBQ Grill
 - Benches
 - Outdoor seating surrounding a Fire Table
 - Festoon lighting
 - Cornhole
 - Outdoor Ping Pong Table
 - Sand Volleyball
 - East Courtyard (*see page 10 for exhibit*)
 - Shade Structure
 - Outdoor Kitchen with BBQ Grill
 - Benches
 - Outdoor seating surrounding a Fire Table
 - String Lights
 - Cornhole
 - Outdoor Ping Pong Table
 - Snook Ball Court
 - Bocce Ball Court





H. Pedestrian Circulation Plan



I. Conceptual Building Elevations (dated: 5/31/2021)



1 | Eagle View Landing - Building -P1A



2 | Eagle View Landing - Building -P1A

 EAGLE VIEW LANDING - BUILDING -P1A
 3D VIEW: A10 89 00891103
 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111 | 801.223.1144 | Email: 801.94.1001@stark.com | 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111 | 801.223.1144 | Email: 801.94.1001@stark.com | 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111 | 801.223.1144 | Email: 801.94.1001@stark.com



3 | Eagle View Landing - Building -P1A



4 | Eagle View Landing - Building -P1A

 EAGLE VIEW LANDING - BUILDING -P1A
 3D VIEW: A10 89 00891103
 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111 | 801.223.1144 | Email: 801.94.1001@stark.com | 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111 | 801.223.1144 | Email: 801.94.1001@stark.com

05.31.2021



1 | REAR VIEW



2 | SIDE-REAR VIEW



EAGLE VIEW LANDING - BUILDING - P1B
 3D VIEWS AND RENDERINGS
 Salt Lake City | 52 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Suite 800 W. Main Street Suite 140 | Suite ID: 83702 | 358.424.7475 | bobcock@bdcg.com

05.31.2021



1 | SIDE-FRONT VIEW



2 | FRONT-SIDE VIEW



EAGLE VIEW LANDING - BUILDING - P1B
 3D VIEWS AND RENDERINGS
 Salt Lake City | 52 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Suite 800 W. Main Street Suite 140 | Suite ID: 83702 | 358.424.7475 | bobcock@bdcg.com

05.31.2021



1 | NORTHEAST CORNER



2 | NORTHWEST CORNER



3 | SOUTHEAST CORNER



4 | SOUTHWEST CORNER

EAGLE VIEW LANDING - FITNESS BUILDING
3D VIEWS AND RENDERINGS
Salt Lake City 82 Exchange Place Salt Lake City, UT 84111 801.831.1144 | Boise 800 W. Main Street Suite 740 Boise, ID 83702 208.424.7475 | bobcockdesign.com

06.31.2021



4 | HIGH VIEW



1 | SOUTHEAST CORNER



2 | SOUTHWEST CORNER



3 | VIEW FROM SOUTH

EAGLE VIEW LANDING LEASING BUILDING
3D VIEWS AND RENDERINGS
Salt Lake City 82 Exchange Place Salt Lake City, UT 84111 801.831.1144 | Boise 800 W. Main Street Suite 740 Boise, ID 83702 208.424.7475 | bobcockdesign.com

06.31.2021



VIII. CITY/AGENCY COMMENTS & CONDITIONS

Staff recommends the multi-family portion of the site is zoned R-40 instead of C-G; the remainder of the site should be zoned C-G as requested. With this change, updated legal descriptions and exhibit maps shall be submitted prior to the City Council hearing.

A. PLANNING DIVISION

1. An amendment to the existing Development Agreement (DA) (Inst. #2019-037825 H-2019-0005) for the Rackham development is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, an amended DA shall be entered into between the City of Meridian and the property owner(s) at the time of annexation ordinance adoption.

An application for such shall be submitted to the City, preferably so that it can go to Council concurrently with the subject applications; a development plan for the overall area should be submitted with the application that is consistent with the MU-R FLUM designation. The amended DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The specific provisions for the amended DA pertaining to this site will be determined at the time of submittal of the application; the following provisions may be included:

