



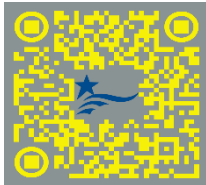
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, February 03, 2022 at 6:00 PM

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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/83216292889>

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

Webinar ID: 832 1629 2889

ROLL-CALL ATTENDANCE

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

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the January 20, 2022 Planning and Zoning Commission Regular Meeting](#)
2. [Findings of Fact, Conclusions of Law for Pine 43 Pad G \(H-2021-0097\) by CSHQA, Located at 1492 N. Webb Way](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

DEPARTMENT REPORTS

3. [SolSmart Community Presentation](#)

ACTION ITEMS

4. **Public Hearing** for [Meridian U-Haul Moving and Storage \(H-2021-0085\)](#) by [Gurnoor Kaur of Amerco Real Estate Company](#), Located on [Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.](#)

Application Requires Continuance

[A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.](#)

5. **Public Hearing** Continued from January 20, 2022 for [Verona Live/Work \(H-2021-0080\)](#) by [J-U-B Engineers, Inc.](#), Located at [3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.](#)

[A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four \(4\) buildings on 1.75 acres in the L-O zoning district.](#)

6. **Public Hearing** Continued from January 6, 2022 for [Apex West Subdivision \(H-2021-0087\)](#) by [Brighton Development, Inc.](#), Located on the North Side of [E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.](#)

[A. Request: Preliminary Plat consisting of 208 building lots \(207 single-family and 1 multi-family\) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.](#)

7. **Public Hearing** Continued from January 20, 2022 for [Quartet South Subdivision \(H-2021-0088\)](#) by [Brighton Development, Inc.](#), Located on [Parcels S043432586 and S0434325410, at the Northeast Corner of W. Ustick Rd. and N. Black Cat Rd.](#)

[A. Request: Annexation of 67.61 acres of land with the R-8 \(48.83 acres\) and R-15 \(18.78 acres\) zoning districts.](#)

[B. Request: Preliminary Plat consisting of 229 single-family residential lots, 2 multi-family lots with 140 townhouse units, and 42 common lots.](#)

8. **Public Hearing** for [Moberly Rezone \(H-2021-0089\)](#) by [Carl Argon](#), Located on [Parcel R0406010125, South of W. Broadway Ave. Between NW 2nd St. and NW 1st St.](#)

[A. Request: Rezone 0.159 acres of land from I-L to O-T to allow a duplex.](#)

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the January 20, 2022 Planning and Zoning Commission Regular Meeting

Meridian Planning and Zoning Meeting

January 20, 2021.

Meeting of the Meridian Planning and Zoning Commission of January 20, 2021, was called to order at 6:02 p.m. by Chairman Andrew Seal.

Members Present: Chairman Rhonda McCarvel, Commissioner Andrew Seal, Commissioner Nick Grove, Commissioner Steven Yearsley, Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Members Absent: Commissioner Bill Cassinelli.

Others Present: Adrienne Weatherly, Kurt Starman, Bill Parsons, Joe Dodson, and Dean Willis.

ROLL-CALL ATTENDANCE

- | | |
|--|---|
| <input checked="" type="checkbox"/> Nate Wheeler | <input checked="" type="checkbox"/> Maria Lorcher |
| <input checked="" type="checkbox"/> Rhonda McCarvel | <input checked="" type="checkbox"/> Nick Grove |
| <input checked="" type="checkbox"/> Steven Yearsley | <input type="checkbox"/> Bill Cassinelli |
| <input checked="" type="checkbox"/> Andrew Seal - Chairman | |

Seal: Okay. We will go ahead and call the meeting to order. Good evening. Welcome to Planning and Zoning Commission meeting for January 20th, 2022. At this time I would call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the city attorney and clerk's office, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch the streaming on the city's YouTube channel. You can access it at meridiancity.org/live. With that let's begin with the roll call.

ADOPTION OF AGENDA

Seal: Okay. The first item on the agenda is the adoption of the agenda. With that we have Quartet South Subdivision, H-2021-0088, and Verona Live/Work, H-2021-0080, will be open for the sole purpose of continuing to a regularly scheduled meeting. They will be open for that purpose only. So, if there is anybody here tonight to testify for those particular -- particular applications, we will not be taking testimony this evening. We will also be hearing a motion for Moshava Village Subdivision, H-2021-0067, to be withdrawn. Can I get a motion to adopt the agenda?

Wheeler: So moved.

Yearsley: Mr. Chair?

Seal: Oh. You are correct. I missed one. We also have -- look at my notes here. Jamestown Ranch Subdivision, H-2021-0074, will also be opened only for continuance. Now can I get a motion to adopt the agenda?

Wheeler: So moved.

Yearsley: Second.

Seal: It has been moved and seconded to adopt the agenda. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of the January 6, 2022 Planning and Zoning Commission Meeting

Seal: The Consent Agenda. We have one item on the Consent Agenda. That's to approve the minutes of the January 6th, 2022, Planning and Zoning Commission meeting. Can I get a motion to accept the Consent Agenda as presented?

McCarvel: So moved.

Yearsley: Mr. Chair, I move to accept -- or adopted the Consent Agenda.

Seal: Do I have a second?

McCarvel: Second.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to adopt the Consent Agenda. All in favor say aye. Opposed? Okay. Motion carried.

MOTION CARRIED: SIX AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Seal: So, the public hearing process. At this time I will explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development

Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called on only once during their public testimony. The Clerk will call the names individually of those who have signed up on our website in advance to testify. You will, then, be unmuted in Zoom or you can come to the microphones in chamber. Please state your name and address for the record. You will have three minutes to address the Commission. If you have previously sent pictures or a presentation to the meeting it will be displayed on screen and our Clerk will run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in chambers or if on Zoom press the raise hand button in the Zoom app. Or if you are only listening on a phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer or a phone, please, be sure to mute the extra devices, so we do not experience feedback and we can hear you clearly. When you are finished if the Commissioners -- if the Commission does not have any questions for you you will return to your seat in chambers or be muted on Zoom and no longer have the ability to speak and, please, remember we will not call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make a final decision or recommendations to City Council as needed.

ACTION ITEMS

- 2. Public Hearing for Quartet South Subdivision (H-2021-0088) by Brighton Development, Inc., Located on Parcels S043432586 and S0434325410, at the Northeast Corner of W. Ustick Rd. and N. Black Cat Rd.**
 - A. Request: Annexation of 67.61 acres of land with the R-8 (48.83 acres) and R-15 (18.78 acres) zoning districts.
 - B. Request: Preliminary Plat consisting of 229 single-family residential lots, 2 multifamily lots with 140 townhouse units, and 42 common lots.

Seal: At this time we would like to open the public hearing for Quartet South Subdivision, H-2021-0088 for continuance.

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

Yearsley: I move we continue file number H-2021-0088 to the hearing date of February 3rd, 2022.

McCarvel: Second.

Seal: All right. Get to my notes here. It has been moved and seconded -- it is moved and -- moved and seconded to continue file number H-2021-0088, Quartet South Subdivision, to the date of February 3rd, 2022. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

3. Public Hearing Continued from December 16, 2021 for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

- A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.

Seal: I will now open Verona Live/Work, H-2021-0080, for continuance.

McCarvel: Mr. Chair?

Seal: Go ahead.

McCarvel: Do you maybe want to check the itinerary for February 3rd. It feels like we had a pretty big stack on there already. Do you want both of them?

Seal: They were discussed previously and I think February 3rd is --

McCarvel: Okay.

Seal: -- kind of where we landed on it.

Dodson: That's correct, Mr. Chair. If February 3rd is -- should be better than the 17th.

Seal: Okay.

Yearsley: Mr. Chair, I move that we continue application H-2021-0067 to the hearing date of February 3rd, 2022.

Wheeler: 0080.

Yearsley: Oh. Sorry. I'm on the wrong one. Sorry. 0080. My apologies.

Seal: Do I have a second?

McCarvel: Second.

Seal: It is moved -- moved and seconded to continue file number H-2021-0080, Verona Live/Work, to the date of February 3rd, 2022. All in favor say aye. Any opposed? Okay. The motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

4. Public Hearing Continued from December 16, 2021 for Moshava Village Subdivision (H-2021-0067) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.

- A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.
- B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.

Seal: We will now open file number H-2021-0067 for Moshava Village Subdivision. We would like to get a motion to accept the applicant's request to withdraw.

Yearsley: So moved.

McCarvel: Second.

Seal: It has been moved and seconded to accept the applicant's request to withdraw on file number H-2021-0067. All in favor say aye. Any opposed? That motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

5. Public Hearing Continued from November 18, 2021 for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

- A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.

Seal: We will now open Jamestown Ranch Subdivision, H-2021-0074, for continuance. I believe we discussed the date of February 17th.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Give this a try here that I move to continue file number H-2021-0074 to the hearing date of February 17th -- is that the hearing date that we were looking at for that one? Okay. For the -- yeah. Just move it to the hearing date of February 17th.

Seal: 2022?

Wheeler: 2022.

Lorcher: Second.

Seal: Okay. It has been moved -- moved and seconded to continue file number H-2021-0074, Jamestown Ranch Subdivision, to the date of February 17th, 2022. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

6. Public Hearing Continued from December 2, 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.

Seal: Okay. I would like to open the public hearing for Item No. H-2021-0071, Lennon Pointe Community, which was continued from 12/2/2021. We will begin with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. I'm not sure if you want me to go into much detail with the existing -- or I should say the plan, considering we have seen this before. I guess just quickly, the site is about 8.8 acres of land, currently zoned RUT. It's located at the southeast corner of Linder and Ustick. The applications before you tonight are annexation, zoning, preliminary plat and a conditional use permit. A private street application was also submitted with the application, but that is administrative

approval from the director/staff. At the previous hearing the Commission continued the project for the following reasons: To create a better solution to the transition between the proposed multi-family building and the neighborhood to the east. I guess for reference this is the previous site plan. Secondly, to modify the attached units along the east boundary of the site to be front loaded, instead of facing the east. And also to revise the plat to match any changes to the overall conceptual site plan and there were some other nuanced discussions that occurred and even some specifics, but I don't want to go into too much detail right now. Following the Commission hearing in December the applicant sent me revised plans last week, to which I wrote a staff -- or a staff memo to the Commission, dated January 14th. So, I hope you all were able to read that. That has much more of the detail in it and outlines the specific conditions and provisions that I recommended revising based on the new site plan, which is this one. So, quickly, the changes that they made was along the east boundary they changed the design of these to be front loaded. So, they are just matching the required setbacks on the east side, which in an R-15 zone is a 12 foot rear setback. On the revised plan they are showing that the buildings are approximately 18 and a half feet from the rear property line, though that's not a setback, it's just where the building is. They added the required covered parking here. They removed this cut through area between the commercial and the multi-family, because there was a point of discussion regarding some issues there. They also changed the multi-family units here. They are no longer four stories, they are proposed three story units and they removed the end unit altogether, rather than just stepping it down to two stories. So, now this gap is approximately 44 feet between the fence line and the building. The -- I have some revised elevations of those three story units as well. They also moved the dog park from the southeast area of the site to the southwest area of the site to be further away and part of the larger open space area. They also removed one of the townhome lots on the west side here. It used to be six. They removed one in order to pull it out of the floodway and, then, also include a new drive aisle here to connect a private street with the entrance off of Linder. This is not something that was necessarily discussed, but in the grand conversation of cut through traffic and making sure residents, as well as commercial, have specific areas to go, I believe that's why the applicant proposed that. It is not required by code, but as I noted in my memo, Commission can agree or disagree and the -- the proposed provision for that is open ended. So, it will work either way. They also added a ten foot multi-use pathway here, which was discussed by Mr. Chair as -- to connect to the other segment of it and, lastly, they made this lot match the minimum lot size requirements. So, they covered most of what was discussed at the previous Commission hearing and if there are any questions I will stand for those now.

Seal: Okay. Would the applicant like to come forward? Good evening. Please state your name and address for the record.

A.Wheeler: Andrew Wheeler. 2923 North Arthur Circle, Boise, Idaho. 83703. And, Mr. Chair, Members of the Commission, thank you again for taking a second look at this property and this proposal. Joe, do I have control of --

Dodson: Yeah. But I got to find your presentation.

A.Wheeler: So, as Joe was saying on our previous hearing, it was concluded that the -- we were about 90 percent there. Everyone liked the site plan. It needed a little bit of tweaking, a little massaging to get it over that hump and overcome a couple of hurdles and some objections that were brought up which were -- were valid and we feel that we have addressed each and come up with a solution that solves those problems and provides more housing for the City of Meridian in a comprehensive way in the mixed use community zone. So, as Joe was saying, a couple of the edits that were -- the factors that were brought up as issues were primarily centered around traffic and circulation and building height and privacy. So, to address the circulation -- and we can point to the slide when I get there in a minute, but the access -- commingling circulation of the residents through the commercial was a primary concern and so providing that 20 foot private drive will allow residents to go directly to Linder without ever having to circulate through the commercial and as well as -- here we go. Okay. The little screen on there. Yeah. Yeah. Okay. Well, we will roll with this. So, this is a -- the view of coming into the property from the west and we will get more into the renderings. So, let's look at -- just to familiarize everyone with the existing conditions, which I don't want to spend too much time on this, but, you know, this image shows the intricate connection or network of local streets which provide multiple access points onto Linder and Ustick. A couple challenges with the site with the Kellogg drain, the floodway, the arterial streets and getting access onto those and onto there, bringing in the connection of the local streets and the existing single family on the east. Those are the primary concerns with the site and challenges to design within. A few images looking north on Linder. This is looking southeast to the Creason Lateral and the Five Mile Drain. The Creason Lateral. I'm going to kind of flip through here just quickly. This is the existing single family development to the east. Joe, is there a way to remove that red? Oh, it's just on this, so -- never mind. Okay. Here is a view looking at -- off of Pebblestone looking west and, then, the northeast corner, the existing single family and the height differential with -- differential, which we will get into a little bit later. There are three zones of -- the commercial in the upper left, multi-family in the upper right and, then, residential in the main part in the bottom and this graph shows the -- or image shows the rerouting of the Kellogg Drain underground and the floodway in the southeast -- southwest corner. The public road that is coming through the site, that's a requirement of ACHD, and all of the roads would be private. So, we can talk on the site plan here for a minute. In addressing the traffic and circulation -- so, we provided that 20 foot drive to allow residents -- residents to have direct access onto Linder and not have to circulate through the commercial space. We do have signage on there to -- to dissuade commercial users from pulling into the site that would be residents only, no through traffic signage and, then, looking off of -- coming off of Ustick through Building A in the upper right we closed off that drive aisle connection as well and we also do provide signage as you are entering that, so users won't take an early right and thinking they are going to the commercial, there will be signage there saying resident only, no through access. And as far as the building height issue, Building A was redesigned. We -- we lost -- went from four stories to three. We completely lost the eastern unit and made that a pedestrian plaza, so another additional amenity to the project. We redesigned the building to have -- to be flat apartments, because before they were two story units, so now they are just nine unit buildings, three story -- three units on each level, with two and three bedroom and a one bedroom in the middle, primarily because of the daylight, with the one bedroom

unit and we went with single unit garages. On the east side for the single family we provided a little bit wider units to allow a front entry door and have that front loaded. So, the rear of that on the far east is just backyard, so we got rid of that walkway, which was previously encouraging more traffic and eyeballs and there is more people on that side and less privacy, so this provides more privacy. And, then, we moved the dog park, which was brought up in that -- in our last meeting that the dog park was kind of small and tight when we had it in the southeast corner. We moved that over to the southwest corner and the dog park fence would share the fence that's a requirement of Nampa-Meridian Irrigation District to block off the Creason Lateral, so that will just be a continuation. That will be part of that larger dog park. And, then, Building B on the west, we moved that -- moved that up and lost a lot. Lost one lot. So, if we look at open space, this actually increased by about 3,000 square feet from -- with the addition of the pedestrian plaza in the northeast corner and losing a lot in the -- on the west end from Building B. Our parking, we are still well over the required. At the commercial we are required 24 stalls and we are providing 25. At the multi-family we are required 33 and we are providing 35. And at the single family we are required 173 and we are providing 197. Here is an image of the aerial site. So, I won't spend too much time on the building design, since this is the second time we have addressed this project. The -- this is the commercial building. Be metal panel, concrete masonry and concrete wainscot on the bottom with -- and mostly glass. This being a drive-through use and this is the second building, the smaller commercial, which is intended to be a sandwich shop. Could be an ice cream parlor. It could be a multiple of uses to serve that community. This is the view looking south. This is Ustick. So, you are seeing Building A -- the two Building A's on the left and, then, the commercial on the right and, then, here is a view looking south at the commercial corner. This is sitting on the northwest corner and here is the view showing that MEW throughout the middle of the site and commercial on the right. These are the floor plans for Building A, which would have a corridor on the back on the second and third level that is how those tenants would ingress and egress the units, with garages on the ground level with direct access. And, then, on the elevation -- this elevation is slightly different than the one Joe showed earlier. We had modified the patios to angle those roofs down to not only reduce the height and the appearance of the height, but also provide a little more articulation along Ustick and a little more rhythm. Here is an enlarged view of that plaza showing that 44 feet to the building and, then, again, this is a similar slide we looked at before, with the grading plan, where the existing grade is at 25/75 for the single family home and we are proposing a finished grade at 25/72. So, we are -- we are already three feet below the existing single family. And here is a view of that plaza and Building A, so this would be in the northeast corner. This is entering the site from West Pebblestone. And, then, here is an image showing the resident only signage. It's kind of small to see in here, but that white sign on the left. So, to prevent any circulation of commercial users from going through the -- through the drive aisle and intending to go to the commercial space. This is looking at that Ustick entry, looking north. And Building B we have five lots and the materials were changed a little bit in -- in this to provide some shake siding and just a little bit different of a design aesthetic, which will be further refined in design review. And here is an image of that. And this also shows the ten foot bike path addition on the western boundary to try to get pedestrian traffic off of Linder as much as possible and connect to the existing bike path in the northeast corner -- or, excuse me, northwest corner of that

intersection. And this is looking at the -- it's sitting in the southwest corner looking north. Building C. These were widened slightly, as Joe mentioned, to meet the minimum lot size requirements and dropped to a two story unit from a three story unit, which was previously proposed. And here is a view of the -- that Building C on the right and, then, the dog park on the left. An aerial view of that southeast corner -- southwest corner. And, then, we have our elevations of the single family, two story units. And this is the image of the -- through the MEW in the center of the site. So, this is providing a lot of, you know, connectivity between residents and allowing residents to interact with one another and not have everything be front garages. A view of that same space. And these are the single -- the three single family homes in the southeast corner. And this was where we previously had the dog park, which is now removed, so it's just additional open space, which is, you know, very usable and a nice scale for, you know, more intimate uses, you know, picnic outside, whatever you are -- you might want to be doing in that space. Again similar to the northeast corner on the grades, the existing grades are 25/75 and our proposed grades are 25/72. So, here as well we are three feet below the adjacent homes. This section shows what Joe was mentioning about our 18 foot eight inch setback to the building and, then, our second story patios are actually 22 feet back, as well as three feet below. So, there is ample separation between there and without the -- or with the removal of the pathway that previously was there this will be a lot more quiet, landscaped, and provide more privacy. This is a view of the east end looking west. A view of the south looking north. And a view of the west side looking east. And there you can see that 20 foot drive that connects to the -- the access point to the commercial. With that I will stand for questions.

Seal: Thank you very much. Are there any questions for the applicant or staff at this point?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: The existing farmhouse -- do you own the entire parcel? Your developer?

A.Wheeler: Yes.

Lorcher: The existing farmhouse that is there, is it going to be destroyed or is it going to be moved?

A.Wheeler: That's in discussions right now. We haven't made a final decision.

Lorcher: My second question is that I follow Zillow a little bit and yesterday a parcel at the corner of -- 1.47 acres at Ustick and Linder came up for sale. How does that work into the development?

A.Wheeler: Can you repeat that question?

Lorcher: So, Zillow -- so, I get notifications when properties go up for sale in Meridian, just because I'm curious --

A.Wheeler: Yeah.

Lorcher: -- and so the corner parcel -- 1.47 acres at the corner of Ustick and Linder on the northeast corner -- or southeast corner, which is yours, came up for sale.

A.Wheeler: You are talking about the corner of our property?

Lorcher: Right. Where you have the commercial building.

A.Wheeler: Yeah. Yeah.

Lorcher: So, are you selling that off or is it part of your development?

A.Wheeler: Well, it's part of the development. The intent is to potentially find a buyer that would want to put a different use in there. So, we are -- you know, we are open right now on what use is actually going to go in there and so it's exploring options at this point.

Lorcher: Okay. I mean it did say commercial vacant land for sale.

A.Wheeler: Yeah.

Lorcher: And so --

A.Wheeler: And the intent would be that whatever does go in there, whether -- whether our client builds it and -- or another client does, that it would meet the requirements set by the Commission and City Council, as well as going through a CUP in the future and, you know, a higher level of design.

Lorcher: Okay. I was just kind of curious when I saw this come up for the agenda tonight and, then, I also saw that for sale, I was wondering how that was all tying in together. Thank you.

Seal: Anymore questions for the applicant or staff? Okay. At this time we will take public testimony.

A.Wheeler: Thank you.

Seal: Thank you very much.

Weatherly: Mr. Chair, we have one person signed in and that's Caryn Bitler.

Bitler: I'm Caryn Bitler. I live at 3055 Northwest 13th Street in Meridian. Okay. Hello, everybody.

Seal: Go ahead. And thank you.

Bitler: Okay. My concerns with the suggestions are as followed: The townhomes that are proposed for the east side of the development, we still feel that they should be single family detached homes or patio homes to alleviate density. Also the mixed use plan will increase traffic noise, congestion, pollution, crime and we suggest you limit the residential to detached homes, patio homes. Also the mixed use should only be considered for 40 acre parcels, of which this is not. One Commissioner mentioned the eight acre parcel should not be considered for this project. That means eight acres would not support the mixed use development and I just want you guys to do what's right only. Also, both Commissioners Yearsley and Cassinelli stated their support for detached homes and patio homes on the eight parcel acre -- the eight acre parcel on December 2nd and we support developing these types of homes. And also the patio homes can attract another demographic, which would be the older group, and I think that would be attractive to the area. Also negative impacts would be in perpetuity, that's why we suggest the -- the single family homes. Also -- they are also building townhomes just a few blocks away on Ustick and also a big development is going in on the northeast corner of Linder and Ustick and also we are concerned about building close to the flood zone. I know that you guys have discussed it -- discussed it, but I just wanted to say that our neighbors are feeling the same way. And also the person that owned the property next to the farm, I did go to his house after our meeting during Christmastime and I did speak with him directly and he was very upset, he was not for what was going on. He knew things would happen, but he wasn't happy about it. I asked why he didn't show. He said he was busy. So, that's how it goes. Also we are concerned about the flood zone as evidenced on the map that I provided your people. And it was provided by the Public Works staff and also Creason Creek was built on existing farmland and it's expected that all the homes would receive a high groundwater and that affected our crawl spaces of our entire community. We have come to realize that all communities that are built or will be built on existing farmland will have the problem of high groundwater. Although the corner of the upper edge of my lot is not in the flood zone per se, we did have flooding and it would -- and also my neighbors to the north of us who are not in a flood zone, they had worse flooding and everything was addressed. But, basically, I know they want to pipe the Kellogg Drain, which is in the flood zone, which there is extreme concern for these -- any and all buildings, because you really shouldn't build anything in that area. And the last thing I wanted to say that it makes no sense to have any kind of construction in a flood zone and it says to utilize -- utilize it as open space and when you still look at what he did and you compare what I sent -- what I sent -- and this was from Andrew Korn, who is in charge of flooding and he even said he didn't understand why things were being built in this flood zone. So, that just raised extreme concern. And when I put this over the architect's revived drawing you could still see in the red thatched area he still has homes. Townhomes. I'm not saying that we should have single story homes, as he mentioned before. I said single family detached dwellings, which means they could be two story, they could be one story, but to be detached and I just hope that you consider this. Thank you.

Seal: Thank you. Madam Clerk, do we have anybody else signed up?

Weatherly: We do not, Mr. Chair.

Seal: Oh. Come -- come right up. Just need to have you state your name and address for the record.

Sindon: Yes. My name is Carissa Sindon. I live at 914 North 8th Street, Apartment B4, in Boise. 83702. Okay. Hello. My parents used to own this property, so I grew up on that corner and I listened remotely to the hearing last time and I just wanted to give my perspective as to what my family has experienced with the growth in Meridian and I'm definitely for this development and a lot of the things that people were saying last time is traffic -- the complaints were traffic, losing views, quality of life, et cetera. When I grew up there in the early '80s there was a two way stop. Stop signs on Ustick and Linder. So, there was no stoplights or anything and we used to have a barn. That barn is now gone, because of the widening of the road and my parents have moved -- moved about 15 years ago, because of the traffic, because they lost their views. Their quality of life was diminished. You can't have a farm life there anymore. So, I just wanted to give that perspective, because I think it's inevitable that the land will be developed. That's just the way Meridian is going right now and I think that the development that they have proposed with the open space and the dog park and I think they are being very thoughtful about it and it will provide housing. I think it's good and I just wanted to let you know that perspective, because I'm a native Idahoan, been here for 40 years, and that's -- we used to have a farm there and there is not a farm there anymore. So, thank you very much.

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

Stinnett: Pamela Stinnett. 3036 Northwest 13th Street in Meridian. And I'm not impacted by people viewing into my backyard, because I'm on the other side of the street, but I see that the housing is encroaching on the people that are right across the street from me. My issues, though, go beyond that. They go further than just the -- the impact on our development, because one of many developments, but it's going to impact all the other developments, including the other one that's going across the street, because as it is getting out of the subdivision is really tough. You are fighting -- if you have to go south you can't go out on Linder without dying and if you try to go -- you know, if you come out of 12th Street it's also very difficult. If you have to -- wiggle through and go through Crossfield, it's still not much better, but, then, you are holding them up. The problem is that --

Grove: I'm sorry, I can't hear you.

Stinnett: Oh, I'm sorry. Oh, I'm sorry. I meant to put it higher. Sorry. Didn't stop to think that she was shorter than I was. Anyway. So, the problem that I have is traffic in the surrounding areas, because you have all these other developments. Another problem I have, which I don't think many people really thought much about, because the gentleman that talked about the schools said, well, they are at 20 percent now, but they could see themselves being okay at 80. Well, with all the developments going in the school is not going to be at 80, it's going to be over a hundred. It's going to be impacted greatly. So,

you are going to have a lot of kids putting a lot of burden on that school and I, honestly, think that's going to impact the quality of their education and those kids are going to be -- some kids from our neighborhood, as well as a new development. Additionally, I want to make sure if they do -- if this development goes through as -- whether as planned or if you make adjustments to it, are we going to be able to walk through their dog park or is that going to be -- are there going to be limitations? Because, you know, to me that precludes us easily going -- you know, we have to go all the way around to go to another park or to walk down the street going, you know, around, if that -- if that's going to be an issue and it just seems to me that there should not be a limitation on who can use that open space. So, those are the main things. But I do think it's going to impact quality of life, safety issues, traffic issues. I already -- when I first moved in three years ago I could get to Cole Road and Franklin in 15 minutes easy, sometimes 12. Now it takes me 45 and it's just going to get worse and I don't expect it to stay perfect, but I do think that -- my time is up. Thank you so much for listening.

Seal: Thank you very much. Do we have anybody else in chambers that would like to come forward and -- no? Nobody online raising their hand?

Weatherly: I don't see anybody, Mr. Chair.

Seal: Okay. Would the applicant like to come back forward?

Dodson: Mr. Chair?

Seal: Go ahead.

Dodson: I would like to make a couple comments first just to clear up some of the --

Seal: Absolutely. Please do.

Dodson: Regarding the floodplain or floodway, yeah, like 90 percent of the site is in some kind of flood zone. It's a very -- that's why I know that this property hasn't been developed, because it's going to take a lot of work to get it out of there. However, what they are going to do with the Creason Lateral and piping the Kellogg Drain will immediately change that entire facet of that, which is good for the neighboring sites as well. There is also a geotech that was done and specific construction recommendations within that, which we have a condition already in there that says that they have to meet those specific recommendations. So, we should be handled on that. I have full faith that we -- we will monitor that as we do with any project that's in the floodway. There was another point and I forgot. I will come back around.

Seal: Okay.

Dodson: Thank you.

Seal: Thanks.

A.Wheeler: Thanks, Joe. That's very helpful and on the details as always. So, to address a couple of these -- these issues, to speak about the floodway, I mean, first of all, yes, we are dealing with a site that is challenging and has taken a lot of creativity and thought and, you know, time to put a solution that's viable here. We are staying completely out of the floodway and we are designing the homes to be a foot above the base flood elevation. So, that's how we are addressing the flood concerns. As far as the detached homes on the east -- Joe, can we pull up to my presentation there. Just wanted to get to one of those beginning slides. While Joe is pulling that up, you know, the comment was that, you know, height doesn't matter, that it's the width and being detached. When we pull up a map here you will see that the existing single family lots are about just as wide as two of our lots as is. So, we are no much wider in our single structure than the existing homes that are there, which are two stories in some cases as well and much wider than what we are proposing. So, I feel that from a massing perspective we are aligned to what is already existing on the eastern boundary. Regarding the use of the site -- yeah, just to move on to that point -- go back to the very beginning here. Yeah. So, you can see on the right there is -- those black lines on the very far edge are the property lines of the existing single family and approximately, you know, encompass two of our lots. So, to put a visual to that. As far as regarding the use of the area, that will be determined at a later point through an HOA of how that will be managed, whether the dog park will be open, whether the play structures will be open. At a minimum the -- the ten foot pedestrian path, which we already had provided and, then, we have extended that further to the northeast -- or northwest to the bike parking, would be available and usable by -- by anyone. So, that is a part that would be used for anyone on the site, not to mention any of the commercial uses that go in there, that would -- you know, could become a very viable, desirable place to go for the existing residents. I would just urge that the council take consideration to this development and consider the challenges that we have ran into, the needs of the City of Meridian for housing and the time, effort, energy and thought that's gone into this project to bring something that's going to solve a complex problem in a sophisticated way. So, with that I will stand for questions.

Seal: Joe, did you remember what you forgot?

Dodson: I do. Yeah. It was regarding the -- the dog park, just to say that the multi-use pathway, as Andrew covered, will be shared for sure regionally, but the use of the open space typically is not shared between developments, only because only one HOA is paying for that area and to maintain that area -- the same as these residents won't be able to use the Creason Creek open space. Technically. Does it happen? Sure. I'm sure it does. But that's just typically how it goes. But if this HOA wants to do that they are more than welcome to keep that open. But, again, that's not -- not usually something that the city puts their hands on.

Seal: Okay. Thank you.

A.Wheeler: Thank you.

Seal: Thank you very much. Actually, I should have asked -- did you have a question? No? No more questions? Okay. At this time can I get a motion to close the public hearing for Item No. H-2021-0071?

McCarvel: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for Item No. H-2021-0071. All in favor say aye. Opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Comments?

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I -- some of the concerns that were brought up -- I'm not as concerned on the floodplain issue, because I know that there is going to be -- like staff has said about the engineering requirements and things of that nature on that, plus the developer doesn't want to put his money into something that's going to be sunken later and he's trying to get a return out of it. So, I know that they are going to do what they can in order to build it up and take care of those issues with that. The transitional piece on the eastern side with the townhomes, I think that that makes a nice little segue or transitional part on the eastern side of the property as it goes from some commercial there next to a -- if we count the decel lanes, you know, six lanes or into a residential subdivision there. That seems -- that seems to be a good use of that eastern side of it and I like the use of that open space and created with a dog park in that cornered area there, that's going to be interesting, especially with the way that they are also tying it into the -- the pathways there. So, this is -- seems to be a good project that, you know, for corner of six lanes by six lanes with stoplights and everything, it seems like it's a -- a good use of space.

Seal: Okay. Anybody else want to jump in?

Lorcher: Mr. Chair?

Grove: Mr. Chair?

Seal: Commissioner Lorcher, I think you were first.

Lorcher: I will agree with Commissioner Wheeler. This is going to be developed like everybody had said. It would be nice that everybody was a hundred percent in agreement. All four corners are going to be residential with a little bit of commercial into it and as long as the floodplain issues are resolved -- have been resolved and there is

connectivity with the pathways. Going opposite direction on either Linder and Ustick is always going to be a problem, unless more lights are done. I know I go out of my way to turn right and not try to turn left at any given time, even if it means going around the block for safety reasons, because people just jut out from everywhere. Sometimes that can be inconvenient, but it can also be a safety concern. But the transition I agree with Commissioner Wheeler, from 12th Street and 13th Street over to that -- with those building lots seems like a good transition.

Seal: Commissioner Grove, did you want to jump in?

Grove: Awesome. Thank you, Mr. Chair. A couple of thoughts that I have on this. I appreciate the changes that the applicant made in coming back to us with a revised plan. It looks like they -- they put some real thought into how to address the concerns that we had and they were able to do in a way that I hadn't fully foreseen and I like the changes. I think the -- that open space is -- is very large for a development of this size and it looks great, kind of coming off that arterial road and being able to see that large open space. The future land use map shows this is mixed use and I think this is a good way to show that intent of what the future land use map shows as mixed use. Getting the diversity of housing types in there is -- is a great option and I think we need to have those options as we continue to grow. You know, when I moved here from Boise years ago I moved here because it was a great -- you know, we had all the awards for being a great family city, a place for families to move and raise and grow your family and I think having those options of different types of houses, different price points, things like that really helped build the strength of our community. So, I applaud them and the types of choices that they made for this. I also think that the movement that they put for traffic for the commercial space makes a lot of sense and they have really done a good job of both separating and integrating at the same time, so I'm in favor of this project.

Seal: Okay. Commissioner Yearsley? Commissioner McCarvel? Anything to add? Any motions to be made?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: You know, I think they did a fairly decent job trying to meet most of the concerns. For me personally I just don't like it. I guess it comes down to personal preference. I think they should have put single family homes at least on the east side to provide a different -- a better transition. But -- but overall I think it's -- it works and I won't -- I will just leave it at that.

Seal: Commissioner McCarvel?

McCarvel: Mr. Chair, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0071 as presented in

the staff report for the hearing date of December 2nd, 2021 -- or January. Let's do January 17th, 2022.

Dodson: January 20th, 2022.

Seal: Twenty. One more time.

McCarvel: 20th? You want the 20th. I was just picking days out of the air. January 20th, 2022.

Seal: It's almost like this is the last time you are going to do that.

McCarvel: Almost.

Wheeler: I second that. I think. I think.

Seal: It's been moved and seconded to approve Item No. H-2021-0071.

Dodson: Mr. Chair?

Seal: Oh, Joe.

Dodson: Real quick. Just want to make sure we are clear. Do they need to include the -- with the modifications of my memo in there?

Starman: I understood the motion to incorporate that, but maybe I will ask the maker of the motion is that -- was that your intent?

McCarvel: To include all the staff notes?

Starman: Correct.

Dodson: Thank you.

Starman: I think we are good.

Seal: All right. It has been moved and seconded to approve Item No. H-2021-0071 to include the staff notes. All in favor say aye. Any opposed?

Yearsley: Nay.

Seal: Got that?

Weatherly: For the record, Commissioner Yearsley, was that a nay?

Yearsley: That was a nay.

Weatherly: Thank you.

Seal: Okay. Motion carries.

MOTION CARRIED: FIVE AYES. ONE NAY. ONE ABSENT.

7. Public Hearing for Pine 43 Pad G (H-2021-0097) by CSHQA, Located at 1492 N. Webb Way

- A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of a residential zoning district on 5.31 acres of land in the C-G zoning district.

Seal: All right. Okay. So, at this time I would like to open the public hearing for Item No. H-2021-0097 and we will begin with the staff report.

Parsons: Thank you, Chair, Members of the Commission. Next item on the agenda this evening is the Pine 43 Pad G conditional use permit. This site consists of 5.31 acres of land. It's currently zoned C-G and it's located at 1492 North Webb Way. This property was pre-platted and a development agreement modification was approved in 2017. So, this site has not been formerly final platted yet, but it is part of the Pine 43 pre-plat and staff has not -- again has not received a final plat to create this particular parcel, so in -- by that not being completed the applicant would be required to develop the entire five acre site for this building to be constructed on it. I would mention to the Commission that we have approved a -- what's called a staff level certificate a zoning compliance and design review for one of the office -- or for one of the retail buildings on this site already. It's currently under construction. So, the applicant is aware of those conditions and proceeding with those as set forth as stated in the staff report. As you can see here this project is part of a larger mixed use community designated area. This small commercial area was anticipated to support a residential --

Yearsley: Mr. Chair? Bill, can you share your screen?

Parsons: Oh. I'm sorry. I thought Joe had that shared for you. You know what they say when you assume things. Is that better for you? I thought you could read my mind. We have been working together so long. Perfect. Everything else clear now? So, there is the mixed use area that I was talking to you about and, again, this is just -- what the applicant's proposing this evening is consistent with the concept plan tied to that development agreement. So, here is that one pad site. It's in the southwest corner of that 5.3 acre site. Again, the pad site to the north of this is under construction, along with those frontage improvements and the -- the associated parking. So, as staff pointed out in the staff report, they need to final plat it if they just want to develop this single parcel, but because they haven't final platted and because we have already approved all of the site work under certificate of zoning compliance, the applicant's basically complying with the conditions of this particular conditional use permit. Again, the -- the reason why we are here for a conditional use is because the associated drive through is within 300 feet

of a residential district. So, currently Pine 43 Apartments, Phase 2, which is zoned R-40 is directly to the south of this. The only thing that's separating it is a commercial drive aisle along the south boundary and that's -- that's the purpose of why we are here tonight is the code requires you to take access on that. Staff did note in the staff report that the associated drive through does comply with all the specific use standards. Really minor modifications. The applicant has agreed to putting up a six foot solid wall along the landscape buffer here along the south boundary to help mitigate some of the noise to the adjacent residential and that will be reviewed and verified at the time they modify their certificate of zoning compliance for this particular site. I would also note here that there is -- access points have been approved for this development as well. There is one here north of it and, then, again, a shared drive aisle with the multi-family to the south and the commercial to the north here. As part of the overall Pine 43 development the applicant was required to provide cross-access for this development. So, they will have to provide evidence of that prior to getting occupancy of this particular development. Because this site does abut a residential district the code does restrict the hours of operation from 6:00 a.m. to 11:00 p.m. and the applicant's agreed to those conditions as well. So, they are meeting code as far as hours of operation. I would mention to you that this is for -- this -- the -- the commercial building is a multi-tenant building, approximately 9,800 square feet and the drive-through tenant will be a restaurant use. I know Mr. Cassinelli is not here tonight and he's a proponent of parking. Staff analyzed the parking as part of the staff report. Because a restaurant use is going into this space the code requires one stall for every 250 square feet of gross floor area. Staff has done the analysis based on that ratio. It appears there is 48 parking stalls to accommodate that use, including additional uses that may go into this development. So, if you look in -- in the lower corner -- southwest corner of the -- this site plan you can see the -- the keynote or, basically, a vicinity map and you can see how there is shared parking and there will be additional parking and commercial buildings on this particular property. Here is the landscape plan. The applicant's required to provide a 20 foot buffer along North Webb Way, which is occurring, as I mentioned to you, and, then, also a landscape buffer is required adjacent to residential uses, which has also been addressed in the staff report. The applicant has provided conceptual elevations. As part of the DA for this project the applicant was required to have elevations that was complementary to the residential that was occurring, so it was supposed to be a -- a consistent development -- development theme throughout the Pine 43 development. This architecture that they are proposing is similar to the existing building that's under construction currently and we reviewed with the previous certificate of zoning compliance. I have had a chance to look at the public record. There has been no public testimony on this particular application. Staff is recommending approval with the conditions in the staff report and with that I would stand for any questions you may have.