- a. Development of the subject property shall be generally consistent with the preliminary plat, landscape plan, phasing plan, conceptual development plan, pedestrian circulation plan and conceptual building elevations submitted with the application contained herein.
- b. The two (2) office buildings proposed on the northern portion of the site shall be arranged to create some form of common, usable gathering area, such as a plaza or green space in accord with the mixed-use guidelines in the [Comprehensive Plan](#) (see pg. 3-13).
- c. Provide a pedestrian pathway within the street buffer along I-84 as depicted on the conceptual development plan with landscaping along the pathway as set forth in UDC [11-3B-12C](#). Also provide internal pedestrian walkways throughout the site for interconnectivity; where pedestrian walkways cross vehicular use areas they shall be distinguished through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#).
- d. All future structures constructed on this site shall comply with the design standards in the Architectural Standards Manual.
- e. ~~The final plat shall be recorded prior to issuance of building permits for any structures on this site; or, the existing PUDI easements and right-of-way for S. Rolling Hill Dr. shall be vacated and a property boundary adjustment application approved to consolidate the existing lots into one (1) parcel prior to submittal of any building permit applications for the site.~~
- f. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development, is required.
- g. Provide off-site improvements for S. Rolling Hill Dr. consistent with Ada County Highway District's requirements, including but not limited to, pavement widening to 24-foot where needed, 3-foot wide gravel shoulders and 6-foot wide sidewalk on one side of the street. Streetlights shall also be installed along S. Rolling Hill Dr. in accord with the City's adopted standards, specifications and ordinances in accord with UDC [11-3A-21](#).

Preliminary Plat:

2. The final plat shall include the following revisions:
 - a. Include a note granting cross-access/ingress-egress easements between all lots in the subdivision in accord as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on the final plat or a separate recorded easement in accord with UDC 11-3A-3A.2.
 - b. Depict the street buffer along I-84 on Lots 3-6 in a common lot or a permanent dedicated buffer, maintained by the property owner or business owners' association per UDC [11-3B-7C.2b](#).
3. The landscape plan submitted with the final plat shall be revised as follows:
 - a. Depict a pathway within the street buffer along I-84 as shown on the CUP landscape plan with landscaping in accord with the standards listed in UDC 11-3B-12C. *A 5-foot wide landscape strip is required on both sides of the pathway planted with a mix of trees, shrubs, lawn and/or other vegetative ground cover.*
 - b. Depict a 6-foot tall wrought iron fence along the east boundary of the site adjacent to the Ridenbaugh Canal outside of the NMID's irrigation easement.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables [11-2B-3](#) for the C-G zoning district and [11-2A-8](#) for the R-40 zoning district.
5. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#) unless otherwise waived by City Council. *The Applicant requests approval of a waiver from City Council to leave the Ridenbaugh Canal open.*
6. Cross-access/ingress-egress easements shall be provided between all lots in the subdivision as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on the final plat or a separate recorded easement in accord with UDC 11-3A-3A.2.
7. The right-of-way for the portion of S. Rolling Hill Dr. north of the southern boundary of the site shall be vacated prior to signature on the final plat.
- ~~8. The property shall be subdivided prior to issuance of any building permits for the site. *Not necessary to include as a plat condition as it's included as a DA provision above in Section VIII.A.1e.*~~

Conditional Use Permit:

9. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development is required.
10. The site/landscape plans included in Section VII shall be revised as follows:
 - a. ~~Depict a minimum 25 foot wide buffer to residential uses along the southern boundary of the site as set forth in UDC Table [11-2B-3](#), landscaped per the standards listed in UDC [11-3B-9C](#). *A mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative ground cover is required within the buffer, which shall be installed at the time of lot development.* Not required with R-40 zoning.~~
 - b. Depict all property lines in order to demonstrate compliance with the minimum setback requirements listed in UDC Table ~~[11-2B-3](#)~~ [11-2A-8](#) and [11-4-3-27B.1](#).
 - c. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street,

or shall be fully screened from view from a public street in accord with UDC [11-4-3-27B.2](#).