Seal: Thank you, Bill. At this time would the applicant like to come forward. Good evening. Please state your name and address for the record.

Brozo: My name is Mandie Brozo with CSHQA, 200 Broad Street, Boise, Idaho. 83702. Good evening. Pressures off, since everyone left. Got the mic at the right height, so -- thank you, Mr. Chair, Commission Members. We are here to present the Pad G multi-

tenant retail. Right now it's only one drive through, unlike some of the other ones you have seen that I have tried to put multiple drive throughs in one, but it's just one. We are doing a very dense landscape buffer between us and the residents to the south and, then, all of the residents' windows actually face east-west, so the wall, all the landscaping, will hopefully help buffer any kind of traffic that you have going through that site.

Seal: Okay.

Brozo: And design review and CZC will be able to develop the elevations and anything else you guys want to see.

Seal: Okay. Any questions for the applicant or staff?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: The multi -- the building is going to have multiple businesses in it. Which -- which way does the front door face? On Webb Way?

Brozo: It faces north towards Fairview.

Lorcher: Towards Fairview. But there is a building in front of it; correct?

Brozo: It's along the corner of -- the hard corner of North Webb and Fairview and so there is shared parking between the two and that building on the corner actually faces south inwards towards -- so these buildings face each other.

Lorcher: Okay. So, there will be a sight line from Fairview to be able to see your businesses and what their signs are?

Brozo: Yeah. One of the access points that actually wasn't addressed is that right there that is directly off of Fairview.

Lorcher: And that's an access point to be able to get into this commercial area?

Brozo: Correct.

Lorcher: Okay. Thank you.

Seal: Commissioner Mr. Wheeler, go ahead.

Wheeler: Thank you, Mr. Chair. Mandie, I have got a question for you here. I'm just -- I'm looking at the site plan here. I'm seeing that the drive aisle that's going around onto -- it looks like from the west side and, then, it comes around to the backside of the building -- is that correct? Is that -- that's how I'm understanding it; right? And that looks like it's

a drive aisle like for drive throughs for any sort of retail or commerce or food or anything like that, that's the access for. Is that what I'm understanding?

Brozo: Technically that's just for the drive through.

Wheeler: Okay. Okay. So, is that -- but that's not like a loading area or anything like this, this is actually for like retail pickup kind of -- things like that, like the drive through; correct? So, you could actually have -- because there is multiple spaces in this building and multiple retail, you could have multiple windows delivering off this backside, is that the way you are seeing it or not?

Brozo: We are seeing it as the one drive through for the restaurant tenants and, then, anybody else who would have to use that back rear loading would be parking not in that drive aisle.

Wheeler: Okay. Okay. And where would that -- what would that look like with them not being in that drive aisle and having access for loading on the rear?

Brozo: So, not actually knowing what the tenants are going to be for this space, hopefully deliveries are happening during, you know, regular business hours. They do have that drive aisle directly to the east. It is wide enough and we could possibly make it wider --

Wheeler: Okay.

Brozo: -- if we needed to for them to stop a truck, unload, get to the back of the spaces or provide front entry loading.

Wheeler: Very good. Okay. Thank you.

Yearsley: Mr. Chair?

Seal: Go ahead.

Yearsley: Man, I think you missed your mark. I would have gone for two drive throughs in this. I think this is prime for a lot of restaurant space given the commercial behind you, but -- so, that was my only comment.

Brozo: There is still time. I mean --

Seal: All right. Any other questions for applicant or staff? No? All right. At this point we will take public testimony if anybody is signed up.

Weatherly: Mr. Chair, we do have one person signed in, Carissa Sindon. I do believe that name was -- yeah -- stated on the first one, so besides that I don't see anybody online or signed up.

Seal: Okay. Anybody else in chambers? Okay. Unless you have anything else to add? All right. Thank you. Okay. At this point can I get a motion to close the public hearing for Item No. H-2021-0097.

Wheeler: So moved.

Yearsley: Second.

Seal: It's been moved and seconded to close the public hearing for Item No. H-2021-0097. Whoever wants to jump in go right ahead.

McCarvel: Second. Should we vote on it?

Seal: Oh. That's -- that's true. So, it has been moved and seconded to close the public hearing for Item No. H-2021-0097. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Now you can jump in. It seems like I'm talking a lot tonight.

Yearsley: It's only just begun.

Seal: Well, yes. Oh, yes.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go right ahead.

Yearsley: I think they have done a great job. I like the idea of the screen wall along the backside. I think that makes a lot of sense and -- and will help for the residents to the south. So, yeah, with this I -- like I said, I still think they should have went for another drive through and I will stand at that.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I have a question with that. I'm going to kind of dovetail on what Commissioner Yearsley is talking about here and ask staff about that. If we were to make a motion -- is there a way that we could include something like that, like including up to two different drive through access points on the -- or is that something that we are not able to do?

Parsons: I keep -- I almost called you Madam Chair. Apologies. Mr. Chair, Members of the Commission, technically this has been advertised for a single drive through. So, I wouldn't advise us to add another drive through to your recommendation. Plus we haven't had a chance to analyze that and do some of that analysis for you. Certainly if the

applicant wants to propose another drive through on the site it can come back at that time and they can take that up with the Commission. But tonight we are only acting on one and that's what I would recommend we stay with.

Wheeler: Thank you.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: After considering all staff, applicant, and public testimony I move to recommend approval to City Council -- no. Actually, this is we approve.

Seal: This is for approval. Correct.

Yearsley: Recommend approval of File No. H-2021-0097 as presented in the staff report -- staff report for the hearing date of January 20th, 2022, with no modifications.

Wheeler: I second.

Seal: It has been moved and seconded to approve Item No. H-2021-0097. Did I say recommend to approve? Sorry. It has been moved and seconded to approve Item No. H-2021-0097 with no modifications. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley.

Yearsley: Before I -- or we end this meeting I just want to officially say that I really enjoyed working with Rhonda both of my terms, so -- and you will be missed, so -- and I would recommend that we let her, with a tear in her eye, make the last motion.

McCarvel: I wouldn't have had one until you said that, but I learned everything I know from Commissioner Yearsley.

Seal: We look forward to welcoming you back.

Grove: And, Rhonda, I'm sorry I'm not there in person.

McCarvel: Yeah. I don't think this is a very stellar way to start off your term as vice-chair. Mr. Chair, I move we adjourn.

Yearsley: Second.

Seal: Is has been moved and seconded to adjourn. All those in favor say aye. Any opposed? Motion carries. Thank you, everyone.

MEETING ADJOURNED AT 7:10 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Pine 43 Pad G (H-2021-0097) by CSHQA, Located at 1492 N. Webb Way

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



In the Matter of the Request for Conditional Use Permit (CUP) for a drive-through establishment within 300-Feet of a Residential Zoning District on 5.31-Acres of Land in the C-G Zoning District for Pine 43 Pad G, Located at 1492 N. Webb Way in the C-G Zoning District, by CSHQA.

Case No(s). H-2021-0097

For the Planning & Zoning Commission Hearing Date of: January 20, 2022 (Findings on February 3, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of January 20, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of January 20, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of January 20, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of January 20, 2022, 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 January 20, 2022, 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 January 20, 2022, 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 January 20, 2022

By action of the Planning & Zoning Commission at its regular meeting held on the _____ day of _____, 2022.

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

EXHIBIT A



STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

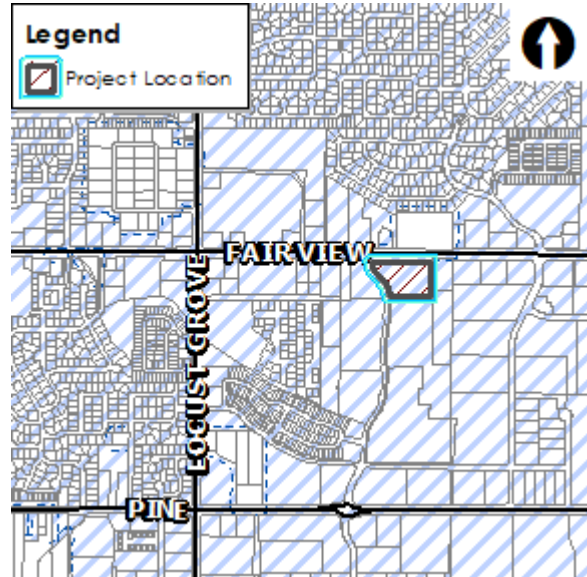
HEARING DATE: 1/20/2022

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0097
Pine 43 Pad G Drive-Through – CUP

LOCATION: 1492 N. Webb Way, in the NW 1/4 of Section 8, T.3N., R.1E. (Parcel #R7104250566)



I. PROJECT DESCRIPTION

Conditional Use Permit (CUP) for a drive-through establishment within 300' of a residential zoning district on 5.31-acres of land in the C-G zoning district.

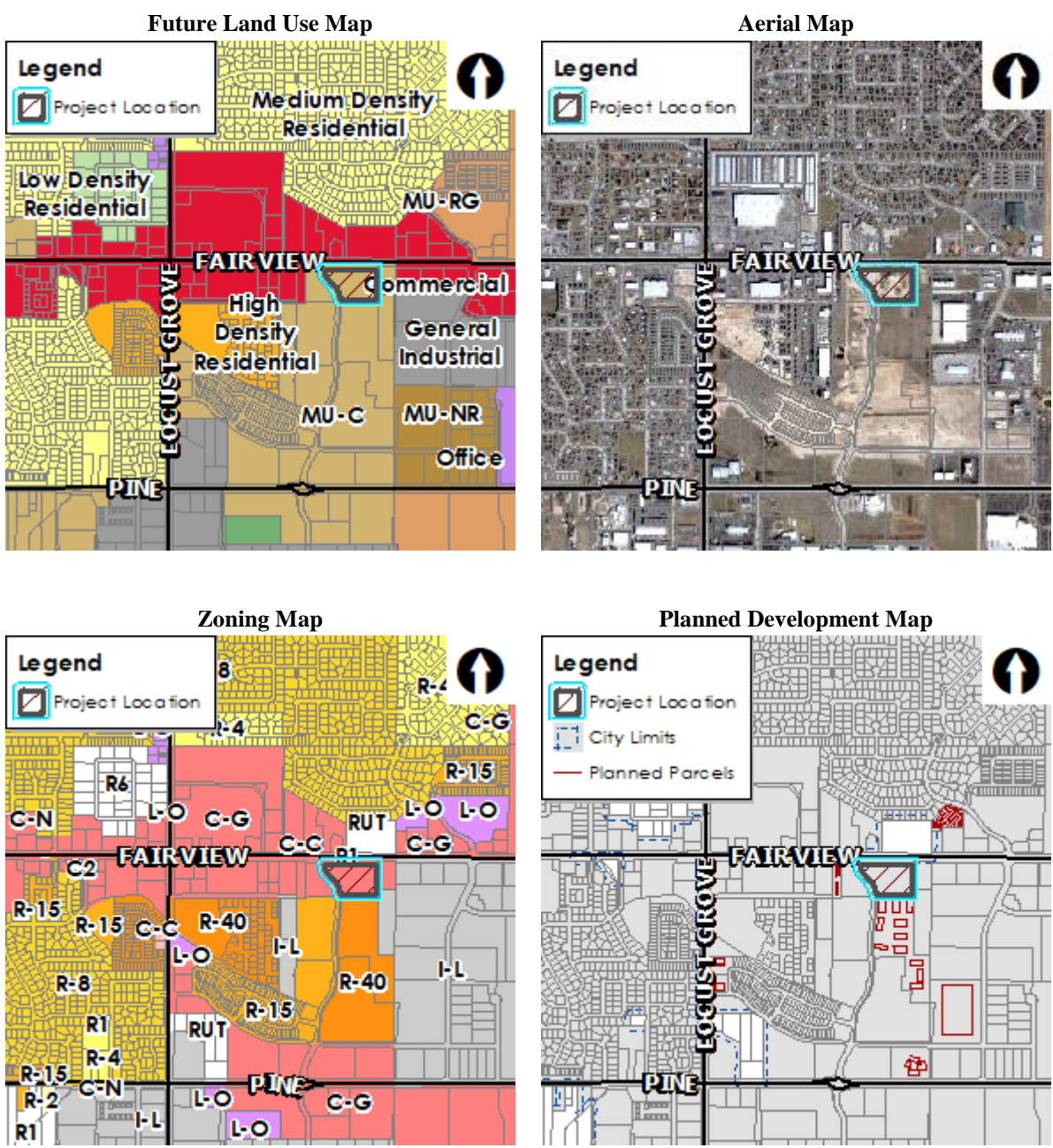
II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	5.31-acres	
Future Land Use Designation	Mixed Use – Community (MU-C)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Drive-through establishment	
Current Zoning	General Retail & Service Commercial District (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
History (previous approvals)	H-2017-0058 (Development Agreement Inst. 2018-000751)	

EXHIBIT A

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Mandie Brozo, CSHQA – 200 Broad Street, Boise, ID 83702

B. Owner:

Eric Centers, C & O Development, Inc. – 6149 N Meeker Place, Suite 110, Boise, ID 83713

EXHIBIT A

C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	1/4/2022
Radius notification mailed to properties within 300 feet	1/3/2022
Site Posting Date	1/6/2022
Next Door posting	1/6/2022

V. STAFF ANALYSIS

The proposed drive-through establishment is associated with a restaurant use in a 9,800 square foot multi-tenant building located within 300-feet of a residential zoning district, which requires Conditional Use Permit approval (CUP) in the C-G zoning district per UDC Table 11-2B-2 and 11-4-3-11A.1. The residential district (and future multi-family apartments) directly abuts the site at the south boundary.

This site currently consists of 5.31-acres of land. A preliminary plat (H-2017-0058) was approved which includes this site; however, a final plat has not yet been approved to create the lot for this site which is intended to consist of 0.88-acre. **If the portion of this site that is the subject of this application develops prior to a final plat being recorded to subdivide the overall property, the Developer is responsible for constructing all of the street buffer improvements on the existing parcel along N. Webb Way and E. Fairview Ave. These improvements consist of a 20-foot wide street buffer along N. Webb Way, landscaped per the standards listed in UDC 11-3B-7C and 11-3B-12C; and a 25-foot wide street buffer along E. Fairview Ave. with a detached 5-foot wide sidewalk, landscaped per the standards listed in UDC 11-3B-7C. If the property hasn't been subdivided prior to submittal of an application for Certificate of Zoning Compliance for the proposed use, these street buffers and associated improvements should be included on the site and landscape plans and constructed with development of the site.**

Development Agreement: There is an existing Development Agreement (DA) that governs future development of this site ([H-2017-0058](#) – Inst. [2018-000751](#)). The proposed development plan is in substantial conformance with the previously approved conceptual development plan for this site as required.

The DA requires the commercial/office buildings within this development to be arranged to create some form of common, usable area, such as plaza or green space. The DA also requires community serving facilities such as hospitals, churches, schools, parks, daycares, civic buildings, or public safety facilities to be provided within the development. Although Staff is supportive of the proposed development, the Developer should plan for these areas and uses in the remainder of the development.

EXHIBIT A

Access: Access is proposed from two (2) future driveways from N. Webb Way along the north and south boundaries of the site. The driveway along the south boundary labeled as future Wilson Rd. is not planned to be extended east of Webb so the name should be removed and it should be constructed as a typical driveway. **A cross-access/ingress-egress easement should be granted to the property to the south for interconnectivity; a recorded copy of the agreement should be submitted prior to issuance of Certificate of Occupancy of the proposed structure.**

Pedestrian Pathways/Sidewalks: The DA requires pedestrian connections to be constructed between buildings in the form of pathways distinguished from vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks; the site plan should be revised to include these and should also include a pedestrian connection to the future residential development to the south. A minimum 5-foot wide walkway is depicted from the perimeter sidewalk/pathway along N. Webb Way to the main building entrance as set forth in UDC 11-3A-19B.4a.

The Pathways Master Plan depicts a segment of the City's 10-foot wide multi-use pathway system along the north boundary along Fairview Ave. However, the Park's Dept. isn't requiring one to be provided. ACHD plans to widen Fairview in this area in the future, which will likely include a 7-foot wide sidewalk. Therefore, Staff recommends a minimum 5-foot wide sidewalk is provided in accord with UDC 11-3A-17.

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. **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 capacity for at least seven (7) vehicles and shouldn't obstruct driveways, drive aisles within the site or adjacent public right-of-way.

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 meets this requirement.

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 window is visible from N. Webb Way, a collector street adjacent to the west boundary of the site.

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

The site plan submitted with the Certificate of Zoning Compliance application should

EXHIBIT A

identify the menu and speaker location (if applicable), and window location as set forth in UDC 11-4-3-11B.

A 6-foot tall sight obscuring fence is required to be provided where a stacking lane or window location adjoins a residential district or an existing residence as set forth in UDC 11-4-3-11D. A 6-foot tall sight obscuring fence is depicted on the site plan as required.

The proposed restaurant is 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. **The site plan depicts a total of 48 off-street parking spaces in accord with and exceeding this standard; however, most of the parking is depicted outside the boundary of this site. The boundary of the site/future lot should be expanded so that all of the required parking is on this site.**

Hours of Operation: The hours of operation for the proposed use are limited to 6:00 am to 11:00 pm in the C-G zoning district per UDC 11-2B-3B because the property abuts a future residential use to the south.

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

Parking: Off-street vehicle parking is proposed in accord with UDC standards as discussed above.

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](#). Parking for five (5) bicycles is depicted on the site plan in front of the building. **A detail of the bicycle rack should be depicted on a revised site plan submitted with the Certificate of Zoning Compliance application meeting the aforementioned standards.**

Landscaping: Street buffer landscaping is required as noted above.

Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C. The landscape plan does not include the entire site. The plan submitted with the Certificate of Zoning Compliance application should depict the entire site and landscaping in accord with UDC standards.

A 25-foot wide buffer to residential uses is required to be provided to the adjacent residential property to the south, landscaped per the standards listed in UDC [11-3B-9C](#). The buffer area is required to be comprised of a mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative groundcover and shall result in a barrier that allows trees to touch within 5 years of planting. A 15-foot wide landscape buffer and 20-foot wide driveway is depicted on the site plan along the southern boundary of the site between the drive-through and future residential uses. With landscaping that provides a dense buffer and a fence adjacent to the drive-through window, Staff is of the opinion the driveway will assist in providing a spatial buffer and does not recommend a wider landscaped buffer is required; if Commission feels a full 25-foot wide landscaped buffer is needed, they have the authority to add a condition as such.

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 for the proposed single-story structure were submitted as shown in Section VII.C that incorporate a mix of materials consisting of wood siding, corrugated metal siding, stucco, concrete, metal, glazing and stone accents.

EXHIBIT A

The proposed elevations are not approved with this application; 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/structure 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.

B. The Meridian Planning & Zoning Commission heard this item on January 20, 2022. At the public hearing, the Commission voted to approve the subject CUP request.

1. Summary of the Commission public hearing:

- a. In favor: Mandie Brozo, CSHQA
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Mandie Brozo, CSHQA (Applicant's Representative) – in agreement with staff report.
 - e. Staff presenting application: Bill Parsons
 - 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. Commission discussed how truck deliveries would be accommodated on the site.
 4. Commission change(s) to Staff recommendation:
 - a. None

Item 2.

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EXHIBIT A

VII. EXHIBITS

A. Proposed Site Plan (dated: 10/20/2021)

C&O Development, Inc. |

PINE 43 RETAIL PAD G |

20 OCTOBER, 2021

CONTACT INFORMATION:
 OWNER: MR. DAN TORVIN
 C & O DEVELOPMENT, INC.
 25 BEACHWOOD DR. #202
 BOISE, ID 83709

ARCHITECT: JAMES MARSH
 CSH6A
 200 BIGLASS ST.
 BOISE, ID 83702
 P: (208)429-4049

SITE PLAN INFORMATION
 PROJECT ADDRESS:
 3325 E FAIRVIEW AVE
 MERIDIAN, ID 83640-0000

PARCEL: 8770430866
 ZONE CODE: C-6 GENERAL RETAIL AND SERVICE COMMERCIAL DISTRICT
 TOTAL ACRES: 3.306
 PROJECT AREA: 36,480 SF / .88 ACRES
 SUBDIVISION: PLANNED VALLEY SUB

TOWNSHIP/RANGE/SECTION:
 3N1E08

DIMENSIONAL STANDARDS IN THE COMMERCIAL DISTRICTS
 FROM TABLE 12.04.01 OF THE MERIDIAN CITY CODE
 FRONT SETBACK (IN FEET): 0
 REAR SETBACK (IN FEET): 0
 INTERSECT SETBACK (IN FEET): 0
 STREET LANDSCAPE BUFFER (IN FEET): 0
 COLLECTOR (FEET): 20'
 ARTERIAL (FEET): 25'
 MAXIMUM BUILDING HEIGHT (IN FEET): 30'

SITE AREA CALCULATIONS:
 SITE AREA: 36,480 SF
 BUILDING AREA: 9,800 SF
 LANDSCAPING AREA: 4,534 SF
 PERCENTAGE OF SITE DEVOTED TO BUILDING: 26.88%
 PERCENTAGE OF SITE DEVOTED TO LANDSCAPING: 12.43%
 PERCENTAGE OF SITE DEVOTED TO PAVING: 60.69%

THE
 *NOTE: THIS % DOES NOT INCLUDE THE EXISTING LANDSCAPING OR FUTURE PADS. THE REMAINDER OF THE SITE WILL BE SUBMITTED FOR SEPARATE REVIEW.

PARKING REQUIREMENTS - SECTION 12.04.04.1:
 ONE PARKING SPACE REQUIRED FOR EVERY 500 SQ. FT. OF GROSS FLOOR AREA
 8,400 SF / 500 = 16.8
 *20 PARKING STALLS REQUIRED
 *48 PARKING STALLS PROVIDED FOR RETAIL PAD G

LANDSCAPE REQUIREMENTS: REFER TO LANDSCAPE PLAN

LEGEND:

- PROJECT UIC
- - - PROJECT BOUNDARY
- - - LOT BOUNDARY
- (15) SIDEWALK (6'0")
- (10) DRIVE
- (10) DRIVE DRIVE

SHEET NOTES:

1. PROJECT UIC
2. DRIVEWAY/LOT/STREET/DRIVEWAY
3. DRIVEWAY
4. DRIVEWAY/LOT/STREET
5. DRIVEWAY/LOT/STREET
6. DRIVEWAY/LOT/STREET
7. DRIVEWAY/LOT/STREET
8. DRIVEWAY/LOT/STREET
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16. DRIVEWAY/LOT/STREET
17. DRIVEWAY/LOT/STREET
18. DRIVEWAY/LOT/STREET
19. DRIVEWAY/LOT/STREET
20. DRIVEWAY/LOT/STREET

VICINITY MAP

PROJECT SITE

Scale: 1" = 20'-0"
21285

SITE PLAN
Design Package | pg. SP01

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EXHIBIT A

B. Proposed Landscape Plan (dated: 10/26/2021)

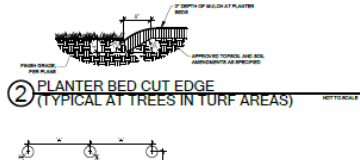


PROJECT INFORMATION
LANDSCAPE REQUIREMENTS
 TOTAL PROJECT AREA: 3.45 ACRES
 TOTAL LOT AREA: 1.5 ACRES
 TOTAL BUILDING AREA: 9,800 SF
 TOTAL PAVED AREA: 1.0 ACRES
 TOTAL GREEN AREA: 2.45 ACRES
 TOTAL TREES TO BE PLANTED: 150
 TOTAL PERENNIALS TO BE PLANTED: 1,500
 TOTAL GRASSES TO BE PLANTED: 10,000
 TOTAL MULCH TO BE PLANTED: 10,000
 TOTAL SOIL TO BE PLANTED: 10,000
 TOTAL WATER TO BE PLANTED: 10,000
 TOTAL IRRIGATION TO BE PLANTED: 10,000
 TOTAL FERTILIZER TO BE PLANTED: 10,000
 TOTAL PESTICIDES TO BE PLANTED: 10,000

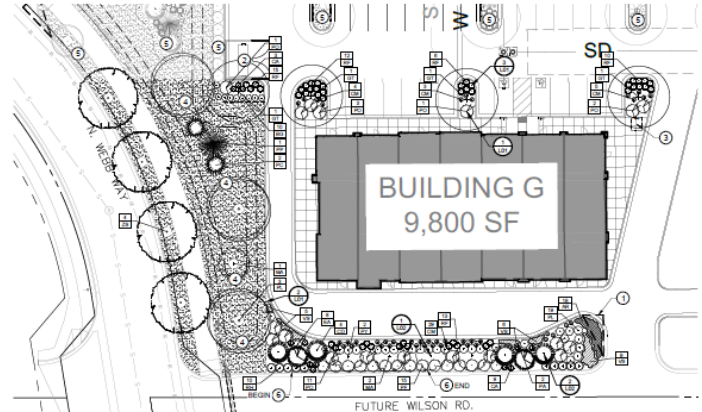
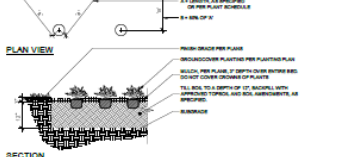
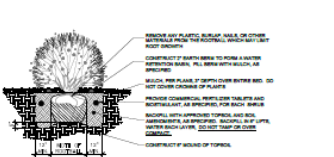
LANDSCAPE NOTES:
 1. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED DEVELOPMENT AND HAS IDENTIFIED AREAS WHERE LANDSCAPE IMPROVEMENTS ARE REQUIRED TO IMPROVE VISUAL QUALITY AND ENVIRONMENTAL QUALITY.
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TOPSOIL NOTES:
 1. TOPSOIL SHALL BE A MINIMUM OF 6" DEEP AND SHALL BE STORED IN A CLEAN, DRY, AND PROTECTED AREA TO PREVENT CONTAMINATION.
 2. TOPSOIL SHALL BE STORED IN A CLEAN, DRY, AND PROTECTED AREA TO PREVENT CONTAMINATION.
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IRRIGATION NOTES:
 1. IRRIGATION SYSTEM SHALL BE INSTALLED TO MAINTAIN MOISTURE LEVELS OF PLANTS AND TREES.
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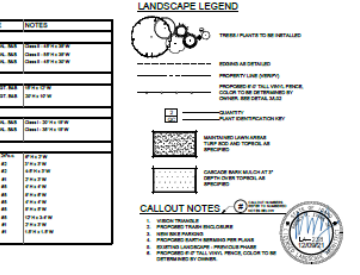
WEED ABATEMENT NOTES:
 1. WEED ABATEMENT OPERATIONS SHALL BE CONDUCTED PRIOR TO PLANTING.
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 10. WEED ABATEMENT OPERATIONS SHALL BE CONDUCTED PRIOR TO PLANTING.



NOTES:
 1. ALL PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN.
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 8. ALL PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN.
 9. ALL PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN.
 10. ALL PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN.

PLANT SCHEDULE

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
150	TD	Redwood	Redwood	12" x 12"	150 trees to be planted
1,500	GC	Groundcover	Groundcover	Various	1,500 plants to be planted
10,000	GR	Grass	Grass	Various	10,000 plants to be planted



Scale: 1" = 20'
21285

LANDSCAPE PLAN
Conditional Use Permit | pg. L01

EXHIBIT A

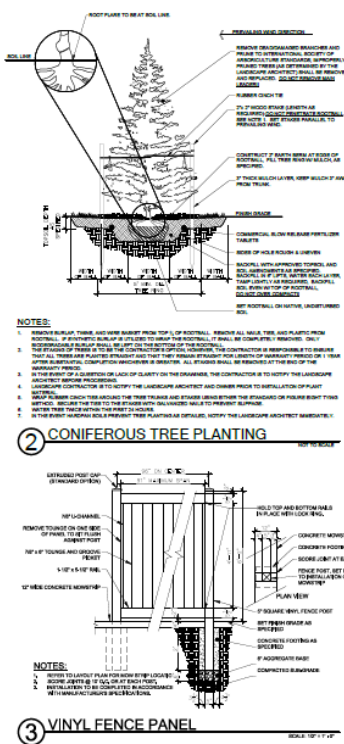
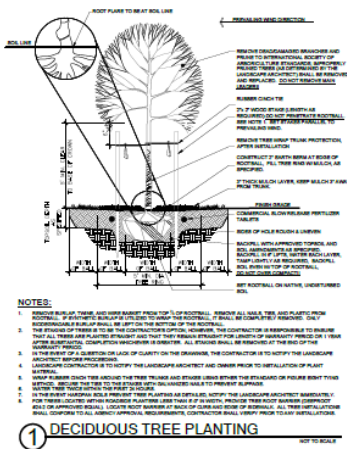


EXHIBIT A

C. Conceptual Building Elevations (dated: 10/19/21)



MATERIAL LEGEND	
A. WOOD	1. LONGBOARD SIDING, #7
B. METAL	CONCRETE, BRICKLE, COLOR LIGHT GRAY
C. CORRUGATED METAL SIDING	2. POLYON SANDY OULOUSING, 20' COLOR: BROWN
D. CONCRETE	3. COUNTRY LEADSTONE, COLOR: BROWN COUNTRY
E. STONE	4. ANVISED ALUMINUM, COLOR: BLACK
F. STUDIO DRIVET OPS, FINISH: SAND STRIKE, FINE SAND EDGE COLOR	5. NATURAL COLOR
	6. BERRIDGE W/ OOK, COLOR: DARK GRAY
	7. 08' BRACKLOW BRIDGE
	8. DARK GRAY
	9. BERRIDGE STANDING SEAM METAL, ROOFING, 26'2" LOCK, COLOR: CHARCOAL GRAY



ELEVATIONS
DESIGN REVIEW | SDS1

21285.00

EXHIBIT A

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval, terms of the existing Development Agreement ([H-2017-0058](#) – Inst. [2018-000751](#)) and the conditions contained herein.
2. The site plan and landscape plan submitted with the Certificate of Zoning Compliance (CZC) application shall be revised as follows:
 - a. If the subject property hasn't been subdivided to create a lot for the proposed development prior to submittal of the CZC application, depict a 20-foot wide street buffer along N. Webb Way landscaped per the standards listed in UDC 11-3B-7C and 11-3B-12C; and a 25-foot wide street buffer along E. Fairview Ave. with a detached 5-foot wide sidewalk, landscaped per the standards listed in UDC 11-3B-7C. *The Developer is required to construct these improvements for the overall 5.31-acre property if this future lot is proposed to develop prior to the final plat being recorded to subdivide the overall property.* The entire site (whatever that is at the time of application for Certificate of Zoning Compliance) shall be depicted on the site and landscape plans.
 - b. The boundary of the site/future lot shall be expanded so that all of the required parking is located within the boundary of this site.
 - c. All mechanical equipment on the back of the building and outdoor service and equipment areas shall 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](#).
 - d. Depict a detail of the bicycle rack on the plan that demonstrates compliance with the design standards listed in UDC [11-3C-5C](#).
 - e. Depict landscaping within all planter islands within the parking area in accord with the standards listed in UDC 11-3B-8C.
 - f. Depict pedestrian connections between the proposed building, future buildings within the overall development and to the future residential development to the south in the form of pathways distinguished from vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in the Development Agreement.
 - g. Depict a minimum 5-foot wide walkway from the perimeter sidewalk/pathway along N. Webb Way to the main building entrance as set forth in UDC 11-3A-19B.4a.
 - h. Identify the menu and speaker location (if applicable), and window location of the drive-through establishment as set forth in UDC 11-4-3-11B.
3. Future development shall comply with the dimensional standards listed in UDC [Table 11-2B-3](#) for the C-G zoning district.
4. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment is required.
5. Compliance with the standards listed in UDC [11-4-3-49](#) – Restaurant is required.
6. Parking for the overall site shall be provided in accord with the standards listed in UDC 11-4-3-49 for restaurants.
7. A cross-access/ingress-egress easement shall be granted to the property to the south (Parcel #R1914280100) for interconnectivity; a recorded copy of the agreement shall be submitted to

EXHIBIT A

the Planning Division prior to issuance of Certificate of Occupancy of the proposed structure.

8. The hours of operation for the proposed use shall be limited to 6:00 am to 11:00 pm because the property abuts a future residential use to the south as set forth in UDC 11-2B-3B.
9. 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.
10. 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. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250045&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.

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

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

The Commission finds the proposed drive-through establishment 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.

The Commission 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.

The Commission 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.

EXHIBIT A

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

The Commission finds 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.

The Commission 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.

The Commission 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)

The Commission 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: SolSmart Community Presentation



MEMO TO P&Z COMMISSION

From: Caleb Hood, Planning Division Manager **Meeting Date:** February 3, 2022
Presenters: Caleb Hood, Jason Korn **Estimated Time:** 15 minutes
Topic: SolSmart Community Presentation

Recommended Action:

None; Informational Only

Background:

The City of Meridian is participating in the SolSmart designation process. SolSmart is a national designation and technical assistance program funded through the U.S. Department of Energy's Solar Energy Technologies Office. Through the evaluation of the existing permitting, inspection, and zoning processes, the City is working to reduce barriers and identify opportunities to help streamline solar permitting and inspections. This process supports the City's strategic goal of implementing financially responsible, sustainable and environmentally conscious project that promote energy efficiency.

Part of the process to become a designated SolSmart community, includes a comprehensive review of current City Code and then presenting that analysis and findings to the Planning & Zoning Commission. There is a Zoning Review document attached. Staff will be in attendance at the February 3rd P&Z Commission meeting to present and discuss this program, the findings from the Zoning Review and next steps.

Attachment

PZ-1 Zoning Review

Community: Meridian, ID



PZ-1: Review zoning requirements and identify restrictions that intentionally or unintentionally prohibit solar PV development. Compile findings in a memo. (Required for Bronze)

To assist your local government, the national solar experts at SolSmart have conducted a review of your community’s zoning and land use regulations to assess possible barriers (i.e. height restrictions, set-back requirements, etc.) and gaps related to solar PV development. Below, please find the outcome of the review. By reading the narrative, reviewing the example code language provided, and signing the statement at the bottom of the page, your community will satisfy the PZ-1 pre-requisite and be one step closer to achieving SolSmart designation.

Overview

The City of Meridian Unified Development Code (UDC) was accessed and reviewed during November 2021. The code was accessed via the [community’s website](#) (with a redirect to the [Municode website](#)).

- The UDC contains no references to photovoltaic or solar energy.

In the Code of Ordinances the following terms appear in Title 10 Building Regulations.

- A search for “photovoltaic” yielded 1 result in reference to fire access road modification for solar photovoltaic power generation facilities.
- A search for “solar” yielded 1 result in reference to fire access road modification for solar photovoltaic power generation facilities.

The Meridian zoning code is silent on the development and use of solar energy systems. It is difficult to interpret if any of the current language in the zoning code is a barrier to solar energy systems without specific references. Therefore, the following gaps have been identified to indicate how the zoning code could be updated to provide clear and transparent regulations on the development and use of solar energy within Meridian.

Potential Gaps in Current Code

Element	Priority
Definition	High. The definition forms the basis of understanding for any forthcoming solar ordinance.
Review Comment	
Solar energy systems are not defined. Definitions form the basis of understanding for the terms used throughout the solar energy section of the ordinance. At a minimum, a local government should include definitions that distinguish between solar energy system type (roof-mounted vs ground-mounted) and size (small, medium, and large) to provide clarity and a foundation on which to provide use regulations and design/development standards. System sizes are defined by area because technology and the efficiencies of those technologies improve over time.	
Examples	
1) <i>Solar energy system:</i> A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.	

- 2) *Solar photovoltaic system:* A solar energy system that converts solar energy directly into electricity, the primary components of which are solar panels, mounting devices, inverters, and wiring.
- 3) *Grid-connected system:* A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.
- 4) *Roof-mounted solar energy system:* A solar energy system mounted on a rack that is ballasted on, or is attached to, the roof of a building or structure. Roof-mount systems are accessory to the principal use.
- 5) *Ground-mounted solar energy system:* A solar energy system mounted on a rack or pole that is ballasted on, or is attached to, the ground. Ground-mount systems can be either accessory or principal uses.
- 6) *Small-Scale solar energy system:* A Solar Energy System that occupies 1,750 square feet of surface area or less.
- 7) *Medium-scale solar energy system:* A Solar Energy System that occupies more than 1,750 but less than 40,000 square feet of surface area.
- 8) *Large-scale solar energy system:* A Solar Energy System that occupies more than 40,000 square feet of surface area and is the principal land use for the parcel(s) on which it is located. Large-scale systems are permitted through the discretionary approval process.

Element	Priority
Accessory Use Solar	High. Allowing solar as by-right accessory use will significantly reduce installation times and costs, which should encourage further development of solar energy.

Review Comment

The zoning ordinance does not clearly state that certain types/sizes of solar energy systems are considered accessory uses.

Zoning often provides additional processes, which can be long and costly, to consider special exceptions when a proposal is inconsistent with current land use regulations. Codifying solar as an accessory use and as an allowed or by-right use in all major zoning categories provides policy certainty and clarity which can promote easier and more equitable solar deployment. It can increase solar development and save property owners time and money because they avoid going through a more extensive discretionary process to have their solar system considered. For example, removing the need for a planning commission or equivalent entity to make a judgement prior to approving the project (this can also save local government staff capacity to focus on other priorities and projects).

Often accessory use solar is not listed as a permitted use in a zoning ordinance, even though it may be treated as such in practice (though in other instances, if it is not listed it may be considered prohibited). This lack of clarity on language could cause confusion and open the door to various interpretations/determinations of use. **This is the primary reason the SolSmart Gold pre-requisite for Planning and Zoning requires clear and transparent language that states accessory use solar is a permitted or allowed use.**

Examples

More permissive:
 “Solar Energy Systems as described in this Article are permitted in all zoning districts as an accessory use to a permitted principal use subject to the standards for accessory uses in the applicable zoning

district and the specific criteria set forth in this article.” ([Renewable Energy Ordinance Framework, DVRPC](#))

Less permissive:

“Solar Energy Systems shall be considered an accessory use and permitted by right if mounted to an existing structure and if any percentage of the energy is used for one or more of the principal uses on the same lot.” ([Renewable Energy Ordinance Framework, DVRPC](#))

Element	Priority
Height	Medium. Allowing the solar energy system to exceed the district’s maximum height limit is critical, especially to allow for solar energy systems to be installed where buildings may have already met the maximum building height. It is also important for system efficiency.
Review Comment	
It is a best practice to either exempt solar energy systems from height limits or permit solar energy systems to exceed the maximum building height in all applicable districts. For buildings that are already built to the maximum height limit – especially buildings with flat roofs - this may limit their ability to install solar. This is particularly critical on flat buildings, because solar installations on these structures are typically done at an angle to maximize system efficiency (generally at the same angle as the latitude at which the system is installed). Therefore, additional height is often necessary.	
Examples	
Most permissive option: “For a roof-mounted system installed on a flat roof, the highest point of the system shall be permitted to exceed the district’s height limit of up to fifteen (15) feet above the rooftop to which it is attached.” (Renewable Energy Ordinance Framework, DVRPC)	
Less permissive option: Municipalities can be more restrictive than this, though it is not recommended that they limit to less than six (6) feet above the rooftop surface.” (Renewable Energy Ordinance Framework, DVRPC)	

Element	Priority
Screening/Aesthetic Requirements	Medium. Screening requirements may increase installation costs and/or decrease system efficiency.
Review Comment	
It is a best practice to exempt solar energy systems from screening requirements and allow solar energy systems to be seen from public rights of way.	
Solar PV performance depends on optimal siting of the system and clear access to solar radiation. Screening requirements could negatively impact system performance if the screening results in shading and decreases system efficiency. Screening requirements could also hide the location of important system components that are necessary to shut off a system in case of a fire or other type of emergency.	
Examples	

Screening of Mechanical and Electrical Equipment: All exterior mechanical and electrical equipment shall be screened on all vertical sides at least to the height of the equipment it is screening and incorporated into the design of buildings to the maximum extent feasible. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, heaters, utility meters, cable equipment, telephone entry boxes, backflow preventions, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems. Screening materials may include landscaping or other materials that shall be consistent with the exterior colors and materials of the building. **Solar energy systems are exempt from this screening requirement. (emphasis added)** The Architectural Review Board or Landmarks Commission may reduce the height of the required screening based on the placement of the equipment on the roof, the existing height of the subject building and surrounding buildings, and the overall visibility of the equipment. ([9.21.140 Screening, Santa Monica Zoning Code](#))

Element	Priority
Setbacks	Low. The community may want to consider reducing the setback requirements for solar energy systems and/or allow them to encroach reasonably into the setback so that they can receive adequate sunlight to make them efficient.
Review Comment	
It is a best practice to allow ground-mounted solar energy systems a modest encroachment into the setback to ensure systems can receive adequate sunlight and be sized appropriately.	
Examples	
<p>More permissive option: Small- and medium-scale ground-mounted solar energy systems accessory to principal use may be located no closer than [1/2 of the setback that would otherwise apply] from the front, side or rear lot line. All ground-mounted solar energy systems in residential districts shall be installed either in the side yard or rear yard to the extent practicable (Model Zoning for the Regulation of Solar Energy Systems, MA DOER)</p> <p>Less permissive option: Small- and medium-scale ground-mounted solar energy systems accessory to a principal use may be located no closer than [twenty (20) feet] from the front, side or rear lot line. All ground-mounted solar energy systems in residential districts shall be installed either in the side yard or rear yard to the extent practicable. (Model Zoning for the Regulation of Solar Energy Systems, MA DOER)</p>	

Element	Priority
Lot Coverage (Impervious Surface)	Medium. Counting solar energy systems as lot coverage could limit the implementation of solar systems, especially if many of the current lots at or are near the maximum lot coverage allowed under the code.
Review Comment	
It is a best practice to exempt ground-mounted solar energy systems from lot coverage calculations as long as the area beneath the system is pervious (e.g. grass).	
As long as the area beneath a ground-mounted solar PV system is pervious (e.g. grass, native vegetation, etc.) the system should be exempt from lot coverage and impervious surface requirements. The tilt and spacing of panels allow for precipitation to drain into the pervious ground	

cover. Ground-mounted PV systems are not analogous to paved driveways or accessory structures like sheds, garages, or accessory dwelling units and therefore do not need to be included in lot coverage or impervious surface calculations.

Examples

Most Permissive: “For purposes of determining compliance with building coverage standards of the applicable zoning district, the total horizontal projection area of all ground-mounted and free-standing solar collectors, including solar photovoltaic cells, panels, arrays, inverters, shall be considered pervious coverage so long as pervious conditions are maintained underneath the solar photovoltaic cells, panels, and arrays.” ([Renewable Energy Ordinance Framework, DVRPC](#))

Less Permissive: “For purposes of determining compliance with building coverage standards of the applicable zoning district, the total horizontal projection area of all ground-mounted and free-standing solar collectors, including solar photovoltaic cells, panels, arrays, inverters and solar hot air or water collector devices, shall be considered ___% impervious coverage. For example, if the total horizontal projection of a solar energy system is 100 square feet, XX square feet shall count towards the impervious coverage standard. For a tracking array or other moveable system, the horizontal projection area shall be calculated at a 33-degree tilt angle.” ([Renewable Energy Ordinance Framework, DVRPC](#))

Element	Priority
Large-scale Solar/Principal Use	Low.
Review Comment	
If the Meridian has enough usable land that could be developed for a principal use solar system, it might consider adding some zoning considerations and development requirements into the zoning ordinance. This could be of particular interest if there is a brownfield site such as a landfill available for development.	
Examples	
See Example #2 (Site Plan Review provisions for large-scale ground-mounted solar energy systems) in the Model Zoning for the Regulation of Solar Energy Systems, MA DOER .	

Additional Notes

The Meridian zoning code is silent regarding the use of solar energy. It does not provide basic information about the use of solar energy – including a purpose, definitions, general regulations including clarification on accessory use and primary use solar. Including basic information about solar energy improves transparency of processes and clarity of development requirements and can enhance the growth of the local solar market in an organized and efficient manner. If this information is codified in the zoning ordinance, the Meridian can achieve Gold designation.

If Meridian does not want to update the zoning code to clearly address solar energy, the community can achieve Silver designation by writing and posting an advisory determination/zoning determination that explains how solar energy is addressed by the current zoning ordinance and processes. Here’s [an advisory determination](#) that helped South Miami achieve Silver designation.

Please see the document SolSmart Zoning Code Considerations for additional information about what can be included in a solar ordinance.

I, [full name] as [title] of [community], [state] have received the zoning review and read its findings.

Signature:



Date: 21 Dec 2021

Please note that this review is not an endorsement or recommendation for changing and/or updating the zoning code/ordinance. This is an informational review only.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Meridian U-Haul Moving and Storage (H-2021-0085) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.
Application Requires Continuance

A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: February 3, 2022

Topic: **Public Hearing** for Meridian U-Haul Moving and Storage (H-2021-0085) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.

- A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.

Information Resources:

[Click Here for Application Materials](#)

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



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from January 20, 2022 for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: February 3, 2022

Topic: **Public Hearing** Continued from January 20, 2022 for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.

Information Resources:

[Click Here for Application Materials](#)

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

January 28, 2022

MEMORANDUM

TO: Planning and Zoning Commission

CC: Wendy Shrief, JUB Engineers; Dave Yorgason, Primeland Investment Group

FROM: Joseph Dodson, Current Associate Planner

RE: Verona Live/Work – CUP (H-2021-0080)

Dear Commissioners,

Verona Live/Work CUP (H-2021-0080) was continued per the request of the Applicant from the December 16, 2021 hearing to the January 20, 2022 hearing in order to meet with Staff and work through some of the concerns brought up within the staff report. Prior to the January 20th hearing, the Applicant requested one more continuance in order to provide Staff enough time to receive and analyze any revised plans. Staff received a revised site plan, landscape plan, and revised floor plans and elevations in response to the staff report and following the meeting held with the Applicant team.

The revised plans have resulted in a number of recommended changes to the conditions of approval as some of the conditions have been met, some should be modified, and new conditions are now applicable based on the revisions proposed. The revisions made by the Applicant are noticeable and provide for an improved project overall, in Staff's opinion. The revised plans show the following changes made by the applicant:

- **Reduction in unit count** – Staff had voiced concerns within the staff report regarding the livability of the original site plan where no green space was proposed. In response, the Applicant removed two units that were internal to the site and is now proposing additional parking and green space with a shared plaza in place of the two (2) internal units. Staff believes this addition alone changes the landscape of this project and would provide more livability within the site.
 - Staff is recommending a revision to the site plan to further add to the pedestrian access of the plaza by adding additional sidewalk from Cortona Way to the plaza.
- **Revision to the north four (4) units** – Staff voiced concerns about the amount of commercial area shown within the proposed live/work floor plans. In conjunction with the loss of the two internal units and in response to Staff's comments, the Applicant has

revised the floor plan of the northern 4 units to be extended further west to accommodate an additional office space on the east side of the units facing Cortona Way. This has doubled the nonresidential area for these 4 units; the nonresidential area on the remaining 10 units has not changed.

- **Revision to the conceptual elevations for the first floor façade for the nonresidential portion of the project** – Applicant revised the first floor façade of all of the buildings to include some of Staff’s recommended revisions noted in the conditions of approval in the staff report. Staff finds these revisions should add to the visibility and viability of the commercial spaces of the proposed units. Staff fully supports these revisions:
 - First floor façade now includes a dedicated commercial entry door in addition to the internal shared access.
 - Façade incorporates nonresidential style awnings and shows area that would allow for signage space for future tenants/businesses.
 - Applicant added taller windows on the first floor façade adjacent to the new commercial entry door to create more of a storefront consistent with nonresidential buildings; Staff finds this is an improvement from the original elevations that largely looked 100% residential.
- **Additional sidewalk connections** – Although the revised site plan and landscape plan do not show additional sidewalk connections, the Applicant provided a color image of the site plan and confirmed via email that additional sidewalks from the proposed buildings to the existing sidewalk facilities along the public roads are also proposed. Staff has included this image in this memo for reference.

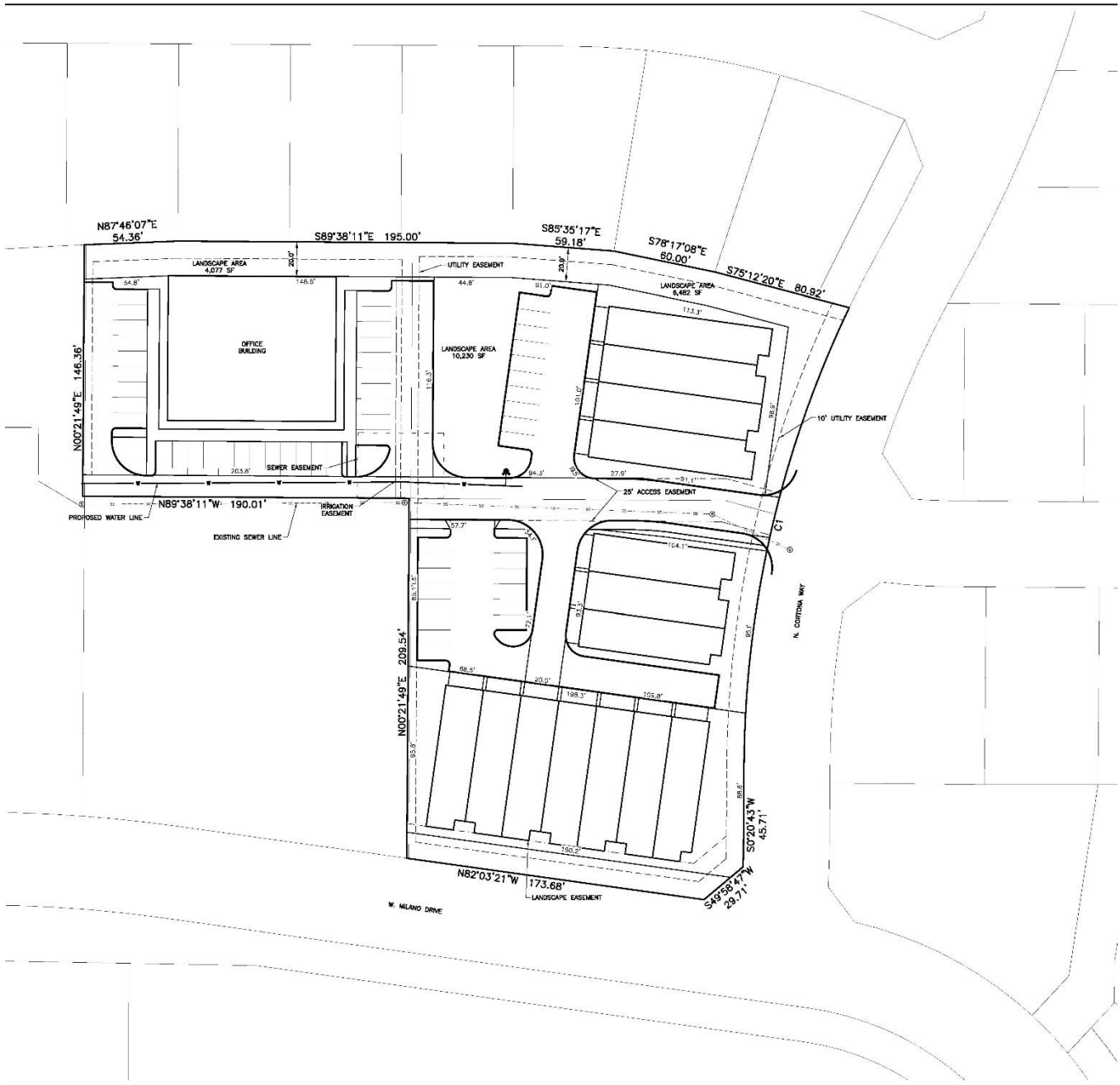
After review of the revised plans Staff recommends the following changes be made to the staff report by the Planning and Zoning Commission, noted with ~~strikeout~~ and underline changes below:

- Modify A.1 – The Applicant shall substantially comply with the revised and approved site plan, landscape plan, and ~~generally comply with the~~ conceptual building elevations ~~approved~~ in this report as depicted in Section IX and revised per Section X.A.
- Modify A.5 – The site plan(s) shall be revised as follows prior to submitting for Certificate of Zoning Compliance approval ~~the Planning and Zoning Commission hearing~~:
- Modify A.5b – For the facades facing W. Milano Drive and N. Cortona Way, depict additional 5-foot wide sidewalks connecting from these building entrances to the existing sidewalks along the public streets, similar to what is shown in the submitted color site plan image.
- Strike A.5c – ~~Remove the two units framing the corner of W. Milano Drive and N. Cortona and add a shared plaza space with outdoor seating and shade structures.~~
- Strike A.5d – ~~Remove the two units not along the adjacent streets in lieu of additional parking and some usable common open space for the development.~~
- Strike A.6d – ~~Depict the shared plaza as noted above with appropriate landscaping elements.~~
- Strike A.7 altogether.
- Strike A.8 altogether.
- Add Condition to A.5 – Move the northern four (4) units approximately three (3) feet to the north to accommodate an extension of 5-foot wide sidewalk and 5 feet of landscaping along the south side of this building from Cortona Way to the plaza area in the interior of the site.

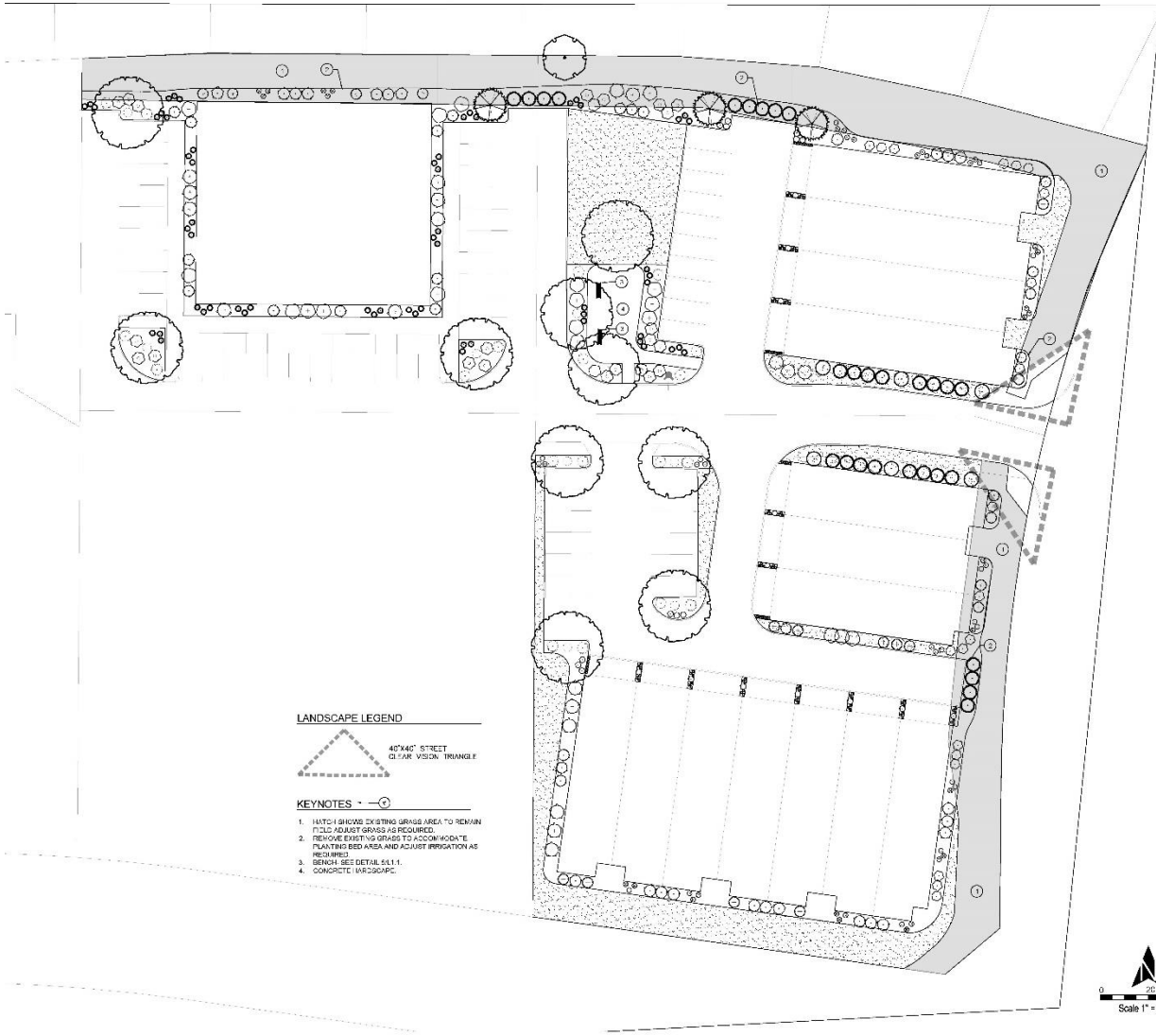
Exhibits:

- A. Revised Site Plan
- B. Revised Landscape Plan
- C. Revised Conceptual Elevations and Floor Plans

A. Revised Site Plan



B. Revised Landscape Plan



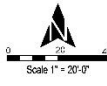
BAER DESIGN GROUP, LLC
 greg@baergrp.com
 Ph. 208.859.1980

Verona Live Work 1

Meridian

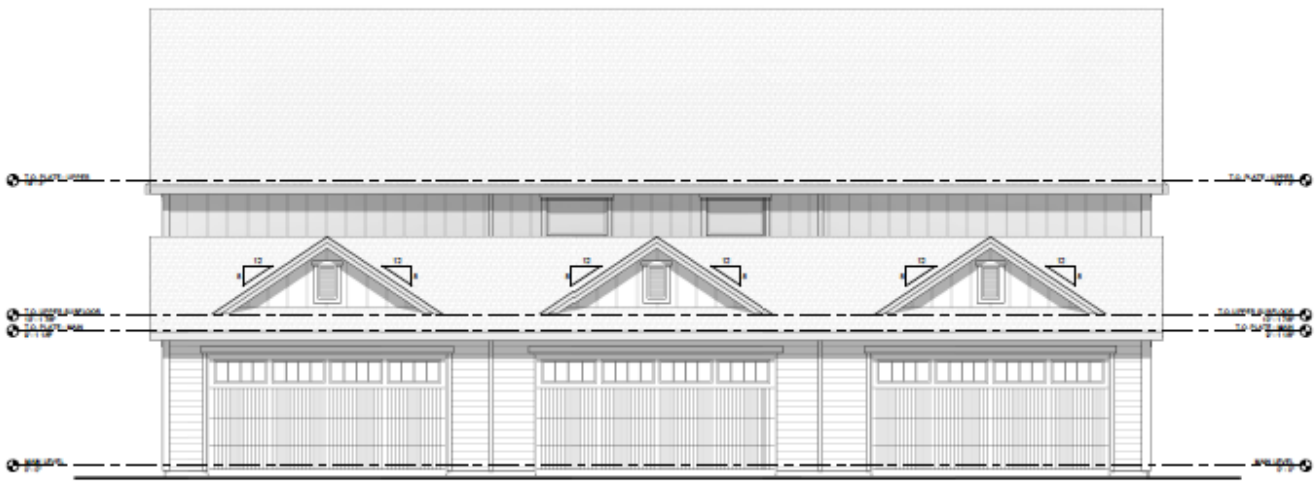
City of Meridian
 Landscape Plan

Project Name:	2016
Drawn by:	WT
Checked by:	CB
Date:	1-11-22
Sheet No.:	L1.0

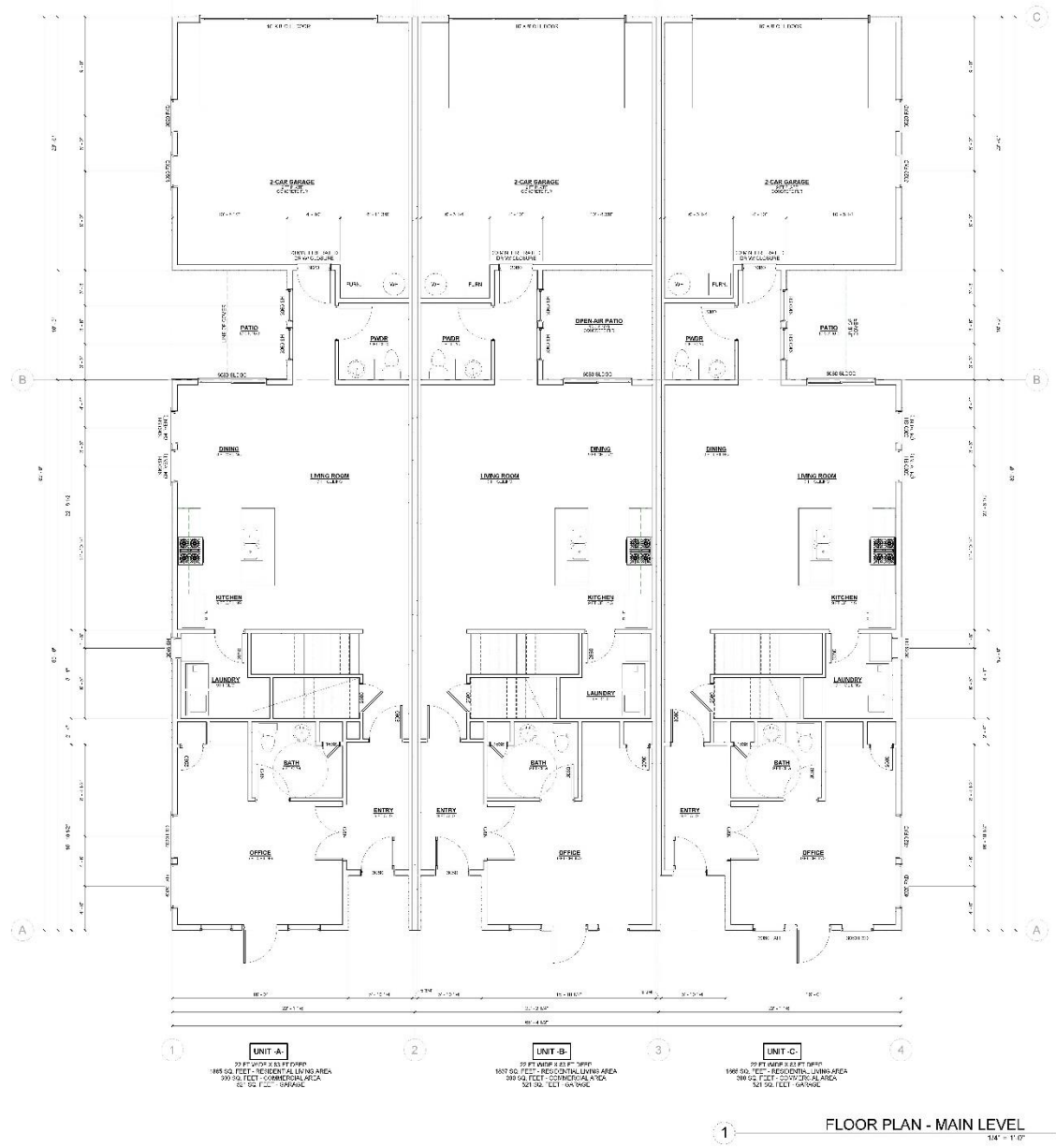




① FRONT ELEVATION
1/2" = 1'-0"



② REAR ELEVATION
1/2" = 1'-0"



CONSULT WITH THE PROJECT ARCHITECT FOR ALL CONTRACTS TO BE ENTERED INTO AND FOR ALL PERMITS TO BE OBTAINED. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES, ALL APPLICABLE LOCAL ORDINANCES, AND ALL APPLICABLE STATE AND FEDERAL REGULATIONS. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT AND SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT AND SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

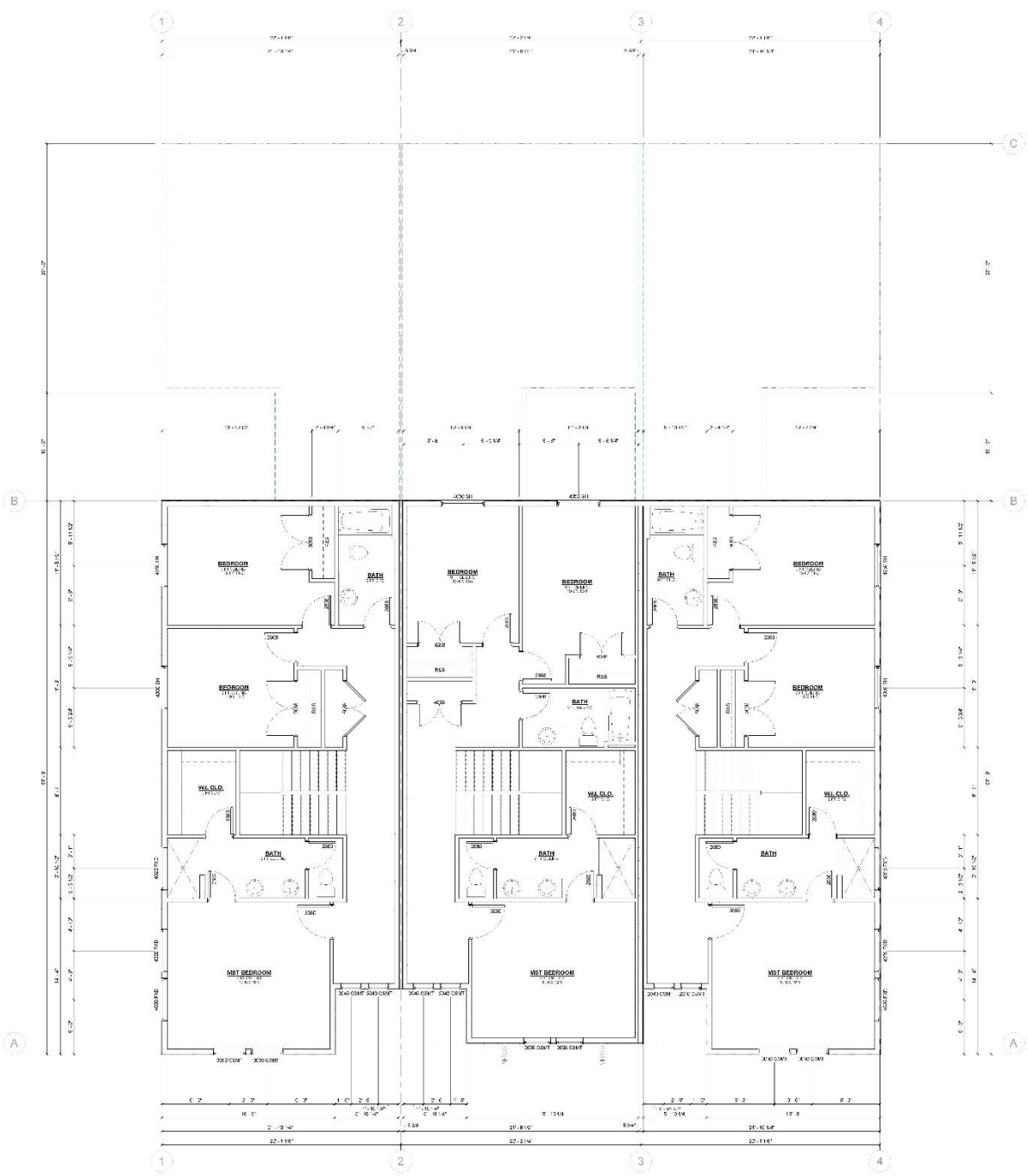
LOT BLOCK

ENCOMPASS
 DESIGN GROUP
 ARCHITECTS & ENGINEERS
 1000 17TH AVENUE, SUITE 100
 DENVER, CO 80202

HAMMETT • HOMES

SCALE: 1/4" = 1'-0"
 JOB #: 210408
 PLOT DATE: 1/7/2022 11:12:13 AM
 FLOOR PLAN - MAIN LEVEL
A2.0

Item 5.



1 FLOOR PLAN - UPPER LEVEL
1/4" = 1'-0"

ALL WORK TO BE PERFORMED BY LICENSED CONTRACTORS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO STARTING CONSTRUCTION. ALL TRADES SERVICES AND MATERIALS TO BE PROVIDED BY CONTRACTOR AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO STARTING CONSTRUCTION.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

LOT BLOCK

HAMMETT • HOMES

SCALE: 1/4" = 1'-0"
JOB #: 210408
PLOT DATE: 1/7/2022 11:13:17 AM
FLOOR PLAN - SECOND LEVEL
A2.1

Item 5.

65

IN LEVEL
1/4" = 1'-0"

UNIT - A
22 FT WIDE X 6 FT DEEP
207 SQ. FEET - RESIDENTIAL UNITS AREA
526 SQ. FEET - COMMERCIAL AREA
121 SQ. FEET - GARAGE

UNIT - B
22 FT WIDE X 6 FT DEEP
207 SQ. FEET - RESIDENTIAL UNITS AREA
526 SQ. FEET - COMMERCIAL AREA
121 SQ. FEET - GARAGE

UNIT - C
22 FT WIDE X 6 FT DEEP
207 SQ. FEET - RESIDENTIAL UNITS AREA
526 SQ. FEET - COMMERCIAL AREA
121 SQ. FEET - GARAGE

LIVE-WORK - B

DATE: 6-20-24

ALL WORK TO BE REFERRED TO BY JACOBO CONTINENTE CONSULTING WITH THE BEST PRACTICES OF THE BUILDING INDUSTRY. CONTRACTORS TO VERIFY ALL DIMENSIONS ON-GRID FLOOR FINISH. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON-SITE BEFORE THE BEGINNING OF CONSTRUCTION. ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF PHOENIX AND THE STATE OF ARIZONA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF PHOENIX AND THE STATE OF ARIZONA.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

LOT BLOCK

ENCOMPASS
DESIGNS LLC
ARCHITECTS & ENGINEERS
1000 N. CENTRAL AVENUE, SUITE 1000
PHOENIX, AZ 85004

H HAMMETT • HOMES

SCALE: 1/4" = 1'-0"
JOB #: 210408
"LOI" DATE: 1/7/2022 2:13:18 PM
FLOOR PLAN - MAIN LEVEL
A2.0

8

Item 5.



LIVE-WORK - B		66
LOT	BLOCK	
<p>ALL WORK TO BE PERFORMED BY LICENSED CONTRACTORS. CONSULTANT WITH THE BEST PRACTICES OF TRADE INVOLVED. CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE STARTING CONSTRUCTION. ALL PLANS, CHANGES, AND ORDERS ARE THE PROPERTY OF ENCOMPASS DESIGN, LLC AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT WRITTEN CONSENT OF ENCOMPASS DESIGN, LLC.</p>		
PRELIMINARY		
NOT FOR CONSTRUCTION PURPOSES		
LOT BLOCK		
HAMMETT - HOMES		
SCALE: 1/4" = 1'-0"		
JOB #: 210408		
PLOT DATE: 1/7/2022 2:13:19 PM		
FLOOR PLAN - SECOND LEVEL		
A2.1		

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



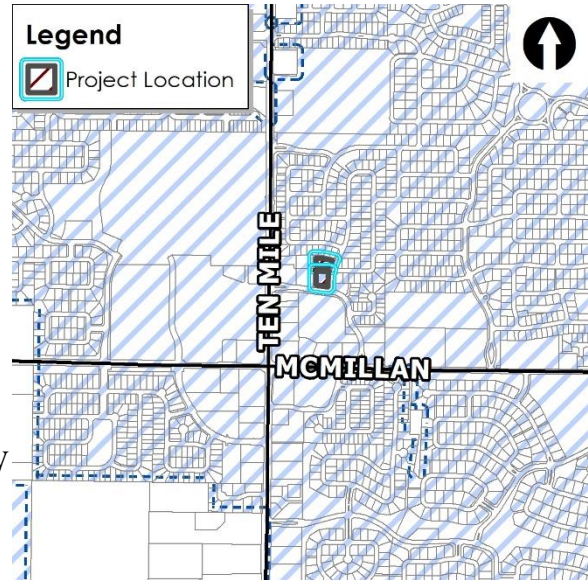
HEARING DATE: December 16, 2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0080
Verona Live/Work – CUP

LOCATION: 3020 & 3042 W. Milano Drive, near the northeast corner of Ten Mile Road and McMillan Road, in the SW 1/4 of the SW 1/4 of Section 26, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.

II. SUMMARY OF REPORT

A. Project Summary

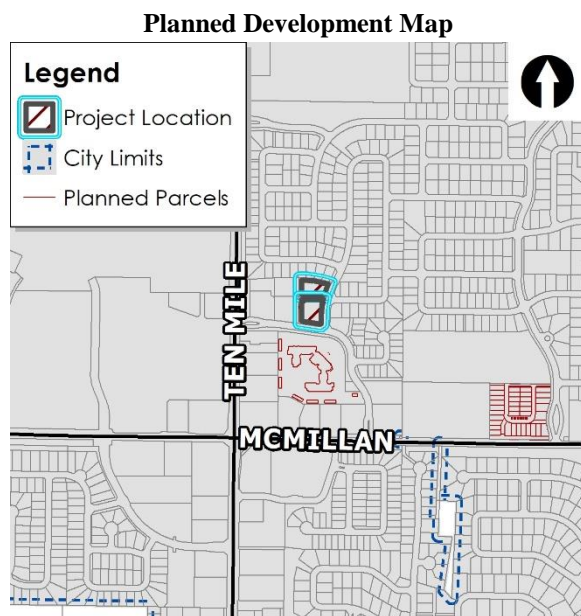
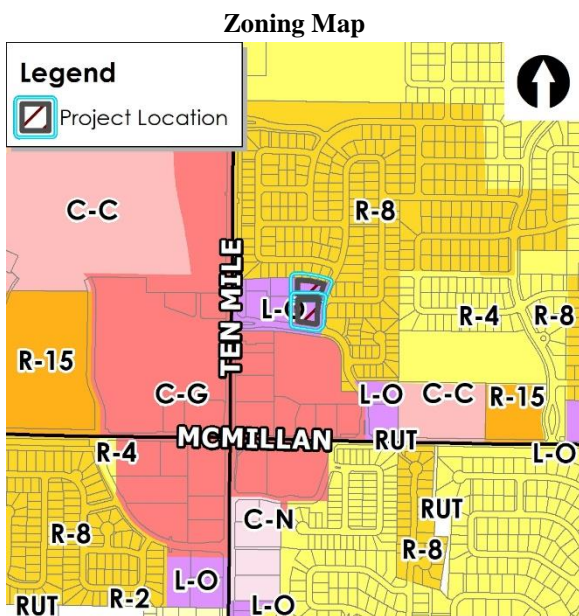
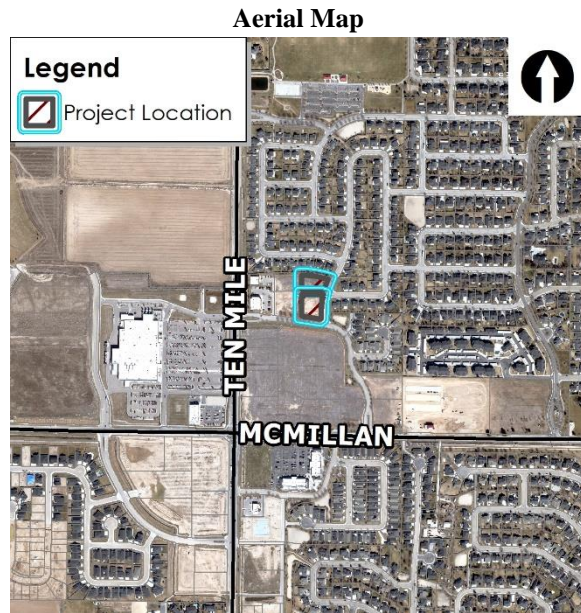
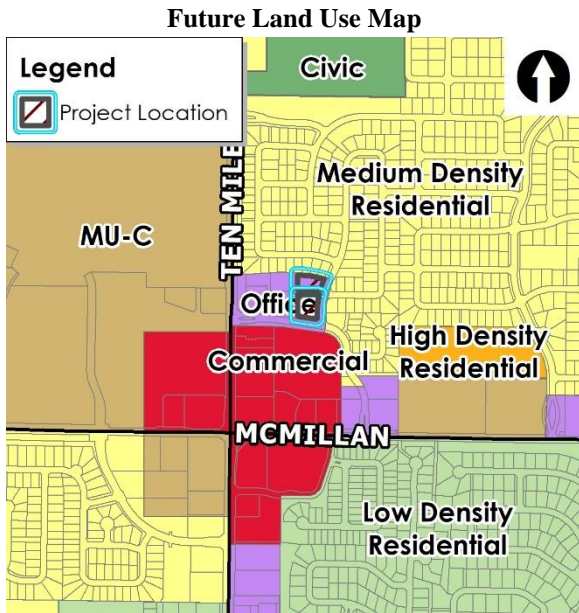
Description	Details	Page
Acreage	1.75 acres	
Future Land Use Designation	Office	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Vertically Integrated Residential Project	
Neighborhood meeting date; # of attendees:	September 9, 2021; at least four (4) attendees	
History (previous approvals)	Verona Subdivision (AZ-03-005); Verona Subdivision No. 3 Rezone (RZ-05-006); Verona Subdivision No. 3 FP (FP-05-046); DA Mod (MI-08-006, DA Inst. #108101152).	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Not at time of report publication	
• Requires ACHD Commission Action (yes/no)	No	

Description	Details	Page
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) drive aisle access point to N. Cortona Way along the east boundary is proposed through an existing curb cut. This drive aisle is shown to continue west through adjacent sites and connect to an existing commercial drive aisle that has an access point to W. Milano Drive.	
Existing Road Network	Public road network is existing adjacent to site (W. Milano Drive and N. Cortona Way); drive aisle network for unit access is not existing.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Wendy Shrief, JUB Engineers, Inc. – 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709

B. Owner:

Primeland Investment Group LLC – 1140 S. Allante Avenue, Boise, ID 83709

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	
Newspaper Notification	11/30/2021	
Radius notification mailed to properties within 300 feet	12/2/2021	
Site Posting Date	12/2/2021	
NextDoor posting	12/6/2021	

V. COMPREHENSIVE PLAN (*Comp. Plan*)

This property is designated Office on the Future Land Use Map (FLUM) in the Comprehensive Plan.

This designation is meant to provide opportunities for low-impact business areas. These uses would include professional offices, technology and resource centers; ancillary commercial uses may be considered (particularly within research and development centers or technological parks). Sample zoning include L-O.

The property was annexed and zoned in 2003 to the R-8 zoning district. In 2005, a rezone application was approved to change the zoning to the current L-O zoning district. Consistent with this rezone, a final plat was approved for six (6) office lots as part of Verona Subdivision No. 3. In 2008 applications were submitted to allow for the potential of including a church on these lots and was tied to a modified DA (MI-08-006). The DA from 2008 is the relevant agreement for this site but did not have a concept plan for these lots. In lieu of a concept plan, the DA references specific limitations to the allowed commercial area and included a provision that a minimum of three (3) office buildings in this office development. This provision has been satisfied with the existing development of three (3) office buildings. In addition, specific elevations were included as part of the DA that the current proposal generally complies with. Staff notes, despite no Development Agreement Modification being required, the relevant DA contemplates all commercial uses within the subject office lots.

Instead of solely commercial uses, the Applicant proposes to develop the site with 16 vertically integrated residential (UDC 11-4-3-41) units across four (4) buildings on two vacant parcels in the L-O zoning district. Two buildings are proposed on each parcel with each parcel also having off-street parking lots in addition to the two-car garages proposed for each unit. Vertically integrated residential projects incorporate commercial spaces and residential uses within one structure and most often include commercial space on the first floor and residential on the floor or floors above. In this project, the Applicant is proposing a small commercial space at the front of the building on the first floor with the proposed residential portion of the units being both behind and above the commercial space. Therefore, the Applicant is proposing a two-story concept for these vertically

integrated buildings with the vehicular access for each unit proposed to be from the rear via a two-car garage for each unit.

Vertically integrated residential projects are defined as follows in UDC 11-1A-1: **“The use of a multi-story structure for residential and nonresidential uses where the different uses are planned as a unified, complementary whole and functionally integrated to share vehicular and pedestrian access and parking.”** This use is a conditional use within the L-O zoning district because they incorporate a residential component within a zoning district primarily intended for office uses. However, code allows for this type of use, as noted, through a conditional process with the assumption that appropriate commercial and residential uses can be located within this district and type of development area when appropriately designed. As part of that analysis, adjacent uses should also be taken into account. To the west of the subject sites sit two vacant L-O parcels; further to the west and abutting Ten Mile Road are two office buildings. Because of common ownership of the land, the Applicant is showing an office building directly to the west on the vacant office lot along the north boundary but this building is not part of the proposal and is shown only for reference.

To the east and north of the subject sites are detached single-family residential that are part of the Verona Subdivision. To the south is approximately 10 acres of C-G zoned property that includes a number of commercial properties under development. The existing use is on the hard corner of McMillan and Ten Mile and is a fuel service station and convenience store. Directly to the south and across W. Milano, the largest commercial parcel has approvals for a 164 unit 55 and older multi-family development. Staff anticipates future residents of that site could utilize some of the future services provided within the commercial spaces of the proposed vertically integrated buildings.

Because the proposed use is adjacent to a mixture of existing and planned uses (residential, office, commercial, etc.), Staff finds it should be an appropriate use in this Office FLUM designation for the reasons noted above. **However, Staff does have concerns over the overall viability of the proposed commercial component of these units based on the proposed floor plans and the relatively small area of commercial proposed in each unit. While reviewing this project, Staff recommends Commission determine whether the proposal meets the intent of Vertically Integrated and if the proposed design is desired in the City and in this specific geographic area. Further analysis for the proposed use is below in the Comprehensive Plan policy analysis as well as in Section VII.**

The following goals and policies in the Comprehensive Plan are applicable to 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 by providing the opportunity for residents to live and work in close proximity to the same physical space.

- “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 site is not part of or directly adjacent to a mixed-use area but is adjacent to a number of commercial and residential uses. Therefore, this area can largely function as a mixed-use area and the inclusion of vertically integrated structures, when properly designed, only furthers that element of this area. The proposed use would allow neighborhood serving commercial uses in close proximity to residential neighbors to the

east and north thereby reducing vehicle trips and enhancing livability of the area.

- “Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D)

The proposed vertically integrated residential project is shown with a residential design in order to better blend with the existing neighborhood to the north and east. The Applicant intentionally proposed this building design but Staff finds this design may impede the commercial viability of the commercial spaces for anyone besides the residential tenant. This can work but it is not a guarantee every residential tenant will also want a commercial space. Therefore, with the current design and in these instances, the commercial space may sit empty and never activate the commercial areas as intended with a vertically integrated use. Some of the expected and allowed uses allowed in these structures are as follows: arts, entertainment or recreation facility; artist studio; daycare facility; drinking establishment; education institution; financial institution; healthcare or social assistance; industry, craftsman; laundromat; personal or professional service; restaurant; and retail. With the proposed size of the commercial suites, Staff anticipates a number of these uses would not be viable. Further analysis and recommendations are in subsequent sections below.

- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B)

As discussed above, the proposed use and design of these buildings should provide for smaller-scale, neighborhood serving commercial and office uses. Staff finds, if properly designed, the proposed use would provide convenient access from adjacent residential areas and capture some vehicle trips that would otherwise utilize the arterial roadways.

- “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 vertically integrated residential project would be a new housing type within this area of the City. In fact, Staff is not aware of this type of use within at least a mile of this property in all directions. The addition of a new housing type in this area helps provide for a diversity in housing for different income levels and housing preferences.

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

The proposed use, vertically integrated residential project, is listed as a conditional use in the L-O (Limited Office) zoning district per UDC Table [11-2B-2](#). Compliance with the dimensional standards listed in UDC Table [11-2B-3](#) for the L-O district is required and are met per the submitted plans except for the drive aisles proposed to access the garages for each unit.

The submitted site plan shows the drive aisles adjacent to the garages as 20 feet wide which does not comply with UDC 11-3C-5 standards for two-way drive aisles. A two-way drive aisle, applicable throughout the site, requires a minimum width of 25 feet. The Applicant should revise the plans to show compliance with this standard at the time of Certificate of Zoning Compliance (CZC) submittal.

VII. STAFF ANALYSIS

As discussed above in Section V, the proposed vertically integrated residential project is considered an appropriate use and meets the development guidelines listed for the Office designation if properly designed.

Staff has noted concerns with the proposed floor plan and elevations of the building in regards to the use and long-term viability of the commercial component to this project. According to the Applicant, the commercial spaces of the units will be leased with the residential units therefore, removing the potential of a non-resident utilizing the commercial suite and somewhat minimizing some of the concerns of the long-term viability of the space. In consideration of this information, it is logical the Applicant would propose a relatively small commercial space for each unit (approximately 165 square feet). The submitted conceptual floor plans would indicate the commercial suite in each unit being equal to a home office instead of a standalone commercial space—this design is not specifically prohibited or discussed in the specific use standards for this use or its definition.

However, the proposed unit design is what creates concern and Staff finds it does not fully meet the noted definition of Vertically Integrated as currently proposed. The submitted floor plan shows a relatively small commercial suite that has minimal storage space for inventory, no separate room for meetings, and no outdoor patio space to help activate the commercial frontage. Staff is concerned this small space could be rented out as a separate residential unit without the City being the wiser OR would become an office for the residence and not serve the nearby neighborhood as intended with the commercial component of vertically integrated residential projects. The proposed size of the commercial spaces in each unit will likely not support many of the allowed uses noted in the specific use standards for this use. This furthers Staff's concern that these units may become standalone residential, which is not an allowed use in the L-O zoning district.

In addition to the units facing the adjacent public streets, the Applicant is proposing two units to the interior of the site that has even less visibility and presents more challenges to having a viable commercial component. Because of the location of this building, Staff is recommending these units are removed in lieu of additional parking and some open space for future residents and commercial patrons. An inclusion of open space for this development presents a more livable project and allows further opportunity for a shared space between the commercial and residential components of the project.

*Staff is aware the subject project is not proposed in an urban environment and a vertically integrated project more consistent with downtown Meridian would not fit with the existing neighborhood character. **Commission should determine if the proposed vertically integrated project, despite meeting minimum code requirements, meets the intent of the proposed use.***

In order to help with some of the concerns noted, Staff is recommending the following revisions to the plans: 1) expand the commercial area of the units to potentially encompass the entire first level; 2) remove the first exterior door to help delineate the commercial and residential areas of the units by creating two exterior facing doors; one for the residential, and one for the commercial suite; and 3) remove the two (2) units that frame the hard corner of W. Milano Drive and N. Cortona Way to incorporate a shared plaza space similar to what exists in the commercial area on the south side of McMillan in Bridgetower Crossing. With the addition of outdoor patio space/shared patio space the commercial component of this development would help activate some of the commercial spaces. Additional and more specific recommendations can be found under the elevation analysis below and in the conditions of approval in Section X.A.

The proposed use is subject to the following Specific Use Standards (UDC [11-4-3-41](#)) – Vertically Integrated Residential Project: *(Staff analysis in italics)*

- A. A vertically integrated residential project shall be a structure that contains at least two (2) stories. *Submitted plans show compliance by proposing two-story units.*
- B. A minimum of twenty-five (25) percent of the gross floor area of a vertically integrated project shall be residential dwelling units, including outdoor patio space on the same floor as a residential unit. *Submitted plans show compliance with this standard by proposing vastly more residential floor area than commercial. In addition, the conceptual floor plans depict private patios on the first floor of each unit complying with the second portion of this standard.*
- C. The minimum building footprint for a detached vertically integrated residential project shall be two thousand four hundred (2,400) square feet. *The smallest of the four (4) buildings is proposed as approximately 3,600 square feet. Therefore, all of the proposed buildings comply with this standard.*
- D. The allowed nonresidential uses in a vertically integrated project include: arts, entertainment or recreation facility; artist studio; civic, social or fraternal organizations; daycare facility; drinking establishment; education institution; financial institution; healthcare or social assistance; industry, craftsman; laundromat; nursing or residential care facility; personal or professional service; public or quasi-public use; restaurant; retail; or other uses that may be considered through the conditional use permit process. *Noted and the Applicant shall comply with this specific use standard. As noted above, the proposed floor plans depict approximately 165 sq. ft. of commercial space, Staff has concerns that the proposed commercial space may not be large enough to accommodate many of the allowed uses noted above.*
- E. None of the required parking shall be located in the front of the structure. *According to the submitted plans, the required parking for each residential unit and the commercial spaces is located behind or adjacent to the structures. Staff finds the proposed design complies with this standard.*

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

One (1) driveway access is depicted on the overall site plan and connects to N. Cortona Way along the east boundary of the site – the only direct access to a public street for the project. The submitted plans also show the main drive aisle that bisects the project and lies across the shared property line to continue west to connect to an existing drive aisle utilized for the two office buildings along Ten Mile – this drive aisle connects to W. Milano Drive approximately 190 feet west of the subject sites. The additional office building shown on the submitted site plan is not part of this project and would likely only require administrative applications in order to be constructed.

The site plan shows multiple drive aisles off of the main east-west drive aisle for access to the proposed vertically integrated units and the two-car garages. Staff anticipates the two access points shown on the site plans would be needed for safest and most efficient flow of traffic for this proposed project despite the future office building to the west not being a part of this project. Because of this, Staff is recommending a condition of approval to construct the northern portion of this drive aisle with this project to ensure adequate traffic flow for the site regardless of the timing of development of the office site shown west of the subject sites.

Staff does not have concern with the proposed access for the project with Staff's recommended timing of the east-west drive aisle construction and previous mentioned recommended condition to widen the drive aisles to meet code requirements.

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

UDC Table 11-3C-6 requires the following off-street parking spaces for the proposed use of vertically integrated residential project: one (1) space per residential unit and the standard parking ratio for

nonresidential uses (1 space per 500 square feet of gross floor area). Based on 16 residential units, a minimum of 16 spaces should be provided. As noted, each unit is proposed with a two-car garage that exceeds our dimensional standards and therefore exceeds code requirements. Each commercial space is less than 500 square feet requiring one additional space per unit—according to the submitted plans, 20 additional parking spaces are proposed on the subject site. Based on the submitted plans, the proposed parking exceeds UDC requirements and Staff has no concern with the parking proposed for the site.

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

There are existing 5-foot wide attached sidewalks along the adjacent public streets, W. Milano Drive and N. Cortona Way and meets UDC standards for these areas. Any damaged curb, gutter or sidewalk is required to be replaced if damaged during construction.

The submitted plans do not show any additional sidewalk connections from the front of the buildings to the existing sidewalks, as required in UDC 11-3A-19. Staff finds this to be a missed opportunity to activate the building frontage with the adjacent streets for the commercial suites. Therefore, consistent with Staff’s additional recommendations to add a separate commercial door on the front façade of each unit, Staff is recommending additional 5-foot wide sidewalks are constructed from the front of the units facing public streets (14 of the 16 units). Because of the overall design of the units abutting each other in a mirrored format, Staff is acceptable to shared connections to the attached sidewalks so long as each unit entrance has a sidewalk connection to the shared connection. Please see exhibit below for an example:



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

A 10-foot wide street buffer is required to be provided along N. Cortona Way to the east, a local street, and a 20-foot wide street buffer is required along W. Milano Drive, 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 20-foot landscape use buffer to the existing single-family residential to the north is also required.

All required street buffers are existing and comply with code requirements. The submitted landscape plan depicts the required 20-foot wide use buffer along the north property boundary but does not show the required number of trees. According to the aerial imagery, there appears to be existing and mature trees in this buffer but this is not depicted on the plans. The existing landscape conditions should be added to the plans with the future CZC submittal.

The required parking lot landscaping appears to be compliance with UDC requirements except for the area adjacent to the parking lot along the west boundary on the south parcel. D. This should also be revised with the future CZC submittal.

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

According to the submitted landscape plan, it is unclear if any fencing is proposed with this project. Code does not require perimeter fencing but there is existing fencing along the north property boundary that belongs to those homes within the Verona Subdivision. If any additional fencing is proposed in the future, a detail of the proposed fencing should be included on the landscape plans with the CZC application that demonstrates compliance with the standards in UDC 11-3A-7.

Building Elevations:

The conceptual building elevations submitted with the application depict two-story units with two-car garages that are attached via internal breezeways. Overall, the elevations depict farmhouse style architecture with the addition of lighter stone accents and larger windows along the first floor commercial façade. Administrative Design Review was not submitted concurrently with this application so one will be required with the future CZC submittal. Furthermore, Staff will analyze the proposed elevations for compliance with the Architectural Standards Manual (ASM) at the time of Design Review submittal.

Upon initial review of the conceptual elevations, they appear to meet the required standards of the ASM. However, as stated throughout this report, Staff has concerns with how the commercial suite is delineated from the residential portion of the building. Staff finds the proposed building façade where the main entrance is located makes it difficult to determine where the residential and commercial lay. In the last pre-application meeting, Staff discussed this issue with the Applicant and requested they look into providing different treatment to the first floor façade in question in order to more clearly delineate the commercial and residential uses of the building in order to help activate the commercial component.

In the spirit of this request and consistent with Staff's other recommended revisions to the building design, Staff is also proposing the future Design Review elevations to include a more traditional commercial storefront for each commercial space by providing more window area, if possible, a different field material on the first floor façades overall, and to include the dedicated commercial entry door noted on the front facing façade, as recommended in previous sections of this report. With these revisions, Staff believes not only the elevations are improved but the overall project is also improved by providing a better avenue to activate the commercial aspect of the proposed project.

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

A Certificate of Zoning Compliance (CZC) 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.

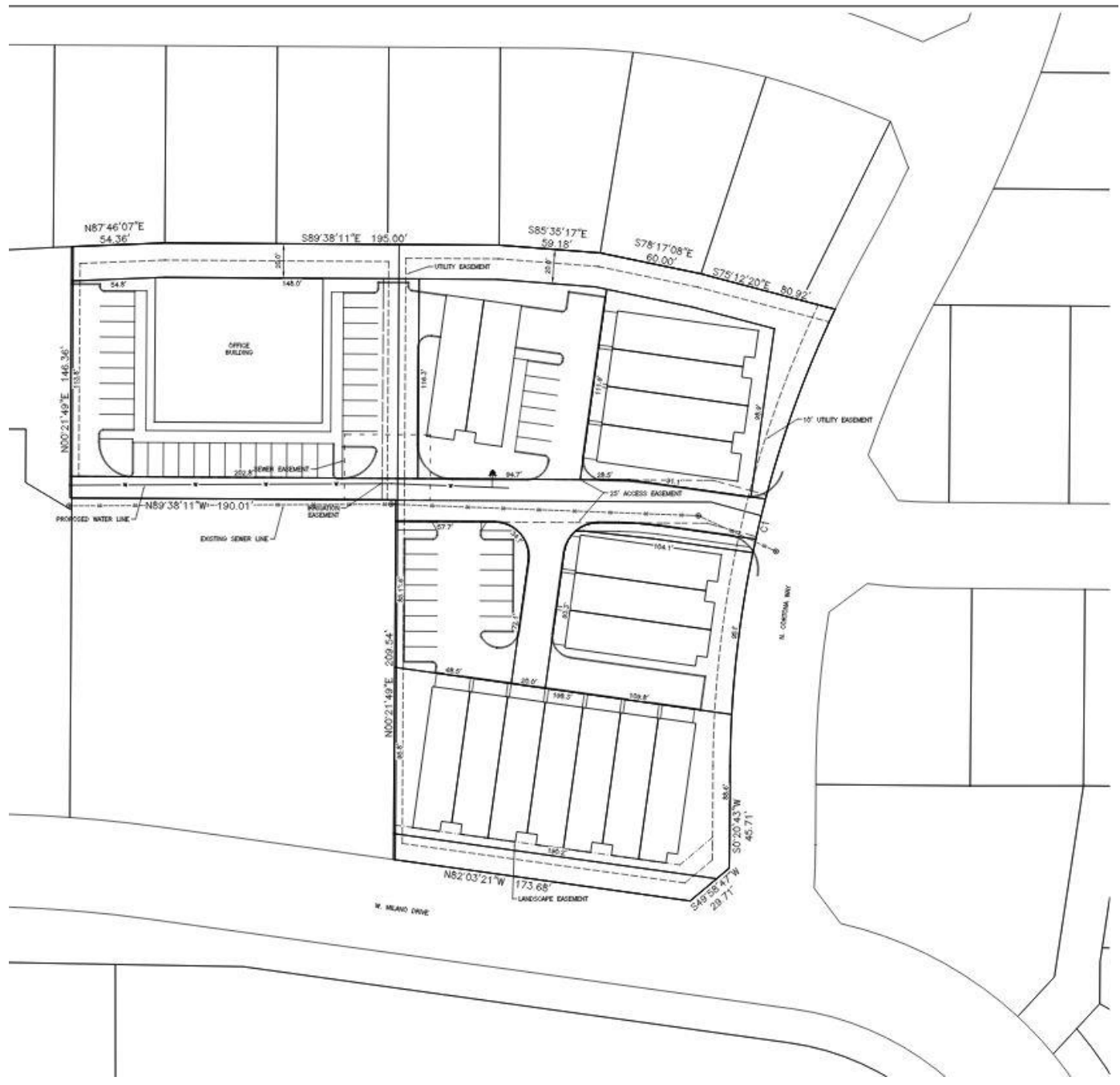
VIII. DECISION

A. Staff:

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

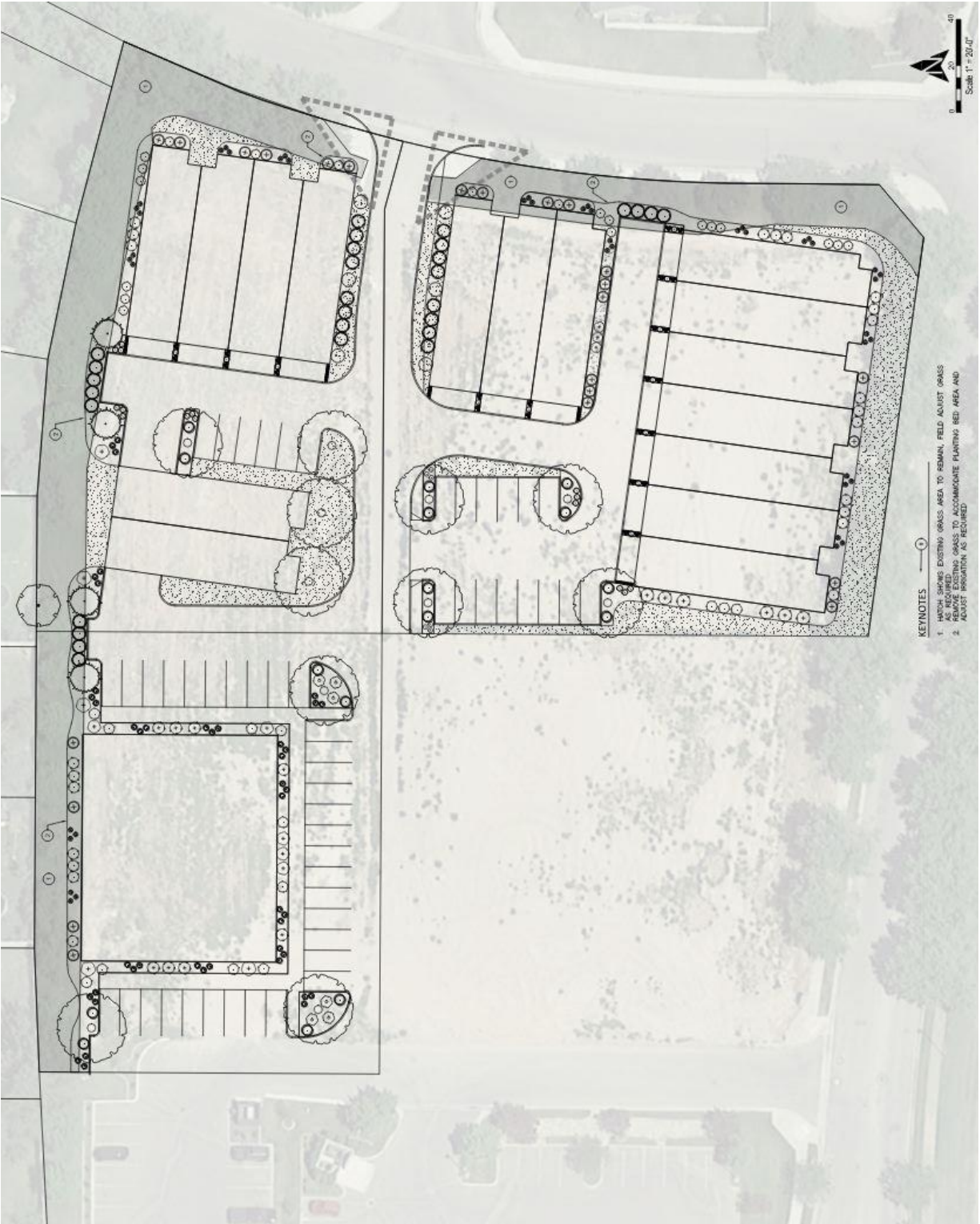
IX. EXHIBITS

A. Site Plan (date: 10/6/2021) **(NOT APPROVED)**





B. Landscape Plan (date: 9/30/2020)



Item 5.

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C. Conceptual Floor Plan

UNIT - A
22 FT WIDE X 33 FT DEEP
718 SQ. FEET - LIVING AREA
52 SQ. FEET - GARAGE

UNIT - B
22 FT WIDE X 33 FT DEEP
717 SQ. FEET - LIVING AREA
52 SQ. FEET - GARAGE

UNIT - C
22 FT WIDE X 33 FT DEEP
718 SQ. FEET - LIVING AREA
52 SQ. FEET - GARAGE

FLOOR PLAN - MAIN LEVEL
1/4" = 1'-0"

LIVE WORK

1/4" = 1'-0"

ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE CITY OF HAMMETT, CALIFORNIA, ORDINANCES AND SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF RESIDENTIAL DEVELOPMENT. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HAMMETT, CALIFORNIA, AND FOR OBTAINING ALL NECESSARY APPROVALS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS AND THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS AND THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

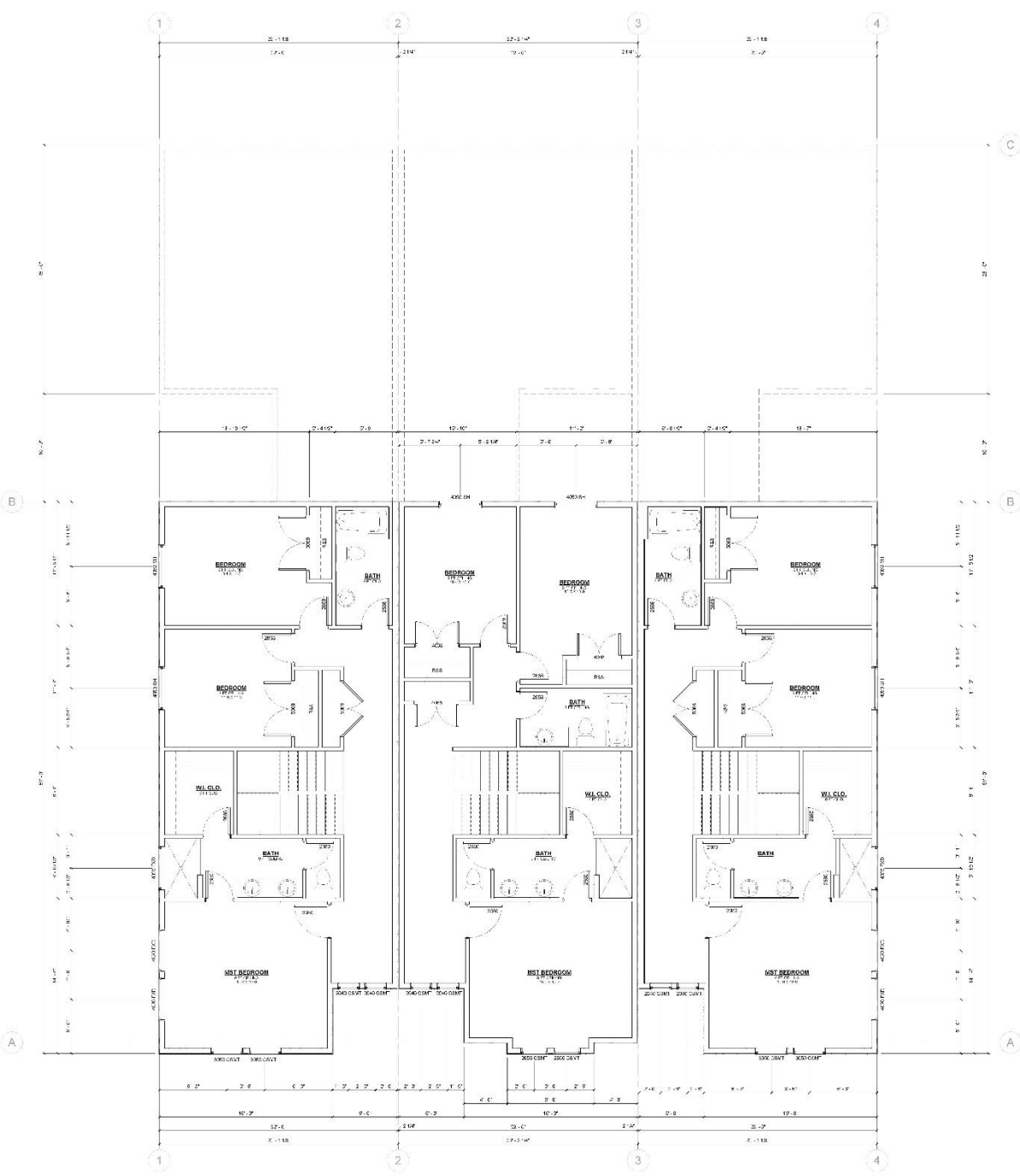
LOT BLOCK

ENCOMPASS
DESIGN, INC.
ARCHITECTURAL, ENGINEERING, AND PLANNING

H **HAMMETT - HOMES**

SCALE: 1/4" = 1'-0"
JOB #: 210408
PLOT DATE: 01/02/2021 11:16:44 AM
FLOOR PLAN - MAIN LEVEL
A2.0

Page 13



1 FLOOR PLAN - UPPER LEVEL
1/4" = 1' 0"

LIVE-WORK	
LOT	BLOCK
<p>ALL WORK TO BE PERFORMED BY LICENSED CONTRACTORS IN ACCORDANCE WITH THE BEST PRACTICES OF THE TRADE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT STRUCTURES.</p>	
<p>PRELIMINARY</p>  <p>NOT FOR CONSTRUCTION PURPOSES</p>	
<p>LOT BLOCK</p>	
	
	
<p>SCALE: 1/4" = 1' 0"</p> <p>DATE: 06/20/2021 11:16:46 AM</p> <p>FLOOR PLAN - SECOND LEVEL</p> <p>A2.1</p>	

D. Conceptual Elevations **(NOT APPROVED)**



X. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. The Applicant shall comply with the approved site plan, landscape plan, and generally comply with the conceptual building elevations approved in this report as depicted in Section IX and revised per Section X.A.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-41 for the proposed Vertically Integrated Residential Project.
3. Hours of operation for any future commercial in the commercial suites shall be limited to 6:00 AM to 10:00PM, per UDC 11-2B-3B for the L-O zoning district when it abuts a residential use or district.
4. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approval from the Planning Department.
5. The site plan(s) shall be revised as follows prior to the Planning and Zoning Commission hearing:
 - a. All drive aisles shall be a minimum of 25 feet wide, per UDC 11-3C-5 standards.
 - b. For the facades facing W. Milano Drive and N. Cortona Way, depict additional 5-foot wide sidewalks connecting from these building entrances to the existing sidewalks along the public streets.
 - c. Remove the two units framing the corner of W. Milano Drive and N. Cortona and add a shared plaza space with outdoor seating and shade structures.
 - d. Remove the two units not along the adjacent streets in lieu of additional parking and some usable common open space for the development.
6. The landscape plan(s) submitted with the Certificate of Zoning Compliance application shall depict the following revisions:
 - a. Depict all existing landscaping on the subject sites to ensure compliance with UDC standards.
 - b. Depict at least 5 feet of landscaping and the required number of trees along the west project boundary and adjacent to the proposed parking lot on the south parcel (3042 W. Milano Drive).
 - c. Depict the additional 5-foot wide sidewalks as noted above.
 - d. Depict the shared plaza as noted above with appropriate landscaping elements.
7. The conceptual building elevations and renderings shall be revised as follows prior to the Planning and Zoning Commission hearing:
 - a. The first floor façade facing and visible from the adjacent public streets (W. Milano Drive and N. Cortona Way) shall depict a different field material and color than the second floor façade.
 - b. The first floor façade facing adjacent public streets shall depict a dedicated commercial entry door made of glass to help delineate the commercial suite of the project—this does not mean the overall size of the window front shown on the conceptual elevations should be reduced.

8. Prior to the Planning and Zoning Commission hearing, the conceptual floor plans shall be revised as follows:
 - a. Expand the commercial areas of at least some of the units to help the viability of the commercial component of this project.
 - b. Remove the first exterior door to help delineate the commercial and residential areas of the units by creating two exterior facing doors; one for the residential, and one for the commercial suite.
9. The east-west drive aisle depicted on the site plan(s) that connects from N. Cortona Way, to the existing north-south drive aisle on parcels R9010670065 & R9010670015 shall be constructed with the first phase of this project to ensure adequate traffic flow for the site.
10. Protect the existing landscaping on the site during construction, per UDC 11-3B-10.
11. 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)

No staff report has been submitted at this time.

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

C. West Ada School District (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244897&dbid=0&repo=MeridianCity>

D. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244941&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.

With Staff's recommended revisions, the site meets all the dimensional and development regulations of the L-O zoning district and the proposed use of Vertically Integrated Residential Project. Therefore, 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 use will be harmonious with the Comprehensive Plan per the analysis and applicable policies noted in Section V 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 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, Staff 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.

Staff 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.

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.

Staff finds the proposed use should not involve 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)

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 Continued from January 6, 2022 for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.

A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: February 3, 2022

Topic: **Public Hearing** Continued from January 6, 2022 for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.

- A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

Information Resources:

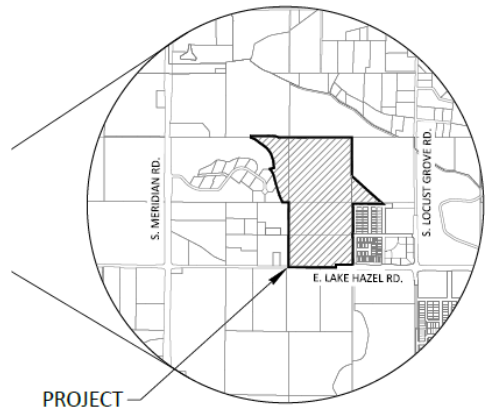
[Click Here for Application Materials](#)

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

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: February 3, 2022
DATE: *Continued from: January 6, 2022*
TO: Planning & Zoning Commission
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: H-2021-0087
Apex West – PP (aka Pinnacle)
LOCATION: North side of E. Lake Hazel Rd.,
approximately 1/4 mile west of S. Locust
Grove Rd., in the south 1/2 of Section 31,
T.3N., R.1E.



I. PROJECT DESCRIPTION

Preliminary plat consisting of 208 building lots (207 single-family residential lots and 1 lot for future development of townhomes or multi-family apartments) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts for Apex West Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	96.08 acres	
Existing/Proposed Zoning	R-2, R-8 and R-15	
Future Land Use Designation	Low Density Residential (LDR), Medium Density Residential (MDR) and Medium High Density Residential (MHDR)	
Existing Land Use(s)	Agricultural land	
Proposed Land Use(s)	Single-family residential (SFR) detached dwellings	
Lots (# and type; bldg./common)	208 building lots/34 common lots	
Phasing Plan (# of phases)	4 phases	
Number of Residential Units (type of units)	207 (SFR detached dwellings)	
Density (gross & net)	3.17 units/acre (gross); 5.29 units/acre (net) – overall (not including future units in R-8 and R-15 zoned lots)	
Open Space (acres, total [%]/buffer/qualified)	16.17 acres (or 16.61%) common open space	
Amenities	Swimming pool, two (2) segments of the City’s multi-use pathway system, and an additional 5% open space above the minimum required.	

Description	Details	Page
Physical Features (waterways, hazards, flood plain, hillside)	The McBirney Lateral and another un-named waterway cross this site.	
Neighborhood meeting date; # of attendees:	10/19/21	
History (previous approvals)	H-2020-0066; Development Agreement Inst. #2020-178120 (Apex); H-2020-0117; Development Agreement Inst. #2021-102396 (Shafer View Terrace)	

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>Yes</p> <p>No</p>																
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses are proposed via E. Lake Hazel Rd., an arterial street; and one (1) access is proposed via E. Quartz Creek St., a collector street.																
Traffic Level of Service	<table border="1"> <thead> <tr> <th>Roadway</th> <th>Frontage</th> <th>Functional Classification</th> <th>PM Peak Hour Traffic Count</th> <th>PM Peak Hour Level of Service</th> </tr> </thead> <tbody> <tr> <td>Lake Hazel Road</td> <td>1,321-feet</td> <td>Principal Arterial</td> <td>351</td> <td>Better than "E"</td> </tr> <tr> <td>Locust Grove Road</td> <td>1,350-feet</td> <td>Minor Arterial</td> <td>181</td> <td>Better than "E"</td> </tr> </tbody> </table> <p>* Acceptable level of service for a two-lane principal arterial is "E" (690 VPH). * Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).</p>	Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Lake Hazel Road	1,321-feet	Principal Arterial	351	Better than "E"	Locust Grove Road	1,350-feet	Minor Arterial	181	Better than "E"	
Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service													
Lake Hazel Road	1,321-feet	Principal Arterial	351	Better than "E"													
Locust Grove Road	1,350-feet	Minor Arterial	181	Better than "E"													
Stub Street/Interconnectivity/Cross Access Existing Road Network Existing Arterial Sidewalks / Buffers	E. Quartz Creek St. is proposed to be extended through this site; stub streets are proposed to be extended from Apex Northwest #1 and #2; stub streets are proposed to adjacent properties.																
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> Locust Grove Road is listed in the CIP to be widened to 3-lanes from Lake Hazel Road to Amity Road between 2036 and 2040 Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Linder Road to Meridian Road between 2036 and 2040. Lake Hazel Road is listed in the CIP to be widened to 5-lanes from Meridian Road to Locust Grove Road between 2036 and 2040. Lake Hazel Road is listed in the CIP to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2036 and 2040. Apex Subdivision entered into a Cooperative Development Agreement with ACHD in May 2021 to widen the segment of Lake Hazel Road to 5-lanes to the east of this site. These construction plans are currently under review. The intersection of Lake Hazel Road and Locust Grove Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 2-lanes on the north leg, 2-lanes on the south, 4-lanes east, and 4-lanes on the west leg between 2036 and 2040. Apex Subdivision entered into a Cooperative Development Agreement with ACHD in May 2021 to fully improve this intersection consistent with the 2020 CIP. Construction plans are currently under review with ACHD. The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the west leg and 4-lanes on the east leg and signalized in 2023. The intersection of Lake Hazel Road and Meridian Road is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 7-lanes east, and 7-lanes on the west leg and signalized between 2036 and 2040. The intersection of Amity Road and Locust Grove Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 2-lanes on the north leg, 2-lanes on the south, 4-lanes east, and 4-lanes on the west leg between 2031 and 2035. 																
Fire Service																	
<ul style="list-style-type: none"> Distance to Fire Station 	3.6 miles																

Description	Details	Pg
• Fire Response Time	Falls outside the 5:00 minute response time area - nearest station is Fire Station #6 – cannot meet response time goals. When Fire Station #7 is constructed in late summer of 2023, it will be within the 5:00 minute response time area.	
• Resource Reliability	85% - does meet the target goal of 80% or greater	
• Risk Identification	2 – current resources would be adequate to supply service	
• Accessibility	Project meets all required access, road widths and turnaround. ALL residences having two frontages (the street & an alleyway behind it) shall have address numbers on the front of the building and on the back side facing the alley.	
• Special/resource needs	Project will require an aerial device; can meet this need in the required timeframe if a truck company is required.	
• Water Supply	Requires 1,000 gallons per minute for one hour, may be less if buildings are fully sprinklered.	
• Other Resources		

Police Service	No comments received	
• Distance from police station		
• Police Response Time		

West Ada School District					
• Distance (elem, ms, hs)					
• Capacity of Schools					
• # of Students Enrolled					
• # of Students Predicted from this development	132 school aged children predicted from this development by WASD (154 for future townhomes) School Impact Table				

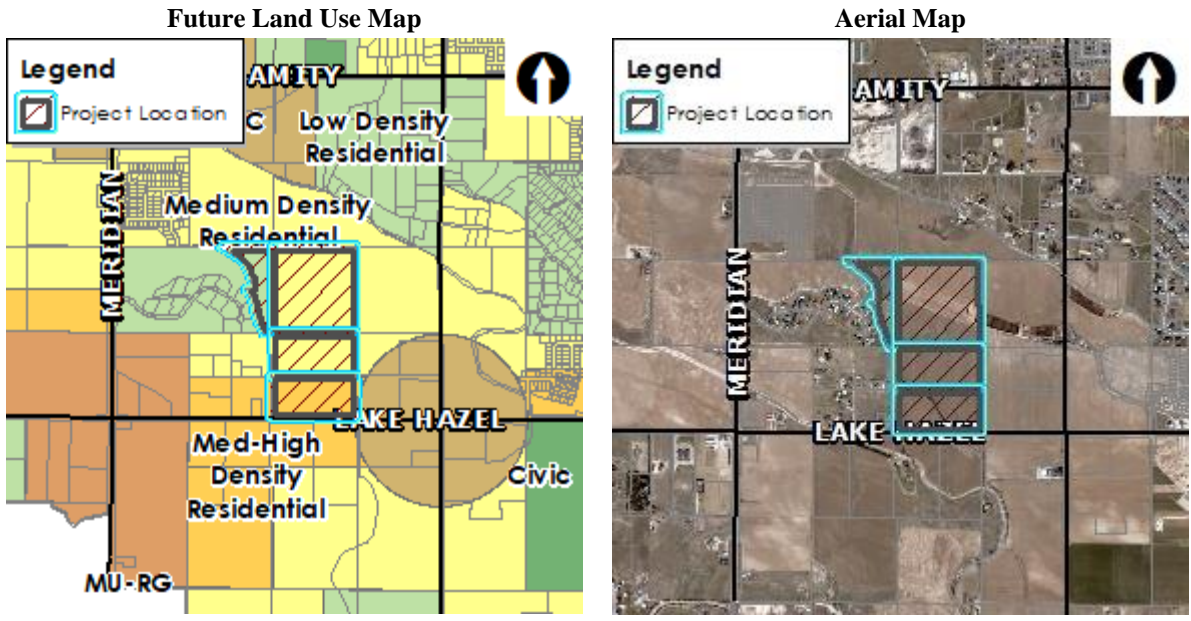
	Enrollment	Capacity	Approved lots per attendance area	Approved MF units per attendance area	Projected Students from Approved Dev.
Mary McPherson Elementary	449	675	2677	26	591
Victory Middle School	984	1000	3738	502	501
Mountain View High School	2368	2175	2701	0	432
School of Choice Options					
Christine Donnell School -Arts	489	500	N/A	N/A	
Spalding Elementary - STEM	656	750	N/A	N/A	

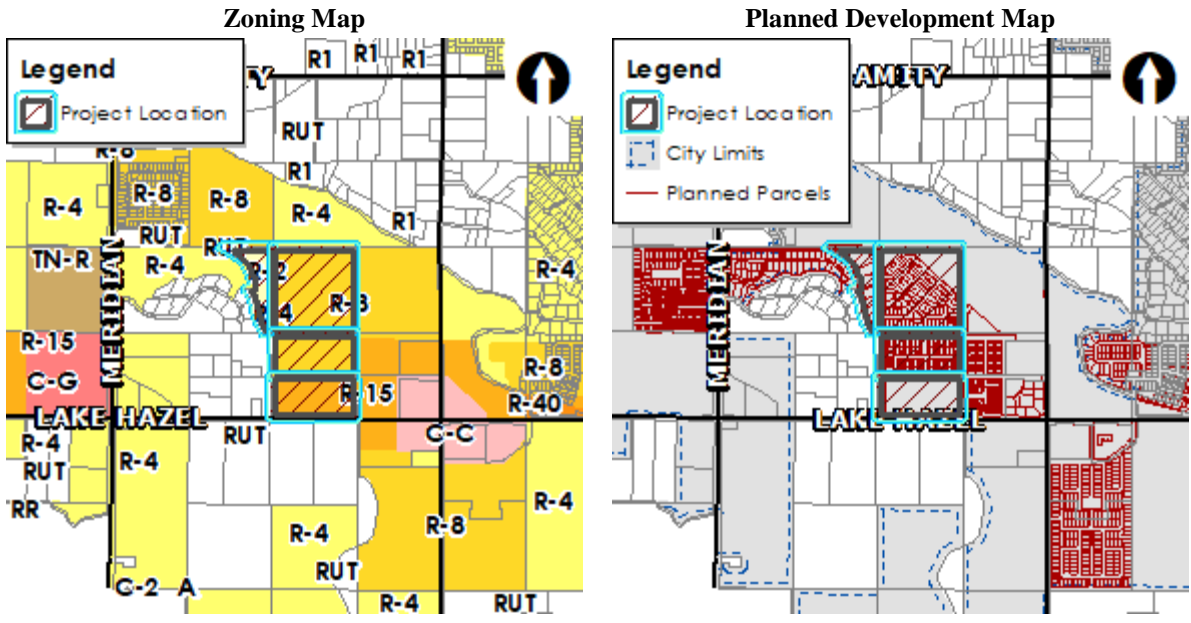
Wastewater		
• Impacts/concerns	<ul style="list-style-type: none"> • Flow is committed • All sewer manholes must have a 14-foot-wide access road per the City Design Standards. • Ensure no sewer services cross infiltration trenches • No permanent structures may be within City utility easements including but not limited to trees, bushes, buildings, carports, trash enclosures, fences, infiltration trenches, light poles, etc. • Do not run sewer main in common driveways, services should be run within the common driveway. • Sewer main should be run from the northern portion of the site down South Sublimity Way from the existing sewer main. Main should be kept within the Right of Way whenever possible. 	

Water		
• Distance to Water Services	Directly adjacent	
• Pressure Zone	5	
• Estimated Project Water ERU's	See application	
• Water Quality	None	

<ul style="list-style-type: none"> • Project Consistent with Water Master Plan • Impacts/Concerns 	<p>Yes</p> <ul style="list-style-type: none"> • 12 inch water main will need to be constructed at the Northwest corner to make the second connection at East Quartz Creek Street. • There is a piece of water main missing at the corner of East Prickle Drive and East Pinpoint Way, this must be included to complete the water loop. • The water main in East Prime Drive needs to be upsized to 12 inch from South Sublimity Way to East Prickle Drive. • The water main in East Prickle Drive needs to be upsized to 12 inch from East Prime Drive to East Heyday Drive. • The water stub in East Heyday Drive to the property line needs to be upsized to 12 inch.
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C. Project Area Maps





- A. Applicant:
Josh Beach, Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642
- B. Owner:
Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642
- C. Representative:
Same as Applicant

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	12/21/2021	
Notification mailed to property owners within 300 feet	12/15/2021	
Applicant posted public hearing notice on site	12/22/2021	
Nextdoor posting	12/16/2021	

IV. COMPREHENSIVE PLAN ANALYSIS (*Comprehensive Plan*)

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates approximately 11 acres of the site as Low Density Residential (LDR), 65 acres as Medium Density Residential (MDR) and 20 acres as Medium High-Density Residential (MHDR).

The LDR designation allows for the development of single-family homes on large and estate lots at gross densities of 3 dwelling units or less per acre. These areas often transition between existing rural residential and urban properties. Developments need to respect agricultural heritage and resources, recognize view sheds and open spaces, and maintain or improve the overall atmosphere of the area.

The use of open spaces, parks, trails, and other appropriate means should enhance the character of the area.

The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

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 proposed development consists of a total of 207 single-family detached dwellings. The plat includes two (2) R-8 zoned lots in the MDR designated area for future residential development; and one (1) R-15 zoned lot in the MHDR designated area for future development of townhomes or multi-family apartments. The proposed development in the MDR designated area has an overall gross density of 3.17 units/acre with a net density of 5.29 units per acre, excluding the future development areas. The R-2 portion has a gross density of 0.70 units/acre with a net density of 1.18 units/acre and the R-8 portion has a gross density of 3.70 units/acre with a net density of 6.16 units/acre, consistent with the densities desired in the associated LDR and MDR designations.

The following Comprehensive Plan Policies are applicable to this development:

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

Only one housing type, single-family detached, is proposed in this development at this time; some units will be accessed via internal local and collector streets with front/side entry garages while others will have rear access via alleys. Another housing type, either townhomes or multi-family apartments, is planned to develop on the R-15 zoned future development area (i.e. Lot 1, Block 1). If townhomes are proposed, the lot will need to be re-subdivided to accommodate the townhome units; if apartments are proposed, a conditional use permit will be needed for approval of a multi-family 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 services are available to service this development in accord with UDC 11-3A-21. The emergency response time for the Fire Dept. falls outside of the 5-minute response time area; once Fire Station No. 7 is constructed in the late summer of 2023, it will meet the response time goal.

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

Staff believes the proposed use and site design are compatible with existing and future uses, which should minimize conflicts and maximize use of land.

- “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.

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

Two (2) segments of the City’s multi-use pathway system is proposed within this site consistent with the Pathways Master Plan, which will provide safe pedestrian and bicycle access to the internal common area with a swimming pool and school site to the southeast in Apex Southeast.

- “Evaluate comprehensive impacts of growth and consider City Master Plans and Strategic Plans in all land use decisions (e.g., traffic impacts, school enrollment, and parks).” (3.01.01A)

A Traffic Impact Study (TIS) was required by ACHD for this development and was taken into consideration in ACHD’s report.

See comments from WASD and Community Development in Section VIII for school enrollment calculations in regard to the number of school-aged children estimated to be generated from this development and associated school capacity.

The closest City Park to this site is Discovery Park, a regional park consisting of 77-acres of land, to the southeast of the S. Locust Grove Rd. and E. Lake Hazel Rd. intersection bordering Apex Southeast.

- “Require all 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 should be compatible with existing and future surrounding uses.

- “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 proposed as required with this development.

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

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

A. Preliminary Plat:

The proposed preliminary plat consists of 208 building lots (207 single-family lots and 1 lot for future development of townhomes or multi-family apartments) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts for Apex West Subdivision.

The subdivision is proposed to develop in four (4) phases as shown on the phasing plan in Section VII.A.

The proposed plat includes a portion of Parcel #S1131417220 depicted on the plat as Lot 1, Block 5 and the surrounding area outside of Parcel #S1131417210. As discussed at the pre-application meeting, the entire parcel must be included in the proposed plat or a property boundary adjustment application must be approved to create a separate developable parcel for that area – a portion of the lot cannot be included as it would create an illegal split. Therefore, Staff recommends that prior to City Council approval of the subject preliminary plat application, a property boundary adjustment shall be approved, which incorporates

Lot 1, Block 5 and the surrounding area into Parcel #S1131417210 or creates a separate developable parcel for that area.

Three future development areas are depicted on the plat, Lots 32 and 43, Block 6; and Lot 1, Block 1. The R-8 zoned lots (i.e. Lots 32 and 43, Block 6) are planned to be re-subdivided in the future through new preliminary plat applications. The R-15 zoned lot (i.e. Lot 1, Block 1) may be re-subdivided in the future through a new preliminary plat application for the development of 240 townhomes; or, a multi-family development may develop on the site, which will require approval of a conditional use permit. **If single-family homes or townhomes are developed on these lots, they shall be re-subdivided prior to issuance of any building permits.**

Existing Structures/Site Improvements:

There are no existing structures or site improvements on this property; it's currently agricultural land.

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, including but not limited to streets and block face. The proposed plat complies with these standards.

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

Access is proposed at the northwest corner of the development from E. Quartz Creek St., a collector street, from S. Meridian Rd. and from S. Sublimity Ave. and S. Apex Ave., both collector streets, via E. Lake Hazel Rd. Stub streets are proposed to adjacent properties for future extension and interconnectivity. **A note should be included on the final plat prohibiting direct lot access to the collector and arterial streets, except for Lots 4-11, Block 10 which are allowed direct access via S. Sublimity Way – homes on these lots should have side entry garages with a turnaround area so that vehicles aren't backing out onto the collector street in an effort to preserve public safety.** Street setbacks for residential units abutting collector streets shall be as approved with ZOA-2021-0003.

Alleys are proposed for internal access to some of the lots in Phase 1; alleys are required to comply with the standards listed in UDC [11-6C-3B.5](#). Three (3) common driveway lots are also proposed and are required to comply with the standards listed in UDC [11-6C-3D](#); an exhibit for such is included in Section VII.B.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit. Garages and parking pads in driveways are proposed to satisfy this requirement.

The proposed street sections accommodate on-street parking on both sides of the streets for guests in addition to driveway parking spaces on each lot; 146 spaces are proposed for guests in the residential area along with another 28 spaces as depicted on the parking plan in Section VII.E. Staff is of the opinion sufficient parking can be provided for this development.

Off-street parking is also required for the building/changing rooms at the community swimming pool. A minimum of (1) space is required per every 500 square feet of gross floor area; 12 spaces are proposed which exceeds the minimum standards. A minimum of one (1) bicycle parking space is also required to be provided per UDC 11-3C-6G and should be designed in accord with the standards listed in UDC 11-3C-5C.

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

The Pathways Master Plan depicts a segment of the City's multi-use pathway system along the west and northeast boundaries of the site. Pathways are proposed as shown on the landscape plan.

The Park's Dept. is requiring a 10-foot wide detached pathway along the west side of S. Sublimity Ave. which will connect to the pathway proposed in the common area along the back side of lots in Block 10. **The gravel pathway proposed through Blocks 5, 6, 7, 9 and 10 is required to be improved per the standards listed in UDC 11-3B-12C.3. Landscape strips are required along both sides of all pathways, landscaped per the standards listed in UDC [11-3B-12C](#), which include a mix of trees, shrubs, lawn, and/or other vegetative ground cover,** including those in Blocks 6, 7, 9 and 10 – if within an easement, additional area shall be provided outside of the easement to accommodate landscaping. *See comments from Park's Dept. in Section VIII.J.*

A minimum 5-foot wide pathway should be included in Lot 36, Block 6.

All multi-use pathways not located within the right-of-way are required to be placed in a 14-foot wide public use easement, which shall be submitted to the Planning Division prior to submittal for City Engineer signature on the final plat(s) for the phase in which they are located.

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

Sidewalks are required to be provided adjacent to all streets as set forth in UDC 11-3A-17. Detached sidewalks are proposed within the development as depicted on the landscape plan.

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

Eight-foot wide parkways are proposed along all streets where detached sidewalks are proposed. All parkways should be constructed in accord with the standards listed in UDC [11-3A-17E](#).

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

A 25-foot wide street buffer is required along E. Lake Hazel Rd., an arterial street; and 20-foot wide street buffers are required along E. Quartz Creek St./S. Sublimity Ave., S. Apex Way and E. Crescendo St., collector streets. Landscaping is required to be installed within the buffers per the standards listed in [UDC 11-3B-7C](#), **which require a variety of trees and shrubs, lawn, or other vegetative groundcover – shrubs are required to be included in the buffer in accord with this standard; lawn shall comprise no more than 65% of the vegetated coverage of a landscape buffer (see UDC 11-3B-7C.3 for more information).**

Landscaping is required adjacent to all pathways per the standards in UDC [11-3B-12C](#) as noted above under Pathways.

Landscaping is required within parkways per the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#) as proposed.

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

Based on the standards listed in UDC [11-3G-3](#), the R-2 zoned area requires a minimum of 8% (or 0.80-acre) open space based on 9.94 acres of land; and the R-8 zoned area requires a minimum of 15% (or 6.01-acres) open space based on 40.09 acres of land for a total of 6.81 acres of common open space. *Although the future residential R-8 and R-15 zoned areas (i.e. Lots 32 and 43, Block 6 and Lot 1, Block 1) are included in the boundary of the proposed plat, Staff did not include these areas in the required open space calculations as they are proposed to be re-subdivided and/or included in a conditional use permit in the future prior to development. At such time they will be required to comply with the open space standards on a stand-alone basis.*

The proposed open space consists of linear open space, open grassy areas of at least 5,000 square feet in area, 8-foot parkways and street buffers along collector and arterial streets as shown on the open space exhibit in Section VII.D. A total of 16.17 acres of qualified open space is proposed, which exceeds UDC standards.

The proposed open space areas have direct pedestrian access, high visibility, comply with the CPTED standards and support a range of leisure and play activities and uses, while promoting the health and well-being of its residents as required in UDC 11-3G-3A.2.

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

Based on the standards listed in UDC 11-3G-4, the 50.03-acre development area requires multiple amenities to be provided totaling a minimum of 10 points from the separate categories listed in UDC Table [11-3G-4](#). *Note: As noted above under the Qualified Open Space analysis, Staff did not include the two (2) R-8 zoned lots (Lots 32 and 43, Block 6) and the R-15 zoned lot (Lot 1, Block 1) in the calculations.*

A swimming pool with changing facilities and restrooms (6 points); two (2) segments of multi-use pathways totaling approximately ½ mile (totaling 4 points); and a playground (3 points) are proposed totaling 13 points, which exceeds the minimum standards. A detail of the playground equipment should be submitted with the final plat application for the phase in which it is located.

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 [Limited Geotechnical Engineering Report](#) for the subdivision.

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.

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

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21.

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

The McBirney Lateral crosses this site within a 41-foot wide easement; and the Watkins Drain runs along the west side of this site within a 38-foot wide easement, as depicted on the plat. These waterways are proposed to be piped in accord with UDC 11-3A-6B.

Williams Pipeline: The Williams Pipeline runs across Lot 32, Block 6 within a 75-foot wide easement. All development within the pipeline easement should comply with the Williams Pipeline Developers Handbook.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7.

Five-foot tall open vision metal fencing is proposed adjacent to all internal common open space areas to distinguish common from private areas; and 6-foot tall solid wood fencing is proposed in other areas as depicted on the landscape plan in Section VII.C in accord with UDC standards.

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

Conceptual building elevations in a variety of materials and colors were submitted for future single-family detached homes in this development as shown in Section VII.E. *Single-family detached dwellings are exempt from the design standards in the Architectural Standards Manual.*

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved for the changing rooms and swimming pool on Lot 1, Block 5 prior to submittal of applications for building permits. All non-residential structures shall comply with the design standards listed in the Architectural Standards Manual.

Because homes on lots that abut collector streets (i.e. E. Quartz Creek St. and S. Sublimity Ave. and S. Apex Way south of E. Crescendo St.) will be highly visible, the rear and/or side

of structures on these lots should incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

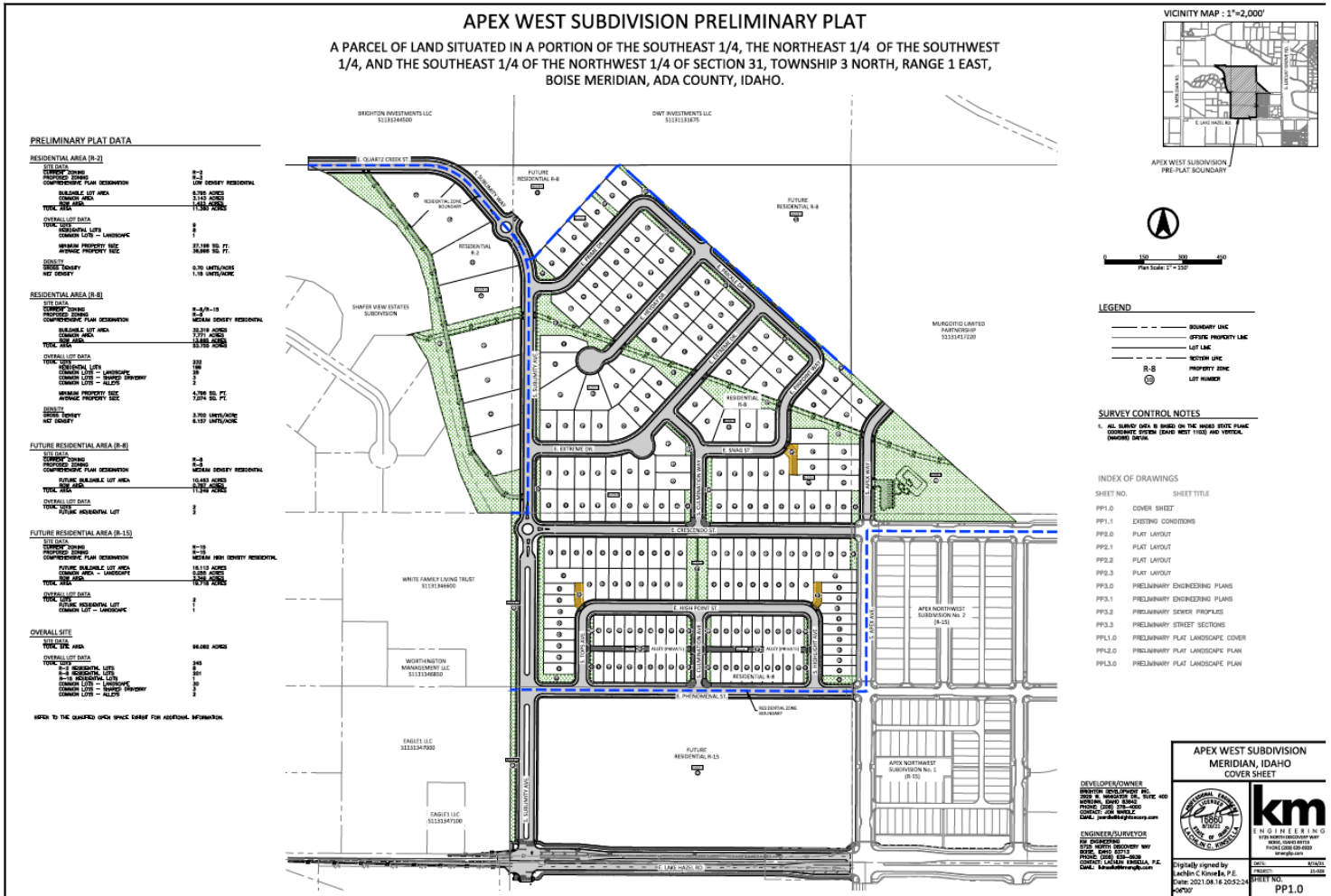
VI. DECISION

A. Staff:

Staff recommends approval of the requested preliminary plat with the conditions noted in Section VIII per the Findings in Section IX.

VII. EXHIBITS

A. Preliminary Plat & Phasing Plan (date: 8/16/2021)

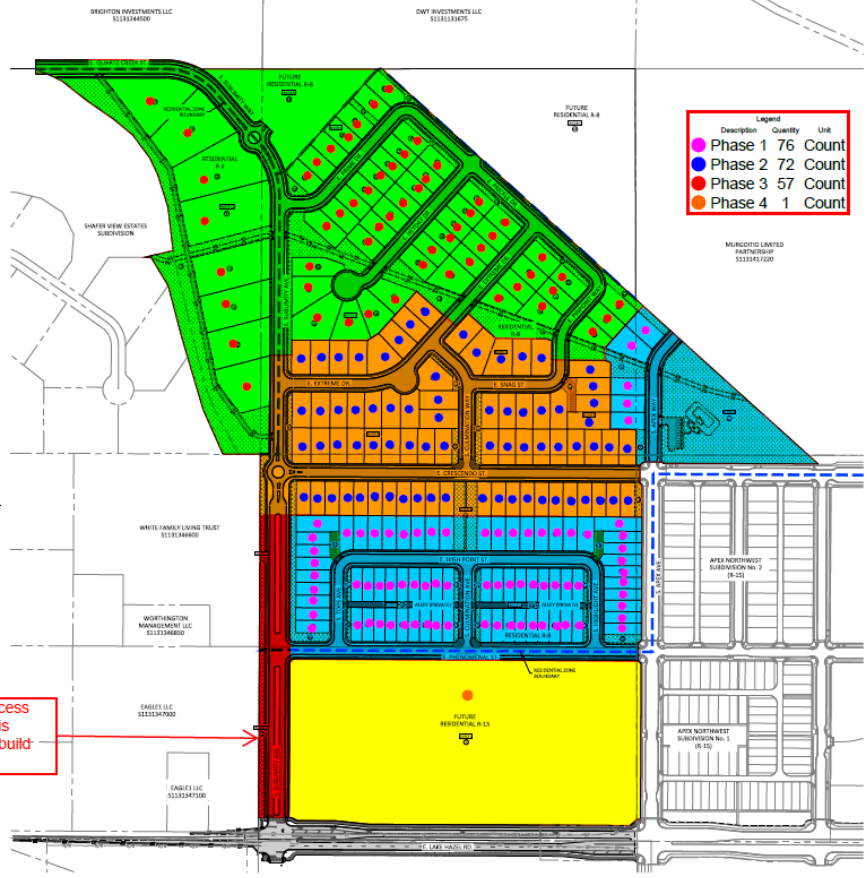


APEX WEST SUBDIVISION PRELIMINARY PLAT

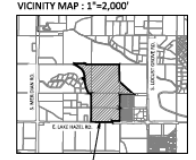
A PARCEL OF LAND SITUATED IN A PORTION OF THE SOUTHEAST 1/4, THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

PRELIMINARY PLAT DATA

RESIDENTIAL AREA (R-2)	
SITE DATA	0-2
CONCEPT PLANNING	1/2
COMPREHENSIVE PLAN REVISION	1/2
PHASE 1 LOT AREA	5,760 ACRES
PHASE 2 LOT AREA	5,760 ACRES
PHASE 3 LOT AREA	5,760 ACRES
PHASE 4 LOT AREA	5,760 ACRES
PHASE 5 LOT AREA	5,760 ACRES
PHASE 6 LOT AREA	5,760 ACRES
PHASE 7 LOT AREA	5,760 ACRES
PHASE 8 LOT AREA	5,760 ACRES
PHASE 9 LOT AREA	5,760 ACRES
PHASE 10 LOT AREA	5,760 ACRES
PHASE 11 LOT AREA	5,760 ACRES
PHASE 12 LOT AREA	5,760 ACRES
PHASE 13 LOT AREA	5,760 ACRES
PHASE 14 LOT AREA	5,760 ACRES
PHASE 15 LOT AREA	5,760 ACRES
PHASE 16 LOT AREA	5,760 ACRES
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PHASE 196 LOT AREA	5,760 ACRES
PHASE 197 LOT AREA	5,760 ACRES
PHASE 198 LOT AREA	5,760 ACRES
PHASE 199 LOT AREA	5,760 ACRES
PHASE 200 LOT AREA	5,760 ACRES



Description	Quantity	Unit
Phase 1	76	Count
Phase 2	72	Count
Phase 3	57	Count
Phase 4	1	Count



LEGEND

---	BOUNDARY LINE
---	EXISTING PROPERTY LINE
---	LOT LINE
---	SECTION LINE
---	PROPERTY ZONE
---	LOT NUMBER

SURVEY CONTROL NOTES


1. ALL SURVEY DATA IS BASED ON THE 1983 STATE PLANE COORDINATE SYSTEM (NAD 83) WITH THE 1983 DATUM.

INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE
PP1.0	COVER SHEET
PP1.1	EXISTING CONDITIONS
PP1.2	PHASE 1 LAYOUT
PP1.3	PHASE 2 LAYOUT
PP1.4	PHASE 3 LAYOUT
PP1.5	PHASE 4 LAYOUT
PP1.6	PRELIMINARY ENGINEERING PLANS
PP1.7	PRELIMINARY ENGINEERING PLANS
PP1.8	PRELIMINARY SEWER PROFILES
PP1.9	PRELIMINARY STREET SECTIONS
PP1.10	PRELIMINARY PLAT LANDSCAPE COVER
PP1.11	PRELIMINARY PLAT LANDSCAPE PLAN
PP1.12	PRELIMINARY PLAT LANDSCAPE PLAN

Build temp fire access with phase 1 in this location and final build with phase 4

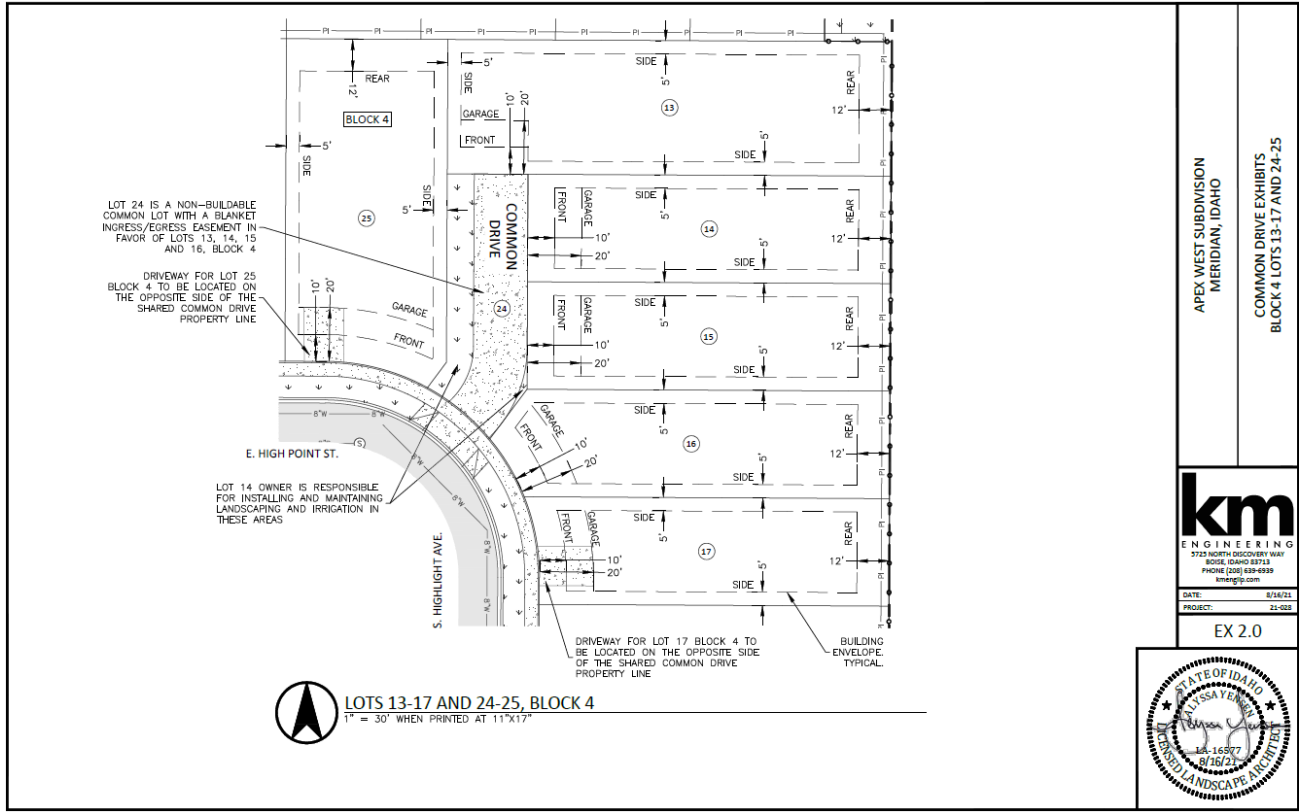
**APEX WEST SUBDIVISION
MERIDIAN, IDAHO
COVER SHEET**

DEVELOPER/OWNER: BRIGHTON INVESTMENTS LLC 11111 BRIGHTON BLVD BOISE, IDAHO 83749 PHONE: 208.333.1111 EMAIL: brian@brightonidaho.com	ENGINEER/SURVEYOR: KIMBERLY C. HARRIS, P.E. 11111 BRIGHTON BLVD BOISE, IDAHO 83749 PHONE: 208.333.1111 EMAIL: kharris@brightonidaho.com		km KIMBERLY C. HARRIS, P.E. 11111 BRIGHTON BLVD BOISE, IDAHO 83749 PHONE: 208.333.1111 EMAIL: kharris@brightonidaho.com
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Digitally signed by Kimberly C. Harris, P.E.
Date: 2023.08.16 10:52:24 -0700

SHEET NO. PP1.0

B. Common Driveway Exhibits



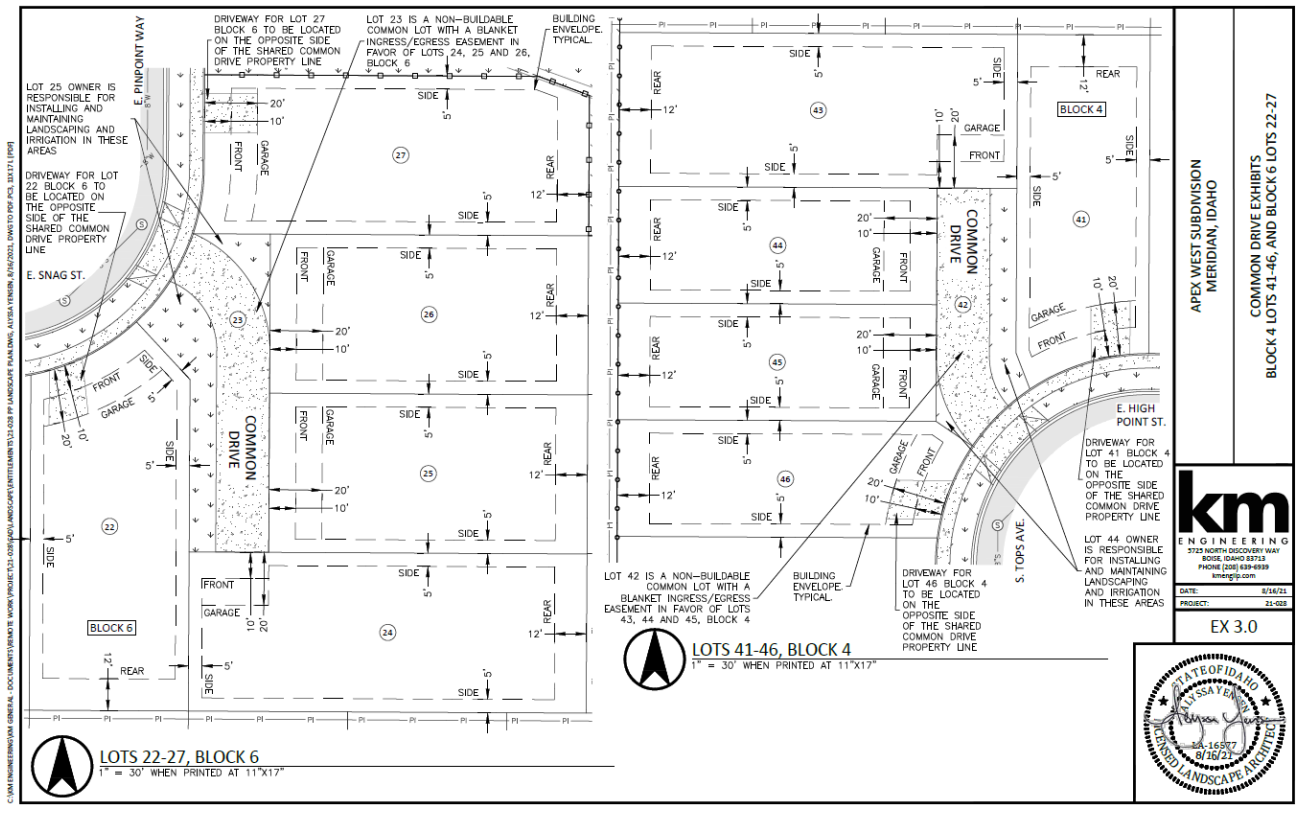
APEX WEST SUBDIVISION
MERIDIAN, IDAHO

COMMON DRIVE EXHIBITS
BLOCK 4 LOTS 13-17 AND 24-25

km
ENGINEERING
2725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmerg@com

DATE: 8/16/21
PROJECT: 21-028

EX 2.0



APEX WEST SUBDIVISION
MERIDIAN, IDAHO

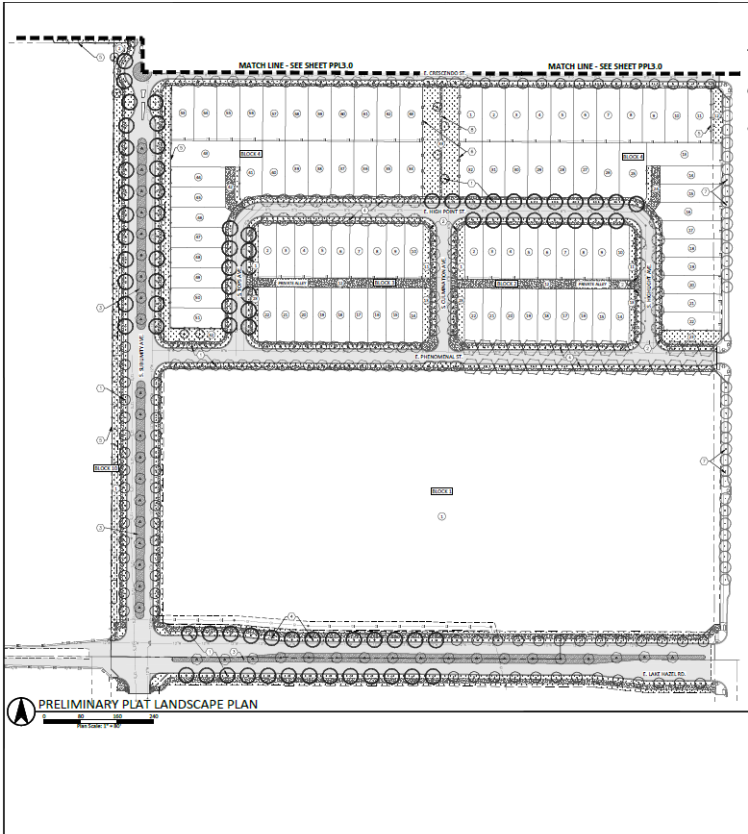
COMMON DRIVE EXHIBITS
BLOCK 4 LOTS 41-46, AND BLOCK 6 LOTS 22-27

km
ENGINEERING
2725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmerg@com

DATE: 8/16/21
PROJECT: 21-028

EX 3.0





PLANT SCHEDULE

SYMBOL	DESCRIPTION	QUANTITY	UNIT
1	DECIDUOUS TREE (SEE LIST)	100	EA
2	SHRUB	200	EA
3	PERENNIAL	500	EA
4	ANNUAL	1000	EA
5	GRASS	10000	SQ. FT.
6	PAVING	1000	SQ. FT.
7	ROCK	1000	CY
8	WOOD	1000	LF
9	CONCRETE	1000	SQ. FT.
10	BRICK	1000	SQ. FT.
11	ASPHALT	1000	SQ. FT.
12	GRAVEL	1000	CY
13	SLAB	1000	SQ. FT.
14	WALKWAY	1000	SQ. FT.
15	DRIVEWAY	1000	SQ. FT.
16	POLE	1000	EA
17	POST	1000	EA
18	RAIL	1000	EA
19	WIRE	1000	EA
20	VALVE	1000	EA
21	HYDRANT	1000	EA
22	MANHOLE	1000	EA
23	SEWER	1000	EA
24	WATER	1000	EA
25	STAKE	1000	EA
26	FLAG	1000	EA
27	SPRINKLER	1000	EA
28	VALVE	1000	EA
29	HYDRANT	1000	EA
30	MANHOLE	1000	EA
31	SEWER	1000	EA
32	WATER	1000	EA
33	STAKE	1000	EA
34	FLAG	1000	EA
35	SPRINKLER	1000	EA
36	VALVE	1000	EA
37	HYDRANT	1000	EA
38	MANHOLE	1000	EA
39	SEWER	1000	EA
40	WATER	1000	EA
41	STAKE	1000	EA
42	FLAG	1000	EA
43	SPRINKLER	1000	EA
44	VALVE	1000	EA
45	HYDRANT	1000	EA
46	MANHOLE	1000	EA
47	SEWER	1000	EA
48	WATER	1000	EA
49	STAKE	1000	EA
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51	SPRINKLER	1000	EA
52	VALVE	1000	EA
53	HYDRANT	1000	EA
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86	MANHOLE	1000	EA
87	SEWER	1000	EA
88	WATER	1000	EA
89	STAKE	1000	EA
90	FLAG	1000	EA
91	SPRINKLER	1000	EA
92	VALVE	1000	EA
93	HYDRANT	1000	EA
94	MANHOLE	1000	EA
95	SEWER	1000	EA
96	WATER	1000	EA
97	STAKE	1000	EA
98	FLAG	1000	EA
99	SPRINKLER	1000	EA
100	VALVE	1000	EA

KEY NOTES (TYPICAL)

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
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8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.

FENCE SCHEDULE

SYMBOL	DESCRIPTION
1	6" WHITE TRIPLE RAIL FENCE WITH 4" X 4" POSTS AND RAILS
2	6" WHITE TRIPLE RAIL FENCE WITH 4" X 4" POSTS AND RAILS
3	6" WHITE TRIPLE RAIL FENCE WITH 4" X 4" POSTS AND RAILS

DECIDUOUS TREE PLANTING AND STAKING DETAIL



PLANT SCHEDULE

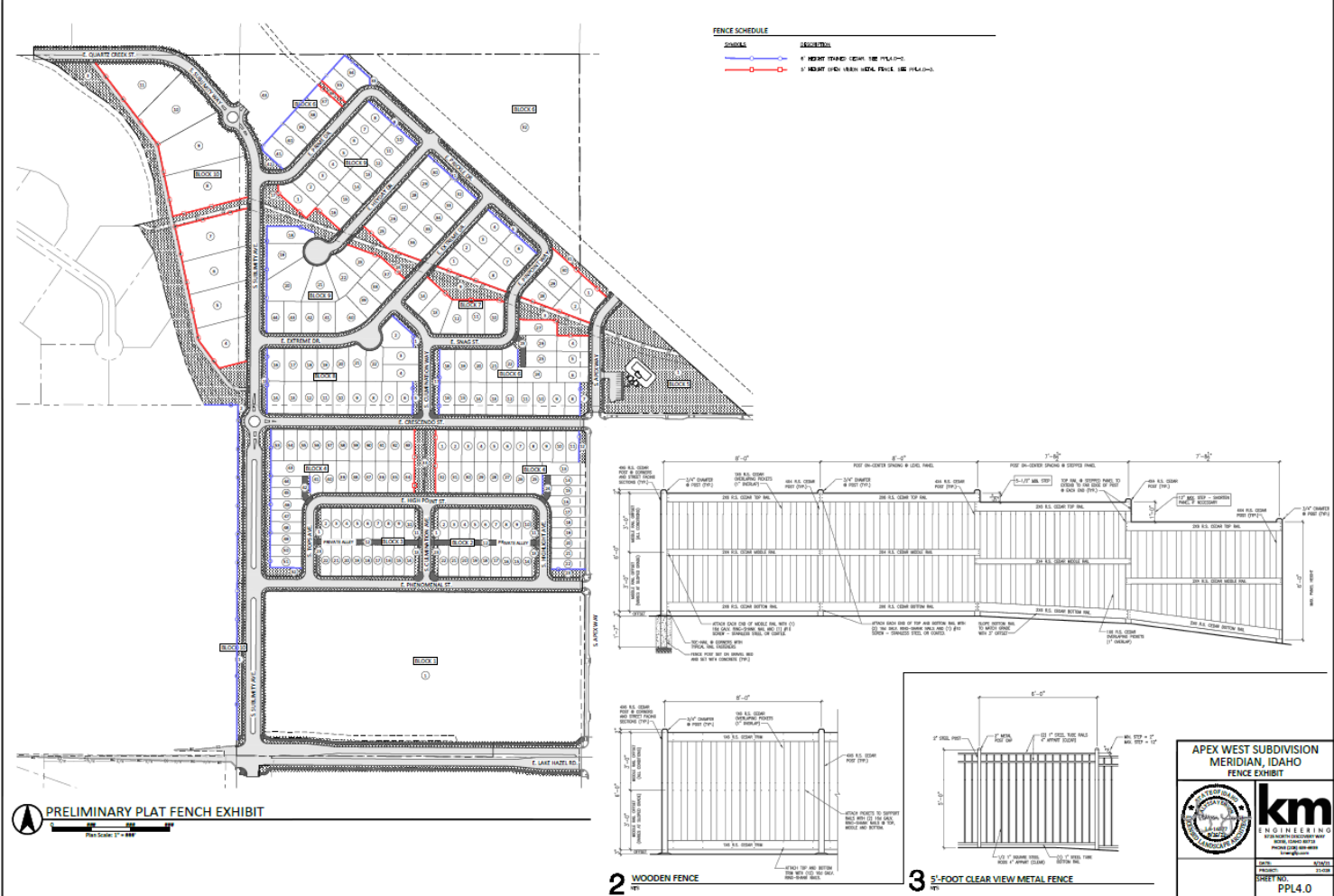
SYMBOL	DESCRIPTION	QUANTITY	UNIT
1	DECIDUOUS TREE (SEE LIST)	100	EA
2	SHRUB	200	EA
3	PERENNIAL	500	EA
4	ANNUAL	1000	EA
5	GRASS	10000	SQ. FT.
6	PAVING	1000	SQ. FT.
7	ROCK	1000	CY
8	WOOD	1000	LF
9	CONCRETE	1000	SQ. FT.
10	BRICK	1000	SQ. FT.
11	ASPHALT	1000	SQ. FT.
12	GRAVEL	1000	CY
13	SLAB	1000	SQ. FT.
14	WALKWAY	1000	SQ. FT.
15	DRIVEWAY	1000	SQ. FT.
16	POLE	1000	EA
17	POST	1000	EA
18	RAIL	1000	EA
19	WIRE	1000	EA
20	VALVE	1000	EA
21	HYDRANT	1000	EA
22	MANHOLE	1000	EA
23	SEWER	1000	EA
24	WATER	1000	EA
25	STAKE	1000	EA
26	FLAG	1000	EA
27	SPRINKLER	1000	EA
28	VALVE	1000	EA
29	HYDRANT	1000	EA
30	MANHOLE	1000	EA
31	SEWER	1000	EA
32	WATER	1000	EA
33	STAKE	1000	EA
34	FLAG	1000	EA
35	SPRINKLER	1000	EA
36	VALVE	1000	EA
37	HYDRANT	1000	EA
38	MANHOLE	1000	EA
39	SEWER	1000	EA
40	WATER	1000	EA
41	STAKE	1000	EA
42	FLAG	1000	EA
43	SPRINKLER	1000	EA
44	VALVE	1000	EA
45	HYDRANT	1000	EA
46	MANHOLE	1000	EA
47	SEWER	1000	EA
48	WATER	1000	EA
49	STAKE	1000	EA
50	FLAG	1000	EA
51	SPRINKLER	1000	EA
52	VALVE	1000	EA
53	HYDRANT	1000	EA
54	MANHOLE	1000	EA
55	SEWER	1000	EA
56	WATER	1000	EA
57	STAKE	1000	EA
58	FLAG	1000	EA
59	SPRINKLER	1000	EA
60	VALVE	1000	EA

KEY NOTES (TYPICAL)

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
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9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.
10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE IRRIGATION DISTRICT'S PLANTING SPECIFICATIONS.

FENCE SCHEDULE

SYMBOL	DESCRIPTION
1	6" WHITE TRIPLE RAIL FENCE WITH 4" X 4" POSTS AND RAILS
2	6" WHITE TRIPLE RAIL FENCE WITH 4" X 4" POSTS AND RAILS
3	6" WHITE TRIPLE RAIL FENCE WITH 4" X 4" POSTS AND RAILS



D. Open Space Exhibit (dated: 8/16/21)



PRELIMINARY PLAT DATA

OVERALL SITE DATA

RE ZONE
 TOTAL SITE AREA 84.1 ACRES
 RESIDENTIAL AREA 11.36 ACRES
 R-2 16.72 ACRES
 R-15 16.72 ACRES

R-2 COMMON LOT AREAS
 LANDSCAPED COMMON LOTS 2.68 ACRES
 UNLANDSCAPED COMMON LOTS 3.88 ACRES
 TOTAL COMMON LOT AREA 6.56 ACRES

R-15 COMMON LOT AREAS
 LANDSCAPED COMMON LOTS 1.80 ACRES
 UNLANDSCAPED COMMON LOTS 0.10 ACRES
 TOTAL COMMON LOT AREA 1.90 ACRES

UNIMPROVED OPEN SPACE TOTALS
 PERCENTAGE OF UNIMPROVED OPEN SPACE 18.0%

IMPROVED OPEN SPACE TOTALS
 PERCENTAGE OF IMPROVED OPEN SPACE 16.7%

TOTAL UNIMPROVED OPEN SPACE
 TOTAL AREA 10.7 ACRES

TOTAL IMPROVED OPEN SPACE
 TOTAL AREA 1.90 ACRES

TOTAL COMMON LOT AREAS
 TOTAL AREA 8.46 ACRES

LEGEND

- Future (Qualified Open Space)
- Common Lot (Qualified Open Space)
- Common Lot (Not Qualified Open Space)

R-2 COMMON LOT AREAS

Block #	Lot #	Lot Area (SQ FT)	Qualified Area (SQ FT)	Qualified Area (ACS)
10 *4	2	120,811	142,776	3.28
10 *4	4-11	304,881	36,153	0.83
Future (Excluding Open Space)				0.00
TOTAL				178,929

R-8 COMMON LOT AREAS

Block #	Lot #	Lot Area (SQ FT)	Qualified Area (SQ FT)	Qualified Area (ACS)
2	1	1,760	3,699	0.08
2	11	1,263	3,097	0.07
2	13	1,281	3,097	0.07
2	23	1,790	3,699	0.08
2	1	1,260	3,097	0.07
2	11	1,760	3,613	0.08
2	13	1,760	3,613	0.08
2	23	1,790	3,699	0.08
4	12	3,861	3,861	0.09
4	22	3,760	3,699	0.08
4	23	16,303	16,303	0.44
4 *4	22	16,822	25,710	0.58
6	1	127,216	102,716	2.31
6	2	12,860	12,860	0.28
6	7	3,830	3,837	0.12
6	31	8933	0	0.00
6	32	3,948	0	0.00
6	36	3,999	0	0.00
6 *4	42	2,734	4,822	0.11
6 *4	43	100,101	8,133	0.17
7	8	3,899	7,885	0.17
7	9	33,863	33,863	0.86
8	1	1,897	4,482	0.10
8	8	2,737	5,012	0.12
8 *4	18	3,728	7,646	0.18
8 *4	9	3,898	7,888	0.17
8 *4	17	31,274	40,560	0.89
8	24	12,108	12,108	0.28
8	31	3,732	7,793	0.18
10 *4	2	12,860	22,860	0.53
Future (Excluding Open Space)				66,773
TOTAL				426,228

R-15 COMMON LOT AREAS

Block #	Lot #	Lot Area (SQ FT)	Qualified Area (SQ FT)	Qualified Area (ACS)
1 *4	1	701,000	84,433	0.81
10 *4	1	11,108	20,180	0.46
Future (Excluding Open Space)				10,000
TOTAL				94,513

* AREA INCLUDES LANDSCAPE COLLECTION RAFTER FOR LOTS 4-11 BLOCK 10 IMAGINED FROM BACK SIDE OF CURB.
 ** AREA INCLUDES 100% OF 30" COLLECTION RAFTER AND ASSOCIATED LOT IMAGINED FROM BACK SIDE OF CURB.
 *** AREA INCLUDES 10% (11.87') OF 30" COLLECTION RAFTER MEASURED FROM BACK OF CURB, C. LANE WHEEL RAIL.

APEX WEST SUBDIVISION OPEN SPACE EXHIBIT

CONTACT INFORMATION

DEVELOPER/OWNER: **BRIDGES DEVELOPMENT LLC**
 1818 W. WASHINGTON ST., SUITE 400
 BOISE, IDAHO 83725
 PHONE: (208) 333-8888
 EMAIL: info@bridgesdev.com

LANDSCAPE CONSULTANT: **BY DESIGNERS LLP**
 2142 WEST GARDEN WAY
 BOISE, IDAHO 83718
 PHONE: (208) 333-8888
 EMAIL: info@bydesigners.com

**APEX WEST SUBDIVISION
 MERIDIAN, IDAHO
 OPEN SPACE EXHIBIT**

km

K. M. MENDENHALL
 1100 WEST BROADWAY
 BOISE, IDAHO 83725
 PHONE: (208) 333-8888
 EMAIL: km@bydesigners.com

DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]

DRAWING NO. **EX 1.0**

E. Conceptual Building Elevations



VIII. CITY/AGENCY COMMENTS & CONDITIONS

Prior to City Council approval of the subject preliminary plat application, a property boundary adjustment shall be approved, which incorporates Lot 1, Block 5 and the surrounding area into Parcel #S1131417210 or creates a separate developable parcel for that area.

A. PLANNING DIVISION

1. Future development shall comply with the provisions of the existing Development Agreements (i.e. Shafer View Estates – Inst. #2021-102396 and Apex – Inst. #2020-178120), and the preliminary plat, phasing plan, common driveway exhibits, landscape plan and conceptual elevations in Section VII and the conditions of approval listed below.
2. The final plat shall include the following revisions:
 - a. Include a note prohibiting direct lot access to the collector and arterial streets, except for Lots 4-11, Block 10.
 - b. Depict an easement for the 20-foot wide street buffer on the west side of S. Apex Ave. south of E. Crescendo St.
3. The landscape plan submitted with the final plat shall be revised as follows:
 - a. Depict additional landscaping within street buffers as set forth in UDC [11-3B-7C](#). *Note: These standards were recently revised.*
 - b. Depict a 20-foot wide street buffer on the west side of S. Apex Ave. south of E. Crescendo St. with landscaping in accord with the standards listed in UDC [11-3B-7C](#). *Note: These standards were recently revised.*
 - c. All pathways shall be improved per the standards listed in UDC 11-3B-12C.3 and have landscape strips along each side of the pathways and be landscaped per the standards listed in UDC [11-3B-12C](#), which requires a *mix* of trees, shrubs, lawn, and/or other vegetative ground cover. *Pathways are not allowed to have a gravel surface. Landscape strips are required along all pathways, including those in Blocks 6, 7, 9 and 10 – if within an easement that prohibits trees, additional area shall be provided outside of the easement to accommodate the required landscaping.*
 - d. Include calculations in the Project Calculations table that demonstrate compliance with the standards for pathway ([11-3B-12C](#)) landscaping; include required vs. provided number of trees. Landscaping is required along *all* pathways.
 - e. A minimum 5-foot wide pathway shall be included in Lot 36, Block 6.
 - f. Depict a 10-foot wide detached multi-use pathway along the west side of S. Sublimity Ave. as required by the Park's Dept. in accord with the Pathways Master Plan.
4. A 14-foot wide public use easement shall be submitted to the Planning Division for the multi-use pathways within the site that are not within the public right-of-way prior to submittal of the final plat for City Engineer signature in the phase in which they are located.
5. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables [11-2A-4](#) for the R-2 zoning district, [11-2A-6](#) for the R-8 zoning district and [11-2A-7](#) for the R-15 zoning district.
6. Off-street parking is required to be provided for all residential units in accord with the standards listed in [UDC Table 11-3C-6](#) based on the number of bedrooms per unit.

7. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#) unless otherwise waived by City Council.
8. Homes on Lots 4-11, Block 10 shall have side entry garages with a turnaround area so that vehicles aren't backing out onto the collector street in an effort to preserve public safety.
9. If a multi-family development is proposed on Lot 1, Block 1, a conditional use permit application shall be submitted and approved prior to submittal of any building permit applications for that lot. Qualified open space and site amenities shall be provided in accord with UDC standards for such.
10. If single-family homes or townhomes are developed on Lots 32 and 43, Block 6 and/or on Lot 1, Block 1, these lots shall be re-subdivided prior to issuance of any building permits. Qualified open space and site amenities shall be provided in accord with UDC standards for such.
11. Homes on lots that abut collector streets (i.e. E. Quartz Creek St. and S. Sublimity Ave. and S. Apex Way south of of E. Crescendo St.) will be highly visible, the rear and/or side of structures on these lots should incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
12. Submit a detail of the proposed playground equipment with the final plat application.
13. All development within the Williams pipeline easement shall comply with the Williams Pipeline Developers Handbook.
14. Street setbacks for residential units abutting collector streets shall be as approved with ZOA-2021-0003.
15. A Certificate of Zoning Compliance and Design Review applications shall be submitted for the non-residential portions of the development (i.e. changing rooms associated with the swimming pool) and approved prior to submittal of applications for building permits. All non-residential structures shall comply with the design standards listed in the Architectural Standards Manual.
16. Staff's failure to cite specific ordinance provisions or terms of the approved annexation does not relieve the applicant of responsibility for compliance.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 All sewer manholes must have a 14-foot-wide access road per the City Design Standards.
- 1.2 Ensure no sewer services cross infiltration trenches.
- 1.3 No permanent structures may be within City utility easements including but not limited to trees, bushes, buildings, carports, trash enclosures, fences, infiltration trenches, light poles, etc.
- 1.4 Do not run sewer main in common driveways, services should be run within the common driveway.

- 1.5 Sewer main should be run from the northern portion of the site down South Sublimity Way from the existing sewer main. Main should be kept within the Right of Way whenever possible.
- 1.6 12 inch water main will need to be constructed at the Northwest corner to make the second connection at East Quartz Creek Street.
- 1.7 There is a piece of water main missing at the corner of East Prickle Drive and East Pinpoint Way, this must be included to complete the water loop.
- 1.8 The water main in East Prime Drive needs to be upsized to 12 inch from South Sublimity Way to East Prickle Drive.
- 1.9 The water main in East Prickle Drive needs to be upsized to 12 inch from East Prime Drive to East Heyday Drive.
- 1.10 The water stub in East Heyday Drive to the property line needs to be upsized to 12 inch

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 than 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 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.
- 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 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.
- 2.17 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.
- 2.18 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.
- 2.19 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.

- 2.20 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.
- 2.21 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.
- 2.22 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=243074&dbid=0&repo=MeridianCity>

Phasing Map:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243072&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244321&dbid=0&repo=MeridianCity>

E. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=248416&dbid=0&repo=MeridianCity>

F. COMMUNITY DEVELOPMENT SCHOOL IMPACT ANALYSIS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=248658&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242586&dbid=0&repo=MeridianCity&cr=1>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250827&dbid=0&repo=MeridianCity>

H. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243205&dbid=0&repo=MeridianCity>

I. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243211&dbid=0&repo=MeridianCity>

J. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251528&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. 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 is generally consistent with the adopted Comprehensive Plan in regard to land use, density and collector street layout. (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.



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from January 20, 2022 for Quartet South Subdivision (H-2021-0088) by Brighton Development, Inc., Located on Parcels S043432586 and S0434325410, at the Northeast Corner of W. Ustick Rd. and N. Black Cat Rd.

A. Request: Annexation of 67.61 acres of land with the R-8 (48.83 acres) and R-15 (18.78 acres) zoning districts.

B. Request: Preliminary Plat consisting of 229 single-family residential lots, 2 multi-family lots with 140 townhouse units, and 42 common lots.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: February 3, 2022

Topic: **Public Hearing** Continued from January 20, 2022 for Quartet South Subdivision (H-2021-0088) by Brighton Development, Inc., Located on Parcels S043432586 and S0434325410, at the Northeast Corner of W. Ustick Rd. and N. Black Cat Rd.

- A. Request: Annexation of 67.61 acres of land with the R-8 (48.83 acres) and R-15 (18.78 acres) zoning districts.
 - B. Request: Preliminary Plat consisting of 229 single-family residential lots, 2 multi-family lots with 140 townhouse units, and 42 common lots.
-

Information Resources:

[Click Here for Application Materials](#)

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

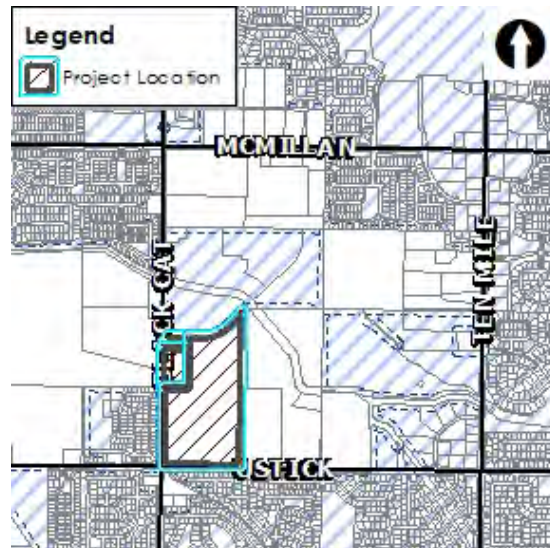
STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 2/3/2022
TO: Planning & Zoning Commission
FROM: Alan Tiefenbach
208-884-5533

SUBJECT: AZ, PP - H-2021-0088
Quartet South Subdivision

LOCATION: Parcels S0434255555, S0434325410, S0434325867 and 3680 N. Black Cat Rd., located at the northeast corner of the N. Black Cat / W. Ustick Rd intersection.



I. PROJECT DESCRIPTION

Annexation of 67.61 acres of land with the R-8 and R-15 zoning district, and preliminary plat consisting of 229 building lots, future townhome or multifamily units, and 42 common lots.

II. SUMMARY OF REPORT

A. Project Summary

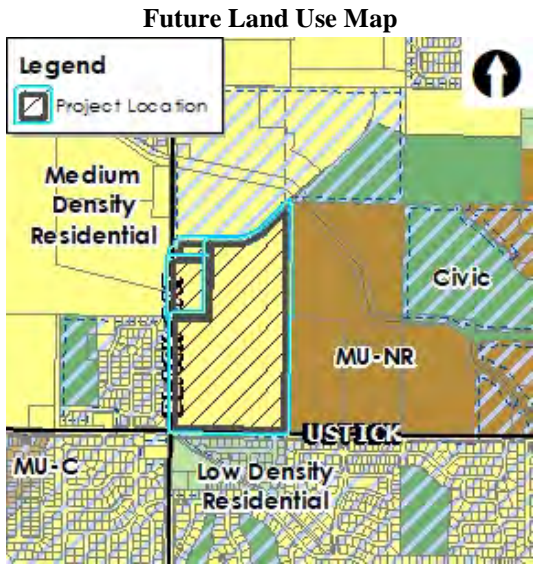
Description	Details
Acreage	67.61
Future Land Use Designation	Medium Density Residential 3-8 du/acre
Existing Land Use(s)	1 single family residence
Proposed Land Use(s)	Single Family Residential, attached and detached
Lots (# and type; bldg./common)	229 building lots, 140 attached units on 2 lots, and 42 common lots.
Phasing Plan (# of phases)	3 phases
Number of Residential Units (type of units)	229 single family residences, 140 townhouses
Density (gross & net)	5.45 du / ac gross
Open Space (acres, total [%]/buffer/qualified)	10.49 acres of qualified open space (15.5%)
Amenities	Community pool, clubhouse, and children's play structure.
Physical Features (waterways, hazards, flood plain, hillside)	Five Mile Creek parallels the properties northern property line, but is not on the property. Rutledge Drain bisects the property.
Neighborhood meeting date; # of attendees:	June 15, 2021 – 1 attendee
History (previous approvals)	None

B. Community Metrics

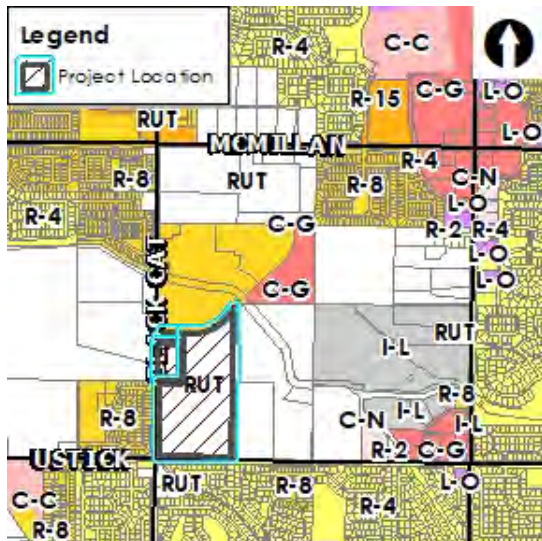
Description	Details
Ada County Highway District	Staff report submitted
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	N. Black Cat Rd. and W. Ustick Rd. are existing accesses.
Stub Street/Interconnectivity/Cross Access	Plat shows a northern stub and a southern stub.
Existing Road Network	N. Black Cat Rd. and W. Ustick Rd.
Existing Arterial Sidewalks / Buffers	None along the frontage of the subject property. There is a 25 ft. wide buffer and 5 ft. wide sidewalk on the west side of N. Black Cat Rd and on the south side of W. Ustick Rd.
Proposed Road Improvements	Applicant will be required to build eastbound left turn lane on Ustick, northbound right turn lane and south bound left turn lane on Black Cat Rd.
Fire Service	
<ul style="list-style-type: none"> Distance to Fire Station Fire Response Time Resource Reliability Risk Identification Accessibility Special/resource needs Water Supply Other Resources 	1.7 miles to Fire Station 2 < 5 minutes > 80% 2, resources are not adequate Yes Aerial device will be required 1,000 gpm required None
Police Service	
<ul style="list-style-type: none"> Distance to Police Station Police Response Time 	6.5 Miles P3 3:40 P2 7:03 P1 10:43
<ul style="list-style-type: none"> Calls for Service 	823
<ul style="list-style-type: none"> % of calls for service split by priority 	% of P3 CFS 1.3% % of P2 CFS 69.9% % of P1 CFS 26.9%
<ul style="list-style-type: none"> Crimes 	73
<ul style="list-style-type: none"> Crashes 	19

Wastewater	
Comments	<ul style="list-style-type: none"> Flow has been committed. See site specific conditions for additional information.
Water	
<ul style="list-style-type: none"> Distance to Water Services Pressure Zone Water Quality Project Consistent with Water Master Plan 	Directly Adjacent 1 No concerns Yes
Comments	<ul style="list-style-type: none"> Water main needs to be built in the proposed road at the northeast corner, extending the existing water stub from the Quartet Southeast Subdivision

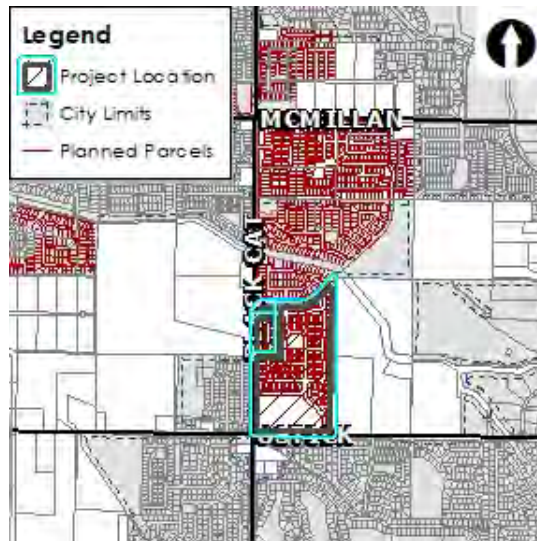
C. Project Area Maps



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant Representative:

Josh Beach, Brighton Development Inc. – 2929 W. Navigator Drive Suite 400, Meridian, ID 83642

B. Owner:

Brighton Development Inc. - 2929 W. Navigator Drive Suite 400, Meridian, ID 83642

Dean and Deborah Quenzer Living Trust – 3680 N. Black Cat Rd, Meridian, ID 83646

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	1/4/2022	
Radius notification mailed to properties within 300 feet	1/4/2022	
Nextdoor posting	1/6/2022	
Sign Posting	1/7/2022	

V. STAFF ANALYSIS

In June of 2020, Quartet Northeast (H-2020-0017, 68.73 acres and 137 buildable lots) and Quartet Southeast (H-2020-0018, 22.26 acres and 50 buildable lots) were approved north of the subject property. This subdivision is a southern continuance of those subdivisions.

A. Annexation & Zoning:

The Applicant proposes to annex a total of 67.61 acres of land. 48.83 acres on the northern portion of the property is proposed to be zoned to R-8 to allow 229 single family detached and alley-loaded single family attached homes. The southern 18.78 acres of land is proposed for R-15 zoning to allow 140 single family attached, or multifamily units, but the housing type has not

been determined at this time. Comparison of the proposal against dimensional standards is discussed below. The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. The annexation area is within the Area of City Impact Boundary (AOIC). Legal descriptions for the annexation area are included in Section VIII; separate descriptions were submitted for each of proposed zone districts. To ensure the site develops as proposed by the applicant, staff is recommending a development agreement as part of the annexation approval.

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

This property is designated Medium Density Residential on the City's Future Land Use Map (FLUM) contained in the Comprehensive Plan. 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 annexation area is surrounded on three sides by the City limits. The proposed project has a gross density of 5.45 du/ac, being within the required density range listed above. Therefore, Staff finds the proposed preliminary plat, requested R-8 and R-15 zoning districts to be generally consistent with the Future Land Use Map designation of Medium Density Residential.

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 IX.A. 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.

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

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

Several housing types are proposed with this development; single family detached, alley-loaded single family attached), and future attached or detached units (including possibly multifamily) at the south side of the property. However, as is mentioned in the dimensional standards section below, as is presently configured, the alleys do not meet the requirement to be fully visible end to end.

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

The proposed plat depicts 5 ft. wide detached sidewalks on both sides of roads internal to the subdivision. There are also 5 ft. wide detached sidewalks along N. Black Cat Rd. This is the same width provided along N. Black Cat Rd. by the Jamestown Ranch and Quartet Northeast No 1 Subdivision to the north, the Daphne Square Subdivision north of that, and across W. Ustick Rd south of the property. However, ACHD has responded the applicant will be required to build 10 ft. wide multimodal pathways along these arterial frontages. The Master Pathways Map (MPM) does not indicate any pathways crossing the property or adjacent to the property lines.

As will be mentioned in the Qualified Open Space and Amenities Sections below, the applicant proposes several connected common open space areas and amenities with this development.

- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)

As mentioned above, 5-ft. wide detached sidewalks are provided along all internal roadways, and the applicant will be required to construct 10 ft. wide pathways along N. Black Cat Rd and W. Ustick Rd in accord with ACHD standards.

- “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.

- Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction. (2.02.02F)

Daphne Square Subdivision (zoned R-15), Quartet Northeast, Quartet Southeast (both zoned R-8) are the north of the property, the Klamath Basin, Staten Park, and Geddes Subdivisions are to the south (zoned R-4 and R-8), the Birchstone Creek Subdivision is to the west (zoned R-8), and unincorporated property designated for Mixed Use Non-Residential is to the east (with the wastewater facility east of that). These subdivisions have comparable densities and housing styles as what is being proposed, except there is no multifamily in the vicinity, and the applicant has stated the R-15 portion of the property could result in a multi-family proposal via a conditional use permit at a future date.

This development proposes architecture consisting of one and two-story homes with gabled roofs, covered porches, dormers, stone wainscoting, and lap siding comparable to what has been approved with adjacent subdivisions. In order to ensure compatibility and quality of design with existing and approved residential uses surrounding the property, staff recommends a condition that rear and/or sides of 2-story structures on facing N. Black Cat Rd. and W. Ustick Rd. incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.

If multifamily residential is proposed for the southern portion of the property, design review and / or certificates of zoning compliance will be required. To ensure consistency throughout the development, if the southern portion of the property is approved for multifamily, staff recommends a condition that architecture of all single family attached or multifamily units be generally consistent with the single-family elevations provided in this application.

Staff does have concerns with developments of this size and density in close proximity to Mixed Use Non-Residential and the Wastewater Resource Recovery Facility, as is discussed below.

- 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)

There are presently 4 accesses off of N. Black Cat Rd. These accesses will be closed and the west entrances from N. Black Cat will occur from W. Machado Dr and W. Grand Rapids Drive, already approved as part of Quartet Southeast and Northeast.

- “Discourage residential land uses in close proximity to the Wastewater Resource Recovery Facility, the Intermountain Gas Facility on Can-Ada Road, and other incompatible land uses.” (3.06.02E)

The subject property is adjacent to property designated for Mixed Use Non-Residential (the Naomi Farms property), all within unincorporated Ada County. The purpose of this designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City’s Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential.

The 2021 Wastewater Resource Recovery Facility Odor Study indicates an odor detectable threshold (DT) of 50 DT and greater on the western and northern portion of the property for at least 50 hours per year. The study reflects DT < 20 is the threshold where odor is detectable. This impact could lessen if odor control improvements are installed. Although the Study indicates the subject property is not within the direction of the prevailing winds, based on the Study, odor impacts are still probable.

The northern half of the property is approximately 1,300 feet from the wastewater facility, with the southern portion (proposed for R-15 zoning) approximately 1,600 feet from the facility. With the Quartet Northeast and Quartet Southeast Subdivisions (H-2020-0017 and H-2020-0018) staff noted that because the site was in close proximity to the City’s Wastewater Resource Recovery Facility, staff had concerns with density in the area. This proposal is approximately the same distance from the Wastewater Facility (if not closer) and higher densities are proposed than Quartet Northeast and Southeast. The subject property is also near the location of a proposed ACHD maintenance facility (proposed at the southeast along W. Ustick Rd), which could produce significant noise and lighting impacts.

Staff has recommended to the applicant that a better transition should be provided between the subject property and the MU-N designation to the east. The applicant has responded that based on the results of the odor study there may be a future request for a Future Land Use Map amendment for additional residential uses further to the east, and a buffer or transition via a road could be provided as part of this request. The applicant also states the Mixed-Use Non-Residential designation is intended to provide the transition to residential uses, which is why this project shows houses backing directly to the Naomi Farms parcel. Staff has noted that due to the increasing loss of industrial land and the impacts of the wastewater treatment plant and future ACHD maintenance facility, staff may not support a change to residential designation in this area. Whether or not the Planning Commission and City Council is inclined to support re-designating this area for residential, unless the applicant procures this property or the current owner is also an applicant on this application, staff cannot ascertain whether an appropriate transition is provided based on a parcel which is not owned by the applicant or part of this proposal.

Staff has concerns with higher density residential uses in close proximity to the Wastewater facility. As already mentioned, these concerns include loss of industrial land, the potential for foul odors and noise impacts associated with both the treatment facility as well as potential from the ACHD maintenance facility. The Commission and Council should determine if the applicant has provided adequate transition as contemplated in the Comprehensive Plan.

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

The proposed project is located in part of a larger “enclave” around the City’s wastewater facility; development of this property will assist in maximizing public services.

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

The proposed project is located in part of a larger “enclave” around the City’s wastewater facility; development of this property will assist in maximizing public services.

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

The proposed project is in a larger enclave area around the City’s wastewater facility and is not on the fringe.

D. Existing Structures/Site Improvements:

There is an existing single-family residence and several outbuildings on the subject property. The plat reflects this house will be removed.

E. Proposed Use Analysis:

Townhomes, single-family attached and detached dwellings are listed as principal permitted uses in the R-8 and R-15 zoning districts and a multi-family development is a conditional use in the R-15 zoning district in UDC Table 11-2A-2. Since there is no concept plan for the R-15 lots (Lot 2, Block 3 and Lot 1, Block 4), staff recommends a DA provision that requires the applicant to amend the DA to include a concept plan and conceptual elevations prior to submitting a CUP for a multi-family development.

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

The preliminary plat and future development is required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 and R-15 zone districts. Standards in R-8 include minimum lot size of 4,000 sq. ft., and required street frontages of at least 40 ft. Lots in the R-15 zoning district are required to be at least 2,000 sq. ft. in area.

The plat includes two lots proposed for R-15 zoning. The narrative states 140 townhouses are proposed in this area. Depending on number of units and whether or not they are on separate lots would indicate whether these units would be considered townhomes or multifamily. This would have different requirements for parking, open space and amenities. Staff contacted the applicant, who responded it is not known what kind of housing product is anticipated in this area at this time. The applicant noted additional public review would occur during either the plat for townhomes or conditional use for multifamily.

UDC 11-6C-3-B-5 states “alleys shall be designed so that the entire length is visible from a public street.” The plat reflects alleys that are aligned north – south and intersect with another alley in a “t-intersection” that does not allow visibility of the entire alley from a public street. UDC 11-5B-5 does not allow alternative compliance from this requirement. The plat must be revised accordingly, such as extending these alleys.

UDC 11-6C-3- regulates block lengths for residential subdivisions. The intent of this section of code is to ensure block lengths do not exceed 750 ft, although there is the allowance of an

increase in block length to 1,000 feet if a pedestrian connection is provided. Staff has reviewed the submitted plat for conformance with these regulations. It does appear this limit is exceeded along the eastern boundary of the property. The applicant should revise the plat to meet the requirements of UDC 11-6C-3.

There are two common driveways proposed with this subdivision. The applicant has provided a common drive exhibit which demonstrate no more than 4 units are served with no than 3 units on one side. The common driveways meet the minimum width of 20', do not exceed the maximum length of 150' and show 5' ft. of landscaping on side. Based on the plat which was submitted by the applicant, all lots in the proposed R-8 zoning area meet the minimum lot sizes.

If the applicant proposes attached units in the future phase at Lots 1 Block 4 and Lot 2 Block 3, they will be required to plat the property with zero lot lines.

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

The property proposes one access point from N. Black Cat Rd and one access point from W. Ustick Rd. There is also a northern stub provided to the Quartet Southeast Subdivision to the north and the Naomi Farms parcel to the east. There are 4 existing driveways from N. Black Cat; all of these will be closed.

The applicant submitted a traffic study for this application. ACHD responded that the Level of Service (LOS) at the N. Black Cat Rd / W. McMillian Rd intersection is LOS "F", and that sections of N. Black Cat Rd. and W. Ustick Rd. also exceed ACHDs acceptable LOS. Ustick Rd. is listed to be widened to 5-lanes from N. McDermott Rd to N. Ten Mile Rd. between 2026 and 2030. N. Black Cat Road is listed in the ACHD CIP to be widened to 5-lanes from McMillan Rd to Cherry Ln between 2031 and 2035. The N. Black Cat Rd / W. Ustick intersection was signalized with turn lanes in 2021. This intersection is eventually intended to be widened to 6 and 7 lanes (depending on the direction) between 2026 and 2030.

ACHD noted this project generally conforms with district policy. 51-feet of right of way dedication from centerline is required along W. Ustick versus the 47 feet proposed by the applicant. 57 feet of right of way dedication from centerline is required along N. Black Cat Rd. whereas the applicant proposed 48 feet. The applicant will be required to construct a dedicated east bound left turn lane on Ustick Road at Sunnyside Way, and a dedicated north bound right turn lane and south bound left turn lane on Black Cat Road at Aspenstone Drive. The applicant will be required to construct 10 ft. wide pathways along N. Black Cat Rd and W. Ustick Rd whereas 5 ft. sidewalks had been proposed. No improvements are planned for W. McMillian Rd.

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 single-family attached and detached dwellings as well as multifamily based on the number of bedrooms per unit. Future development should comply with these standards.

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

No pathways are indicated on the Master Pathways Map or are proposed with this subdivision.

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

Five-foot detached sidewalks are proposed along internal streets in accord with the standards listed in UDC 11-3A-17. The plat shows 5-foot detached sidewalks proposed along N. Black Cat Rd. and W. Ustick Rd, but these are now proposed to be 10 ft. wide pathways based on the traffic study.

K. Parkways (*UDC 11-3A-17*):

Parkways are provided between the detached sidewalks and road on both sides of all local roads. All parkways meet the requirements of 11-3A-17 and 11-3B-7 including at least 8 ft. in width and landscaped with at least 1 tree per 35 feet.

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

UDC 11-2A-6 requires 25 ft. wide buffers along arterial roads (N. Black Cat Rd. and W. Ustick Rd.) The landscape plan reflects buffers of at least 30 ft. exceeding the requirements. As mentioned above, all roads internal to the subdivision have detached sidewalks with 8 ft. parkways that meet the requirements of UDC 11-3A-17 except for the two proposed alleys at the east and west.

Common open space is required to be landscaped in accord with the standards listed in UDC 11-3G-3E. Landscaping is depicted in common areas in excess of UDC standards.

There are existing trees on the site around the existing homes that are proposed to be retained that may require mitigation if removed. The Applicant coordinated with Matt Perkins, the City Arborist, who mentioned there did not appear to be any trees meeting the mitigation requirement per the standards listed in UDC 11-3B-10C.5.

The landscape plan includes 10.49 acres of qualified open space (15.5%) as will be discussed in the Qualified Open Space and Amenities sections below. As this is a three-phase project, staff is recommending all road frontage improvements along N. Black Cat Rd and W. Ustick Rd be completed with the first phase.

The applicant submitted an updated preliminary plat on January 25, 2022 but has not yet submitted a revised landscape plan or open space that matches the updated plat. Staff is requiring the revised plans as a condition of approval.

Qualified Open Space (*UDC 11-3G*):

A minimum of 15% qualified open space meeting the standards listed in UDC 11-3G-3 is required to be provided with development. 15.5% (10.49 acres) of qualified open space is shown. This includes two larger parks of 114,283 sq. ft. and 65,401 sq. ft., several smaller open space areas of 24,000 sq. ft. and 17,330 sq. ft., parkways which meet the minimum requirements, ½ of the area of arterial buffers and open space corridors that meet the minimum dimensional requirements of at least 20 ft. in width by 50 ft. in length with an access at each end.

It does appear that the project meets the minimum open space requirements, although there are portions of Lot 13 of Block 2, Lot 7 and 43 of Block 6, and Lot 6 of Block 9 that do not meet the minimum required 20 ft. width to be credited as open space. The open space exhibit should be revised accordingly.

As already mentioned, it is unknown at this time if the property proposed for R-15 zoning will be townhomes or multifamily. Depending on which housing type is eventually chosen, there could be additional qualified open space requirements.

There appears to be common lots used for stormwater drainage. Any common lots proposed for drainage shall meet the landscape requirements of 11-3B-11.

M. Qualified Site Amenities (*UDC 11-3G*):

Based on the 48.83-acre area proposed for R-8 zoning, 10 amenity points are required. Because this project is more than 40 acres, amenities are required from all the separate categories listed in Table 11-3G-4.

This application proposes a community pool and changing rooms, children's play structure, and clubhouse. Although the square footage is not indicated, the clubhouse scales to greater than 5,000 sq. ft. qualifying it for 6 amenity points in the Quality of Life Amenity Category. A swimming pool with changing rooms is shown (although it does not indicate whether restrooms are included) which would qualify it for 6 amenity points, and a children's play structure is indicated, which would qualify an additional 1 amenity point from the Recreation Activity Area Amenities Category. Although the 13 total points would exceed the minimum, as described above, there would need to be amenities provided from the Multi-Modal and Pedestrian or Bicycle Circulation System amenity categories. Applicant should revise the open space plan to indicate whether all amenity categories are met.

As already mentioned, the applicant has stated that at present they do not know if the R-15 zoned portion will be townhomes or multifamily. Additional amenities and qualified open space could be required based on housing type.

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

The plat indicates the Rutledge Drain and a concrete irrigation ditch bisecting the property at an approximately 45-degree angle. Both will be required to be piped per UDC 11-3A-6. Coordination will be ongoing with the irrigation districts managing the waterways to meet their requirements. A very small portion of the property is within a FEMA designated A Zone. This area is preserved within an open space lot (Lot 1, Block 1). As required per UDC 11-3A-6, irrigation easements wider than ten (10) feet shall be included in a common lot that is a minimum of twenty (20) feet wide and outside of a fenced area, unless otherwise waived by City Council.

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

The landscape plan shows 6 ft. high solid vinyl fencing. Fencing as shown does not appear to obstruct visibility into any common lots or open spaces. The landscape plan does not show any fencing abutting pathways or common open space areas to distinguish common lots from private areas. There also does not appear to be any fencing shown around the perimeter of the pool. All fencing must meet the requirements of 11-3A-6 and 11-3A-7 as well as building code.

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

Public services are available to accommodate the proposed development. Urban sewer and water infrastructure and curb, gutter and sidewalk is required to be provided with development as proposed.

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

The Applicant has submitted elevations of the single-family homes for this project (see Section VII below).

The single-family homes are depicted as one and two-story structures with attached garages, and a variety of architectural elements and finish materials including gabled roofs, covered porches, dormers, stone wainscoting, and lap siding. The submitted sample elevations appear to meet design requirements for single-family homes but do not include elevations of the sides or rears of structures.

A number of the houses will be very visible from N. Black Cat Rd. and the townhomes or multifamily will be on the corner (and very visible) of N. Black Cat Rd and W. Ustick Rd. Therefore, staff recommends a condition that the rear and/or sides of 2-story structures that face N. Black Cat Rd. and / or W. Ustick Rd incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up

monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.

Design review is required for single family attached or multifamily structures. The applicant is unsure which type of product will be constructed on Lots 1 of Block 4 and Lot 2 of Block 3 (the area proposed for R-15 zoning. The applicant has not provided any elevations for the potential attached or multifamily units. To ensure consistency throughout the development, staff recommends a condition that architecture of all single family attached or multifamily units be generally consistent with the single-family elevations provided in this application.

VI. DECISION

A. Staff:

Staff has raised concerns with traffic and how this project will transition MU-NR designated property to the east above, however the proposal is consistent with the density allowances of the FLUM, the traffic study shows improvements in this area will occur in the future, and most dimensional standards have been satisfied. Therefore, staff recommends approval of the requested annexation and preliminary plat with the conditions noted in Section IV. per the Findings in Section VIII.

VII. EXHIBITS

A. Annexation Legal Description and Exhibit Maps (date: July 13, 2021)

July 13, 2021
Project No. 21-027
Quartet South Subdivision

**Exhibit A
Legal Description for Annexation and Rezone to R-8**

A parcel of land being a portion of the West 1/2 of the Southwest 1/4 of Section 34, Township 4 North, Range 1 West, B.M., Ada County, Idaho being more particularly described as follows:

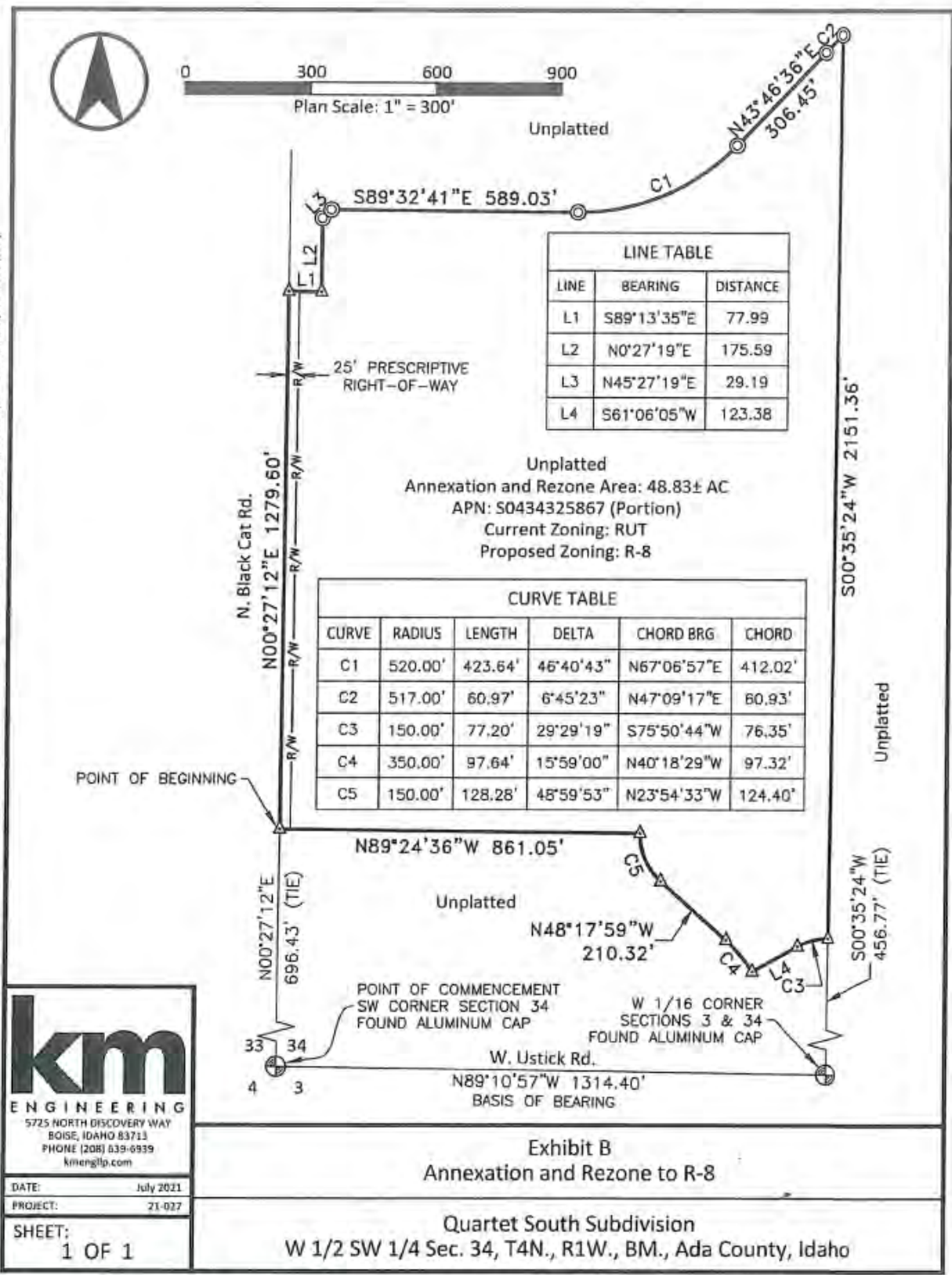
Commencing at an aluminum cap marking the Southwest corner of said Section 34, which bears N89°10'57"W a distance of 1,314.40 feet from an aluminum cap marking the Southeast corner of said West 1/2 of the Southwest 1/4 (West 1/16 corner), thence following the westerly line of the Southwest 1/4 of said Section 34, N00°27'12"E a distance of 696.43 feet to the **POINT OF BEGINNING**;

Thence following said westerly line, N00°27'12"E a distance of 1,279.60 feet;
Thence leaving said westerly line, S89°13'35"E a distance of 77.99 feet;
Thence N00°27'19"E a distance of 175.59 feet to a 5/8-inch rebar;
Thence N45°27'19"E a distance of 29.19 feet to a 5/8-inch rebar;
Thence S89°32'41"E a distance of 589.03 feet to a 5/8-inch rebar;
Thence 423.64 feet along the arc of a curve to the left, said curve having a radius of 520.00 feet, a delta angle of 46°40'43", a chord bearing of N67°06'57"E and a chord distance of 412.02 feet to a 5/8-inch rebar;
Thence N43°46'36"E a distance of 306.45 feet to a 5/8-inch rebar;
Thence 60.97 feet along the arc of a curve to the right, said curve having a radius of 517.00 feet, a delta angle of 06°45'23", a chord bearing of N47°09'17"E and a chord distance of 60.93 feet to a 5/8-inch rebar on the easterly line of said West 1/2 of the Southwest 1/4;
Thence following said easterly line, S00°35'24"W a distance of 2,151.36 feet;
Thence leaving said easterly line, 77.20 feet along the arc of a curve to the left, said curve having a radius of 150.00 feet, a delta angle of 29°29'19", a chord bearing of S75°50'44"W and a chord distance of 76.35 feet;
Thence S61°06'05"W a distance of 123.38 feet;
Thence 97.64 feet along the arc of a curve to the left, said curve having a radius of 350.00 feet, a delta angle of 15°59'00", a chord bearing of N40°18'29"W and a chord distance of 97.32 feet;
Thence N48°17'59"W a distance of 210.32 feet;
Thence 128.28 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet, a delta angle of 48°59'53", a chord bearing of N23°54'33"W and a chord distance of 124.40 feet;
Thence N89°24'36"W a distance of 861.05 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 48.83 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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
kmenglp.com

DATE: July 2021
PROJECT: 21-027
SHEET: 1 OF 1

Exhibit B
Annexation and Rezone to R-8
Quartet South Subdivision
W 1/2 SW 1/4 Sec. 34, T4N., R1W., BM., Ada County, Idaho



July 13, 2021
Project No. 21-027
Quartet South Subdivision

Exhibit A
Legal Description for Annexation and Rezone to R-15

A parcel of land being a portion of the West 1/2 of the Southwest 1/4 of Section 34, Township 4 North, Range 1 West, B.M., Ada County, Idaho being more particularly described as follows:

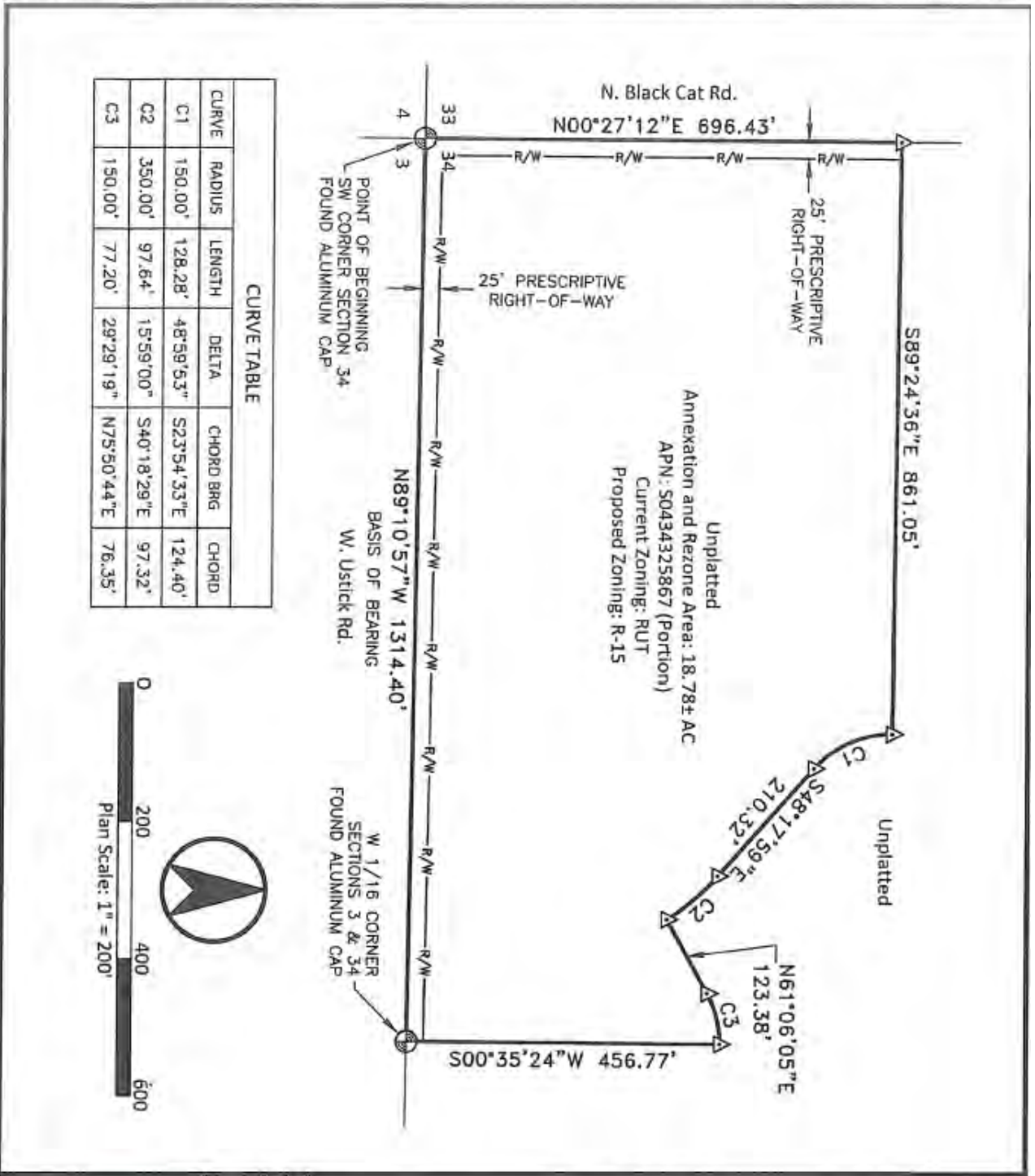
Beginning at an aluminum cap marking the Southwest corner of said Section 34, which bears N89°10'57"W a distance of 1,314.40 feet from an aluminum cap marking the Southeast corner of said West 1/2 of the Southwest 1/4 (West 1/16 corner), thence following the westerly line of the Southwest 1/4 of said Section 34, N00°27'12"E a distance of 696.43 feet;
Thence S89°24'36"E a distance of 861.05 feet;
Thence 128.28 feet along the arc of a curve to the left, said curve having a radius of 150.00 feet, a delta angle of 48°59'53", a chord bearing of S23°54'33"E and a chord distance of 124.40 feet;
Thence S48°17'59"E a distance of 210.32 feet;
Thence 97.64 feet along the arc of a curve to the right, said curve having a radius of 350.00 feet, a delta angle of 15°59'00", a chord bearing of S40°18'29"E and a chord distance of 97.32 feet;
Thence N61°06'05"E a distance of 123.38 feet;
Thence 77.20 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet, a delta angle of 29°29'19", a chord bearing of N75°50'44"E and a chord distance of 76.35 feet to the easterly line of said West 1/2 of the Southwest 1/4;
Thence following said easterly line, S00°35'24"W a distance of 456.77 feet to an aluminum cap marking the Southeast corner of said West 1/2 of the Southwest 1/4 (West 1/16 corner);
Thence leaving said easterly line and following the southerly line of said West 1/2 of the Southwest 1/4, N89°10'57"W a distance of 1,314.40 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 18.78 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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

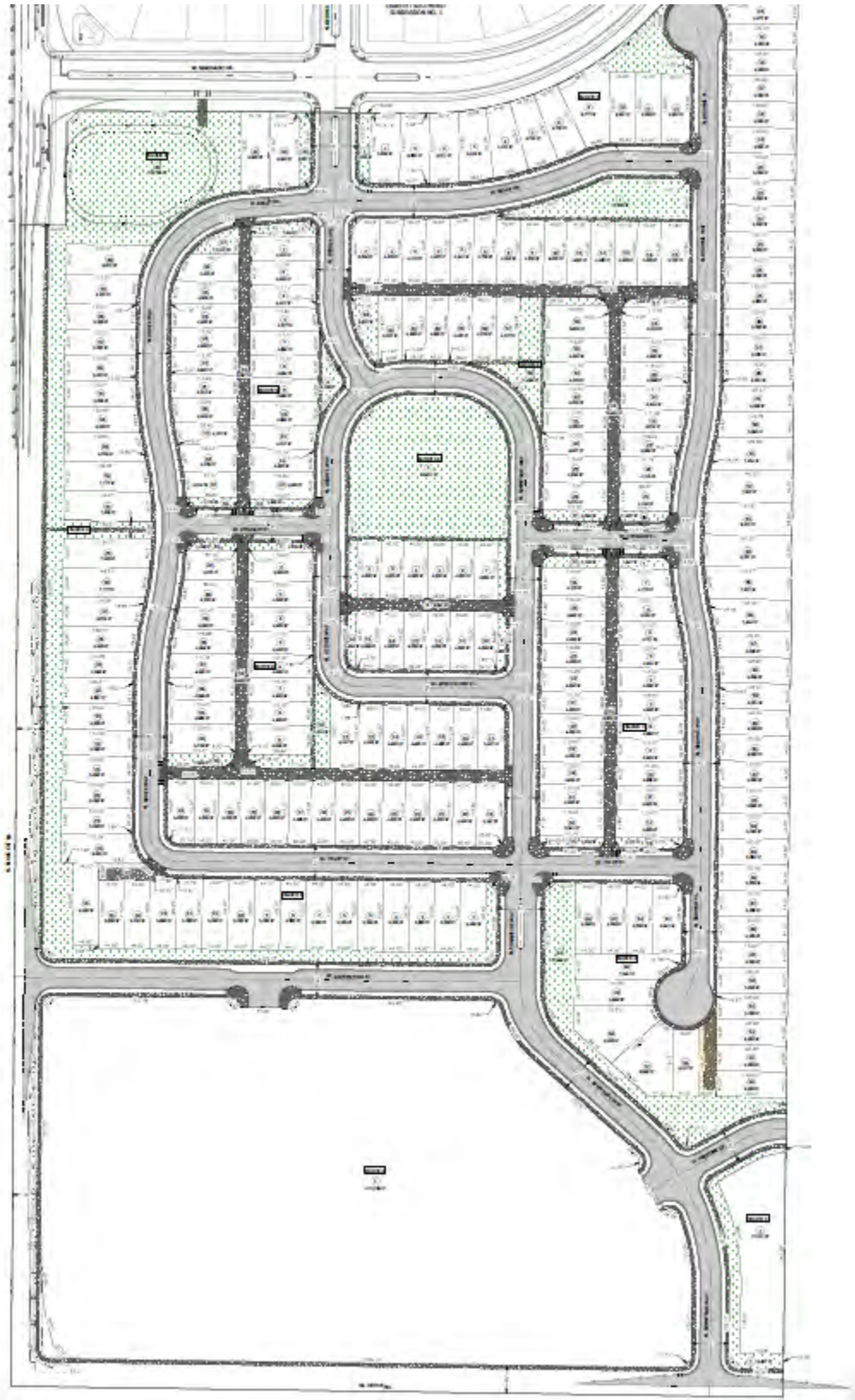


C:\USERS\CDRAFER\K\MENB\KM ENGINEERING\KM GENERAL - REMOTE WORK\PROJECT\21-027\CAD\SURVEY\EXHIBITS\21-027 REZONE TO R-15.DWG, CRAIG DRAPER, 7/13/2021, DWG TO PDF P

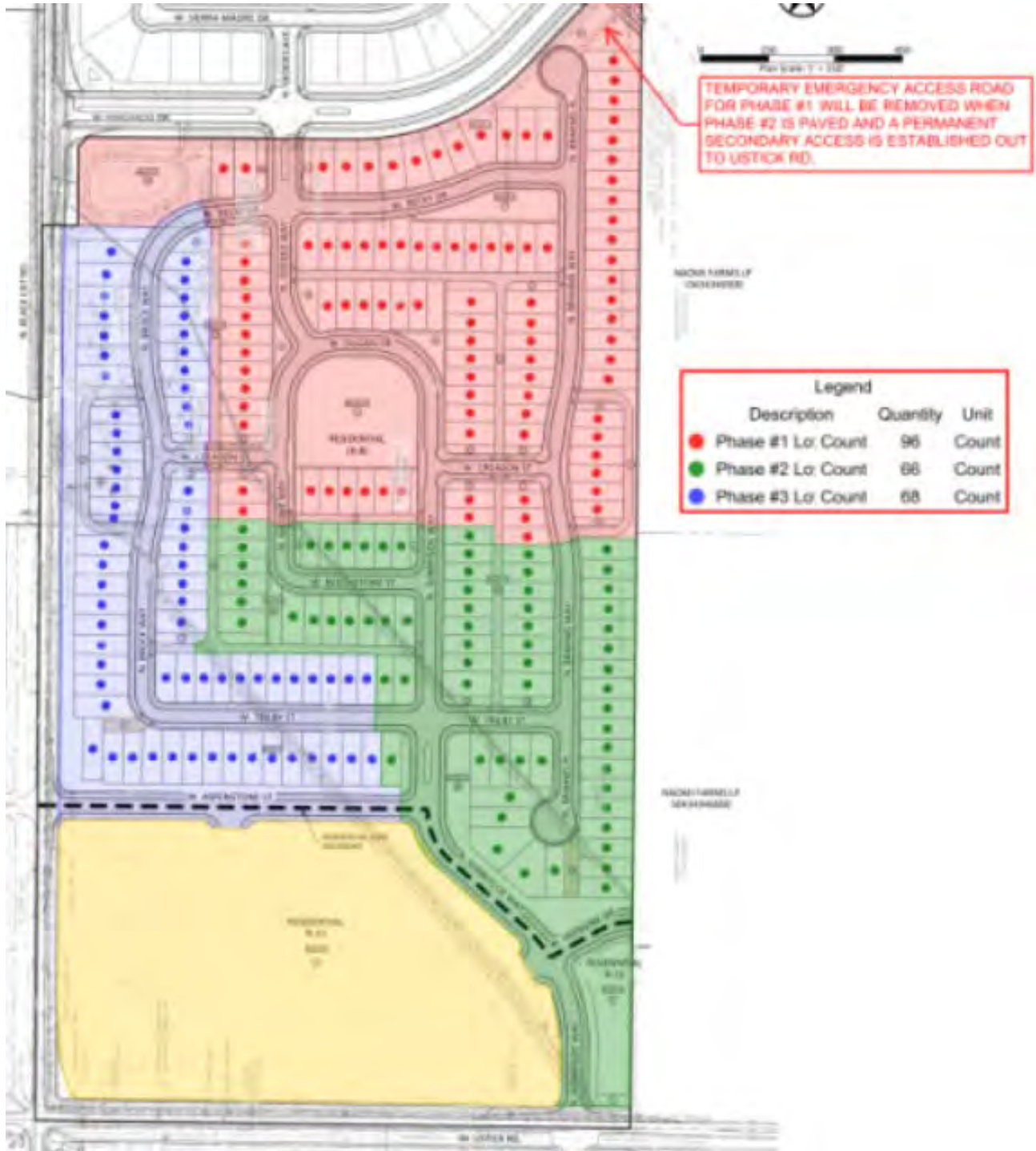


<p>3725 NORTH DISCOVERY WAY BOISE, IDAHO 83713 PHONE (208) 639-6139 kmenr@kba.com</p>	<p>Exhibit B Annexation and Rezone to R-15</p>
	<p>Quartet South Subdivision W 1/2 SW 1/4 Sec. 34, T4N., R1W., BM., Ada County, Idaho</p>
<p>DATE: July 2021 PROJECT: 21-027</p>	<p>SHEET: 1 OF 1</p>

B. Preliminary Plat (date: 1/25/2022)



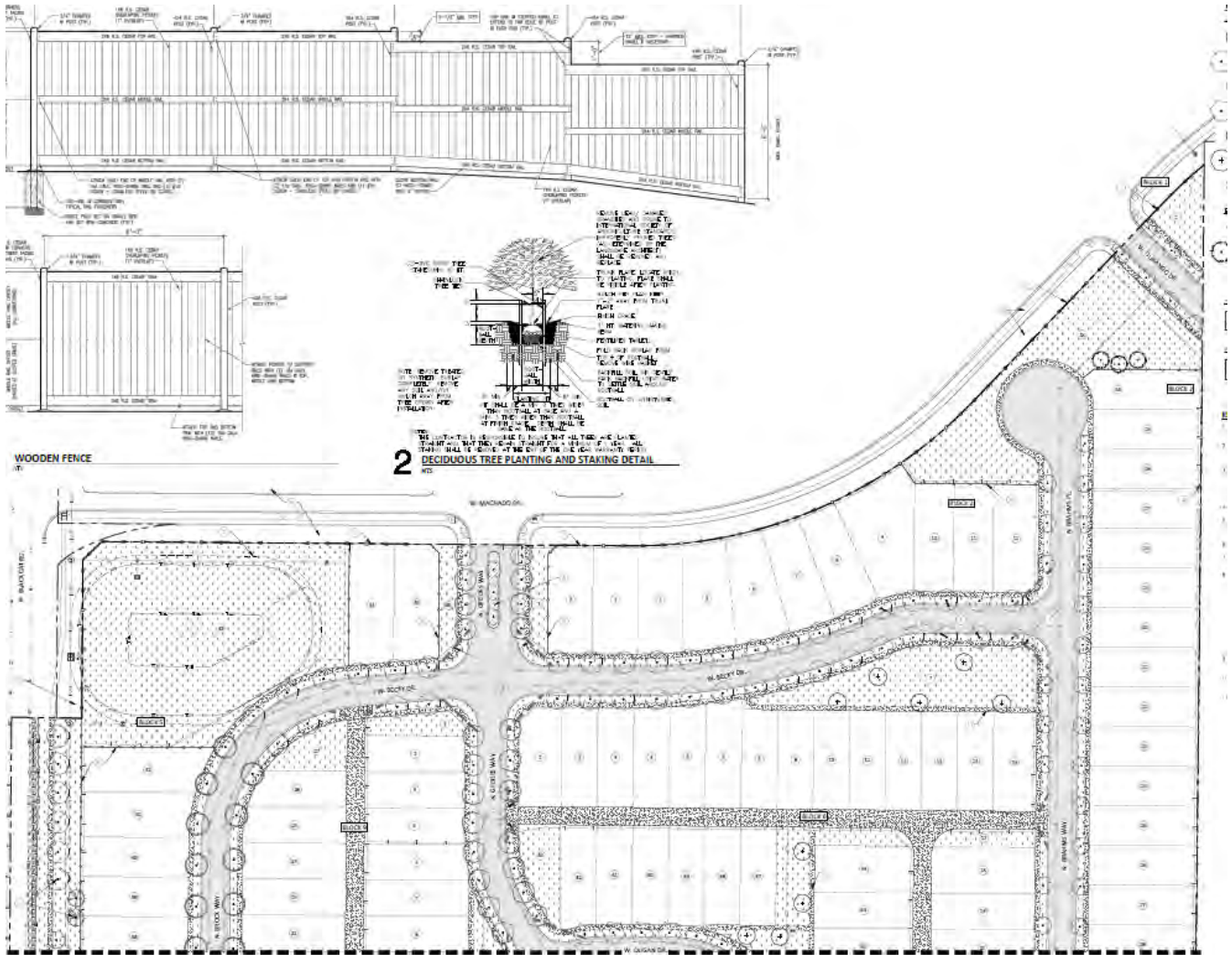
C. Phasing Plan (date: 7/25/21)

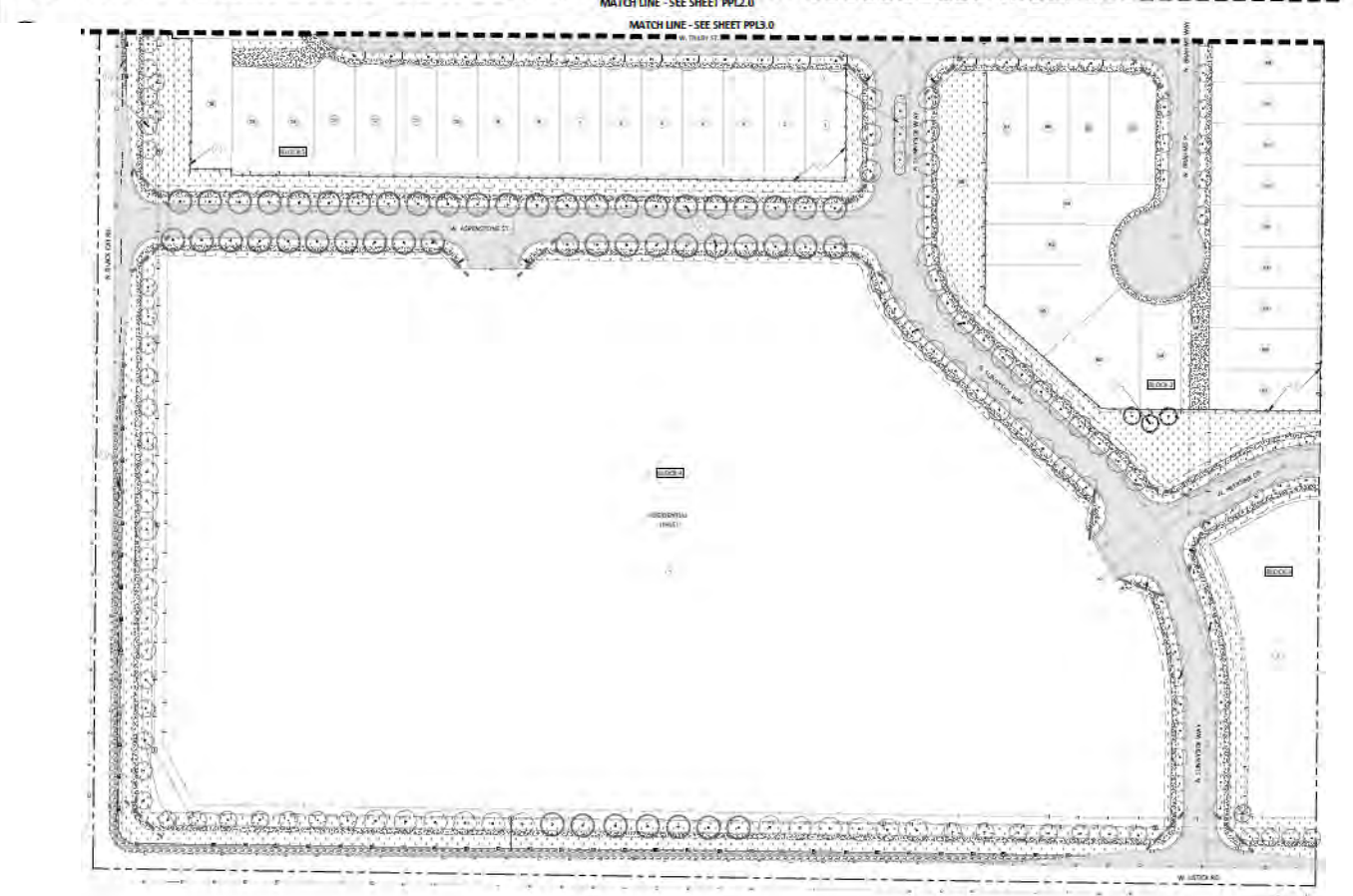
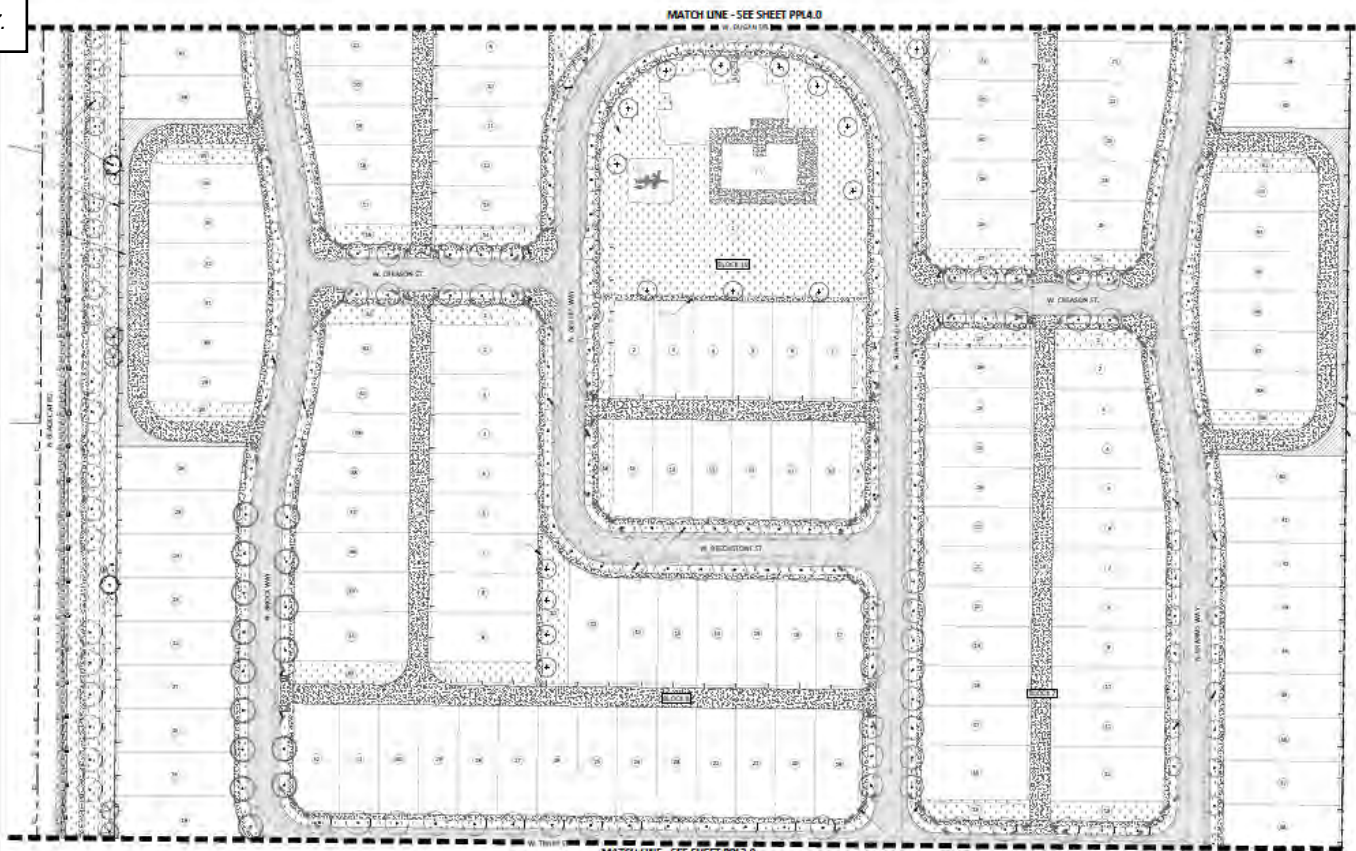


D. Color Rendering (date: 11/2/2021 – does not match the most recent revised plat)



E. Landscape Plan (date: 7/15/2021)

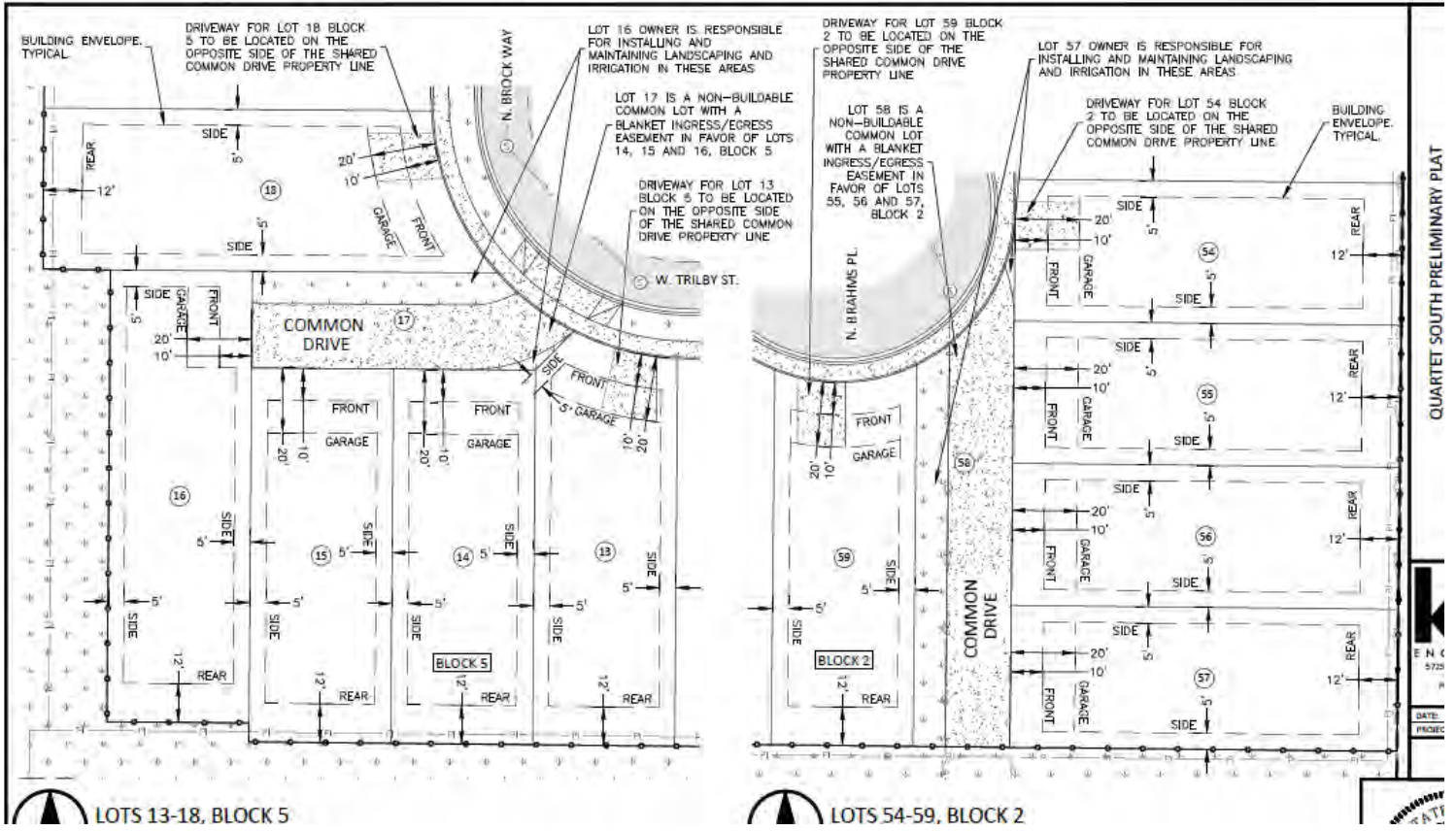




F. Common Open Space Exhibit (date: 7/15/2021)



G. Common Drive Exhibits (date: 7/15/21)



H. Conceptual Elevations









Quartet South Residential -

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. A final plat application will not be accepted until the DA is fully executed.

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 preliminary plat, landscape plan and conceptual building elevations for the single-family dwellings included in Section VI and the provisions contained herein.
- b. All frontage improvements along N. Black Cat Rd and W. Ustick Rd shall be completed with the first phase of development.
- c. The applicant shall be required to amend the development agreement to include a concept plan and conceptual elevations prior to submitting a CUP for a multi-family development.
- d. The rear and/or sides of 2-story structures that face N. Black Cat Rd. and / or W. Ustick Rd shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.
- e. To ensure consistency throughout the development, any future townhome or multifamily dwellings shall be generally consistent with the single-family elevations provided in this application.

2. The Preliminary Plat included in Section VI, dated 7/15/2021, is approved with the following revisions:
 - a. The plat should be revised to provide a transition between the east property line and the adjacent property to the east. Staff recommends a north – south road along the eastern property line.
 - b. All alleys shall meet the requirements of UDC 11-6C-3 that requires the entire length to be visible from a public street.
 - c. All pathways and micropath shall be within a separate common lot or easement as required per UDC 11-3A-8.
3. The landscape plan and open space exhibit shall be revised to match the Preliminary Plat, dated 7/15/2021.
4. Prior to City Council, the open space exhibit shall be revised to remove any areas of less than 20 ft. in width from being credited as qualified open space.
5. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
6. Any common lots proposed for drainage shall meet the landscape requirements of 11-3B-11.
7. Per UDC 11-3A-6, irrigation easements wider than ten (10) feet shall be included in a common lot that is a minimum of twenty (20) feet wide and outside of a fenced area, unless otherwise waived by City Council.
8. The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.
9. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
10. All laterals shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6.
11. Pathway and adjoining fenceings and landscaping shall be constructed consistent with the standards as set forth in UDC 11-3A-7A7, 11-3A-8 and 11-3B-12C.
12. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.
13. All common driveways shall meet the requirements of 11-6C-2-D including a perpetual ingress/egress easement being filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.
14. The Applicant shall have a maximum of two (2) years to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.
15. The Applicant shall comply with all conditions of ACHD.

B. PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. The geotechnical investigative report prepared by Atlas Technical Consultants, LLC indicates some very specific construction considerations. The applicant shall be responsible for the adherence of these recommendations to help ensure that groundwater does not become a problem within crawlspaces of homes.
2. Due to the low permeability of the soils on site, a mass grading plan shall be developed to show how the site will manage drainage for each lot. See the geotechnical investigation prepared by Atlas Technical Consultants LLC.
3. Water main shall be built in the proposed roadway at the northeast corner of this development, and shall be extended to the existing water main stub from Quartet Southeast Subdivision.
4. The slope of proposed sewer main line "B" shall be installed at the minimum allowed slope (0.40%) throughout the project. This is to maximize sewer depth for future development eastward.
5. Ensure no sewer service lines pass through infiltration trenches.
6. There appears to be trees planned within a sewer easement. These must be moved. No permanent structures including but not limited to trees, bushes, carports, buildings, trash enclosures, fences, light poles, infiltration trenches, etc. shall be built or left within a City utility easement.

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. 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.
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.
4. 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.

5. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

17. Developer shall coordinate mailbox locations with the Meridian Post Office.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. RESPONSE FROM APPLICANT REGARDING TRANSITION

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250949&dbid=0&repo=MeridianCity>

D. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243073&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243071&dbid=0&repo=MeridianCity>

E. MERIDIAN POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243231&dbid=0&repo=MeridianCity>

F. CITY ARBORIST

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243078&dbid=0&repo=MeridianCity>

G. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244626&dbid=0&repo=MeridianCity>

H. COMPASS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244626&dbid=0&repo=MeridianCity>

I. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244322&dbid=0&repo=MeridianCity>

J. WEST ADA SCHOOL DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250630&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 annexation of the subject site with an R-8 and R-15 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.

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

As noted above, there are changes that are required in regard to block length and alley orientation. Otherwise, Staff finds the layout proposed will be consistent with the purpose statement of the residential districts in that housing opportunities will be provided consistent with the Comprehensive Plan.

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

Staff does have concerns regarding the proximity of this property to industrial uses and existing traffic impacts in the area. The Commission should consider any oral or written testimony that may be provided when determining this finding.

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 that the proposed zoning amendment will not result in any adverse impact upon the delivery of services by any political subdivision providing services to this site.

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

The applicant meets most dimensional standards, the density allowances of the FLUM, and road improvements are planned for N. Black Cat Rd and W. Ustick Rd. The Planning Commission and City Council should decide if the application is in the best interest of the City if the applicant executes the required DA and modifies the plat as noted above in section VIII.

B. PRELIMINARY PLAT (UDC 11-6B-6)

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

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

With the revisions listed in Section VIII, Staff finds the proposed plat would generally be in conformance with the UDC if the Applicant complies with the conditions of approval in Section VII.

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

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

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

Staff finds the proposed plat is in substantial conformance with scheduled public improvements in accord with the City's CIP.

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

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 does have concerns with how the proximity to industrial uses, the existing traffic in the area and timing for improvements will impact 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)

There are several laterals along the property that will be piped, but are not natural features. According to the landscape plan, there are no healthy trees onsite meeting the requirements for preservation.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Moberly Rezone (H-2021-0089) by Carl Argon, Located on Parcel R0406010125, South of W. Broadway Ave. Between NW 2nd St. and NW 1st St.
A. Request: Rezone 0.159 acres of land from I-L to O-T to allow a duplex.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: February 3, 2022

Topic: **Public Hearing** for Moberly Rezone (H-2021-0089) by Carl Argon, Located on Parcel R0406010125, South of W. Broadway Ave. Between NW 2nd St. and NW 1st St.

A. Request: Rezone 0.159 acres of land from I-L to O-T to allow a duplex.

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



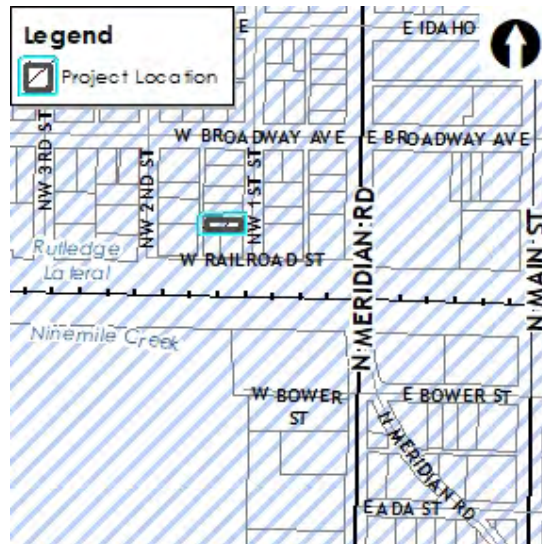
HEARING DATE: 2/3/2022

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner
208-884-5533

SUBJECT: H-2021-0089
Moberly Rezone

LOCATION: Parcel R0406010125, located south of W. Broadway Ave., between NW 2nd St and NW 1st St.



I. PROJECT DESCRIPTION

This is a request to rezone 0.16 acres of land from I-L to O-T to allow the construction of a duplex.

II. SUMMARY OF REPORT

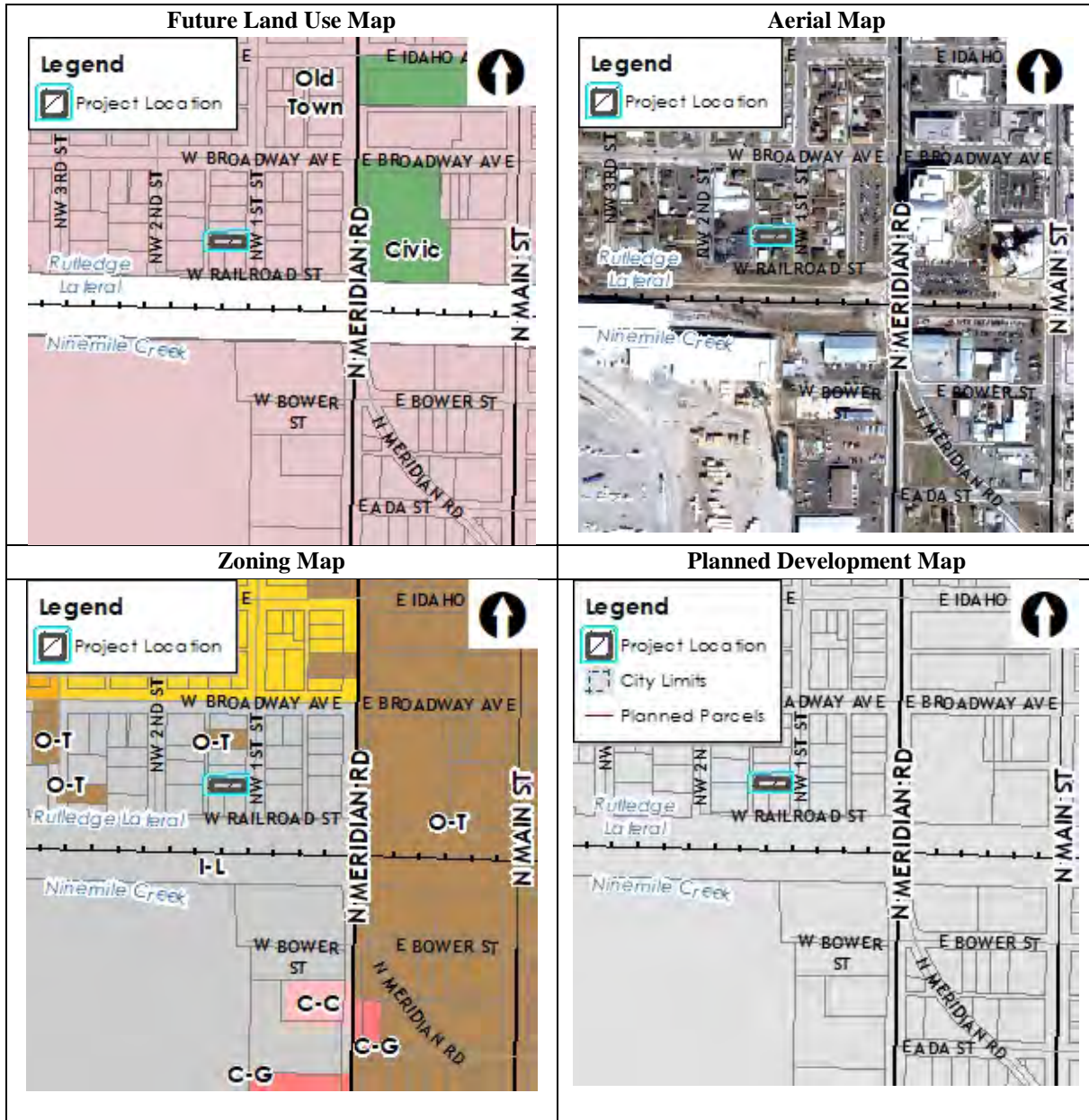
1. Project Summary

Description	Details	Page
Acreage	0.16 acres	
Future Land Use Designation	Old Town (O-T)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	One duplex	
Lots (# and type; bldg./common)	1 lot	
Phasing Plan (# of phases)	NA	
Number of Residential Units (type of units)	2	
Density	12 du/ac	
Open Space (acres, total [%]/buffer/qualified)	None required	
Amenities	NA	
Physical Features (waterways, hazards, flood plain, hillside)	No unique physical features	
Neighborhood meeting date; # of attendees:	Octboer 19, 2021 – 4 attendees	
History (previous approvals)	J.M. Anderson’s Second Addition, platted in 1905	

2. Community Metrics

Description	Details	Page
Ada County Highway District	No traffic impact study required	
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access will occur from an alley accessed from W. Broadway Ave and W. Railroad St	
Stub Street/Interconnectivity/Cross Access	None	
Existing Road Network	NW 2 nd St, W. Broadway Ave, W. Railroad St and NW 1 st St.	
Existing Arterial Sidewalks / Buffers	No buffers proposed or required	
Proposed Road Improvements	No road improvements required, sidewalk will be required along the NW 2 nd St frontage	
Distance to nearest City Park (+ size)	Approx. 1/4 mile to Centennial Park	
Fire Service	No comments	
Police Service	No comments	
Wastewater		
<ul style="list-style-type: none"> • Comments 	<ul style="list-style-type: none"> • Additional 306 gpd committed to model. Total committed flow to treatment plant is 14.25 MGD. • Currently sewer is from back alleyway to the west. However, City is planning on abandoning the line in the alley and installing a new main in W 1st St. The plan is for this project to start Spring of 2022. If the applicant wishes to connect to sewer in the alleyway before the new sewer is installed they will be required to install a dry line to the east property boundary for easy connection to the new main once built. 	
Water		
Distance to Water Services	0	
Pressure Zone	2	
Water Quality	No concerns	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	A utility plan will need to be submitted, reviewed and approved by PW.	

3. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Carl Argon – 4515 E. Copper Point Dr. Meridian, ID 83642

B. Owner:

Moberly Holdings, LLC - 4408 W. Saddle Ridge Dr., Nampa, ID 83687

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	1/18/2022	
Radius notification mailed to properties within 300 feet	1/14/2022	
Sign Posting	1/25/2022	
Nextdoor posting	1/14/2022	

V. STAFF ANALYSIS

This is a proposal to rezone from I-L to O-T to allow for the construction of duplex.

The subject property is a vacant lot comprising 0.16-acres which is zoned I-L. Along NW 1st St. (east side of the property) is predominately single family, multifamily and duplexes, nearly all of which is at least 50 years of age (with many dating back to the early 1900s). West of the property is a mixture of industrial uses, a food bank, religious facility and residential, both single family and attached. North of the property is single family attached and multifamily. One of the properties approximately 100 feet to the north is already zoned O-T (631 NW 1st St). Railroad tracks are approximately 200 feet south of the property. An alley borders the property along the west.

1. Rezoning

The applicant proposes to rezone from I-L to O-T to construct a duplex. A duplex is a principally-permitted use in the O-T zoning district and the zoning would be in conformance with the FLUM as described below.

The City may require a development agreement (DA) in conjunction with a rezoning pursuant to Idaho Code section 67-6511A. As this property is already within the City, the infrastructure surrounding the property has already been installed, and all other requirements have been addressed through pertinent regulations, staff comments, and the design review required for the duplex, staff is not recommending a development agreement with this rezoning.

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

The FLUM recommends the property for Old Town. This designation includes the historic downtown and the true community center. Sample uses include offices, retail and lodging, theatres, restaurants, and service retail for surrounding residents and visitors. A variety of residential uses are also envisioned and could include reuse of existing buildings, new construction of multi-family residential over ground floor retail or office uses.

The purpose of the O-T district is to accommodate and encourage further intensification of the historical city center in accord with the Meridian Comprehensive Plan. The intent of the O-T district is to delineate a centralized activity center and to encourage its renewal, revitalization and growth as the public, quasi-public, cultural, financial and recreational center of the city. Public and quasi- public uses integrated with general business, and medium high to high density residential is encouraged to provide the appropriate mix and intensity of activities necessary to establish a truly urban city center.

The applicant proposes to construct a duplex (2units) on the subject property once the rezone process is concluded. Although the Plan does specifically mention multi-family residential over ground floor retail or office uses, the property is surrounded on three sides by existing one story residential and multifamily with only a small number of industrial or non-residential uses in close

proximity. Although a work / live situation is feasible, because the subject property is on a residential street with no commercial frontage, staff finds the proposed residential use in this area appropriate.

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

- Encourage diverse housing options suitable for various income levels, household sizes, and lifestyle preferences. (2.01.01)

This application is for a rezoning from I-L to O-T to allow a duplex on an infill site. This would allow for more diversity in housing.

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

A duplex would increase the diversity in lot sizes, housing types and densities.

- Encourage the development of high quality, dense residential and mixed-use areas near in and around Downtown, near employment, large shopping centers, public open spaces and parks, and along major transportation corridors, as shown on the Future Land Use Map. (2.02.01E)

The subject property is an infill site near the downtown core, within a large area which is designated for Old Town zoning by the Comprehensive Plan, near N. Meridian Rd., a principal arterial, and is within walking distance of a large amount of goods, services and jobs.

- Encourage infill development. (3.03.01E.)

The property is vacant property, surrounded by existing residential development on all sides, except for a body repair shop directly to the west. This is an infill development.

- 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)

This project can be serviced by City of Meridian water and sewer, and all infrastructure will be designed in conformance with City standards.

4. Existing Structures/Site Improvements:

The property is presently vacant.

5. Proposed Use Analysis:

The applicant proposes to rezone from I-L to O-T to construct a duplex. This is a principally-permitted use in the O-T zoning district subject to applicable standards for development in the traditional neighborhood districts.

6. Dimensional Standards (UDC 11-2):

UDC 11-2D-4 requires a minimum height of 35 feet and all buildings should be a minimum of 2-stories. There are no minimum setbacks in the O-T zoning district. The proposed elevations reflect a building that is 2-stories.

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

The subject property would be alley-loaded. This brings the building closer to the street and removes garages and driveways from the front view of the home. This is consistent with new urbanist principles in an old town zone district. Access will occur via an alley at the west which connects from W. Broadway to W. Railroad St. At present, there is a dumpster blocking the alley north of the property. This requires access to occur by traveling southbound on NW 2nd St and

then eastbound on W. Railroad St, which is a one-way street. There is presently a fence in the location where the driveway is proposed, but staff did confirm by a site visit that the 16 ft. wide alley to the location of the proposed driveway is adequate. ACHD and Fire have reviewed the proposed access configuration and have not expressed comments or concerns.

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

The applicant proposes a duplex with two-bedroom units. UDC 11-3C-6 requires 2 parking spaces per dwelling unit with at least one in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad.

The concept site plan reflects two one-car garages with a driveway area of 30 ft. long by 44 ft. wide. In addition, there is plenty of on-street guest parking along NW 1st Street. The parking provided meets the minimum requirements of 11-3C. As required per UDC 11-3C-5, all off street parking areas and driveways into and through a parking area shall be improved with a compacted gravel base, not less than four (4) inches thick, surfaced with asphaltic pavement.

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

There is presently no sidewalk, curb or gutter along NW 1st St. The applicant will be required to install a sidewalk a minimum of 5 ft. in width as required per UDC 11-3A-17.

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

A landscape buffer is not required for a duplex in the O-T zone district. The UDC does not regulate landscaping on residential lots.

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

There is existing fencing along the side and rear property line. The rear fencing would need to be removed to accommodate parking at the alley-loaded structure. Any new or relocated fencing should comply with fencing regulations per UDC 11-3A-7.

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

Public services are available to accommodate the proposed development.

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

A conceptual elevation was provided with this application. The elevation indicates a structure with pitched roofs, fishscale accents, clapboard siding, shuttered windows and a small ground level patio on each side. As is required by the O-T zoning district, the units are at least two-stories, although the elevations do not indicate whether the minimum required 35' height is met.

Design review is required prior to building permit. The dwelling units will be reviewed against the Architectural Standards Manual (ASM). The ASM for residential requires visually heavier and more massive elements or materials, such as stone or masonry, primarily at the base of buildings, and lighter elements and materials such as siding. Also, the ASM states primary building entries to be clearly defined using any unique combination of architectural elements, materials, or façade modulation meeting other architectural standards in the Manual.

The elevations show a combined front entrance inset for both units with minimal overhang. This project is near the downtown core and is being proposed for Old-Town zoning. A key element of old-town design is walkability in residential areas, bringing houses to the street with narrow setbacks (or build-to's) and offering a sense of community and gathering places through the uses of useable porches. In order to set the precedent for how NW 1st develops in the future, staff recommends a condition of approval that at time of design review submittal the structure shall

include a ground-level covered porch for each unit (individual or combined) of sufficient size to allow covered seating at the front.

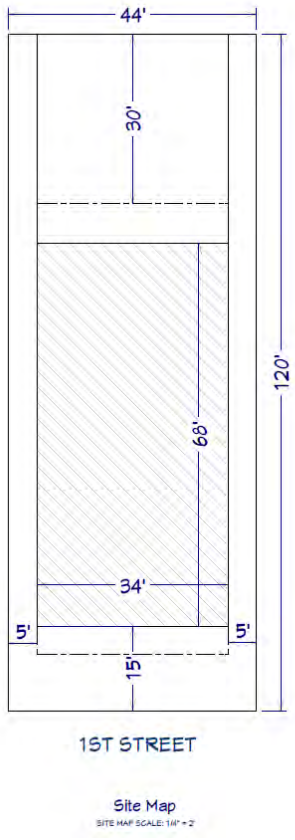
VI. DECISION

1. Staff:

Staff recommends approval of the proposed rezoning from I-L to O-T with the conditions noted in Section VII of this report.

VII. EXHIBITS

1. Building Envelope (NOT APPROVED)



To the best of my knowledge these plans are to comply with owner's and/or builder's specifications and any changes made on them are made at the owner's expense and responsibility. The contractor shall verify all dimensions and enclosed details. RB CONSTRUCTION is not liable for errors or omissions on construction. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible therefor.

BUILDING CONTRACTOR/HOME OWNER TO REVIEW AND VERIFY ALL DIMENSIONS, SPECS, AND CONNECTIONS BEFORE CONSTRUCTION BEGINS.
ELECTRICAL SYSTEM CODE: SEC. 2901
MECHANICAL SYSTEM CODE: SEC. 2901
PLUMBING SYSTEM CODE: SEC. 2901

2. Rezoning Legal Description (date: 12/9/2021)

Description for
O-T Zone
December 9, 2021

A portion of the in the Northeast 1/4 of the Southeast 1/4 of Section 12, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at a 5/8" Iron pin marking the centerline intersection of N. Meridian Road and W. Broadway Avenue, from which a 5/8" Iron pin marking the centerline intersection of W. 3rd Street and W. Broadway Avenue, bears North 89°25'49" West, 956.87 feet; thence on the centerline of W. Broadway Avenue, North 89°25'49" West, 323.00 feet to the centerline of NW 1st Street; thence on the centerline of NW 1st Street, South 00°30'09" West, 246.25 feet to the easterly extension of the north boundary line of the South 3/4 of Lot 9, Block 2, J.M. Andersons Second Addition to Meridian, as file in Book 2 of Plats at Page 87, records of Ada County, Idaho and the **REAL POINT OF BEGINNING**;

thence continuing on said centerline, South 00°30'09" West, 43.75 feet to the easterly extension of the south boundary line of Lot 10, Block 2 of said J.M. Andersons Second Addition to Meridian;

thence on said south boundary line and the easterly and westerly extension thereof, North 89°25'49" West, 158.06 feet to the centerline of a public alley;

thence on the centerline of the public alley, North 00°30'09" East, 43.75 feet to the westerly extension of the north boundary line of the South 3/4 of said Lot 9;

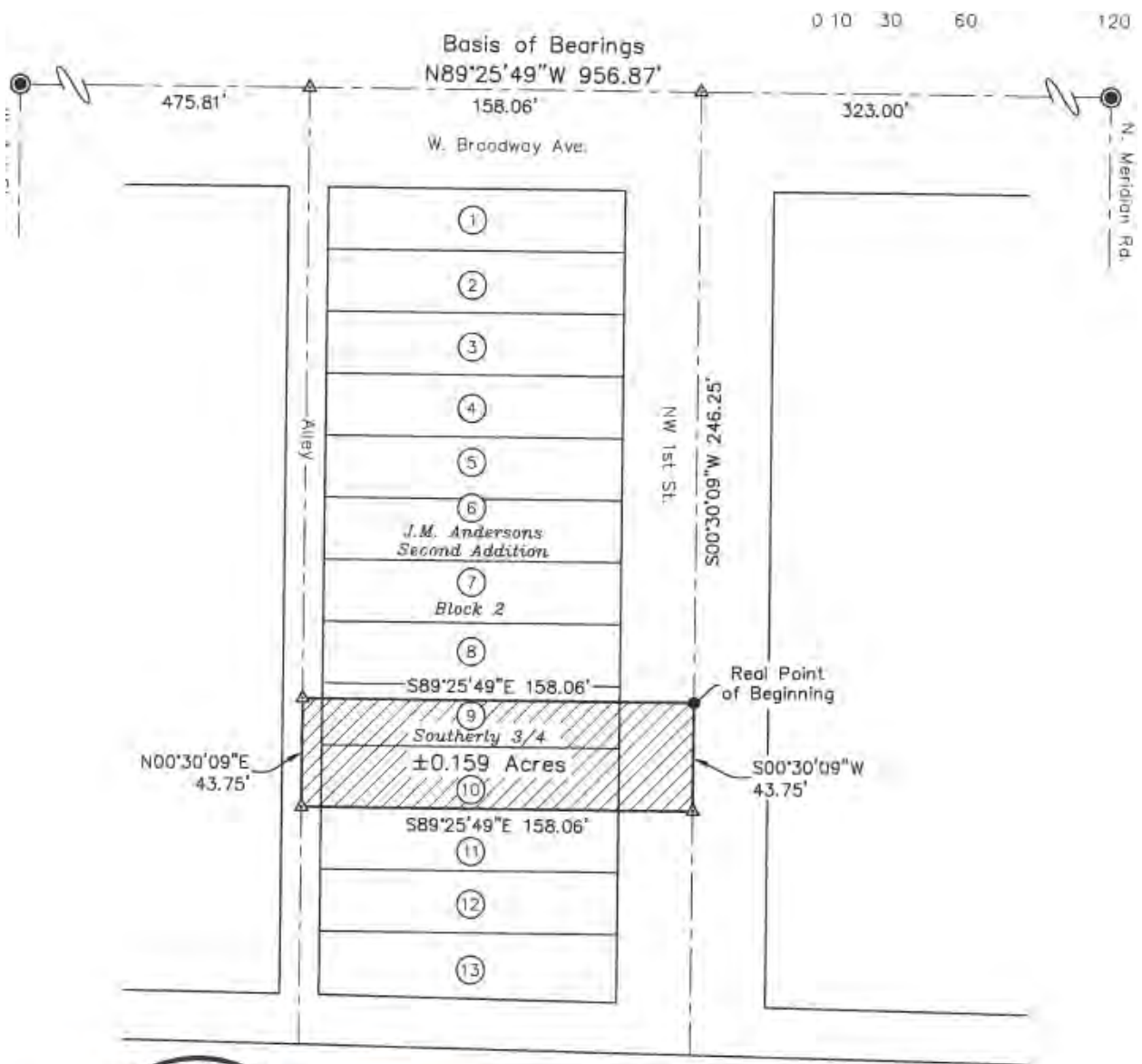
thence on said north boundary line and the easterly and westerly extension thereof, South 89°25'49" East, 158.06 feet to the **REAL POINT OF BEGINNING**.

Containing 0.159 acres, more or less.

This description was prepared using record data as shown on Record of Survey No. 9863, recorded as Instrument No. 2014-056419, records of Ada County, Idaho and was not verified with a survey on the ground by Idaho Survey Group, LLC.

End of Description.





Union Pacific Railroad

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

Staff Comments:

1. Administrative design review is required prior to building permit for all new attached residential structures containing two (2) or more dwelling units. Elevations should include at least two field materials, accent materials, a heavier accent material around the base of the buildings, covered porches, and overhangs matching the rooflines or porches over the garage doors.
2. The duplex shall include a ground-level covered porch at the front for each unit (individual or combined) of sufficient size to allow covered seating. Conformance will be reviewed at time of design review.
3. All off street parking areas and driveways shall be improved with a compacted gravel base, not less than four (4) inches thick, surfaced with asphaltic pavement, as required per UDC 11-3C-5.
4. Sidewalk should be constructed along NW 1st Street pursuant to UDC 11-3A-17.
5. Staff's failure to cite specific ordinance provisions does not relieve the applicant of responsibility for compliance.
6. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
7. The development shall comply with all provisions of the O-T zoning district as set forth in UDC 11-2D-1.

B. PUBLIC WORKS CONDITIONS:

Site Specific Conditions:

1. There is a sewer main running through the alley on the west side of this parcel that currently serves the area, however, the City will be installing a new line in West 1st Street which will need to be utilized. The applicant can use the current sewer line, but must install a dry line to the east for future connection to the new main once it is built.
2. A utility plan must be provided for review and approval by the City with the building permit application.

General Conditions:

3. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
4. 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.
5. 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.

6. 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.
7. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
8. 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.
9. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
10. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
11. Developer shall coordinate mailbox locations with the Meridian Post Office.
12. 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.
13. 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.

C. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250046&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Rezoning

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 rezone the property from the I-L zoning district to the O-T zoning district 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 the request for the development complies

with the regulations outlined in the requested O-T zoning district and is consistent with the purpose statement of the requested traditional neighborhood zoning districts in general.

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

As this is an infill site surrounded by predominately residential development, 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.**

Subject site is already annexed so Staff finds this finding nonapplicable.