- d. Depict the location of the property management office; maintenance storage area; central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access; and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC [11-4-3-27B.7](#).
 - e. Depict a 6-foot tall sight obscuring fence or wall along the southern boundary of the site as an added buffer to the rural residential properties to the south in Rolling Hill Subdivision.
 - f. Depict landscaping along all elevations that face the private drives in accord with the standards listed in UDC [11-4-3-27E](#).
 - g. Depict landscaping along all pathways per the standards listed in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.*
 - h. Depict pathway stubs at the southern boundary of the site near the west and east boundaries of the site for future extension upon redevelopment of the properties to the south for pedestrian connectivity with adjacent developments.
 - i. Depict a minimum of 26 bicycle parking spaces per the standards listed in UDC 11-3C-6G; bicycle parking facilities shall comply with the standards listed in UDC [11-3C-5C](#). Bike racks shall be provided in central locations for each building.
 - j. Compact parking stalls are discouraged but may be used for parking *above* the number of required parking spaces per UDC [11-3C-5A.6](#). Based on the number of bedrooms per unit and square footage of the clubhouse proposed, a minimum of 660 standard off-street parking spaces are required with 348 of those being in a covered carport or garage. If these numbers/square footage change, parking may be adjusted accordingly to comply with applicable UDC standards.
11. The Director approved the Applicant's request for Alternative Compliance to the private usable open space standards in UDC 11-4-3-27.B.3 with a modification to the request to allow a *maximum* reduction of 20% (i.e. 64 square feet) to the standard.
 12. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area as set forth in UDC 11-4-3-27B.5.
 13. All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC [11-4-3-27F](#). A recorded copy of the document shall be submitted prior to issuance of the first Certificate of Occupancy for the development.
 14. A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Instead of running parallel 6'' and 8'' water main, change the layout to a single 8'' water main, connect the hydrant, then install a jurisdictional valve to the fire service line.
- 1.2 Do not have a sewer stub to the south on S Rolling Hills Dr. These properties will be served from Overland Rd.
- 1.3 Ensure no permanent structures are within any City easements including but not limited to buildings, car ports, trash enclosures, trees, shrubs, fences, light poles, infiltration trenches, etc.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2'' x 11'' map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are

- any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
 - 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
 - 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
 - 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
 - 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
 - 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
 - 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 - 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
 - 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
 - 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
 - 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
 - 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
 - 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
 - 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
 - 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse

infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241985&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241580&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242184&dbid=0&repo=MeridianCity>

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243206&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244287&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244309&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

A staff report has not yet been received from ACHD for this application.

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240968&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

1. The map amendment complies with the applicable provisions of the comprehensive plan;
Staff finds the proposed zoning map amendment to C-G and subsequent development is consistent with the Comprehensive Plan and the MU-R FLUM designation.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
Staff finds the proposed map amendment will allow for the development of a mix of office and multi-family residential uses which will assist in providing for the service needs of area residents consistent with the purpose statement of the commercial districts in accord with the Comprehensive Plan.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
Staff 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
Staff 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.
Staff finds the proposed annexation is in the best interest of the City.

B. Preliminary Plat:

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;
Staff finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use and transportation. (Please see Comprehensive Plan Policies in, Section IV of this report for more information.)
2. Public services are available or can be made available and are adequate to accommodate the proposed development;
Staff finds that public services will be provided to the subject property with development. (See Exhibit B of the Staff Report for more details from public service providers.)
3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;
Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.
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 based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)

5. The development will not be detrimental to the public health, safety or general welfare; and,
Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.
6. The development preserves significant natural, scenic or historic features.
Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.

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

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

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
Staff finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the C-G district (see Analysis, Section V for more information).
2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.
Staff finds that the proposed use is consistent with the future land use map designation of MU-R and is allowed as a conditional use in UDC Table 11-2B-2 in the C-G zoning district.
3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.
Staff finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the area.
4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
Staff finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area. The Commission and Council should weigh any public testimony provided to determine if the development will adversely affect other properties in the vicinity.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
Staff finds that essential public services are available to this property and that the use will be adequately served by these facilities.

D. Alternative Compliance (UDC 11-5B-5):

In order to grant approval of an alternative compliance application, the Director shall determine the following:

1. Strict adherence or application of the requirements is not feasible; OR

The Director finds UDC Table 11-3C-6 does not include parking requirements for studio units; therefore, this finding does not apply.

The Director finds strict adherence or application of the requirements in UDC 11-4-3-27B.3 is feasible but to comply, the number of units may need to be reduced or other changes made to the development plan.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the proposed alternative compliance of providing parking for studio units consist with the standards for vertically integrated residential units, which is also consistent with current updated standards for studio units, provides an equal means for meeting the requirement.

The Director finds the proposed alternative compliance to the private usable open space standards in UDC 11-4-3-27B.3 for each unit unacceptable but does find a reduction of 20% acceptable due to the extraordinary site amenities proposed along with the innovative, new urban design with an emphasis on integrated, internal open space and facilities proposed.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.

The Director finds that the proposed alternative means of compliance to UDC Table 11-3C-6 and the Director's alternative approval to the Applicant's proposal for alternative compliance to 11-4-3-27B.3 will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties.