



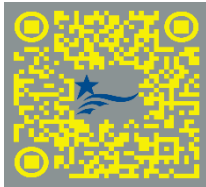
# PLANNING AND ZONING COMMISSION

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Thursday, August 20, 2020 at 6:00 PM

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## Agenda

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*Public Hearings for land use applications follow this process: Once the hearing is opened, City Staff presents their analysis of the application. Next, the applicant is allowed up to 15 minutes to present their application. Following any Commissioner questions, members of the public are allowed up to 3 minutes each to address Commissioners regarding the application. If a person is representing a Homeowner's Association, they may be allowed to speak up to 10 minutes, provided those they are representing are yielding their time. After all public testimony, the applicant is allowed an additional 10 minutes to respond to comments. Commissioners may ask additional questions, and then the public hearing is closed. Once the hearing is closed, no further testimony will be heard.*

### VIRTUAL MEETING INSTRUCTIONS

Limited seating is available at City Hall. Consider joining the meeting virtually:

<https://us02web.zoom.us/j/84541771750>

To call in: 1-669-900-6833

Webinar ID: 845 4177 1750

### ROLL-CALL ATTENDANCE

- Lisa Holland       Vacant       Andrew Seal
- Nick Grove       Rhonda McCarvel       Bill Cassinelli
- Ryan Fitzgerald, Chairperson

### ADOPTION OF AGENDA

#### CONSENT AGENDA [Action Item]

1. [Approve Minutes of the August 6, 2020 Planning and Zoning Commission Regular Meeting](#)
2. [Findings of Fact, Conclusions of Law for Rock & Armor Fitness \(H-2020-0076\) by Matt Garner with Architecture Northwest, Located at 1649 and 1703 E. Pine Ave.](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

- 3. **Public Hearing Continued from July 16, 2020 for Horse Meadows Subdivision (H-2020-0060) by Riley Planning Services, Located at 710 N. Black Cat Rd.**

*Applicant Requests Continuance to September 17, 2020*

A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential).

B. Request: Preliminary Plat consisting of 27 single-family residential lots and 3 common lots on 4.71 acres of land in the R-4 zoning district.

- 4. **Public Hearing Continued from July 16, 2020 for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.**

*Application Requires Continuance to Requested Date of September 17, 2020*

A. Request: Annexation of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres), zoning districts.

B. Request: A Preliminary Plat consisting of 384 buildable lots, 35 common lots and 5 other lots on 126.53 acres of land in the R-8, R-15 and C-G zoning districts.

- 5. **Public Hearing for Loose Screw Brewery (H-2020-0081) by Mary Murphy, Grand Peak, LLC, Located at 1511 W. McMillan Rd., Ste. 100**

A. Request: A Conditional Use Permit for a 2,200 square foot brewery with a tasting area and retail showroom (i.e. minor food and beverage products processing) within 300 feet of a residential district/use on 0.95 of an acre of land in the C-N zoning district.

- 6. **Public Hearing for Victory Apartments (H-2020-0065) by Wendy Shrief, J-U-B Engineers, Inc., Located at the Southwest Corner of S. Meridian Rd./SH-69 and W. Victory Rd.**

A. Request: Amendment to the Future Land Use Map contained in the Comprehensive Plan to change the designation on 18.45 acres of land from Medium Density Residential (MDR) to Medium High Density Residential (MHDR).

B. Request: Annexation of 18.45 acres of land with an R-15 zoning district.

- 7. **Public Hearing for Pearson Subdivision (H-2020-0075) by Melanie Pearson, Located at 175 W. Paint Horse Ln.**

A. Request: A Combined Preliminary and Final Plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district.



8. Public Hearing for Modern Craftsman at Black Cat (H-2020-0022) by Baron Black Cat, LLC, Located in the Northeast Corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26)

A. Rezone a total of 23.63 acres of land for the purpose of reducing the C-C zone from approximately 8 acres to 4.42 acres and increase the R-15 zone from approximately 15.1 acres to approximately 19.2 acres.

B. Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts.

C. Conditional Use Permit for a multi-family development consisting of 196 residential units on 20.13 acres in the R-15 zone.

D. Modification to the existing development agreements (Inst. #'s: 106151218; 107025555; 110059432; and 114054272) for the purpose of removing the subject property from the boundaries and terms of previous agreements and enter into a new one, consistent with the proposed development plan.

**ADJOURNMENT**



## AGENDA ITEM

**ITEM TOPIC:** Approve Minutes of the August 6, 2020 Planning and Zoning Commission Regular Meeting

**Meridian Planning and Zoning Meeting**

**August 6, 2020.**

Meeting of the Meridian Planning and Zoning Commission of August 6, 2020, was called to order at 6:00 p.m. by Vice-Chairman Lisa Holland.

Members Present: Commissioner Lisa Holland, Commissioner Bill Cassinelli, Commissioner Andrew Seal, Commissioner Rhonda McCarvel, and Commissioner Patricia Pitzer.

Members Absent: Chairman Ryan Fitzgerald and Commissioner Nick Grove.

Others Present: Chris Johnson, Adrienne Weatherly, Andrea Pogue, Bill Parsons, Sonya Allen, Alan Tiefenbach, Joe Dodson and Dean Willis.

**Roll-call Attendance**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Lisa Holland    | <input checked="" type="checkbox"/> Rhonda McCarvel                      |
| <input checked="" type="checkbox"/> Andrew Seal     | <input type="checkbox"/> Nick Grove                                      |
| <input checked="" type="checkbox"/> Patricia Pitzer | <input checked="" type="checkbox"/> Bill Cassinelli (attended at 6:20pm) |
| <input type="checkbox"/> Ryan Fitzgerald - Chairman |  |

Holland: With that I am filling in for our fearless leader Ryan today, so, I would like to call to order of the regularly scheduled meeting of the Meridian Planning and Zoning Commission for the date of August 6th and let's begin with the roll call. Thank you, Madam Clerk. So, welcome to those watching in. Before we move forward with the agenda I'm just going to give a couple of directions about our process tonight. So, a lot of the Commissioners are meeting online via Zoom and we have one Commissioner in person at City Hall. On your screen you should see the Commissioners who are present for the evening. We -- we also have on call staff from the city attorney and city clerk offices, staff from our Planning and Zoning Department will also be on the call as well. Everybody else online that are attendees, you can observe the meeting and we can see that you are there, but your ability to talk and be seen will be muted. During the public testimony portion of the meeting you will be -- you can have the opportunity to be unmuted and able to comment if you would like. If you previously sent a presentation for the meeting it will be displayed on the screen and the clerk will run the presentation for you. The clerk can also assist in bringing up a slide from another presentation. If you need it just ask. If you just want to watch the meeting, we encourage you to watch the live streaming on the city's YouTube channel, which is also accessible at meridiancity.org/live. Once public testimony is open the clerk will call the names of those who signed up to testify on the website and, then, they will unmute you. The chair -- or I will call you individually at that point in time, so we will ask you to state your name and address for the record and you will have three minutes to address the Commission for any comments you might want to make and we may ask for -- questions for clarification, but once you are done they will mute you as well and you will no longer be able to speak. Once all

those who have signed up in advance are called we will ask if there is anybody else who would like to testify before we close the public hearing and if you would like to speak on the topic you are welcome to raise your hand button in the Zoom app or if you are listening through a cell phone or landline you can press star nine and wait for your name to be called. If you are listening on multiple devices, like a computer and a phone, make sure you mute those devices so that we don't experience feedback and we cannot take questions until the public testimony portions, so if you have a process question during the meeting you can reach out to the City Clerk's office at [cityclerk@meridiacity.org](mailto:cityclerk@meridiacity.org) and they will attempt to help you as fast as possible and I believe that they also have a room at City Hall that they might take you to if you are there in person to testify, so that everybody can hear you without feedback issues on Zoom.

## **ADOPTION OF AGENDA**

Holland: So, on the agenda tonight the first item is the adoption of the agenda and we have a few changes to take place. So, if you are here for item three, four, or five or number nine, all of those items are requesting continuance at this point in time. So, we will be amending the agenda to reflect that. So, let me read those off really quick for you. Now my mouse is not working with me. So, item three is requesting a continuance and that is for H-2020-0046 for the Gateway at Ten Mile and they will be requesting continuance to September 3rd. The item for Pura Vida Ridge Ranch, H-2020-0064, is requesting a continuance for the date of September 3rd and we have item five, which is the Pearson Subdivision requesting a continuance to the date of August 20th and, then, we have Item number nine, which is the TM Center project, H-2020-0074, requesting a continuance to the date of September 3rd as well. So, with that in mind can I get a motion to approve the agenda as -- as modified?

Seal: So moved.

McCarvel: So moved. Second.

Seal: Second.

Holland: I have got multiple motions and seconds. Commissioner McCarvel motion -- moved and, then, Commissioner Seal seconded. All those in favor? Any opposed? Motion passes.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

## **CONSENT AGENDA [Action Item]**

- 1. Approve Minutes of July 9, 2020 Planning and Zoning Commission Meeting**

**2. Approve Minutes of July 16, 2020 Planning and Zoning Commission Meeting**

Holland: Next up on the agenda is our Consent Agenda and at this point we have two sets of meeting minutes to approve, so we will be approving the minutes of the July 9th Planning and Zoning Commission meeting, as well as the July 16th Planning and Zoning Commission meeting. Can I get a motion to approve the Consent -- Consent Agenda as amended?

Seal: So moved.

McCarvel: So moved.

Seal: Second.

Holland: Commissioner McCarvel makes the motion and Commissioner Seal second. All those in favor. Any opposed?

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

**ACTION ITEMS**

**3. Public Hearing Continued from June 18, 2020 for Gateway at 10 Mile (H-2020-0046) by GFI - Meridian Investments III, LLC, Located at the Northeast Corner of N. Ten Mile Rd. and W. Franklin Rd.**

- A. Request: Annexation and Zoning of approximately 41.28 acres of land from RUT in Ada County to the C-G (26.54 acres) and R-40 (14.74) zoning districts to accommodate the future construction of a mixed-use commercial and high density residential development.

Holland: All right. With that we are going to open up those items that requested a continuance just for the purpose of continuing them. So, we will start with item number H-2020-0046 for the Gateway at Ten Mile and they are requesting a continuance to the date of September 3rd. I will pause for a second to see if staff wanted to make any other comments about that one.

Parsons: Chair -- can you hear me?

Holland: We can hear you.

Parsons: Perfect. Yeah. Nothing really from staff. The applicant is continuing to work through some issues with us, so we anticipate having -- they just need more time to

resolve some of those issues and, hopefully, by that next hearing date we should have that ready to go for you and bring it forth with our recommendation.

Holland: Thank you, Bill. With that can I get a motion to continue the public hearing for H-2020-0046 for Gateway at Ten Mile to the date of September 3rd?

Pitzer: So moved.

Seal: Second.

Holland: Commissioner Pitzer moved. Commissioner Seal second. All those in favor? Any opposed? All right. Motion passes.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**4. Public Hearing for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.**

- A. Request: Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts.
- B. Request: A Preliminary Plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts.
- C. Request: A Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.

Holland: On to the next one. Again, we are opening the public hearing for Pura Vida Ridge Ranch, H-2020-0064. The applicant's requesting a continuance to the date of September 3rd and I believe that the reason for this one is to allow ACHD time to review the application and provide a staff report to the city. If staff has anything else to add they are more than welcome to.

Allen: Staff has no further comments.

Holland: All right.

Allen: Thank you, Madam Chair.

Holland: Thank you, Sonya. With that can I get a motion to continue the public hearing for Pura Vida Ridge Ranch, H-2020-0064, to the date of September 3rd.

Seal: So moved.

Pitzer: So moved.

McCarvel: Second.

Holland: Commissioner Pitzer moves. Commissioner McCarvel second. All those in favor? Any opposed?

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**5. Public Hearing for Pearson Subdivision (H-2020-0075) by Melanie Pearson, Located at 175 W. Paint Horse Ln.**

- A. Request: A Combined Preliminary and Final Plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district.

Holland: Okay. On to the next one. Item number five is Pearson Subdivision, H-2020-0075, and they are requesting a continuance to the date of August 20th and staff says that there was a processing error and that they would just like two weeks to make sure that they meet the notification and timing deadlines. I don't think that they have got any other comments that they probably need to add to that one, but with that can I get a motion to move -- or continue the public hearing for Pearson Subdivision, H-2020-0075, to the date of August 20th.

Seal: So moved.

Pitzer: So moved.

McCarvel: Second.

Holland: I will give that one to Commissioner Seal this time. Commissioner McCarvel seconded. All those in favor? Any opposed?

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**6. Public Hearing for Rock & Armor Fitness (H-2020-0076) by Matt Garner with Architecture Northwest, Located at 1649 and 1703 E. Pine Ave.**

- A. Request: A Conditional Use Permit for a 19,162 square foot fitness and training center on 1.8 acres of land in the I-L zoning district.

Holland: All right. I'm tired of talking, so I'm going to turn it back to staff and open up the public hearing for Rock & Armor Fitness, H-2020-0076, and we will begin with the staff report.

Tiefenbach: Good evening, Ms. Chair and Members of the Commission. This is Alan Tiefenbach, associate planner with the City of Meridian. Good evening. This is a proposal



Item 1.

for a conditional use. So, the property is approximately 1.8 acres. So, just a little short of two acres. It's located at 1649 East Pine Avenue, which is the southeast quadrant of North Locust Grove and Pine. It's on the left. You can see the future land use map, which recommends it for industrial. It's proper -- it's presently zoned industrial. This request is for a conditional use to allow a little more than a 15,000 square foot arts, entertainment, and recreation facility. So, this use is allowed by conditional use in the -- in the industrial -- light industrial zone district. Again, the subject property is a vacant lot now. It's at the corner of North Locust Grove and East Pine. Directly east of the property is a preschool. South of the property is a trucking company. West of the property is an electric supply store and north of the property is a tool manufacturer. There is also an existing single family in the northwest quadrant and I put these pictures up just to show you what has been built there. When the Nola Subdivision was developed there were already sidewalks and landscape strips that were put in. The 25 foot required buffer. So, the one on the upper left is looking south down Locust Grove. Looking east on Pine that -- if you look at the bottom left corner you can see the whole vacant lot there where the fence is sort of projecting out and, then, the daycare off in the distance, that's the lot that you are looking at right now. That's the vacant lot. To the top east is an internal access. That access runs south of the daycare and directly connects to Nola and, then, the last picture at the bottom right-hand corner is taken from Nola looking west, looking over towards the property. Again, the applicant proposes to build about a 15,000 square foot Rock & Armor Fitness Center. This proposed use is a sports performance center for training and physical therapy. It specializes in strength conditioning and rehabilitation for athletes. It's considered an indoor recreation facility, which is allowed by conditional use. It's important to note that this is not a drop-in fitness center like one of your after work gyms. These are classes and personal sessions that operate by appointment only between 8:00 and 6:00. And this -- this also proposes a 3,600 square foot outdoor training and warm up center. That's what you can see here. This would -- this would be sod. This -- this -- obviously, this would only occur during certain months. It wouldn't occur in the winter. But this is for the athletes to warm up and to train before they actually do their fitness. The primary access will occur from a shared driveway which is to the north here. There is also a secondary access that's shown here and shown here. Up to the -- the daycare is -- it's actually more about right over here and this comes to the south of the daycare and, then, connects over to Nola Road. Nola Road comes up north-south here and connects to Pine. The applicant has not submitted proof that there is cross-access easements. So, we don't know whether or not the applicant or the property owner over to the right has access across this lot. They may, but we haven't seen those. That is a condition of approval is that they be able to provide those at time of CZC. And the other thing is that based on the parking -- based on the parking spaces of one space per 500 square foot, 31 parking spaces were required. There is much less parking requirements for industrial, but this is not -- really not an industrial use, this is a commercial use, therefore, we are requiring that they provide parking at the commercial use, which would be one per 500. Now, one thing I want to mention -- there is a correction in the staff report. If you look at condition 3-A there is a recommendation for the property owner to the east to provide access, but the property owner to the east of this use is not part of this project, so we are asking you to just strike that condition. We cannot make the property owner at the other property provide access. However, we do need to mention that the

conditions of approval should mention that access -- that access easement with a -- should be provided between this subject property and the property to the east, because you will notice there is two driveways there and, again, we don't have proof of access. Both -- both North Locust Grove and East Pine are arterial roads. Like I mentioned, there is 25 foot landscape buffers that were -- that were already installed there. The sidewalk is already there as well. However, there is several trees in the landscape buffers that have since died. We are recommending that -- a condition of approval that they replace these trees and, finally, there are conceptual elevations that were provided by the applicant. The west here would be on the corner of North Locust Grove and Pine. The north elevation is also very visible. You would see this coming down Pine. One of the -- one of the concerns that we had is -- as you will notice the elevations are pretty different. If you look at the one on the west and you look at the one on the north, they definitely have sort of a different flavor to them. The other thing is that we have requirements in our architectural standards manual that you can't use metal as a primary field material. It's -- it's possible that they could ask for a design exception, but as is shown here they are proposing to use prefabricated metal panel. The other thing is that there is a certain requirement that roofs have to modulate every certain feet and if you look this roof has a long straight look to it. So, they are either going to have to ask for a design exception or -- or they are going to have to address this. If you look at the north elevation they are showing what I think are garage doors and we might want to defer to the applicant for that, but there are some additional requirements about garage doors and whether or not roll-up doors should be facing Pine Avenue. So, again, this -- it's important to mention that this is an industrial zone district, but this use is listed as a conditional use. So, the use has already been deemed appropriate in the zoning district. We are just down to conditioning to deal with mitigating any impacts. With that staff would recommend approval at this with -- again, with the condition that 3-A be stricken to not require -- obviously, try to have the property owner to the east provide access and to make the second condition have access easements plural. And with that I will entertain any questions.

Holland: Thank you. Are there any questions for staff? Seeing none, I think we could hear from the applicant if they are available.

Weatherly: Madam Chair, Mr. Garner is joining us via Zoom. Mr. Garner, you have the floor.

Garner: Thank you, Commissioners. Glad to be with you tonight. Just to be brief, we have been provided the staff report. We are in agreement with the conditions. Just a couple of things that were brought up by Alan in his presentation. I do -- I am in -- I do have the cross-access agreement that is I believe the one to the north that comes in there off of Pine, between the daycare and the property in question. I think that there is another cross-access agreement for that access on the south. I do not believe I have that one yet, but it is to be coming to me. So, as soon as I have those, as has been conditioned, we will go ahead and provide those on the architectural site plan, the instrument number, so that they can be referenced. So, that was that. And, then, if you are looking -- Alan, do you have the ability to manipulate the screen?

Tiefenbach: Yes, I do. If you want me to -- if you are talking about my presentation; correct.

Garner: Yeah. I was going to say, if you go back to those elevations, the conceptual, those are not overhead doors on that north side. There are no overhead doors except on the east end of the building that goes out into that practice area and so we will work with -- on the -- in the CZC and the DR, which is coming up next. If we get the conditional use permit, then, we will work with staff on addressing the elevations as necessary to provide -- to make them in compliance with the architectural standards. But, yes, we are in agreement with the conditions and would stand for any questions if you have any for me.

Weatherly: And, sir, can you, please, state your name and address for the record, please?

Garner: I'm sorry. It's Matt Garner. It's 1211 West Hawk Place in Nampa, Idaho. 83651.

Weatherly: Thank you.

Holland: Thanks, Mr. Garner. Thanks, Madam Clerk. Are there any questions for the applicant?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just for disclosure here, I -- I am a frequenter of Rock & Armor, especially in the wintertime. So, I just wanted to put that out there. I don't see it as a conflict of any kind, but I just wanted folks to know.

Holland: Thanks, Commissioner Seal. Any concerns with Commissioner Seal's note there? Seeing Commissioner Pitzer shake her head no. Hearing nothing from Commissioner McCarvel, I think you are good to go. I'm seeing heads shake no. Okay.

Weatherly: Madam Chair?

Holland: Yes.

Weatherly: For the record I just wanted to note that Commissioner Cassinelli joined us at 6:20 p.m. Great. Thank you. Welcome, Commissioner Cassinelli.

Cassinelli: Thank you. Sorry I'm a little tardy this evening.

Holland: That's all right. We are glad to have you. Mr. Garner, so on the north side, looking at the rendering here it looks like there is kind of different elevations proposed for the west and the north side. Can you explain a little bit more about what the process is going to look like? And I know you will work with staff on the design review of the building,

but as that's kind of -- those are two primary roads that are in Meridian and I would love to see maybe a little more consistency between those, but would you mind expanding on that a little bit.

Garner: Well, I think -- for me I think that these renderings -- you know, it's not a 3D model like you would want to see where you have some dimensionality to it, but I would contest that this -- that some of those elements that are visible on the west elevation do carry around to this north side and you wouldn't be able to see it, so if you look at the west elevation there on the top, you see the smaller volume on the left-hand side of the screen that pops off of the side of the building, you don't necessarily see that in the north elevation, because of the limitations of the elevation, but that volume does pop out and it does articulate, because you have a lower roof that's lower than that higher roof and so there are some of those elements that do that. The materials are carrying around as well. You will see the white stucco on the west elevation and that dark metal that does come around to the other side of the building on the north as well. So, we have made an attempt to try and carry some of those things around. But as -- as far as going -- moving forward, what we will end up doing is I will go through the architectural standards manual and verify areas where we are compliant and maybe areas that we are not compliant and part of it is where -- when I met with staff they did talk about this is an industrial zone and so some of these things that are on the building, they would be fine in an industrial zone and so I think that there -- because he wants to consider it a commercial building, which it is, in industrial zoned, maybe there is a happy medium and we have tried to do that. There have been revisions since our pre-application meeting where we have gone back and tried to modify and put some things in there to carry that -- those themes around the building and so we will continue to work with staff to make sure that we do satisfy the architectural standards.

Holland: Thank you, Mr. Garner. Appreciate it.

Garner: You are welcome.

Holland: Any other questions for the applicant right now? Hearing none, I'm going to ask if there is anyone for public testimony and, then, we will come back to you, Mr. Garner, in a minute.

Garner: You bet.

Holland: Madam Clerk, do we have anyone signed in to testify on this one tonight?

Weatherly: Madam Chair, we do have a couple of sign-ins, the first of which is -- oh, I apologize. They did not indicate a wish to testify. So, technically, no, we do not have anybody signed up to testify tonight.

Holland: With that and using Commissioner Seal's eyes to see if there is anybody in the audience that would like to testify, if anyone would like to testify in this application if you would raise your hand in the Zoom app or you would wave at City Hall, we will give you

a chance to speak for a minute if you would like. And it looks like we have no takers, so -- all right. Mr. Garner, one more question for you I have. So, obviously, this area was planned for industrial. I'm just curious on why -- why you chose the industrial site instead of looking for a traditional commercial site for your project?

Garner: Well, I think that that would be a question that would best be answered by the owner if he wanted to. I think that it was just a parcel of land that he found and it was a good location for him and so that was -- that was why he chose that spot.

Holland: Fair enough. Any other --

Garner: I guess that's -- that's the best that I can answer, because I don't really know that answer, but that would be my speculation.

Holland: Okay. Commissioners, any other thoughts or questions you would like to raise before we close the public hearing on this one? Hearing none --

Seal: Madam Chair, there is somebody raising their hand in the -- in the audience.

Holland: Okay. If there is someone raising their hand we can -- I think it's -- since it's still open we can certainly still take that. Madam Clerk, can you help them get -- get to --

Williams: This is Tim Williams, the owner of Rock & Armor. To answer your question, we are literally just around the corner on Locust Grove from there. So, I drive by that piece of land. Steve Hill owns it and have been admiring it for six years now and so we are really excited that it's really close to where we are currently at and it's a good location for our clients and they won't have to go much further or in a different route to receive the services we provide, so --

Holland: Thank you, Tim. If you wouldn't mind, would you state your address for the record as well.

Williams: Timothy Williams. My home address or work address? It's 535 North Locust Grove Road, Suite 170, Meridian.

Holland: Thank you, sir. Appreciate it.

Williams: Thank you.

Holland: All right. Any other questions for -- for Tim or Mr. Garner here? Mr. Garner, any other thoughts or comments you want to make after that?

Garner: No, I don't think so. But I guess the one thing that I would add is relative to the parking. Tim talked a little bit about the parking and when we had our pre-application meeting we came back and we had done our analysis -- parking analysis at the one space per 500 square feet of building and we came in and we had like 30 spaces and Tim was,

you know, questioning whether that would be enough. After consulting with Tim Williams, the owner, and getting his feedback on the number of people that would be visiting the facility at one given time, we did go back in and add in -- pretty much maximized parking on the site to make sure that there would be adequate parking and so that was also something that was addressed from the pre-application meeting to its current iteration. So, we should have plenty of parking available to all the clients as they come.

Holland: Great. Thank you. Appreciate it.

Garner: Yeah. You're welcome.

Holland: All right. If there is no more questions for Mr. Garner, I would entertain a motion to close the public hearing for Rock & Armor Fitness, H-2020-0076.

Cassinelli: So moved.

Seal: Second.

McCarvel: Second.

Holland: Commissioner Cassinelli moved and second from Commissioner Seal. All those in favor? Any opposed?

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: All right. And just a reminder, this is a conditional use request, so we are the deciding body on this one. So, if make a motion to -- we are not recommending approval, we are the approval body on this one. So, just keep that in mind. Anyone want to go first? Commissioner Cassinelli.

Cassinelli: I'm happy to jump in, even though I was late. I think it's kind of -- kind of got an industrial design look to it. I like it. I think the location is prime. We have got that development going in just to -- I think it's 43 Pine or whatever all that is there to the north side there, so I think it's a great fit, a great product. It will -- it kind of ties in the -- the industrial look and feel. So, I like it and I think we are good on parking.

Holland: I was waiting for that comment, Commissioner Cassinelli.

Cassinelli: That's correct. Yeah. I had say something on there; right?

McCarvel: Madam Chair?

Holland: Commissioner McCarvel.

McCarvel: Yeah. I -- I kind of hate to see our light industrial getting eaten up, but I think if they had their eye on this piece of land for that long and being able to bring different

clientele and fill in that space, so it's a good fit and I can see where they were talking about it probably has more dimension than what we can really see here. I think it would be a good fit.

Holland: I will jump in with my comments, too. I think that I -- I agree with those two comments you have both made, that it looks like they have done a good job of trying to incorporate an industrial commercial design into the area that it's matching and consistent, which I certainly appreciate and I also appreciate that they did the commercial parking standards, because this type of use we typically have more people coming in and out of it than an industrial use would and if for some reason this gym ever, you know, decided to not operate in this building it could be converted back to an industrial building, so I appreciate that, too. My only challenge is, again, I know that industrial is really hard to find right now anywhere in Meridian and it's always tough because a lot of churches, gyms, daycares, we have seen a lot of requests in industrial zones for those types of projects to kind of come in and, you know, we take them one -- one at a time and they are allowed with a conditional use permit, so it's not that it doesn't fit, it's just -- I always hate seeing prime commercial ground taken up -- or prime industrial ground taken up when there is not very much available in the city. That being said, I don't really see a reason to deny the project based just on that. That's just a personal note that I wish that we had more industrial buildings, because there is a lot of great manufacturers out there that we could be attracting to the City of Meridian and I know that this one will be a good solid company and I'm sure that they pay their people well and will have some great opportunities for clients and some revenue opportunities that the city ends up benefiting from the new construction. So, those are my comments. Commissioner Pitzer?

Pitzer: Madam Chair, I'm just going to go ahead and start. After considering all staff, applicant, and public testimony I move to approve the conditional use permit for file number 2020-0076 for Rock & Armor.

Holland: Okay. We have a motion. Do we have a second?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: We need to make sure that we strike condition 3-A as per staff's -- staff's request and, then, they wanted a condition on item number two for -- to elaborate on easements, not just easement.

Holland: I had that note in front of me and I forgot to read it, so -- yeah. Commissioner Pitzer, if you are willing to modify your motion to strike 3-A in the staff report and also allow access easements for the property on the east.

Pitzer: Yes. Yes, I have the notes as well and I didn't read them either. Yes. So, I move that we approve the conditional use permit. With the condition that we strike number 3-A and make a condition for easement access for file number 2020-0076.



Seal: Second.

Holland: Okay. I have got a motion by Commissioner Pitzer and a second by Commissioner Seal. Any discussion? I'm not hearing anybody say yes, but all those in favor. Okay. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: Thanks, Mr. Garner.

Garner: Thank you, Commissioners.

**7. Public Hearing for 1625 E. Bentley Drive (H-2020-0078) by Clint Hansen of Land Solutions, Located at 1625 E. Bentley Dr.**

- A. Request: Annexation of 1.03 acres of land with the C-C zoning district.

Holland: With that we will move on to public hearing Item No. 7, which is for 1625 East Bentley Drive, H-2020-0078, and we will begin with the staff report.

Tiefenbach: Thank you, Madam Chair. Again, Alan Tiefenbach, associate planner with the City of Meridian. This is a proposal for an annexation and rezoning of properties about one and a half acres. It's presently within unincorporated Ada county, zoned R-1. It's located at the southeast quadrant of South Locust Grove and East Bentley Drive. This is a request to annex and zone to allow a 40 -- 4,800 square foot office building and a future lot with two lots total. So, again, the subject property is at the southeast corner of South Locust Grove and East Bentley. It contains right now a 21'ish square foot house. South -- it's interesting the way the road is set up. Let me show you here. If you look at the picture on the left, that is looking at the property. The house on the left is the house that will eventually be demolished and that row that you are looking at with the barrier, that's kind of a no man's land. It doesn't -- I'm not even sure if it has a name, but it is a right of way. If you look to the picture on the right, you are looking down Locust Grove and that picture was taken to show you that there is existing sidewalk now and to show you the house and the existing lot. Excuse me. And the -- on the bottom there you are standing on Bentley. Bentley turns into Truss. Truss -- if you look at the white truck there, the road that goes on beyond that truck -- that truck is Truss. Where you see this road curve, that is Bentley. Here is the site plan. Immediately to the north, south, and east of this property is low density residential, although over to the west and further to the south is highly intensive non-commercial uses. So, again, to the west is Renaissance High School and the Idaho College of Osteopathic Medicine and if you go to the south on the other side of Highway 84 we have got pretty intensive uses, including fast food restaurants, gas stations, and movie theaters. It's important to note that the Comprehensive Plan recommends this area for commercial and, then, just going east -- just east of this property it's recommended for a mixed use neighborhood. So, that's your smaller levels of commercial, some residences, kind of a mix. It's a -- it's transitional use

running up to that. Sidewalks, as I said, already exist along South Locust. Although the applicant will be required to install a buffer along Locust, here this sidewalk is already existing. The applicant will have to put in a buffer there, like I said. The business proposal right now is presently located at 213 East Fifth Street in Meridian and they are sharing space in a 3,800 square foot building. That existing business leases -- the one we are talking about -- about 1,300 feet of available space in this and they are not the owner of that building. The applicant stated that the size and the configuration of the present building doesn't lend themselves to the existing operations. They can't expand. It's just not a very good working environment. So, the applicant wants to build a larger building and move their business here. This is a survey type company, so it's a professional level business. It's not the type that you imagine people are coming and going all the time. It's where people are coming in or even working remotely and they are working their eight hours doing survey and engineering type work and, then, they are leaving. As I mentioned, there is a single family residence that's existing on the property. That's what you see right here. Single family residential is not allowed in commercial zoning districts, so one of the conditions -- or conditions of approval is that this house would have to be removed prior to CO -- when they come in and actually do the CZC. One thing I wanted to mention is that the property is technically two lots. There is -- there is the one lot that's over an acre and, then, there is -- you can't see it here, but there is a little spite strip that's -- that's owned here or what you would probably call a spite strip. Very long narrow lot. And the reason why I bring that up is that the property is technically two lots. The applicant eventually wants to do a property boundary adjustment, move the lot line down towards the middle and turn it into two lots. Now, that's not what they are doing with this proposal, but they will be able to do that as an administrative process, because they already have two lots. Although the staff wanted to make sure that -- because the applicant is considering eventually a second business there, we wanted to make sure that they took that into account with the annexation and give us some kind of conceptual site plan about how that business should be laid out, especially with such a visible road being Locust Grove and the residences to the east and we wanted to make sure that the most efficient parking and that the parking was wrapped. So, what you see here on the south is this is the building they are proposing now, 4,800 square feet-ish, and that's called Land Solutions. Up here is conceptual. We don't know if and when this is going to be built, but they have demonstrated that they have enough parking for this business. Each business has about 17 spaces, which is well beyond the ten that they are required. One thing that we did have a concern about was when this building is demolished now long will it be until something else is developed on the northern portion of that property. What we didn't want to have happen was it to be sort of -- I will use the word again -- a no man's land where there is just grass and weeds and it sort of looks like an undeveloped lot for some amount of time. Staff recommends that when that -- when that house goes that until this property is developed that this would be needed -- this would be seeded with native seed and kept free from weeds to look more like a part of the property versus just something that's sort of sitting there fallow and the other thing I guess I wanted to mention, again, is -- is since -- since we wrote the staff report there has been at least one letter from an adjacent property owner. The -- the applicant has told me that the community meeting did have a few people that showed up with concerns. The biggest concern from what I understand is just that there are residents in the county and they do not want the city to be annexing

that as commercial. There was concerns expressed in a letter that I received today about traffic. There is only one way into this property coming up Locust Grove and taking Bentley is the only way in. You can't go east, because it turns into cul-de-sacs and it dead ends. Now, eventually, that may go through, but as it is right now there is only one way in. Staff did not have major concerns about the -- the traffic with this and the reason why is because this is a professional office for not very many people doing professional level surveys. So, again, they are coming in, they are doing their eight hours of work at their computers and they are going home. This is not a retail store or some kind of big business that's going to be generating very much traffic at all. It's very -- very compatible with what would be a residential neighborhood and it would be very consistent with what you would see in a transitional use, such as mixed use -- mixed use neighborhood. With that staff recommends approval on this with the conditions listed in the staff report.

Holland: Thank you, Alan. Any questions for staff?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just wanted to make sure the conceptual site plan that you have up here is different from what's in the application material, but is this -- the conceptual site plan that's here, is that something that was modified and that's what they are going with? Because it is quite a bit different.

Tiefenbach: It's very different. The -- the original site plan that they submitted on -- the staff -- as staff was -- so, when staff as writing the staff report we are reviewing these things and we are really going through the analysis and looking at this and we discussed this as a staff and it was -- as we moved forward it became more apparent that he wanted to do a second building and the other thing was that we did -- we weren't really thrilled about the original layout, so we conveyed that back to the property -- back to the applicant and last week the applicant gave us the most -- their latest version of the site plan. So, what you see here in front of you is -- is the version that is being proposed tonight.

Seal: Okay. Thank you.

Cassinelli: Alan -- Madam Chair?

Holland: Go ahead.

Cassinelli: Sorry. Alan, is there a -- what's the height restriction in this area.

Teifenbach: Let me see. I think I might have that off the top of my head here. Bill is saying 50 feet. Didn't have it right in front of me.

Cassinelli: Okay. And this is proposed to be a single story; is that correct?

Tiefenbach: Correct. Single story building.

Cassinelli: Okay.

Tiefenbach: And he didn't -- didn't provide elevations, but it's a single story, somewhat kind of office, somewhat industrial looking building. All of that detail is on the --

Cassinelli: I'm sorry, I couldn't catch that.

Holland: Alan, you are cutting out a little bit.

Tiefenbach: Oh. Sorry. Yeah. It's -- if you look in the staff report, the most recent version of what's been proposed to us is in there. You know, we did, again, have a little bit of concerns about the roof and the metal that's being proposed. That's all stuff that will be worked out with the CZC. We did express those concerns in the staff report. That's on page ten of the staff report. You can see what the architecture and what the level of that building is.

Holland: Did you catch enough of that, Commissioner Cassinelli?

Cassinelli: Yeah. And I can look at page ten and I guess -- so, the 50 feet -- because I'm also curious about what might come in the future there as it abuts residential, so -- but I think that -- I'm clear for now. Yes. Thank you.

Holland: And I believe looking at what's neighboring around there, it's a lot of lower density homes and this is an area that during the comprehensive planning process I know that the committee spent a lot of time on this area and decided not to really make any significant changes, because for that area to redevelop all those properties would pretty much have to redevelop together and it was unlikely that that was going to happen. So, we -- I think it might be that we get one of these every once in a while and I think it's located on Locust Grove, that makes it a little bit easier than being something that's kind of in the middle of that -- that they will only access Bentley to come in and like Alan explained, it's just for an office use, but it's not a retail location, so it won't have a lot of traffic in and out of it. Any other questions for Alan? Seeing none, Madam Clerk, can we bring the applicant on.

Weatherly: Madam Chair, he's in the building tonight, so we are getting him set up right now. Go ahead and state your name and address for the record, please.

Hansen: Okay. My name is Clint Hansen. 231 East Fifth Street, Suite A, in Meridian. Me and my business partner Vince are proposing to annex and rezone this property. We were kind of -- I guess not as familiar with the process as we thought for the annexation and rezone. We didn't know we needed to have this site plan as developed as it is, so that's why we tried to work at the last minute to try to complete a conceptual site plan that was for this review. We just had envisioned going through the annexation and rezone process and, then, working with city to develop the site plan, you know, nail it down, but I

think what we have come up with is pretty close to what we, you know, had -- had originally thought we would like to -- like you said, make it into two building lots, with ours being a flex space with the office and garage -- garages for the survey field crews. We have been operating in Meridian for 16 years, serving in the valley for over 20. So, we have been here a long time. We are invested in Meridian and we really like you, know Meridian and the area. We looked for property in flex space for a long time. There just isn't a whole lot of flex space available for our type of use where we need office for the drafting and design and everything that we do and, then, garage spaces for our -- you know, our field crews. So, this would work out perfect for us being right there close to access to Eagle and to Meridian Road and we -- I mean we survey all over the valley with our land surveying. So, it's -- it's perfect for us. I know there is a lot of history in this neighborhood with the city and the neighborhood and the comp plan that the city just adopted, a future land use map and stuff, and I -- in our neighborhood meeting the neighbors expressed -- a lot of them expressed that they don't really have a problem with what we are doing, other than it has to be annexed and rezoned and that's what they are against is the annexation and rezone and I'm sure there is some that will testify tonight. You will hear their concerns and that's what we expressed to them is they need to come and express their -- their concerns here at the -- at the hearing, so -- yeah, I didn't -- any other questions for me I guess?

Holland: Any questions for Mr. Hansen?

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Since -- since some of this -- you just kind of put together I guess the site plan at the last minute, I'm assuming that's the same for the elevation and are you -- I guess I want to know -- I want to kind of see that it's tied into, you know, not so industrial, but it sort of blends in with the residential that's in there behind. Is that -- and I don't know what the staff is -- I'm trying to find it and I can, but I don't know what the staff is calling for on that.

Hansen: The elevations that we had submitted that are shown on page ten of the staff report, those, again, were when I was instructed when I submitted the application was just very preliminary conceptual, just so they kind of have an idea of what we are doing and proposing for the property. And we certainly -- this isn't nailed in stone as far as all the architectural -- I mean material and necessarily the roofline and stuff, this was just a -- kind of a conceptual idea of a flex space that we would like to do. So, we would still need to develop this with our development agreement and -- when we go to submit for their -- for their building permits or whatever their conditional use or whatever it will be at that time, then, we will work with staff to -- to make sure that that is conducive to what the city wants and what is, you know, best for everybody to use, too, in the neighborhood.

Cassinelli: All right. Thank you.

Teifenbach: We are going to pull up -- sorry. Alan Tiefenbach. We are pulling up the elevations for you, so that you can see them. We did express some concerns about the usage of metal that was being proposed and some of the roughs and we wanted again just like the other one, we wanted to make sure those concerns were expressed, that we weren't totally -- we like what he's doing, we will work with them, we weren't totally -- we weren't totally on board with the -- with the architecture, because we didn't think it fit with the neighborhood, but we are pulling up the elevations right now so you can look at them.

Holland: Thanks, Alan. Appreciate it. Any other questions for Mr. Hansen while staff is pulling up that rendering? None. I think we will just wait a minute and, Alan, just to confirm, they are going to have to still go through design review with the city on these buildings and make sure that they meet the standard code for commercial; correct?

Tiefenbach: Yeah. Yes, ma'am. When we -- when we have these conceptualls put up we don't want to get too bound into them direct into the hearing. We would like to have the Commission and/or the Council look at them to get a sense, but if -- but if there is some issues up front, we especially want to make sure that the applicant knows in the hearing, so it's not a surprise that the amount of metal that they are showing here and probably the articulation of the roof is going to be an issue and they also have to turn the garage doors -- can't be facing a public street. So, they will know those things. And, yes, we will be doing that with the certificate of zoning compliance and the design review.

Holland: Thanks, Alan. Any other questions for staff or the applicant at this point? All right. Thanks, Alan. And, Madam Clerk, do we have a couple people signed in to testify it sounds like?

Weatherly: Madam Chair, we don't have anybody signed in to testify.

Holland: Okay. Is there anyone in the audience or on Zoom that would like to testify? If so raise your hand or indicate that you would like to testify and we will get you online.

Weatherly: Madam Chair, no one is indicating that they wish to testify.

Holland: I'm sorry, what was that?

Weatherly: No one is indicating a wish to testify, either online or in the room.

Holland: Okay. Alan, I don't know that everybody had a chance to probably see the letter that you received today. Could you summarize for us what that testimony said.

Tiefenbach: Yeah. Let's -- actually, let me just see if I can pull it up quickly for you. Yeah. Hang on one second. The clerk is helping me. I can't navigate super fast here.

Holland: Thanks, Alan. We appreciate you. It's always harder when you are trying to navigate something while you have got a hundred people watching you, too.

Tiefenbach: That's exactly right.

Holland: I believe the main concerns from neighbors were just that they -- they wanted to remain in the county and wanted assurance that they weren't going to be annexed in, so my -- my answer to them would be that no one's going to force annex anybody into the city of Kuna. We take them only as people bring them to us.

Pitzer: Meridian.

Holland: Meridian. I'm sorry. Did I just say Kuna? Wow, it's been a long day. Sorry.

Tiefenbach: Actually, Mr. Parsons has it on his computer. He's hitting it on the Y drive. So, give me just a second and it will come up. Thank you, Chris. There it is.

Holland: So, it looks like the three main concerns is the access point, the -- the concern about wanting to stay in the county versus coming into the City of Meridian and that the property is close to homes and so they would prefer the hours of 8:00 to 5:00, so we can certainly ask the applicant to address what their hours of operation would look like. Okay. Thanks, Alan. Appreciate it.

Tiefenbach: That was Chris' doing. Thank him.

Holland: Thanks, Chris. With that, Mr. Hansen, do you have any comments -- can you share about what your hours of operation look like or answering any of those other concerns that were addressed in that letter?

Hansen: Yeah. Sorry. I didn't get through the letter, but I did see that number two that said, you know, 8:00 to 5:00 and that's certainly what we are. We usually right now in the summertime start a little earlier than that and get off, you know, everybody goes home by 3:00 or so, 3:00 or 4:00 most -- you know, sometimes you work maybe until 6:00 or so with -- I mean the crews trying to finish up projects, but we are not an all hours of the day type of operation and, you know, close up shop and go home and it will just be all quiet. So, I know one of the neighbors expressed for lighting, too, that we just consider that with the -- with the lighting to not be pointed towards the houses and stuff and, yeah, it's certainly something we would obviously do. And I'm thinking that the city would require anyways at that point, but -- yeah. What -- what I saw with that letter we are certainly conducive with what they are saying.

Seal: Madam Chair?

Holland: Anything else you would like to -- oh, Commissioner Seal, did you have a question?

Seal: Just a question on the field trucks and stuff like that. Is that something you service on site or are those taken somewhere else to be serviced?



Hansen: After hours?

Seal: Yeah. Just trying to get an idea of after hours type of activities that might take place.

Hansen: Oh, yeah. I mean we don't really work on our own vehicle, we take them, you know, to a mechanic or anything like that. Is that what you are asking if we need to do --

Seal: Correct. As far as vehicles or any other kind of equipment might be serviced to, again, trying to get an idea of anything that might happen after hours.

Hansen: Yeah. Generally all service stuff off site with mechanics and different stuff, because we just don't have time or desire to do any of that.

Seal: Got you. Okay.

Hansen: So -- yeah. Every once in a while there might be, you know, some Saturday work going on, too, it's just the office are different things, but generally not servicing or doing anything with the vehicles.

Seal: Okay. Thank you.

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: I have an additional question on that. Do you have some ideas in mind for -- for that additional building, what that might be. Will that be kind of similar applications. Again, just kind of going to some of the neighbors' concerns.

Hansen: Yeah. For us -- I mean ideally we would like to keep it and development it into something in the future, but I feasibly I think we are going to try to just end up selling the lot and so we don't know what any potential buyer might want to put on that piece of property, which is I think what the -- what Alan or the staff report is trying to kind of nail down a little bit, so kind of have an idea of what will be done there. So, they will certainly develop -- or design -- or the development agreement will run with the land. So, whoever purchases the property would -- after we have entered into that development agreement we will have to comply with that as well.

Holland: And they would have to still take a lot line adjustment request to the City Council as well.

Hansen: All right. Thank you.

Holland: Any other questions for Mr. Hansen? Seeing none, Mr. Hansen, is there any other closing remarks you would like to make before we close public hearing?

Hansen: No. Thank you for your time.

Holland: Thank you. Can I get a motion to close the public hearing for H-2020-0078, 1625 East Bentley Drive?

Seal: So moved.

McCarvel: So moved. Second.

Holland: Okay. Commissioner Seal motions to close and McCarvel second. All those in favor? Any opposed?

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: All right. The floor is ours. Anyone want to go first?

McCarvel: Madam Chair?

Holland: Commissioner McCarvel.

McCarvel: I think this is a nice transition of -- from some of the other uses that are close by into current residential. It doesn't sound like it's going to be much of an impact and it sounds like -- it seems like it would be a good neighbor for them and easy access for all their equipment. I would be in support of it. But I would -- yeah, I would be in agreement with staff that that other lot not just go to weeds and be unkept in the meantime until it's developed.

Holland: And I believe that's a condition that they have to seed it and maintain it until it --

McCarvel: Yeah.

Holland: -- comes time that they develop that lot.

McCarvel: Yeah.

Pitzer: Madam Chair?

Holland: Madam Pitzer.

Pitzer: You know, I'm -- I'm looking at this and the new comp plan that we put in place and this is definitely keeping with the comp plan. I think that this is going to blend well, you know, with the surrounding neighbors having larger lots, will be selling or won't be selling, if they want to -- don't want to sell, it won't go through. I like the blend that it's going to have with the property to the west across the Locust -- Locust Grove and I think that, again, as Commissioner McCarvel said, this is -- it's going to be very low impact. It's

not like it's a mini mart having a lot of stop and go customers on that -- that area. So, I'm in favor of this as well.

Holland: Thank you, Commissioner Pitzer. Mr. Cassinelli or Commissioner Seal?

Seal: Madam Chair?

Cassinelli: Madam Chair?

Seal: Oh.

Holland: Commissioner Cassinelli.

Cassinelli: I'm -- I'm in favor of it. It's a tough little -- little spot there. You got commercial bumping up against the residential, but I think, you know, once they work with staff on -- on elevations and building materials and whatnot, I think kind of farm -- larger lots, sort of -- sort of mini farms over there. So, I think it will -- I think it can be done right and blend in. So, all in all I'm -- I'm in favor of it.

Holland: Commissioner Seal?

Seal: Yeah. Madam Chair, I basically echo what has already been said. So, I don't want to belabor the point. It's looks like it's going to fit well. It's going to be pretty quiet. So, kind of like the fact that that's going to squeeze in there. It's going to take up a little bit of commercial space. You know, it's not going to be another residence or multi-family or some crazy thing like that with a bunch of kids that are going to school, so -- because the schools are a little crowded. So, I like -- I like it. And I -- the second conceptual drawing they have of it to me works a lot better, just because of the way that the parking lot can definitely continue on to -- to host for the -- whatever building goes in there in the future to the north.

Holland: I agree. And ditto to everything everyone else has said. So, if anybody would like to attempt to make a motion certainly that is called for at this time.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Let me get my thing up here, so I don't mess this up too bad. After considering all staff, applicant, and public testimony. I move to recommend approval -- approval to the City Council of file number H-2020-0078, for 1625 East Bentley Drive and that's it.

Holland: I have got a motion --

McCarvel: Second.

Holland: Okay. Motion by Commissioner Seal, second by Commissioner McCarvel. All those in favor? Any opposed? Seeing none, motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: We will move on now to the public hearing for Jocelyn Park Subdivision, H-2020 --

Weatherly: Madam Chair?

Holland: Yes. Go ahead, Madam Clerk.

Weatherly: I apologize for interrupting, but when they adoption of the agenda was done I believe you mentioned Item No. 9 being continued as well. The Brighton team is --

Holland: Correct.

Weatherly: -- on the phone and they wanted to make sure that that's what you were going to do. I didn't hear you open that up. I was wondering if you wanted to open that up for continuance at this time before you proceed.

Holland: Thank you, Madam Clerk. We did not -- we did not continue it at the beginning. We left it kind of where it was on the agenda, but I believe our intention is to continue the application. I don't know -- since we have already adopted the agenda, I don't know if we would need to go back and make a new motion to adopt the agenda again if we heard that first. I will look at our legal counsel for that question.

Pogue: When it comes up we can open for -- to continue. So, just take it up in its order at this point.

**8. Public Hearing for Jocelyn Park Subdivision (H-2020-0067) by Bonnie Layton, Located on the South Side of W. Victory Rd., Approximately ¼ Mile West of S. Meridian Rd.**

- A. Request: A Preliminary Plat consisting of 67 single-family residential lots and 7 common lots in an existing R-8 zoning district.

Holland: Yeah. I would say, Madam Clerk, I think it's every intention of ours to continue it, but we will move forward with the -- the next application first. Okay. With that we open the public hearing for Jocelyn Park Subdivision, H-2020-0067, and begin with the staff report.

Dodson: Thank you, Madam Chair. I appreciate it very much. That little tidbit gave me time to clean up the area. So, thank you. All right. As stated, the next item on the agenda is Jocelyn Park Subdivision. The project before you is located at a site that consists of

12.675 areas of land, zoned R-8, and is located at the south side of West Victory Road, approximately a quarter mile west of South Meridian Road. The subject property --

Holland: Sorry to interrupt. Do you have some slide to show, too, that can show the maps and stuff while you are talking?

Dodson: That would be very smart of me. Yes. Let me see here. Presentation. Maybe -- I will get there eventually. There we go. Thank you, Madam Chair. A brief history on the subject property. It was annexed in 2013 as part of a larger area known as Victory South. There is an existing development agreement associated with this annexation and property, but the requested application and recorded DA do not require modification, as the proposed development is consistent with those provisions contained in the existing DA. In addition, a preliminary plat was approved for this property in 2018 for the same title plat named, Jocelyn Park. The existing plat is set to expire in December of 2020. This December. The current developer is a new owner and wishes to obtain approval of a new plat with higher density, more in line with the dimensional standards of the existing R-8 zoning district. The proposed development is located in an area of the city where low and medium density residential developments are existing and anticipated, as you can see on these screens with the zoning in the center of the screen. The subject site is surrounded by existing City of Meridian zoning and development, except for a small parcel that abuts its northeastern property that is zoned RUT. Therefore, this project is an in-fill development per the definitions of city code. The proposed development has a gross density of 5.1 acres.

Holland: Hey, Joe, for some reason the sound quality is kind of going in and out a little bit. If you can be closer to the microphone that might help.

Dodson: Yeah. I will get closer to the microphone. Is that better?

Holland: Yeah. Thank you.

Dodson: Okay. Thank you. The proposed development has a gross density of 5.1 dwelling units per acre, meeting the density requirements for the future land use -- land use designation of medium density residential. In addition, the existing R-8 zoning allows for detached single family residences with average -- well, with minimum lot sizes above 4,000 square feet. The proposed development meets these requirements. This development is proposed as one phase with an average lot size of 4,455 square feet. Staff finds the proposed use and density to meet the intent of the future land use designation and the zoning district. One quick note regarding this plat. There is a very tiny sliver north of the central open space -- if you can see my pointer on here, it is right abutting that property zoned RUT. This applicant is going to deed or convey that parcel -- that piece of the parcel over to the adjacent owner, because there is a shed that crosses the property line, so it will be a cleaner transit -- you know, transmittal of this land. Access for this development is proposed to be an extension of stub streets from adjacent subdivisions. The stub street located in the southeast corner of the site, West Winnipeg Street, is an existing stub from Meridian Heights Subdivision to the east. The proposed

connection is located in the northwest corner of the site, but is not yet constructed. This connection is to be constructed with phase two of the Timberline Subdivision, which has received final plat approval, but has not yet received city engineer's signature. These two local streets will -- will supply the access points for this development. In addition, the applicant is proposing to stub a street to the property located to the northeast of this site for future connectivity. On the stub street the applicant is proposing a temporary hammerhead type turnaround to ensure safe fire turnaround. In discussion with ACHD, the hammerhead type design will not meet the requirements and, therefore, the applicant will have to construct a temporary turn that meets ACHD and Meridian Fire requirements. On-street parking is to be required and 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. In addition, the applicant is proposing 33 foot street sections within 47 feet of right of way, which would allow on-street parking where there are no driveways. A minimum of ten percent qualified open space meeting the standards listed in the UDC is required. Based on the proposed plat of 12.9 acres, a minimum of 1.3 acres of qualified common open space should be provided. According to the open space exhibit, the applicant is proposing a total of 3.65 acres of open space. The exhibit shows three distinct areas of open space. One area in the south that contains the existing pond that is to remain, one along the entire northern boundary of the subject site and along -- that abuts the Ridenbaugh Canal. And one centralized area. The large open space lot containing the pond abuts the open space area in the Timberline Subdivision currently under construction and abuts open space in the adjacent subdivision to the south Biltmore Estates. In addition, there is a micro pathway connection to the west shown on the open space exhibit that also connects to the Timberline Subdivision near the southwest corner. The submitted open space exhibit shows all of this area as qualifying, but, in fact, it is not. The existing pond and the open space lot that it is on -- unfortunately, the pond is more than 25 percent of the lot in which it resides and, therefore, the entire lot is not qualifying open space per the standards in our code. The other area of open space that is listed as qualified, but is not, is the end cap lot located at the south end of the property and directly north of the open space lot on the -- that contains the pond. This area meets neither the 50 by 100 dimensions, nor the minimum 5,000 square foot dimension. After removing the end cap lot and the lot containing the pond from the open space calculations, there is 2.46 acres of area that is qualifying open space. This area is still vastly more than the required amount of 1.3 acres. One area of concern for staff within the open space is that area directly north of Lots 35 to 37, Block 3, which is the lots located at the end of South Garibaldi Street as proposed on the plat, which is the cul-de-sac shown on the east side of the property. The applicant is proposing to leave an area of open space between the rear yards of these homes and the irrigation district access road. The access road must be fenced off from this development, which leaves a thin area behind homes with the only true visibility coming from the open vision fencing of these three homes rear fence. This area leads to nowhere and does not appear to offer any usable benefit for the development if left as is. Even with the required open vision fencing along the rear of these lots, staff is concerned this area, obviously, will be -- will be neglected due to the slope of the terrain and its location. Therefore, staff is recommending that this area be added to the adjacent buildable lots, Lots 35 through 37, Block 3, instead of remaining open space. There are no multi-use pathways proposed or required with this

development. There is an existing multi-use pathway on the north side of Victory Road directly north of this subject site. The applicant is proposing micro pathways in multiple locations within the development to add pedestrian and bicycle connections throughout. These pathways -- apologize. These pathways connect the central open space area with the five feet attached sidewalks located along the local streets throughout the development. The applicant is also proposing a micro pathway connection on the west side of the project to connect with a pathway and open space connection in Timberline No. 1 as noted earlier. In addition, it is proposed within the large open space lot abutting the Ridenbaugh Canal. Staff supports the addition of these micropathways throughout the development, but has some concerns regarding their placement. First, staff believes the micro path connection from the central open space lot to the street on the west half of the property should be relocated two lots further north, between Lots 10 and 11, Block 3, to help with potential visibility issues and crime prevention. Second, staff has concerns over how the pathway within the large open space lot along the Ridenbaugh Canal is depicted on the submitted plans and where it is shown to connect to the Timberline Subdivision to the west. The lot in Timberline that directly abuts the subject site in the northwest corner is a buildable lot and will have a privacy fence on the shared property boundary. Therefore, the proposed layout of the pathway shown would likely never become a reality and that is this section up in this northwest corner. The only other pedestrian access out to Victory Road from this site would be via the irrigation district access road, but this is not supported by staff, nor the irrigation district. This -- this access road should be fenced off from this open space lot to ensure a safer open space area along the canal. Because of these issues staff proposes at the -- that the proposed pathway be completely out of the irrigation district easement and looped around this northern open space lot for a walking path around the perimeter of this open space lot and connect back to the proposed sidewalks along West Cumberland Drive, which is the east-west street in the north of the property. Based on the area of the proposed plat, a minimum of one qualified site amenity is required to be provided. The applicant is proposing four qualified amenities to satisfy these requirements. One, a child's play structure. Two, a shaded picnic area. Three, walking paths. And, four, an additional 20,000 square feet of qualified open space. The Ridenbaugh Canal runs through the northern portion of the subject site and, essentially, makes up the required landscape buffer along Victory in its area and location. Per the UDC this waterway is required to be tiled. However, the applicant wishes to keep the canal open and act as a buffer between Victory Road, an arterial street, and the common open space lot proposed south of the canal. Staff supports this proposition by the applicant. The applicant is requesting a Council waiver to keep the canal open. The location of this canal on this site also brings up issues with the required frontage improvements along Victory Road. ACHD has conditioned the applicant, via their draft staff report, to construct detached sidewalk along Victory no closer than 31 feet from centerline of the road. The applicant has concerns about the viability of this requirement. Staff recommended that following at the P&Z hearing. That the applicant and ACHD continue working together to determine the most viable location of a sidewalk along the south side of Victory Road. This is not a condition within the staff report, but staff believes working this issue out before the City Council hearing is the best avenue forward. After all of this, staff does recommend approval of the subject preliminary plat application and I will stand for questions. Thank you.



Holland: Thank you, Joe. Any questions for staff?

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Joe, is that -- does that cul-de-sac -- it looks kind of long. Is that within code? I can't see the name of the street, but --

Dodson: Commissioner Cassinelli, yes, sir, we did check that and it -- it does meet code. It's close, as you can tell, but it does mean code.

Cassinelli: Okay.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just a question on the canal there. Would there be no fence or anything right up to it? Or is there a fence already supplied by the irrigation district?

Dodson: Commissioner Seal, thank you. Great question. Their landscape plan shows this fence on the north side of the access road. In my staff report I noted that that -- that should be moved to the south side of the access road in order to keep the irrigation district access roads and -- and their easement completely separate from the open space that is proposed on the north of this property. So, they should -- and are required by code to provide a fence.

Seal: Okay. Thank you.

Dodson: You are welcome.

Holland: And, Joe, just to confirm again, it sounds like one of the biggest challenges is about the sidewalk because of the placement of the -- where the canal sits and the ability to have a buffer and the sidewalk there. If the staff feels confident that they can work out some sort of agreement ahead of Council on those items, was there anything else you want, just be specific on deliberating with that.

Dodson: Madam Chair, thank you. Yes, as you can see -- oh, well, I didn't make this. I took this from the applicant. So, sorry, Bonnie, but it -- it is a very good representation of the Ridenbaugh Canal and what ACHD is proposing. As you can see here in red, this is -- where, generally, the sidewalk would be as proposed or as conditioned by ACHD. The dashed light blue line is the current toe, so the very edge of the slope of the elevated Ridenbaugh Canal. So, if this were to be built as conditioned by ACHD they would be cutting into that slope and I -- from my understanding this has not been signed off by the irrigation district and I presume that there would be some engineering issues. So, again,

I'm not an engineer, but that type of a situation should be handled very carefully. So, between now and Council I think that this can be worked out. I have been in contact with ACHD all day and they -- they, too, agree that this could be worked out fairly easily and quickly and there would be no need to continue the project from tonight, other than with your recommendation of approval or denial.

Holland: Joe, just one more question. Is there sidewalk already if this thing were on the east and the west boundaries of this section?

Dodson: Madam Chair, there will be on the west boundary due to the Timberline No. 2, but to the east there is not. The canal continues and it curves along and there is not much room at all between the edge of right of way and the canal and a note for everybody, on the north side of West Victory is a multi-use pathway directly north of this site.

Holland: Great. Thanks, Joe. Any other questions for staff or are we ready for the applicant to come speak to us? Clerk, that's time for the applicant.

Layton: Good evening, Chairperson Holland and Members of the Commission. Can you hear me?

Holland: We can hear you. Thanks, Bonnie. And if you would just give your name and address for the record, we would appreciate it.

Layton: Yeah. For sure. I am Bonnie Layton. I'm with WH Pacific, 690 South Industry Way, Suite 10, Meridian, Idaho. 83642. And I appreciate your time this evening to consider this project and really want to thank staff for all of their hard work and really working through the issues with us. So, I think this will be a great project for the city and, you know, I don't really have too many in communication with ACHD. I think that the -- the shot that's on the screen right now is kind of the biggest thing that we just want to work through and I think we are confident that we can come up with a solution. If we want to -- Joseph, do you have that other slide that I had sent over that shows the pictures of the existing condition? So, I guess generally speaking I mean I don't want to take up a bunch of time, but, you know, as you mentioned we are proposing in our development, you know, some -- a little bit higher density, open space. We redid the calculations to make sure that we were in compliance. The neighborhood meeting that we had -- basically the questions were about the development and the fencing and how that all worked out. I thought it was a fairly standard neighborhood meeting. The -- the slide that you are seeing right now in terms of where the fencing is for the canal and how that transition -- do I have control of the screen or am I able to flip through something or can I share my screen to talk about a couple of things?

Holland: I will ask Chris or Adrienne if they can help with that.

Weatherly: Yes, Bonnie, you can share your screen. Give us just a second.

Layton: Okay. I see a green -- I see a green share screen.

Weatherly: Go ahead and click that and, then, choose your presentation and you should be good to go.

Layton: Okay. Perfect. Start with this one. So, this is my -- just kind of built this in PowerPoint, so Joseph has shown you this and really what we were looking at is just the -- the frontage improvements. I went out the other day -- are you able to see my screen, everyone?

Holland: Yeah. We can see it. Thanks, Bonnie.

Layton: Okay. Thanks. Thanks, Lisa. So, just looking at the existing conditions -- conditions -- and, like I said, I think we can work this out with ACHD the way the canal comes and -- so, I took a slide from the Timberline Subdivision, just kind of looking east and that's the center in the picture -- the picture in the center here where there is the canal and there is actually quite a bit of elevation when you -- when you drive down and around the site and so the -- the photos here on the left -- like this photo, for example, is just looking east and, then, a more zoomed in photo of that and really where that sidewalk would be is behind the power pole, just for a frame of reference. So, we get quite a bit of slope up there and I don't know if any of you folks have been out there, but this picture down here in the bottom that I have got my cursor on, I'm standing across the street and the top of the -- the canal road is above the height of the sign that's posted for -- for the project and, then, also just looking -- this is another picture in the corner. So, if I'm standing right here looking west -- and that's this picture here. So, there is actually -- there is quite a bit of topography there. It's a fairly busy -- fairly busy road as you know and --

Weatherly: Bonnie, if you are speaking we can't hear you. Bonnie, it seems like we have lost your audio.

Seal: Madam Chair, are you able to hear Bonnie at this point or have we all lost her?

Layton: -- and so our concern was -- you bring pedestrians along this sidewalk and -- and this is all what -- what I have shown is what has been -- what ACHD has conditioned. And so we -- so, we bring that sidewalk in along here and, then, you stop them here and, then, they are penned in and at the same time this area as you are -- as you are heading from the east to the west, it's dropping down and so --

Dodson: Hey, Bonnie?

Layton: -- you know -- yes.

Dodson: It's Joe. Just to let you know, we missed like the last 30 seconds of what you said. Apologize for that. It cut out and I think we lost --

Layton: Okay. So, Joe, I will just reiterate. So, there is quite a bit of fall, actually. So, the crossing that happens kind of to the west -- or the entrance into Timberline, which is

where we take access off of from Victory, you know, is a good line and, then, you drop pretty drastically through our site and you are kind of penned in on this corner and bringing a sidewalk through here, you know, we are -- we are just concerned about that from -- once people get here there is not a sidewalk, so, then, are they jumping up on this -- this bank. Like I said, there is a headgate here. Or are they crossing the street here with traffic coming. So, those are some of our concerns. Of course, also with this light bluish green line -- dashed line here that's the toe of the slope of the elevated canal and so, obviously, the structural integrity of that. I did speak briefly with Gary Curtis with the irrigation district and, of course, they -- you know, they have concerns about that, too. But I think those are things that we can work through, generally speaking. I'm going to stop sharing my screen and see -- Joseph, am I able to -- are we able to scroll back to any of your slides or how should we do that? Apologize, everyone, for --

Holland: That's all right.

Layton: I actually had another public hearing this week, but it was -- it was in person, although most people were not an attendance, but -- yeah. So, you know, generally speaking we will work with ACHD and I think we can -- we can resolve that issue. Obviously, we want to provide an improved frontage and -- and also pedestrian safety. I think that's first and foremost. In terms of some of the staff comments, you know, some of the -- some of this area is going to develop potentially in the future. How that develops and this open space back behind here, you know, that's -- that's something that I think -- oh, thank you. So -- so, we have got that path for future connection. Let's see. But if that's something that -- you know, if we can't work that out with the irrigation district or staff feels strongly about, I think we are still grossly over the amount of open space that -- that we need to have. I really think that was it. In -- in my mind we have -- I think we have got a great development with a lot more open space than that's qualified. I think the pond will be an amenity. I like, you know, the connection that we have tried to coordinate with the adjacent property on the eastern boundary, our intent is to construct a new fence along that line. That was one of the comments that was brought up by the neighbors in the neighborhood meeting and so we would go back along the eastern boundary. So, with that I don't think -- I can't think of anything I'm needing to address other than that, so I will stand for any questions at this time.

Holland: So, one question about the fencing. I know Joe had mentioned as a condition that they were trying to remove some of the fencing that was around the pond. That -- Joe, was that a different piece than the eastern boundary? Is that -- are you talking about the western boundary? Can you clarify for us?

Dodson: Madam Chair -- yeah. Madam Chair, that's a great question. I'm referring to the western boundary by the pond lot right here. I had proposed that they remove the fencing. Just to keep this area open. I can understand if the applicant does not want to have it all the way open, but some opening and availability for residents to come in is highly recommended and recommended by code to have open space contiguous and accessible between subdivisions.

Holland: Thanks for clarifying, Joe. Bonnie, are you okay with the other conditions that staff had made on the open space, moving the pedestrian pathway up on the northern open space lot and also removing the open space that was behind those three cul-de-sac lots there?

Layton: Yeah. So, let's -- let's talk about the first one up here in the -- in the northern -- so, Joseph, as you were talking about -- and we have got -- I see what you mean where there is the label -- am I able to -- can you see my cursor moving? Or is that not possible? So, I --

Holland: No, I don't think we can, because it's now being shared by city.

Layton: Okay. So, Joseph, up in that northwest corner what you are talking about is where that -- where our path is shown, you are saying that that's not going to connect now there, that's -- that's a residential lot. Is it -- did I catch you right on that?

Dodson: Yes. That is correct, Bonnie. Yeah. That's a buildable lot, so it's just going to go into a fence.

Layton: Okay. So, yeah, I -- I don't see the issue in looping that down. I guess there is no fence between us and Timberline -- or wait. Hold on. Let me see if -- that piece was mislabeled, actually. That's not supposed to be a pathway, that's -- that's actually the canal road or the ditch road. There is a road there. So, that's not actually part of our pathway, that's outside of -- let me see.

Holland: Are you talking about that whole stretch that's up in the north? None of that's supposed to be pathway?

Layton: Yeah. So, that -- if we look at -- Joseph, can you scroll to the plat? Oh, well, this shows it, too. So, there is a -- there is a fence there and, then, there is -- right. Right there. So, that's actually the area -- that's part of the irrigation access. Can you scroll to -- I don't know if it's forward or back, Joseph. So, in -- in that plat exhibit you can see where the fence line is. Oh, there you go. I think you can see that. You can also see it in that exhibit I sent you today. That one's probably more clearly marked. So, you can see where those X's are, that's where -- that's where the fence line is and that -- that exhibit was labeled wrong. That's the canal road.

Holland: Would you be willing to do a pathway that would kind of loop around that open space?

Layton: Good question. So, we have got the sidewalk along there and along this southern boundary. I guess we could look at what other amenities that we could put into that public -- or that open space and that park. I mean I think we are -- we are over on that, but we could -- I could look at that and, you know, see what we could do there. I don't want it to be too -- too redundant with some of the connectivity that we already have.

Holland: I think when staff saw that I think they were recommending putting a loop there. I'm not sure if they were referring to the -- the canal road there, too, but, yeah, this -- this clearly shows that's a canal road, not a pathway, but it was confusing on the other open space exhibit. So, I think you would definitely want to change out your open space exhibit before it goes to Council a little bit.

Layton: Yeah. Thank you, Lisa. We will definitely do that and make sure that that's updated. You know, I think with the amenities that we have on the north end and given the existing conditions with, you know, looking what the irrigation is going to want, they are not going to want people all over their -- all over their canal road and, you know, obviously, nobody wants to fish a kid out of the canal; right?

Holland: Right.

Layton: So, I -- you know, I think we have done a good job of providing some internal connectivity and, then, also, of course, getting access through Timberline. You know, we don't have any direct access out to Victory. So, you know, as a -- as a resident in the area, you know, I'm a walker myself, so just looking at how somebody could loop through their subdivision, feel safe and enjoy some of the open space in the natural amenities, but we will definitely update that open space exhibit for sure.

Holland: Thank you. Appreciate it.

Layton: Yeah.

Holland: And, then, the other question is about the -- kind of star area that's next to the cul-de-sac there. I know staff was recommending that -- some of those lots up, so that way we didn't have kind of a small strip that didn't really lead to a connecting pathway somewhere else. More for safety than anything else.

Layton: Right. I mean right now, you know, we are -- as Joseph mentioned, we are deeding some of that over, because of some existing encroachments and just trying to -- trying to clean that up, but potentially in the future as that property develops, you know, just looking at what's that opportunity. You know, to me that looks like a great space for kind of like a dog run, like a -- you know, nice narrow space where you can throw a ball and run your dog back and forth. I mean we are not -- you know, I guess having that open space back behind those lots, it's nice to have that open space, but we are not completely married -- I mean --

Holland: One thought, too, just maybe a variation and, then, I can open it up for other Commissioners to ask questions. I'm dominating the time here. Sorry about that. I'm -- I'm almost wondering -- there is so many lots on that cul-de-sac and I know it always gets tough when you have got so many lots on the turnaround, because people tend to overpark on those cul-de-sacs, there is -- trash day can become complicated. Would you be willing to consider removing one of the lots off the cul-de-sac and just kind of reconfiguring it a way that that open space is shaped, so it's less of a star, but more of a

-- kind of square usable area and, then, having those other two lots that touch that halfway as proposed, kind of go up and close off there.

Layton: Well, nobody likes to lose lots, but -- sorry. Actually, if I had my druthers what I would do is I would shift that -- that connecting path and make it run more north-south at the end of the terminus of that cul-de-sac, just as a visual compliment, you know, and that's what I would do. I think those lots are quite large, so there will be an opportunity to park more -- to park vehicles there. They are, obviously, larger than -- than the rest of the lots in that area. So, yeah, I would like to not lose that lot. I think maybe we could design it in a way where we shift that connection. So, with access from where it is now in the cul-de-sac up to the rest, I would put it more north-south and, then, you can kind of make a -- kind of a statement of it, if that makes sense. And I have seen that done in a number of communities and I think that's a great -- a great alternative, because it's -- I think it works well in -- in the examples that I have seen in other places. So, that's -- that's how I would handle that.

Holland: Okay. Other Commissioners have any questions for Bonnie? Hearing none, Bonnie --

Dodson: Madam Chair?

Holland: Oh, no, we have got one. Okay. Go ahead, Commissioner Seal.

Dodson: No. It was Joe.

Holland: Sorry, Joe. Go ahead.

Dodson: We get confused with each other quite often during these commission meetings. Just to be clear, my main concern regarding this open space behind Lots 35 to 37 is more so that area between 36 and 37, because it kind of gets pinched down there, just thinking on the fly here, but if the applicant were to be amenable to rotating those lots to the west and having the pathway loop around and the lot that is currently Lot 37, maybe losing Lot 37 and rotating the other two over, that would be, you know, possibly ideal to kind of open up that whole area and have a pathway that loops around. Just a potential option there.

Holland: Thanks, Joe. I appreciate the suggestion.

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Is that -- where that portion of that open space terminates there on the -- on the eastern boundary that -- thank you, Joe. Joe is concerned about. Is that -- right to the east of that is that a developed lot? What is that? Over there just to the right -- there you go. Right there.

Dodson: Commissioner Cassinelli, yes, sir, that's a developed lot. It's actually -- it's just a fence. It's a backyard. The access road kind of -- as you can see curves north a little bit and goes right around it and this area right here continues the irrigation district access road, because, then, this is a lot, a backyard.

Cassinelli So, that -- yeah. So, that little green space there would -- would just terminate at somebody's backyard?

Dodson: That is correct, sir. Yes.

Cassinelli: Okay.

Holland: Yeah. I think I would like to see at least Lots 35 and 36 rotate and have -- instead of that pathway kind of end at the canal road, having that access from the cul-de-sac go through between those lots and stubs. So, we just have a loop into that common space instead. I think that would help. Other questions? Are we ready to open up for public testimony and, then, come back?

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: I don't know if there was anything else, but I just want to ask the applicant if there -- there is -- I know these were the pathways and stuff was a lot of the conditions, but are they -- they are good with all the other -- and off the top of my head if there is other conditions in there, but I just want to see if they are acceptable of all the other conditions.

Layton: Yes, Commissioner Cassinelli, we are acceptable with all the other conditions and to your point about kind of rotating those lots and looping that through and splitting -- splitting that access point maybe farther to the east on that cul-de-sac, I think that's a -- that would be a great suggestion. Just to kind of loop that through. I think that connects in well and, then, also doesn't limit the potential for future -- future access somehow, you know, to an adjacent parcel that might be developed or something, so -- does that answer your question?

Cassinelli: Yes. Thank you.

Layton: Fantastic. Thank you.

Holland: Madam Clerk, do we have anyone signed up to testify on this tonight?

Weatherly: Madam Chair, we had two people signed in, but neither wish to testify.

Holland: Okay. I will ask if there is anyone in the audience that would like to testify or anyone on Zoom, if you would raise your hand. We will wait just a second and see if



there is anyone that -- that indicates interest. Hearing none, Bonnie, any closing thoughts you would like to make?

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: Thank you. Before -- I'm sorry, Bonnie, but I just had a quick question. So, when -- when you purchased this -- this -- this development there were -- there was approved for 23 a lots and now you are going to 67. I'm looking at the lots along the eastern side where you are having 12 -- it looks like 12 lots going up against an R-4. I'm a little concerned about the heavy -- heavy density there, going up against those lots that -- I just wonder if maybe we can better transition to those who -- what's going in behind there -- 11, 12 along that border.

Holland: Commissioner Pitzer, one -- one comment to make is that the -- it's a different owner now and they have decided to come back with a new plat. So, the old plat is not -- not by the same owner and so they are -- they are trying to get a new approval and they are zoned already R-8 there. They are within code for the R-8.

Pitzer: I realize that. Thank you. Thank you, Madam Chair. I'm just -- I'm just saying that I'm looking at what's going to transition on that east side and I'm just concerned that there is -- you know, they have the bigger lots at the end of the cul-de-sac and I think just for transitioning purposes to say maybe make those just a hair bigger would transition better for the subdivision to the other side.

Holland: Yeah. I think that's a great question, Commissioner Pitzer. Bonnie, I will let you answer that if you would like.

Layton: Sure. Thank you, Commissioners. Commissioner Pitzer. So, what we really tried to do in that, as Ms. Holland mentioned, that we are -- this is zoned for an R-8, so there is that -- there is a difference from the previous application to this application. What we really tried to do is to do a one to a one and a half difference. The other thing that our client is doing here is constructing a brand new fence line -- solid fence line all of the same material, so it's not hodgepodge along our eastern boundary, which, of course, the properties to the west -- or to the east, pardon me, will have the benefit of and so, you know, as -- we have tried to be really conscious of that and do a good job of how do we make that transition and be mindful of the residents and when we had the neighborhood meeting we talked about this and came up -- and walked through that issue with the neighbors and talking about, you know, we are going to provide this continuous fence. The -- the -- the buyer of the property that's going to develop the homes, it's going to be more patio style homes, which is something that's consistent with not only zoning, but also with the comp plan for providing a variety of homes in the area and so we -- we feel like this is a good transition oftentimes as patio homes are really single -- single story, where -- where those other homes to the west -- or to the east are also six feet above our site, so there is a pretty big grade difference in there. So, it's hard to see on this image

per se, but there is going to be not only typography difference, but, then, we really tried to make sure that we -- we were mindful when we laid out the lots that they complied with the zone, but they also respected what was happening to the east.

Pitzer: Thank you. Madam Chair, follow up.

Holland: Go ahead, Commissioner Pitzer.

Pitzer: So, are these patio homes -- is the HOA going to be -- or are there going to be HOA dues that take care of their yards or -- when you -- or is each homeowner going to be taking care of their own landscaping?

Layton: Commissioner Pitzer, so I -- I have done a number of different projects. I'm -- I'm not sure on that. I -- actually, I have a degree in architecture and started out my career in residential architecture, so there is a number of different ways to make that happen. I think the concern from the neighbors was what is that going to feel and look like of this development in comparison to theirs and so looking at that patio style home and what that architect sort of looks like, we felt like the mapping and the layout of those and how those are going to live for the residents and based on -- you know, being consistent again with the comp plan and the zoning, you know, providing -- providing something that's -- that's consistent with -- with the comp plan. So, I -- to answer your question, I'm not sure how that will be. I think there is a number of different ways to make that happen.

Pitzer: Thank you.

Holland: Any final questions? Bonnie, any closing thoughts you would like to make?

Layton: Just, again, I want to thank the staff for all of their hard work on this and, you know, I think it's going to be a great project for the community, so -- and I appreciate your -- all of your time this evening for sure.

Holland: Thanks, Bonnie. With that can I get a motion to close the public hearing and move to deliberation for -- now I lost the file number. H-2020-0067 for Jocelyn Park.

Seal: So moved.

Cassinelli: So moved.

McCarvel: Second.

Holland: Motion by Commissioner Cassinelli. Second by Commissioner McCarvel. All those in favor?

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: Okay. The floor is open to us, so I will start, since I have got the floor, and I think a couple of my comments -- so, I -- rather than the condition that was in the staff report, which is Section 8-A-1A, where it says revise the plat to include the area behind Lots 35 and 37, Block 3, as part of building lots, instead of common open space, I would prefer to see those three lots rotated and to have the pathways come through the cul-de-sac on the eastern boundary and loop through that common area, instead, to make a -- a more walkable amenity. That would be one thing I would like to say as a condition. I wouldn't mind seeing one of the lots disappear, but I don't know that I necessarily need to condition that on the cul-de-sac, but I would be open to other Commissioners thoughts on that and I'm trying to remember if there was something actually in the -- Joe, was there something in there about the pathway on the northern open space lot about looping that in?

Dodson: Madam Chair --

Holland: That's not a pathway, but it's actually the canal road?

Dodson: Madam Chair, yes, that is correct. I did have that in there, because it was labeled as a pathway and I thought that they were trying to build a separate pathway. Now that I know that they are not, I'm not necessarily going to fight for them to put a looped pathway through there, since there is the sidewalk along the road and the -- you know, the open space lot isn't a mile deep, so that is up to Commission if they want to strike that condition altogether and require that they provide an -- a revised open space exhibit that correctly labels that.

Holland: Do you, by chance, know what that condition number is, Joe, off the top of your head?

Dodson: Madam Chair, no, I do not. I apologize.

Holland: Okay. I will keep looking in here. Overall I think the -- the development itself, I think it fits well as an in-fill project. I appreciate that they have done as much open space as they have, because they have gone above and beyond what's required and so I do appreciate that, even though they are a little bit smaller lots and I always like seeing a little more space between them, so that they can match up fence lines. I think they have -- they have done a fairly good job with this concept plan here. I would open up for anyone else that would like to discuss, though.

Seal: Madam Chair?

Cassinelli: Madam Chair?

Holland: We will go with Commissioner Seal first.

Seal: Just a couple of observations on it. There is -- as far as the amenities piece of it, it looks like the -- the north end there is getting the -- the tot lot and things like that, but

around the pond it would be nice to see something -- you know, maybe a gazebo or some -- you know, I don't know what the elevations there are, but something where people could sit and enjoy the -- you know, the pond and that area there. It would be nice to see something along those lines. Then the -- the common area that's in the middle, to me that's -- I don't like that common area really at all, so -- mainly because the entire thing is behind houses and it's going to be fenced off from the neighbors there. So, you are kind of creating an area where it doesn't have a lot of visibility, so that one's a tough one. So, I mean if something was going on and let's say the sheriff needed to get in there, they have got to go find that area back there. So, I just -- I just don't have a good feeling about that. I know some of its going to be restructured as far as where the pathways are going to go through and -- I mean as far as a little common area for a family to enjoy, it's -- it's nice, but it just seems like it's closed off from the rest of the world to me.

Holland: But I think that's -- that might be why they made the condition to move the pathway up two blocks on that western road as well. So, that way it -- it opens up more visibility there.

Seal: Right. But it's still -- I mean it's -- it's definitely closed -- to me it seems like it's closed off, so -- but, you know, like I said, there is no -- there is just not a lot of visibility back there. So, that's a concern to me. Nothing that, you know, would make me not support the project. The rest of it's pretty nice and I mean that area is kind of -- it's a strange area out there, because there are so many elevation changes and it is kind of strange as it goes through and everything. So, I mean trying to design something that would fit into this area had to have some challenges for sure. So, to me it looks like they did a pretty good job with it. Again, the only concern I have is just that -- that open area just seems like it's really confined and not a lot of visibility.

Dodson: Madam Chair?

Holland: I would -- I would agree with you on that and I think that's part of the reason I was thinking maybe one of those cul-de-sac lots could go away, too, which will open up more visibility to it. Commissioner Cassinelli, go ahead. Oh, I'm sorry, that was Joe talking.

Cassinelli: Yeah.

Dodson: Yes, ma'am. Yeah. I just wanted to -- Madam Chair, just wanted to clarify that condition that you were requesting about the pathway is condition number four.

Holland: Thank you, Joe.

Dodson: Yeah. And, then, just to quickly speak to what Commissioner Seal said, the code dictates that abutting common open space lots, that the fencing will be open vision, so, they won't be completely closed off, but I -- I understand your sentiment there.

Holland: Thanks for that clarification. Mr. Cassinelli, I know you wanted to go next.

Cassinelli: Yeah. I -- I would like to -- I'm going to kind of echo some of the comments you made, moving of those lots. I would like to see us at least recommend a loop pathway up north. I don't think we -- I'm fine with -- with removing that condition, obviously, but if we could -- I would I'd like to recommend it, because I think it would be a nice fit. I also, then, would echo Commissioner Seal to have something on the south by the pond. I'm not -- I can -- I get the issue with the -- with that open space that's confined, but I think throughout the city there is a lot of those types of things in different subdivisions. I have got a couple in my surrounding neighborhoods. When I go on walks and whatnot there is -- there is places like that where you can only get to a big open field through a pathway through two lots kind of a thing. So, similar -- I have seen it quite a few places. Other than that I like the idea of the patio homes. I think if they -- you know, they are going to -- it sounds like they are going to work with the neighbors there -- already are to the east getting the fencing, so all in all I'm -- I'm in support of this. In-fill is always tough, but I think this angle works, just tweak a couple of those things.

McCarvel: Madam Chair?

Holland: Commissioner McCarvel.

McCarvel: Yeah. I agree. I mean those always have to make -- it would make that -- I mean that open space back there is not ideal, but I think just rotating those three lots would go a long ways to making it better and having a pathway come back out to that cul-de-sac. So, yeah, overall, I -- I would be in support of it. It's a tough -- tough space.

Holland: Okay. Commissioner Pitzer, any comments?

Pitzer: Yes. Thank you, Madam Chair. My screen is getting all messed up over here on my phone, so I apologize. I'm going to echo Commissioner Seal's concerns about it being so cut off, but rather than lose a lot in the cul-de-sac, we lose a lot just to the north of where that cut through is. I think that would open that up. I appreciate the applicant working with the neighbors to the east. I was concerned about that density, but it sounds like with the elevation change that they have done a good job of mitigating that. So, I don't -- I don't see an issue with that. I think that some seating or something around the pond -- I think would be -- I know they said they are going to beautify that pond, which is great. Nobody wants a -- everybody would like a beautiful pond, but maybe adding some seating around it. But I think that's my own -- I think my biggest concern is that star shaped open space there, may be a fatal -- like I said, may be if they turned one of those smaller lots instead of taking one of the larger lots it might accomplish the same thing and wouldn't be as painful. Those are my thoughts.

Holland: Thanks, Commissioner Pitzer. Just to recap, you have the numbers. It's condition 1-A and 3-B on that -- those lots that go back behind the cul-de-sac. So, we would need to modify that. It sounds like everybody was in agreement with at least rotating those three lots to have some sort of pathway loop that would go around there. We could make the recommendation to lose a lot somewhere to give more visibility to the complex. I don't know that I want to specify necessarily where that would be, but maybe

that's just a consideration that we would ask them to come back to Council with more visibility into that open space somehow and give them some discretion to be able to figure out how to do that and, then, item four was the other one we need to modify, which is the requirement of looping that pathway up on the northern open space, so just for whoever wants to make a motion at some point, those are the item numbers within the staff report that we want to make sure we pay attention to.

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Are we ready for a motion?

Holland: Always open to entertain a motion.

Cassinelli: If nobody else -- if there is no other comments, I will go ahead and throw something out here. After considering all staff -- I didn't give anybody a second to jump in. But after considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2020-0067 as presented in the staff report for the hearing date of August 6th, 2020, with the following modifications: Conditions 1-A and 3-B look to move those lots -- shift them to the west and bring that open space connection more towards the east and add a recommendation in there to perhaps look at -- at losing a lot to even further open up that open space to get a little bit more visibility in there. Striking condition number four for that looped pathway to the north, since that is actually the -- the canal roadway. But make a recommendation to add a looped pathway in there. And, then, three, recommend another amenity down by the pond, a seating area, benches, gazebo, something of that nature, just to get a little bit more gathering space down there.

Seal: Second.

Holland: Okay. We have a motion. Anyone want to second?

Pitzer: Second.

Holland: Okay. We have a motion by Commissioner Cassinelli and a second by Commissioner Pitzer. Any discussion? All in favor. Any opposed? Hearing none, motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**9. Public Hearing for TM Center (H-2020-0074) by SCS Brighton, et al.,  
Located East of S. Ten Mile Rd. and South of W. Franklin Rd.**

- A. Request: A Preliminary Plat consisting of 83 buildable lots and 2 common lots on 132.42 acres of land in the R-40, TN-C, C-C and C-G zoning districts.

Holland: And we will move on to the -- Item 9, just to open again for the continuance and that is public hearing for TM Center, H-2020-0074, by Brighton and the applicant request continuance in order to be able to meet with staff to discuss other staff requirements for -- pertaining to street and pathway requirements in relation to what's been designed, approved, and constructed in the site in previous phases. If staff has any other comments they are certainly welcome to make those if they would like. I don't believe we need to hear from the applicant. I'm okay continuing this to September 3rd. Staff, are there any other comments that you would like to make on that?

Parsons: Madam Chair, you summarized everything very well. Thank you. Nothing to add.

Holland: Thanks, Bill. With that can I get a motion to continue the public hearing for TM Center, H-2020-0074, to the hearing date of September 3rd?

Seal: So moved.

McCarvel: Second.

Holland: Motion by Commissioner Seal, second by Commissioner McCarvel. All those in favor? Any opposed? Motion passes.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Holland: And, then, before we do our final motion I know Bill would like to talk to us a little bit about some changes happening at City Hall and our October meeting date and potentially discuss an alternate date for October. So, Bill, I will give you the floor before we make that final motion.

Parsons: Thank you, Madam Chair, Members of the Commission. Before we adjourn for this evening I just wanted to let you know we -- as you are aware, we are experiencing some technical difficulties in the Council Chambers, so I anticipate the city is going to do some upgrades in our Council Chambers and we are anticipating targeting the last week of September, first week of October, and so that's going to cut into our October 1st hearing date and so more than likely we are going to have to cancel that hearing and I wanted to at least ask the Commission if they had an appetite to have a special hearing, either -- looking probably October -- the third hearing in October would be the 15th, which shouldn't affect us, but either looking to have a special meeting on the 22nd or the 29th. So, I just want to open that up with all of you to discuss which date would be your preference for a special hearing in October. I know staff's preference would be the 22nd. But, again, I don't know what your schedules are.

Seal: I know I would not be able to attend on the 29th.

McCarvel: Either is fine with me.

Holland: I will technically be out on maternity leave at that time, but if it's -- still available via Zoom I probably can attend if it's on the 22nd or the 29th.

McCarvel: I would say that if it's staff's preference for the 22nd, let's do the 22nd.

Seal: Agreed.

Parsons: Thank you. Appreciate that. I will make a note of that and as we start moving closer to that hearing date I will make sure everyone else is aware of that as well. Thank you.

Holland: Thanks, Bill. Commissioner Pitzer, we have appreciated you being with us and tonight is her official last meeting with us, so we wish you well in your new location that you are moving to and we will certainly miss having you on the Commission. But thanks for all your -- your work and effort with us. We appreciate you.

Pitzer: Thank you very much. And I'm going to -- I'm going to miss it myself. I'm very sad, so -- with that I move that we adjourn the meeting of August 6th, 2020. Word is adjourned. I got it.

Holland: Perfect. A second for the motion?

Seal: Second.

Holland: All right. We have got a motion and a second. Thank you, Commissioner Pitzer, for that last motion. We appreciate you and thanks, everybody, for a great meeting.

Pitzer: Thank you.

McCarvel: We might want to vote on that motion.

Holland: Oh, yeah. Sorry. All those in favor? All right. Any opposed? Motion to adjourn -- we are adjourning at 8:08 p.m. on August 6th.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:08 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
LISA HOLLAND - VICE-CHAIRMAN  
ATTEST:

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK





## AGENDA ITEM

**ITEM TOPIC:** Findings of Fact, Conclusions of Law for Rock & Armor Fitness (H-2020-0076) by Matt Garner with Architecture Northwest, Located at 1649 and 1703 E. Pine Ave.

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



**In the Matter of the Request for a conditional use for Rock and Armor Fitness, located at 1649 E. Pine Avenue in the I-L Zoning District, by Matt Garner of Architecture Northwest.**

**Case No(s). File H-2020-0076**

**For the Planning & Zoning Commission Hearing Date of: August 6, 2020 (Findings on August 20, 2020)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of August 6, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of August 6, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of August 6, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of August 6, 2020, 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 August 6, 2020, 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 is hereby approved in accord with the conditions of approval in the staff report for the hearing date of August 6, 2020, 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-6F.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. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, a denial of a conditional use permit entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **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 August 6 ,2020

By action of the Planning & Zoning Commission at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, [year].

COMMISSIONER RYAN FITZGERALD, CHAIRMAN VOTED\_\_\_\_\_

COMMISSIONER LISA HOLLAND, VICE CHAIRMAN VOTED\_\_\_\_\_

COMMISSIONER RHONDA MCCARVEL VOTED\_\_\_\_\_

COMMISSIONER ANDREW SEAL VOTED\_\_\_\_\_

COMMISSIONER PATRICIA PITZER VOTED\_\_\_\_\_

COMMISSIONER WILLIAM CASSINELLI VOTED\_\_\_\_\_

COMMISSIONER NICK GROVE VOTED\_\_\_\_\_

\_\_\_\_\_  
Ryan Fitzgerald, Chairman

Attest:

\_\_\_\_\_  
Chris Johnson, City Clerk

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

By:\_\_\_\_\_ Dated:\_\_\_\_\_  
City Clerk's Office

**STAFF REPORT**

**COMMUNITY DEVELOPMENT DEPARTMENT**



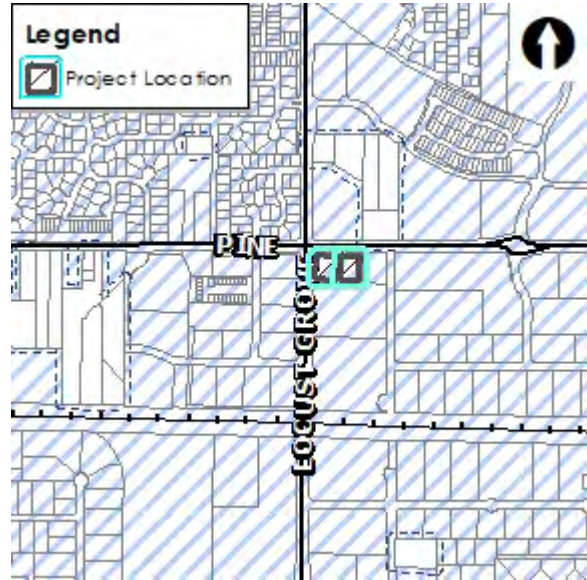
HEARING DATE: 8/6/2020

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner  
208-489-0573

SUBJECT: H-2020-0076  
Rock and Armor Fitness CUP

LOCATION: 1649 E. Pine Avenue



**I. PROJECT DESCRIPTION**

The Applicant has submitted an application for a conditional use permit to allow a 15,314 sf fitness and training center (Arts, Entertainment and Recreation Facility), along with a 3,600 square foot outdoor turf training and warm-up area. The subject property is in the I-L zone district and consists of two lots totaling 1.8 acres.

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details	Page
Acreage	1.8 acres	
Future Land Use Designation	General Industrial	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Arts, Entertainment and Recreation Facility	
Lots (# and type; bldg./common)	Two (2) building lots	
Neighborhood meeting date; # of attendees:	May 21, 2020	
History (previous approvals)	Nola Subdivision Preliminary – Final Plat PFP 04-008	

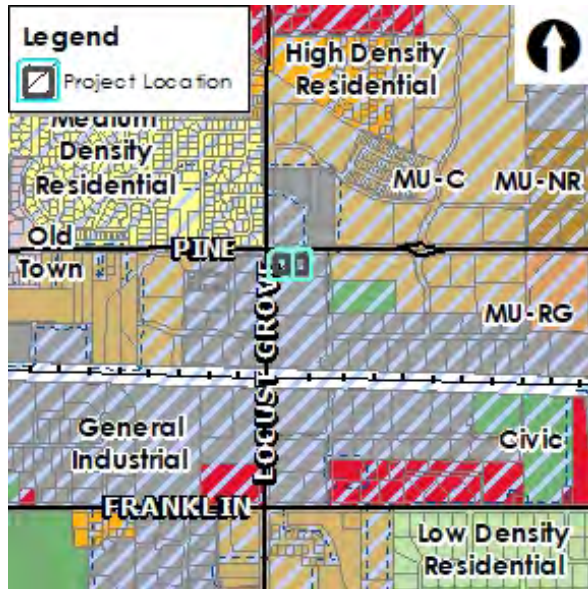
B. Community Metrics

Description	Details	Page
Ada County Highway District	No comments submitted	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Primary access will occur from existing access off E. Pine Avenue, secondary access will occur via internal drive aisle behind existing daycare to east at 1771 E. Pine Ave. and to N. Nola Rd.	
Existing Road Network	Yes	
Fire Service	No comments submitted	
<b>Wastewater</b>		
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	N/A	
<ul style="list-style-type: none"> <li>Sewer Shed</li> </ul>	Five Mile Trunkshed	
<ul style="list-style-type: none"> <li>Estimated Project Sewer ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>WRRF Declining Balance</li> </ul>	13.97	
<ul style="list-style-type: none"> <li>Project Consistent with WW Master Plan/Facility Plan</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Comments</li> </ul>	<ul style="list-style-type: none"> <li>Additional 591 gpd of flow has been committed.</li> <li>No proposed changes to public sewer infrastructure is shown within record. Any changes or modifications to the public sewer infrastructure shall be reviewed and approved by Public Works.</li> </ul>	
<b>Water</b>		
<ul style="list-style-type: none"> <li>Distance to Water Services</li> </ul>	0	
<ul style="list-style-type: none"> <li>Pressure Zone</li> </ul>	3	
<ul style="list-style-type: none"> <li>Estimated Project Water ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>Water Quality</li> </ul>	No concerns	
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	<ul style="list-style-type: none"> <li>No new public water infrastructure proposed in this record.</li> <li>There are two existing water stubs at the northern boundary that either need to be used or abandoned.</li> </ul>	



### C. Project Area Maps

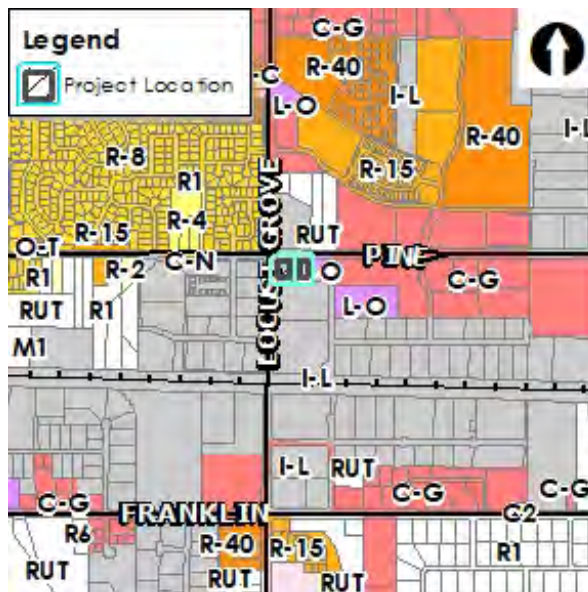
Future Land Use Map



Aerial Map



Zoning Map



Planned Development Map



**III. APPLICANT INFORMATION**

A. Applicant:

Matt Garner, Architecture Northwest – 224 16<sup>th</sup> Ave South, Nampa, ID 83651

B. Owner:

Timothy Williams – 1902 W. Mountain Man Dr., Meridian, ID 83646

C. Representative:

Matt Garner, Architecture Northwest – 224 16th Ave South, Nampa, ID 83651

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	7/17/2020	
Radius notification mailed to properties within 300 feet	7/14/2020	
Site Posting Date	7/24/2020	
NextDoor posting	7/14/2020	

**V. STAFF ANALYSIS**

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

General Industrial - This designation allows a range of uses that support industrial and **commercial** activities. Industrial uses may include warehouses, storage units, light manufacturing, flex, and incidental retail and offices uses. In some cases uses may include processing, manufacturing, warehouses, storage units, and industrial support activities.

*The subject site is already zoned Light Industrial (I-L). The proposed use is not one that is described specifically by the general industrial category of the Future Land Use Map. However, the present zoning allows an indoor recreation facility by conditional use. The proposed fitness center is a use determined to be appropriate in this zone district, subject to the specific use standards listed in UDC 11-4-3-2.*

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

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

- Encourage infill development. (3.03.01E)

*The Comprehensive Plan defines infill as “development on vacant parcels, or redevelopment of existing parcels to a higher and better use that is surrounded by developed property within the City of Meridian.” The subject property is a vacant lot surrounded by existing development on all sides. This includes a daycare to the east, trucking company to the south, research and development uses across E. Pine Ave. and*



*residential at the northwest quadrant of the E. Pine Ave / N. Locust Grove intersection. The property has available water and sewer. This project would be considered infill development.*

Preserve private property rights and values by enforcing regulations that will prevent and mitigate against incompatible and detrimental neighboring uses. (3.05.01C)

*The conditional use is a process to ensure any impacts associated with a particular use are mitigated. All uses directly adjacent to the subject property are commercial.*

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

*Building design and landscaping will be reviewed as part of the Certificate of Zoning Compliance (CZC) and administrative design review that would follow this proposal if it were approved.*

C. Existing Structures/Site Improvements:

*The subject property is presently vacant. The 25' landscape buffers that are required along E. Pine Ave. and N. Locust Grove Rd. were already installed with the infrastructure improvements required of the Nola Subdivision as were the required sidewalks.*

D. Proposed Use Analysis:

*The proposed use is a sports performance center for training and physical therapy. It specializes in strength conditioning and rehabilitation for athletes and is classified in UDC Table 11-2C-2 as an indoor recreation facility. This facility is not a "drop-in fitness center. Classes and personal sessions will operate by appointment only between 8:00 A.M. and 6:00 P.M. Outdoor training on the turf field will occur during the warmer months of May-November.*

*The subject property is within the light industrial (I-L) zone district. This zone district is intended to provide for convenient employment centers of light manufacturing, research and development, warehousing, and distributing. The proposed use is not one of the uses described above. However, indoor and outdoor recreation facilities are allowed in the I-L zone district by conditional use. The proposed use complies with the zoning for the site but is subject to specific use standards as listed in 11-4-3-2.*

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

*An "Arts, Entertainment or Recreation Facility, Indoors and Outdoors" is subject to specific use standards as outlined in UDC 11-4-3-2. These standards include all outdoor recreation areas that are not fully enclosed maintaining a minimum setback of one hundred feet (100') from any abutting residential districts and outdoor activities only being allowed between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. The subject property is surrounded by commercial and light industrial zoning, and the establishment only operates between 8:00 A.M. and 6:00 P.M.*

F. Dimensional Standards (UDC 11-2):

*Dimensional standards in the Light Industrial District (I-L) include street setbacks of 35', arterial landscape buffers of 25', 25' buffers to residential uses and a maximum building height of 50'. The proposed fitness and training center meets all dimensional standards.*

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

*The subject property is located at the southeast quadrant of E. Pine Ave. and N. Locust Grove Rd., both arterial roads. The primary access will be from an existing shared driveway off E. Pine Street approximately 300 feet back from the intersection on E. Pine Street. There is a second (internal) access to the site from N. Nola Rd at the east, along the south side (rear) of the existing daycare at 1771 E. Pine Avenue. The plat does not reflect a cross access easement between the subject property and 1771 E. Pine Avenue to N. Nola Rd. Staff recommends a condition of approval that an access easement be recorded and reflected on the site plan at time of CZC.*

*This proposal was referred to ACHD, who estimated a total trip generation of 53 peak hour trips per day. ACHD did anticipate any decrease in level of service. There were no additional comments from ACHD.*

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

*The subject property is within the Light Industrial (I-L) zone district. Per UDC 11-3C-6B-2, parking in industrial districts is based on one (1) parking space per 2,000 square feet of gross floor area. However, the proposed use is a commercial use, not an industrial use. UDC 11-3C-2 allows the City to require a greater number of spaces in any application involving a conditional use permit. Based on the commercial parking standards of one (1) space per 500 sf of gross floor area, this use would require 31 parking spaces and 2 bicycle spaces. The site plan indicates 53 parking spaces and 5 bicycle spaces. As is required by UDC 11-3C-5, all internal 2-way drive aisles are at least 25' in width.*

I. Sidewalks (*UDC 11-3A-17*)

*Sidewalks were constructed with the subdivision. This includes a 7' attached sidewalk along both E. Pine Ave. and N. Locust Grove Rd. frontages.*

J. Parkways

*No parkways are proposed with this expansion.*

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

*UDC 11-2C-3 requires landscape buffers of a minimum width of 25' along arterial streets. These buffers (and 7' sidewalk) were installed per conditions of the Nola Subdivision Plat that was approved in 2005. The applicant will be required to landscape the parking lot per UDC 11-3B-8 including 5' wide landscape buffers adjacent to parking, loading and driveways, and landscape islands required for any parking lot with more than 12 spaces. The conceptual landscape plan submitted with this conditional use does appear to meet the requirements.*

*Staff notes there are a number of trees in the required landscape buffers that appear to be dead or dying. This has been addressed in the "Tree Mitigation" section of the proposed landscape plan. Staff is recommending dead or dying trees be replaced as a condition of approval.*

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

*Existing vinyl fencing is located along the eastern property lines (adjacent to the daycare) and there is existing chain link fence to the south (surrounding the trucking business). This fencing will be retained. The applicant has not shown any other fencing. Any additional fencing would be required to comply with the fence standards in the UDC 11-3A-7.*

#### M. Utilities

*All utilities for the proposed development are already in place. No additional services are needed.*

#### N. Building Elevations

*The applicant submitted conceptual elevations with this conditional use application. The elevations indicate a pre-engineered metal building connected to a smaller hand-framed structure with stucco interior.*

*The proposed elevations will be reviewed in detail at the time of Certificate of Zoning Compliance (CZC). However, there does appear to be several elements that might not meet the standards of the Architectural Standards Manual. The narrative and elevations call out metal siding whereas the ASM states untextured concrete panels and prefabricated steel panels are prohibited as field materials for building façades, except when used with a minimum of two other qualifying field materials. The northern elevation (fronting E. Pine Ave) has a roofline that does not meet the requirements for buildings with rooflines 50-feet in length or greater incorporating roofline and parapet variations. (The southern roofline also does not meet these requirements but backs to the trucking company and is not visible). Specifics of the architecture will be reviewed and discussed at time of CZC and DES submittal; it is possible the applicant will need to request a design exception or comply with UDC and ASM design standards.*

### VI. DECISION

#### A. Staff:

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

#### B. The Meridian Planning & Zoning Commission heard this item on August 6, 2020. At the public hearing, the Commission moved to approve the subject conditional use request.

##### 1. Summary of the Commission public hearing:

- a. In favor: Matt Garner, Applicant, Timothy Williams, Owner
- b. In opposition: None
- c. Commenting: Matt Garner and Timothy Williams
- d. Written testimony: None
- e. Staff presenting application: Alan Tiefenbach
- f. Other Staff commenting on application: None

##### 2. Key issue(s) of public testimony:

- a. None

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

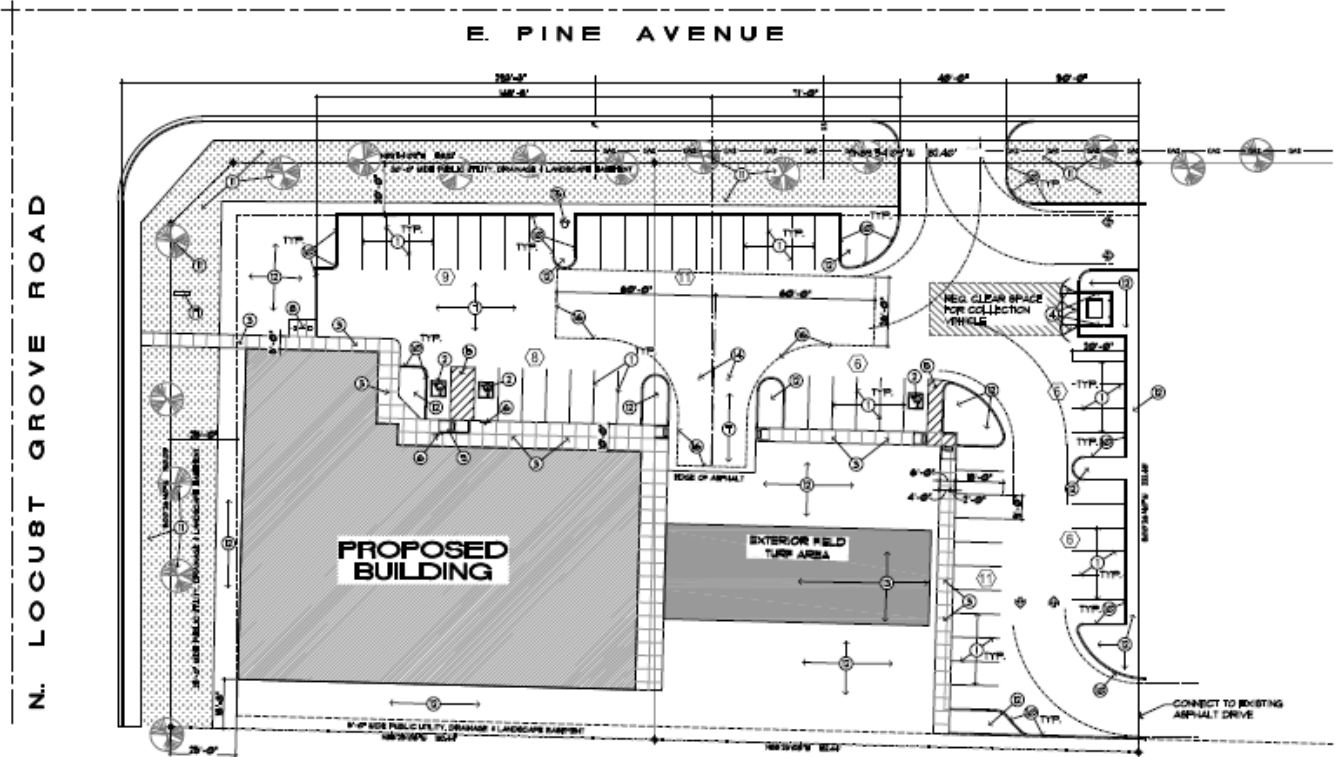
- a. The Planning Commission discussed the issue of industrial properties being developed for non-industrial uses.

- b. The Planning Commission discussed whether the applicant's architect could make the architecture of the north and west sides more consistent. Matt Garner said he would work with staff on this during time of CZC.
- 4. Commission change(s) to Staff recommendation:

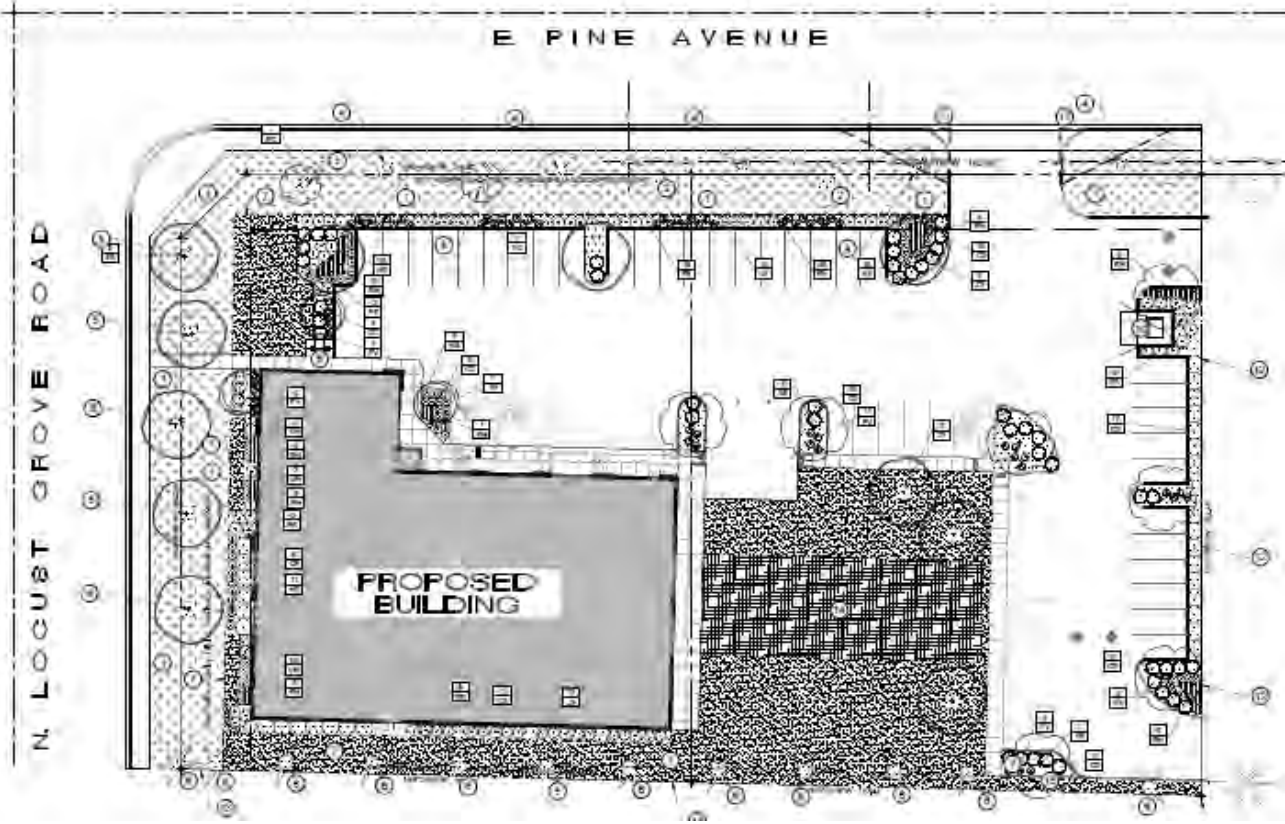
  - a. Commission removed Condition 3.a as the City cannot condition this proposal on an adjacent property owner providing access easements.
  - b. Commission revised Condition 3.b. to read "Cross access easements will be recorded and shown on the site plan with instrument number that provide access from E. Pine Avenue across the subject property and to 1771 E. Pine Avenue."

### VII. EXHIBITS

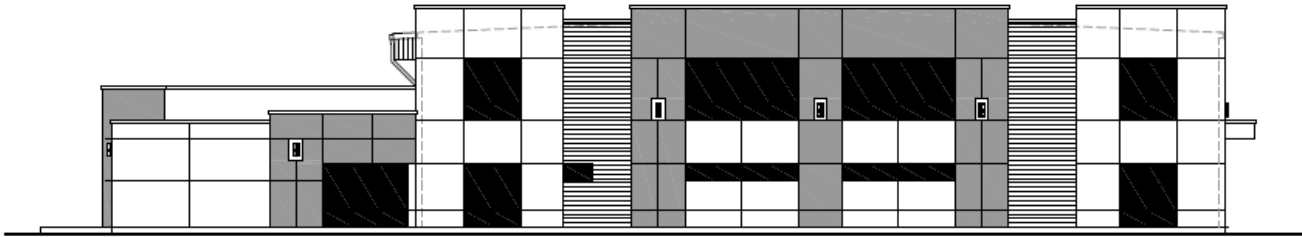
#### A. Conceptual Site Plan (date July 27, 2020)



#### B. Conceptual Landscape Plan (date July 27, 2020)

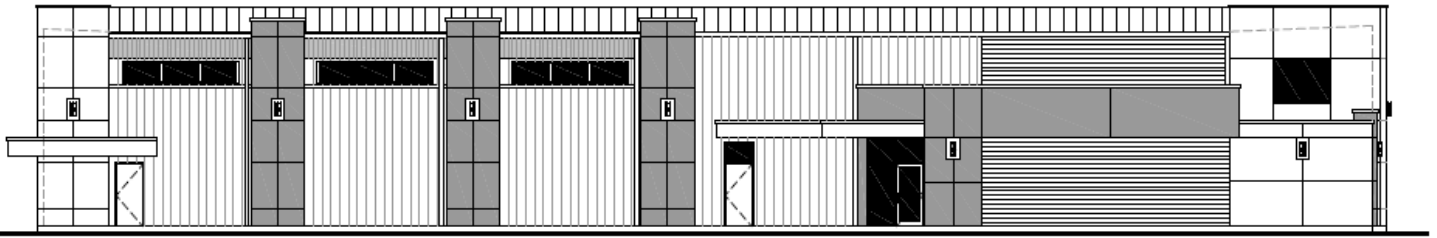


C. Conceptual Elevations (date: 6/5/2022)



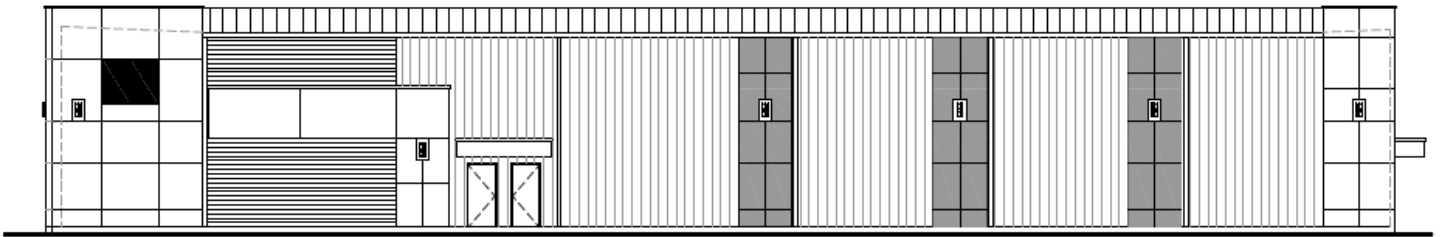
WEST ELEVATION

SCALE: 3/16" = 1'-0"



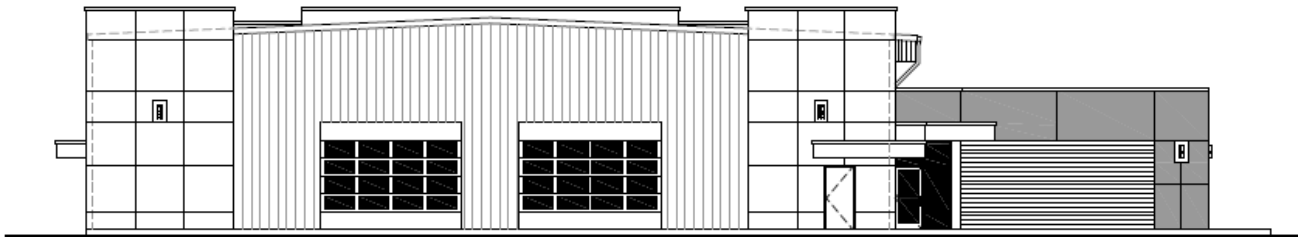
NORTH ELEVATION

SCALE: 3/16" = 1'-0"



SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



EAST ELEVATION

SCALE: 3/16" = 1'-0"



D. Conceptual Colored Elevations (dated: 7/20/2020)



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning

1. A Certificate of Zoning Compliance and administrative design review application is required to be submitted to the Planning Division and approved prior to submittal of building permit applications. The applicant will either meet all architectural requirements of the Architectural Standards Manual (ASM) or apply for a design exception as part of the CZC submittal.
2. The Applicant shall have a maximum of two (2) years to commence the use as permitted in accord with the conditions of approval listed above. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension must be requested in accord with UDC 11-5B-6F.
3. The site plan prepared by Architecture Northwest, dated July 27, 2020, is approved as submitted with the following modifications:
  - a. ~~A cross access easement will be recorded and shown on the site plan with instrument number noted that provides access from N. Nola Rd across the south side of 1771 E. Pine Avenue to the subject property.~~
  - b. A Cross access easements will be recorded and shown on the site plan with instrument number that provides access from E. Pine Avenue across the subject property and to 1771 E. Pine Avenue.
4. The landscape plan prepared by Rodney Evans + Partners, dated July 27, 2020 is approved as submitted:
5. Parking requirements associated with the indoor/outdoor recreation facility shall comply with the commercial parking standards; 1 per 500 square feet of gross floor area.
6. Prior to issuance of Certificate of Occupancy, the applicant shall replace all dead or dying trees that are within the 25' wide landscape buffers adjacent to E. Pine Avenue and N. Locust Grove Road.
7. The Applicant shall comply with all bulk, use, and development standards of the applicable district listed in UDC Chapter 2 District regulations.
8. The Applicant shall comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.
9. The Applicant shall comply with the structure and site design standards as set forth in UDC 11-3A-19 and the Architectural Standards Manual.
10. The applicant 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.
11. The Applicant shall provide bicycle parking spaces as set forth in UDC 11-3C-6G consistent with the location and design standards as set forth in UDC 11-3C-5C.
12. 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-6F1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F4.



## B. Public Works

1. No proposed changes to public sewer infrastructure has been shown within record. Any changes or modifications to the public sewer infrastructure shall be reviewed and approved by Public Works.
2. There are two existing water stubs at the northern boundary that either need to be used or abandoned per Meridian Public Works Standards.

## C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192428&dbid=0&repo=MeridianCity>

## IX. FINDINGS

### A. Conditional Use Permit

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

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

*The site meets all dimensional and development regulations in the I-L zoning district. The site already contains landscape buffers, parking is adequate, and the parking area will be landscaped as required by UDC 11-3B-8. Commission finds the site is large enough to accommodate the proposed use.*

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

*Commission finds the proposed Arts, Entertainment and Recreation Facility will be harmonious with the Comprehensive Plan per the analysis in Section V of this staff report.*

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

*The subject site is within an industrially-zoned area. Directly south of the site is a trucking company. East of the property is an existing daycare. Across E. Pine Avenue to the north is research and development and office uses, with similar uses across N. Locust Grove Rd. to the west including auto body repair. The site will be adequately landscaped, and architecture will be required to meet the Architectural Design Manual (ASM) at time of Certificate of Zoning Compliance (CZC). The business will only operate between 8:00 A.M. to 6:00 P.M. and any training in the outdoor area will take place during this same time. Commission finds the proposed use should not change the character nature of the area as there is a mix of uses developed or developing in 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 Arts, Entertainment and Recreation Facility complies with the conditions of approval in Section VIII and UDC 11-4-3-2 as required, Commission finds the proposed use should not adversely affect other properties in the vicinity.*

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

*The proposed use will be served adequately by all public facilities and services.*

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

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

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

*This proposal is for an Arts, Entertainment and Recreation Facility, by appointment only, in an area zoned for light industrial. The use would be surrounded by office and light industrial uses, as well as an existing daycare to the east. The proposed facility is appropriate in this location.*

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

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



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from July 16, 2020 for Horse Meadows Subdivision (H-2020-0060) by Riley Planning Services, Located at 710 N. Black Cat Rd.

***Applicant Requests Continuance to September 17, 2020***

A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential).

B. Request: Preliminary Plat consisting of 27 single-family residential lots and 3 common lots on 4.71 acres of land in the R-4 zoning district.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** August 20, 2020

**Topic:** **Public Hearing Continued from July 16, 2020 for Horse Meadows Subdivision (H-2020-0060) by Riley Planning Services, Located at 710 N. Black Cat Rd.**

- A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential); and,
- B. Request: Preliminary Plat consisting of 27 single-family residential lots and 3 common lots on 4.71 acres of land in the R-4 zoning district.

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**Information Resources:**

[Click Here for Application Materials](#)

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



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from July 16, 2020 for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.

***Application Requires Continuance to Requested Date of September 17, 2020***

A. Request: Annexation of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres), zoning districts.

B. Request: A Preliminary Plat consisting of 384 buildable lots, 35 common lots and 5 other lots on 126.53 acres of land in the R-8, R-15 and C-G zoning districts.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** August 20, 2020

**Topic:** **Public Hearing for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.**

- A. Request: Annexation of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres), zoning districts; and,
  - B. Request: A Preliminary Plat consisting of 384 buildable lots, 35 common lots and 5 other lots on 126.53 acres of land in the R-8, R-15 and C-G zoning districts.
- 

## **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 for Loose Screw Brewery (H-2020-0081) by Mary Murphy, Grand Peak, LLC, Located at 1511 W. McMillan Rd., Ste. 100**

A. Request: A Conditional Use Permit for a 2,200 square foot brewery with a tasting area and retail showroom (i.e. minor food and beverage products processing) within 300 feet of a residential district/use on 0.95 of an acre of land in the C-N zoning district.

# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



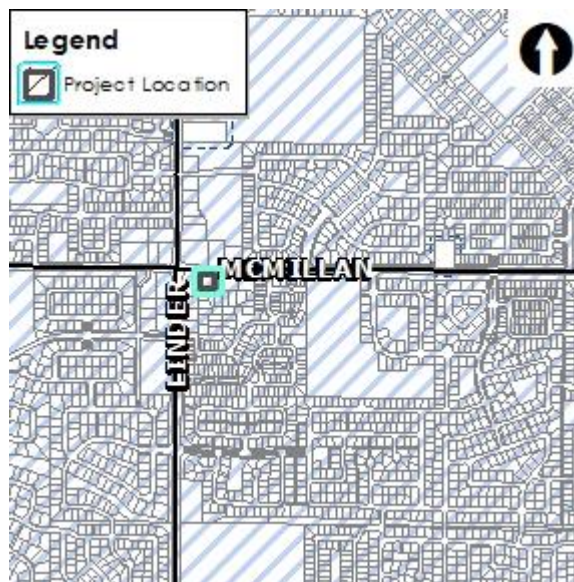
HEARING DATE: 8/20/2020

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner  
208-489-0573

SUBJECT: H-2020-0081  
Loose Screw Beer Company - CUP

LOCATION: 1511 W McMillan Road



## I. PROJECT DESCRIPTION

The Applicant has submitted an application for a conditional use permit (CUP) to allow a 2,200 sf brewery (defined as minor food and beverage products processing). This includes outdoor seating and potentially live music. The applicant will be leasing space within Building A of the Sawtooth Village Retail Center, which is still under construction. Because this property is within 300 feet of a residential district, a conditional use is required.

## II. SUMMARY OF REPORT

### A. Project Summary

Description	Details	Page
Acreage	1.98 acres (two lots containing two buildings)	
Future Land Use Designation	Mixed Use Neighborhood	
Existing Land Use(s)	Two commercial buildings under construction	
Proposed Land Use(s)	Minor food and beverage processing	
Lots (# and type; bldg./common)	2,200 sf within one of two 10,000 sf buildings	
Neighborhood meeting date; # of attendees:	June 23, 2020 – 14 signed in, no concerns expressed	



Description	Details	Page
History (previous approvals)	AZ-13-010 (McLinder Subdivision), DA 114020372, PP-13-022; FP-15-001 (Lot 27, Blk 1, McLinder Sub. 2); A-2019-0248 (Sawtooth Village Retail Building A – CZC/DES)	

**B. Community Metrics**

Description	Details	Page
Ada County Highway District	Traffic impact study not required.	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access will occur from N. Linder Rd. and W. McMillan Rd., both arterials.	
Existing Road Network	Yes	
Fire Service	No comments submitted	
Police Service	No comments submitted	
<b>Wastewater</b>		
• Distance to Sewer Services	N/A	
• Sewer Shed	White Drain Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.97	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Comments	<ul style="list-style-type: none"> <li>• Flow is committed</li> <li>• No proposed changes to public sewer infrastructure within record. Any changes shall be reviewed and approved by Public Works.</li> </ul>	
<b>Water</b>		
• Distance to Water Services	0	
• Pressure Zone	2	
• Estimated Project Water ERU's	See application	
• Water Quality	No concerns	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	• No changes to public water infrastructure proposed	

C. Project Area Maps

Future Land Use Map



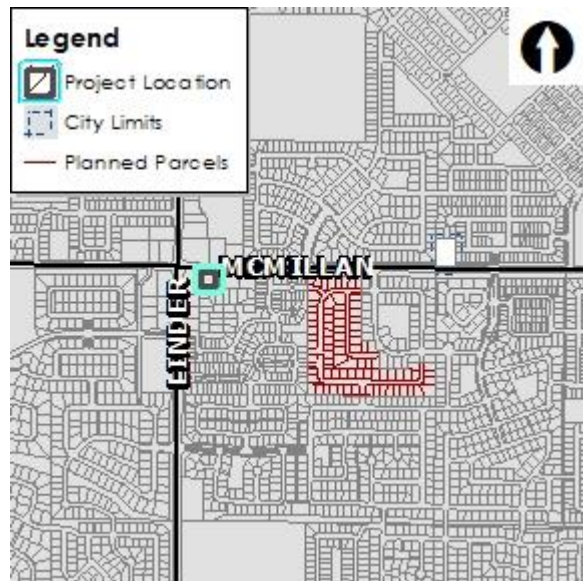
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Mary Murphy, Grand Peak LLC – 4202 N. Marcliffe Ave, Meridian ID 83704

B. Owner:

TS Development, LLC – 4202 N. Marcliffe Ave, Meridian ID 83704

C. Representative:

Mary Murphy, Grand Peak LLC – 4202 N. Marcliffe Ave, Meridian ID 83704

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/31/2020	
Radius notification mailed to properties within 300 feet	7/31/2020	
Site Posting Date	8/5/2020	
NextDoor posting	7/28/2020	

V. STAFF ANALYSIS

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

Mixed Use Neighborhood - The purpose of this designation is to assign areas where neighborhood-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to avoid predominantly single-use developments by incorporating a variety of uses. Non-residential uses in these areas tend to be smaller scale and provide goods or services that people typically do not travel far for (approximately one mile) and need regularly.

*The subject site is already zoned Neighborhood Business District (C-N). The proposed use will be leasing approximately 2,200 sf within a 10,000 sf building which is presently under construction as the Sawtooth Village Retail Center (two 10,000 sf buildings total). This complex will contain several restaurants, a gym, personal service uses such as nail salons, and the proposed brewery. A small brewery with occasional live music within a larger commercial complex adjacent to a multifamily neighborhood is exactly the type of local neighborhood serving use envisioned by the Comprehensive Plan. Also, pathways connect this complex to the adjacent neighborhood for better integration. The proposed brewery is a use determined to be appropriate in this zone district, subject to the specific use standards listed in UDC 11-4-3-46 (discussed in specific use standards below).*

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

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

- Encourage infill development. (3.03.01E)

*The Comprehensive Plan defines infill as “development on vacant parcels, or redevelopment of existing parcels to a higher and better use that is surrounded by developed property within the City of Meridian.” The brewery is proposed within a tenant space in a commercial center which is presently under construction. During the 2013 annexation and rezoning of this property, staff determined that the Sawtooth Village Retail Complex was infill development.*

- Preserve private property rights and values by enforcing regulations that will prevent and mitigate against incompatible and detrimental neighboring uses. (3.05.01C)

*The conditional use is a process to ensure any impacts associated with a particular use are mitigated. Based on the applicant's narrative, staff is recommending the hours of the establishment be limited from 11AM to 10PM. To further reduce impacts on adjacent residential properties staff recommends a condition of approval that all outdoor seating and events associated with this use be limited to the 1,500 square feet plaza space between Buildings A and B.*

- Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.

*As mentioned above, staff is recommended hours be limited from 11AM to 10PM as a condition of approval, and outdoor seating and events be limited. The building and site design has already been approved through Certificate of Zoning Compliance (CZC) A-2019-0248 and no additional outdoor improvements are proposed with this project (other than outdoor seating).*

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

*Building design and landscaping was reviewed and approved with the Sawtooth Village Retail Center CZC. A 20' wide landscape buffer has been installed along the south property line adjacent to the multifamily residential.*

#### C. Existing Structures/Site Improvements:

*The proposed business will be a tenant within the Sawtooth Village Retail Center and will occupy the eastern end of Building A (the complex is comprised of two buildings). This development was approved in 2019 through CZC A-2019-0248 and is presently building out.*

#### D. Proposed Use Analysis:

*The proposed use will be a brewery and tasting area leasing 2,200 sf within a commercial building. Approximately 150 sf of the business will be dedicated to brewing and associated equipment, with the remainder for tasting. A brewery is categorized as minor food and beverage products processing and is use by right unless it is within 300 feet of a residential neighborhood. As the Sawtooth Village Retail Center abuts multifamily to the south (Mclinder Subdivision No 1) and single family residential to the east (Cobblefield Crossing) a conditional use is required.*

*The applicant has stated they plan on 10 inside tables and 4-5 outside tables within a plaza just outside through several large doors and to the east. They will be sharing the plaza space with a restaurant at the west end of Building B on the other side of the plaza. The brewery will operate from 10AM to 9PM on weekdays and until 10PM on weekends. The proposed use complies with the zoning for the site but is subject to specific use standards as listed in 11-4-3-46.*

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

*UDC 11-4-3-46 allows minor food and beverage products processing with several limitations. The tenant space shall not exceed 5,000 sf, storage of materials, storage and equipment must be within fully enclosed structures, (outdoor) mechanical equipment associated with the manufacturing may be reviewed as integral architectural elements, alcohol serving is limited to*



*11AM to 10PM, and a conditional use permit shall be required when the use is located within 300 feet of existing residential or a residential district.*

*The business will operate within a 2,200 sf space, no outdoor equipment or storage is proposed, hours of operation will be limited from 11AM to 10PM, and this project is being reviewed as a conditional use due to the adjacent residential to the south and east. The proposed use complies with the specific use standards.*

*As mentioned, to reduce impacts on adjacent residential, staff is recommending the hours of the establishment be limited from 10AM to 10PM and all outdoor seating and events associated with this use be limited to the 1,500 square feet plaza space between Buildings A and B.*

F. Dimensional Standards (UDC 11-2):

*This use will occupy a tenant space within a commercial complex which is presently building out. The development was found to adhere to dimensional standards during the review of Certificate of Zoning Conformance and Design Review which was issued in 2019 (CZC A-2019-0248).*

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

*Access to this development was already approved with the McLinder Subdivision (PP-13-022) and Sawtooth Village Retail Complex CZC. Two points of primary access occur; one from W. McMillan Rd and one from N. Linder Road. There are also two internal points of access (presently stubbed) at the east periphery of the property and to the undeveloped commercial property at 1385 W. McMillan Rd. As was requested with the June 24, 2020 pre-application meeting, the applicant submitted a copy of the recorded CC&R's that allow cross-access/cross-parking between all commercial lots in the center. This proposal was referred to ACHD, who mentioned a traffic impact study for this tenant was not required. There were no additional comments from ACHD.*

H. Parking (UDC 11-3C):

*UDC 11-3C-5B requires one space for every five hundred (500) square feet of gross floor area. This amounts to 40 parking spaces for the two 10,000 sf buildings. 58 parking spaces have already been approved per the Sawtooth Village Retail Building CZC. The UDC requires 2 bicycle parking spaces for the development; 6 are being provided.*

*In addition to the additional parking spaces being provided, it is important to note different uses have different peak parking demand times. The Sawtooth Village Retail Center will lease several office spaces, restaurants, a brewery, a gym and a nail and hair salon. Office and salon uses have peak parking demand times between 8AM and 6PM, whereas restaurant and brewery uses have peak demand times after 6PM. As mentioned above, a cross parking agreement was recorded with the CC&Rs for this development. The parking to accommodate this use should be adequate.*

I. Sidewalks (UDC 11-3A-17)

*Detached sidewalks already exist along W. McMillan Rd. and N. Linder Rd. There is also a pathway that directly connects the plaza (where outdoor eating and music is proposed) to the adjacent multifamily at the south.*

Parkways

*No parkways are proposed with this project.*

J. Landscaping (UDC 11-3B):

*Most of the 25' landscape buffers required along W. McMillan Rd. and N. Linder Rd. (arterials) have already been installed as part of the Sawtooth Village Retail Building complex (although there are several sections that have yet to be constructed due to construction activities). The required 20' residential buffer already exists to the south between the retail complex and the adjacent residential. Landscape islands will be constructed in the parking lot and several trees have been approved in the outdoor plaza.*

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

*As the Sawtooth Village Retail Center is intended to be a commercial complex integrated into the adjacent residential neighborhood, fences do not exist. Conversely, several pathways lead from the neighborhood into this complex.*

L. Utilities

*All utilities for the proposed development are already in place. No additional services are needed.*

M. Building Elevations

*The Loose Screw Beer Company is a proposed tenant within a 2,200 square space at the eastern end of Building A of the Sawtooth Village Retail Center. The architecture for this complex was already reviewed and approved through the certificate of zoning compliance and design review process. This development is presently building out.*

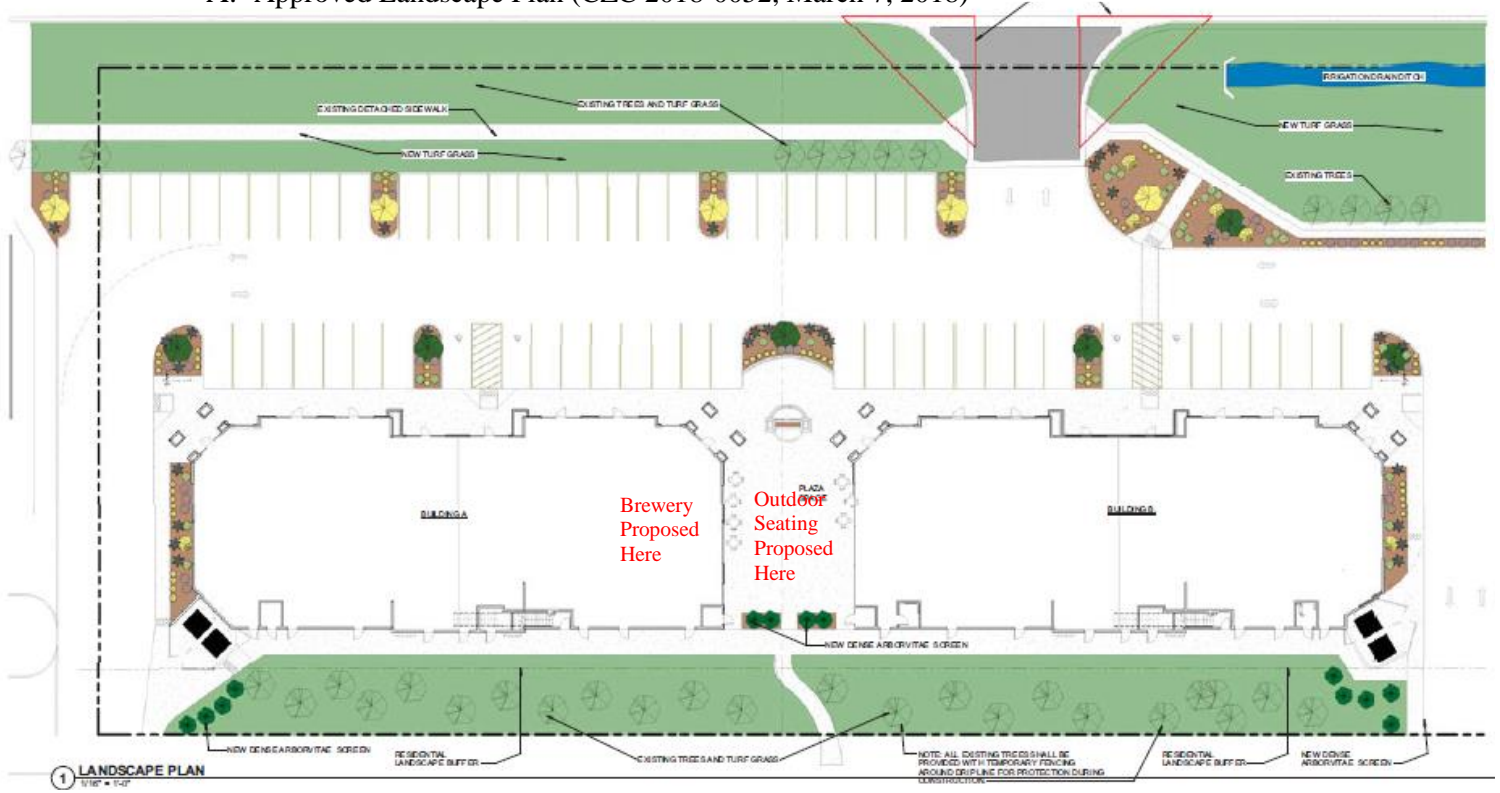
## VI. DECISION

A. Staff:

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

### VII. EXHIBITS

#### A. Approved Landscape Plan (CZC 2018-0052, March 7, 2018)



#### B. Approved Elevations (CZC 2018-0052, March 7, 2018)





C. Site Photos (date: 8/10/2020)



Sawtooth Retail Center viewed from W. McMillan Rd



Outdoor Plaza

Back of Sawtooth Retail Center (south) viewed from adjacent multifamily



Sawtooth Retail Center and outdoor plaza as viewed from W. McMillan Rd



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning

1. A Certificate of Zoning Compliance for Change in Use application is required to be submitted to the Planning Division and approved prior to certificate of occupancy.
2. The Applicant shall have a maximum of two (2) years to commence the use as permitted in accord with the conditions of approval. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension must be requested in accord with UDC 11-5B-6F.
3. Outdoor seating and events associated with the use shall be restricted to no more than 1,500 sf within the outdoor plaza as indicated on the approved landscape plan above.
4. Hours of operation shall be restricted to 11AM to 10PM.
5. Parking requirements associated with the minor food and beverage products processing shall comply with the commercial parking standards; 1 per 500 square feet of gross floor area.
6. The Applicant shall comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.
7. The Applicant shall comply with the structure and site design standards as set forth in UDC 11-3A-19 and the Architectural Standards Manual.
8. Applicant shall comply with all previous conditions associated with development of this site including AZ-13-010 (McLinder Subdivision), DA 114020372, PP-13-022, FP-15-001 (Lot 27, Blk 1, McLinder Sub. 2), and A-2019-0248 (Sawtooth Village Retail Building A – CZC/DES).
9. Applicant shall comply with all specific use standards required for Minor Food and Beverage Products Processing, UDC 11-4-3-46.

## IX. FINDINGS

### A. Conditional Use Permit

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

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

*The site meets all dimensional and development regulations in the C-N zoning district. The site is already developing with adequate landscape buffers, setbacks, and parking. 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.

*The Comprehensive Plan identifies this area for mixed use neighborhood; neighborhood-serving uses and dwellings are seamlessly integrated into the urban fabric. Non-residential uses in these areas tend to be smaller scale and provide goods or services that people typically do not travel far for (approximately one mile) and need regularly. A neighborhood brewery connected to the adjacent residential including outdoor seating and live music is the type of neighborhood serving use envisioned by the Plan.*

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 design of the Sawtooth Retail Center was approved in 2018 by CZC A-2018-0052 and the proposed use is one of the tenants proposing to lease within the center. Hours will be limited to between 10AM and 10PM and all outdoor seating and events associated with this use is recommended to be limited to the 1,500 sf outdoor plaza. This type of neighborhood serving brewery enhances 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.

*As mentioned, conditions to reduce impacts include limiting the hours of operation and the amount of area outdoor activities can occur.*

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

*The proposed use will be served adequately by all public facilities and services.*

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

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

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

*This proposed minor food and beverage products processing use will share tenant space within a new commercial building, hours will be limited and staff recommends outdoor activities be limited to the plaza area. It will be located in an area recommended for neighborhood mixed use in an area characterized by commercial, multifamily residential at an arterial intersection. The use is appropriate in this location.*

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

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



## AGENDA ITEM

**ITEM TOPIC: Public Hearing for Victory Apartments (H-2020-0065) by Wendy Shrief, J-U-B Engineers, Inc., Located at the Southwest Corner of S. Meridian Rd./SH-69 and W. Victory Rd.**

A. Request: Amendment to the Future Land Use Map contained in the Comprehensive Plan to change the designation on 18.45 acres of land from Medium Density Residential (MDR) to Medium High Density Residential (MHDR).

B. Request: Annexation of 18.45 acres of land with an R-15 zoning district.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** August 20, 2020

**Topic:** **Public Hearing for Victory Apartments (H-2020-0065) by Wendy Shrief, J-U-B Engineers, Inc., Located at the Southwest Corner of S. Meridian Rd./SH-69 and W. Victory Rd.**

- A. Request: Amendment to the Future Land Use Map contained in the Comprehensive Plan to change the designation on 18.45 acres of land from Medium Density Residential (MDR) to Medium High Density Residential (MHDR); and,
- B. Request: Annexation of 18.45 acres of land with an R-15 zoning district.

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## Information Resources:

[Click Here for Application Materials](#)

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

# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



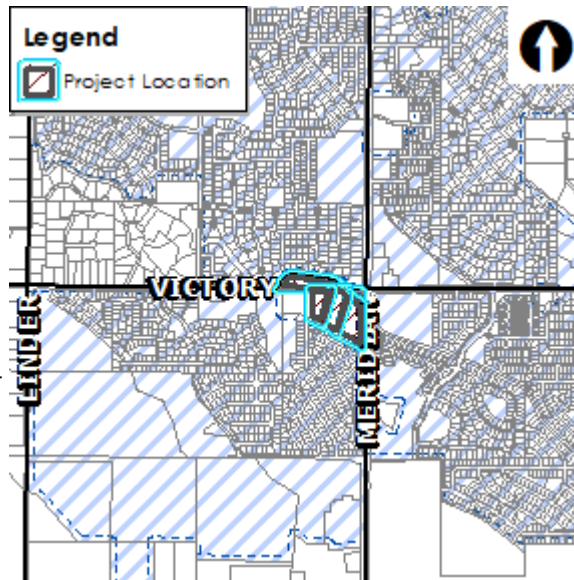
HEARING DATE: August 20, 2020

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0065  
Victory Apartments – CPAM, AZ

LOCATION: Southwest corner of S. Meridian Rd./SH-69 and W. Victory Rd., in the NE ¼ of Section 24, Township 3N., Range 1W.



## I. PROJECT DESCRIPTION

The Applicant requests an amendment to the Future Land Use Map contained in the Comprehensive Plan to change the designation on 18.45 acres of land from Medium Density Residential (MDR) to Medium High Density Residential (MHDR); and annexation of 18.45 acres of land with an R-15 zoning district.

## II. SUMMARY OF REPORT

### A. Project Summary

Description	Details	Page
Acreage	17 acres	
Future Land Use Designation	Medium Density Residential (MDR)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Multi-family residential (MFR)	
Current Zoning	RUT in Ada County	
Proposed Zoning	R-15 (Medium High-Density Residential)	
Lots (# and type; bldg/common)	NA (property is not proposed to be subdivided)	
Phasing plan (# of phases)	NA	
Number of Residential Units (type of units)	170 multi-family apartment units (2-plex and 4-plex style)	
Density (gross & net)	10.0 gross/13.01 net	
Open Space (acres, total [%] / buffer / qualified)	NA	

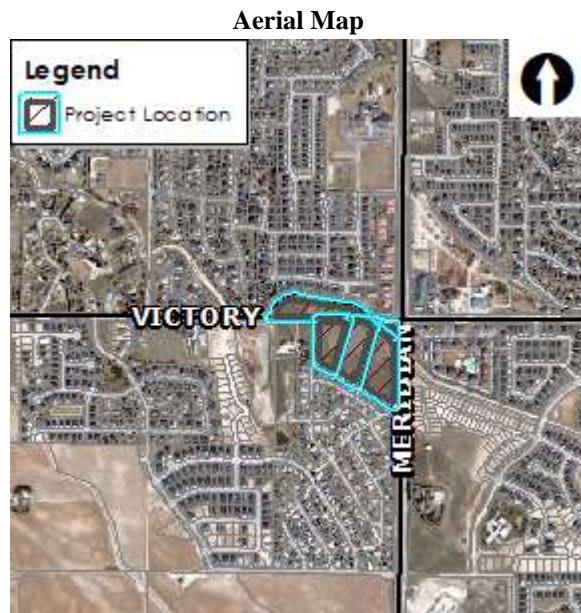
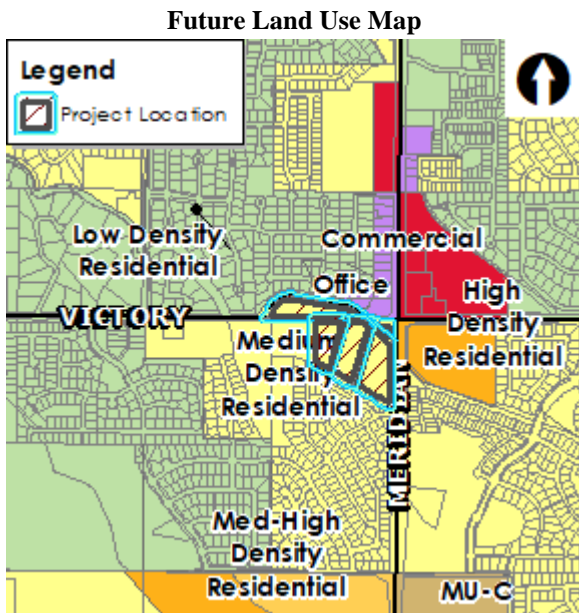
Amenities	10' wide multi-use pathway along Meridian Rd./SH-69	
Physical Features (waterways, hazards, flood plain, hillside)	The Ridenbaugh Canal runs along the northern boundary of this site within a 100' wide easement (50' from centerline of canal)	
Neighborhood meeting date; # of attendees:	April 16, 2020; 7 attendees	
History (previous approvals)	ROS #6419 (2004) & #7355 (2006)	

## B. Community Metrics

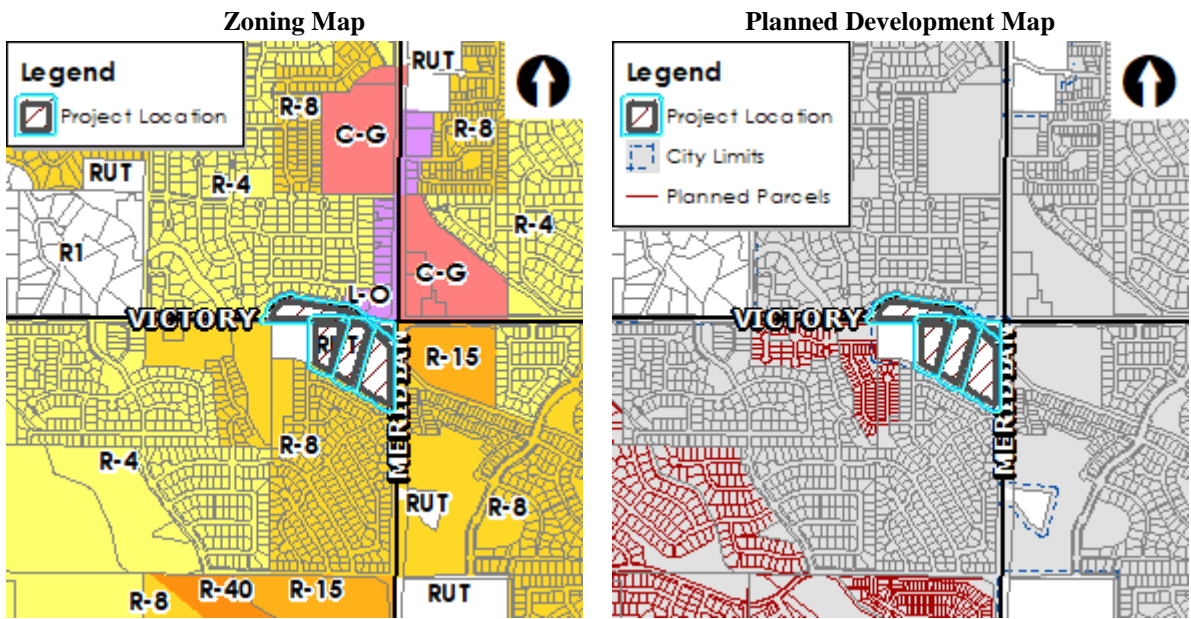
Description	Details	Page
<b>Ada County Highway District</b>		
• Staff report (yes/no)	Yes (draft)	
• Requires ACHD Commission Action (yes/no)	No	
• Existing Conditions	S. Meridian Rd./SH-69 is improved with 4 travel lanes and a center turn lane, with no curb, gutter or sidewalk; W. Victory Rd. is improved with 2 travel lanes with no curb, gutter or sidewalk.	
• CIP/IFYWP	Victory Rd. is listed in the CIP to be widened to 3-lanes from Meridian to Locust Grove Roads between 2026 and 2030	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) access is proposed via W. Victory Rd.; one (1) emergency access only is proposed via S. Meridian Rd./SH-69	
Traffic Level of Service	W. Victory Rd. – Better than “E” (acceptable)	
Stub Street/Interconnectivity/Cross Access	A stub street is proposed to the west boundary for future extension and connectivity through the outparcel to Jocelyn Park subdivision	
Existing Road Network	Public (W. Victory Rd. and S. Meridian Rd./SH-69)	
Existing Arterial Sidewalks / Buffers	None	
Proposed Road Improvements	None	
Fire Service	<i>No comments were submitted as the project complies with Fire Code requirements.</i>	
<b>Police Service</b>		
Distance to Police Station	3 miles	
Police Response Time	3 minutes (expected); 4 minutes (average)	
Calls for Service	451 within a mile of the proposed development (between 6/1/19 and 5/31/20)	
% of calls for service split by priority	See Section IX.D	
Accessibility	No concerns with access	
Specialty/resource needs	No additional resources are required at this time – service is already provided in this area.	
Crimes	19 (between 6/1/19 and 5/31/20)	
Crashes	6 (between 6/1/19 and 5/31/20)	
Other Reports	NA	

West Ada School District																	
Distance (elem, ms, hs)																	
Capacity of Schools	<table border="1"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles <small>(Dev. to School)</small></th> </tr> </thead> <tbody> <tr> <td>Mary McPherson Elementary**</td> <td>571</td> <td>500</td> <td>1.7</td> </tr> <tr> <td>Victory Middle School</td> <td>999</td> <td>1000</td> <td>1.2</td> </tr> <tr> <td>Meridian High School</td> <td>2126</td> <td>2400</td> <td>3.8</td> </tr> </tbody> </table>		Enrollment	Capacity	Miles <small>(Dev. to School)</small>	Mary McPherson Elementary**	571	500	1.7	Victory Middle School	999	1000	1.2	Meridian High School	2126	2400	3.8
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Mary McPherson Elementary**	571	500	1.7														
Victory Middle School	999	1000	1.2														
Meridian High School	2126	2400	3.8														
# of Students Enrolled																	
**During the 20/21 school year Mary McPherson's student capacity will increase to 675, due to the cur expansion underway. **																	
Wastewater																	
Distance to Sewer Services	Approximately 300' west of the subject site in Victory Rd.																
Sewer Shed	South Black Cat trunkshed																
Estimated Project Sewer ERU's	See application																
WRRF Declining Balance	13.97																
Project Consistent with WW Master Plan/Facility Plan	Yes																
Impacts/Concerns	No utility plans have been submitted for analysis, therefore no site specific conditions have been provided with this application. Applicant shall be required to submit utility designs as part of their CUP application and conditions will be conveyed at that time.																
Water																	
Distance to Water Services	Directly adjacent to the subject site in Victory Rd.																
Pressure Zone	4																
Estimated Project Water ERU's	See application																
Water Quality	NA																
Project Consistent with Water Master Plan	NA																
Impacts/Concerns	No utility plans have been submitted for analysis, therefore no site specific conditions have been provided with this application. Applicant shall be required to submit utility designs as part of their CUP application and conditions will be conveyed at that time.																

C. Project Maps







**III. APPLICANT INFORMATION**

A. Applicant:

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

B. Owner:

SW Victory, LLC – P.O. Box 2020, Boise, ID 83701

C. Representative:

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper notification published in newspaper	7/31/2020	
Radius notification mailed to property owners within 300 feet	7/29/2020	
Public hearing notice sign posted on site	8/5/2020	
Nextdoor posting	7/28/2020	



## V. COMPREHENSIVE PLAN ANALYSIS

**LAND USE:** This property is designated Medium Density Residential (MDR) on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#). The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

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

The Applicant proposes to develop the 17.01 acre site with a total of 170 multi-family apartments (two story 2-plex and 4-plex styles) at a gross density of 10.0 units per acre consistent with the density desired in MHDR designated areas.

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

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

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

*The proposed 2-plex and 4-plex style apartments will contribute to the variety of residential categories in the City as desired. Single-family homes exist to the south (Meridian Heights), zoned R-8, and multi-family apartments (Red Tail) exist across the street to the east, zoned R-15.*

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

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

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

*The proposed apartments with the existing and future single-family detached homes in this area should provide for diverse housing options in this area. Multi-family apartments also exist across Meridian Rd./SH-69 to the east.*

- “Provide pathways, crosswalks, traffic signals and other improvements that encourage safe, physical activity for pedestrians and bicyclists.” (5.01.01B)

*A 10-foot wide segment of the City’s multi-use pathway system is proposed within the street buffer along S. Meridian Rd./SH-69 in accord with the Pathways Master Plan.*

- “Plan for transportation connectivity and the provision of adequate urban utilities and services for county enclaves.” (3.03.04)

*A stub street is proposed from Victory Rd. to the out-parcel at the southwest corner of the site for future extension and access from the west and south. Urban utilities and services will be provided with annexation and development of the property.*

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

*The proposed multi-family residential development and site design with 2-plex structures along the perimeter boundary as a transition between proposed 4-plex structures and existing and future single-family homes should be compatible.*

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

*The proposed residential infill development shouldn't negatively impact abutting development as existing uses are also residential in nature.*

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

*The proposed MHDR FLUM designation for this property will contribute to the range of residential land use designations in this area of the City which currently consist mainly of low and medium density residential designations.*

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

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

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

*The proposed development is required to provide a minimum 35-foot wide landscaped street buffer along S. Meridian Rd./SH-69 with noise mitigation in accord with the standards listed in UDC 11-3H-4D.*

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

*Urban sewer and water infrastructure and curb, gutter and sidewalks are required to be provided with development.*

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

*The proposed multi-family apartments in 2-plex and 4-plex configurations will contribute to the diverse housing options available in the southern portion of the City.*

- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities and other best site design practices.” (3.07.01A)

*Because residential uses and zoning are proposed adjacent to existing and future residential uses and zoning, screening and buffering is not required by the UDC. Transitional densities are proposed (i.e. 2-plex structures next to existing and future single-family homes).*

- “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 proposed medium high-density development is located along S. Meridian Rd./SH-69, a major*

*transportation corridor, and in close proximity to office and future commercial uses to the north and northeast.*

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

*Development of the subject infill parcels will maximize public services.*

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

*The proposed development plan is not consistent with the City’s existing vision in terms that this property is designated for medium density residential uses but is consistent with the proposed MHDR FLUM designation requested with this application. Public services and infrastructure are proposed to be provided.*

**VI. STAFF ANALYSIS**

**A. COMPREHENSIVE PLAN MAP AMENDMENT (CPAM)**

As discussed above, the Applicant requests an amendment to the FLUM to change the future land use designation on 17.01 acres of land from MDR to MHDR for the development of 170 multi-family apartments at a gross density of 10.0 units per acre. An exhibit map showing the existing and proposed FLUM designations is included in Section VIII.A.

The Applicant’s request for approval of an increase in density for development on this site is based on recent [market studies](#) included in this application that corroborate the demand for housing in Meridian is high and a range and diversity of housing types is needed.

As discussed above, the Comprehensive Plan encourages higher density residential uses adjacent to major transportation corridors such as S. Meridian Rd./SH-69 which lies along the eastern boundary of the site. Approval of the proposed amendment to MHDR will contribute to the range of residential land use designations and diversity in housing types and densities in this area as desired. For these reasons, Staff is in support of the request for a map amendment to MHDR.

**B. ANNEXATION & ZONING**

The Applicant proposes to annex 18.45 acres of land into the City with an R-15 (Medium High-Density Residential) zoning district consistent with the proposed FLUM designation of MHDR.

A conceptual site plan and building elevations were submitted showing how the property is planned to develop with (170) 2-story multi-family apartment units consisting of 2-plex and 4-plex style structures (see Section VIII.C). A total of (58) 2- and 3-bedroom units in 2-plex and (112) 2-and 3-bedroom units in 4-plex configurations are proposed. The proposed gross density of the development is 10.0 units per acre with a net density of 13.06 units per acre, which is consistent with that desired in the MHDR designated areas.

This property along with the 4 acre rural residential out-parcel (Brewer/Schmidt) at the southwest corner of the site are enclaves surrounded by City annexed land. Annexation of this property will leave one parcel in the County. The Applicant states they have visited with that property owner about including their land in the annexation and FLUM amendment application but they prefer to remain as-is in the County. Remnant parcels such as this in the County create an inefficient provision of City services.

Multi-family developments are listed as a conditional use in the R-15 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table 11-2A-7 for the

R-15 zoning district and the specific use standards for multi-family developments listed in UDC [11-4-3-27](#).

The site plan depicts access to the proposed development via a public street from W. Victory Rd., an arterial street; no stub streets exist to this property. Emergency access is proposed via S. Meridian Rd./SH-69 in two possible locations (only one access is required). A stub street is proposed at the west boundary for future extension and connectivity to an east/west local street planned in Jocelyn Park subdivision; this street will also eventually provide a connection to Victory Rd. from S. Peoria Way to the south if/when the out-parcel (Brewer/Schmidt) redevelops in the future. Direct access, except for one emergency only access via S. Meridian Rd./SH-69, is prohibited per UDC 11-3H-4B.2. **Right-of-way for the public street should be dedicated to ACHD with development of the site through the subdivision process or other alternative process as required by ACHD. The bridge across the Ridenbaugh and other improvements noted in the ACHD report shall be completed to ACHD standards with development.**

Two-plex structures are proposed as a transition between the proposed 4-plex structures and the existing and future single-family homes at the south and west boundaries of the site. **Staff recommends a 2:1 transition in dwelling units along these boundaries; minor adjustments may be necessary with the future CUP application to achieve this transition where more than 2 units abut each single-family home/lot.**

A total of 420 off-street parking spaces are depicted on the concept plan in garages, carports, surface and driveway parking. Based on the standards listed in UDC Table 11-3C-6 for multi-family developments, a minimum of 340 spaces are required with 170 of those in a covered carport or garage. A total of 50 spaces are proposed in *excess* of the minimum UDC standards.

**There are existing power poles on this site that may be located in an Idaho Power easement; if so, the easement should be vacated with redevelopment of the property.**

The Pathways Master Plan depicts a segment of the City's regional pathway on this site along S. Meridian Rd. The concept plan depicts a 10-foot wide pathway in accord with the Plan; landscaping is required on either side of the pathway in accord with the standards listed in UDC 11-3B-12C. A pedestrian bridge over the Ridenbaugh Canal is also proposed providing pedestrian access to a dog park proposed at the northeast corner of the site. A detached minimum 5-foot wide sidewalk is required along W. Victory Rd. in accord with UDC 11-3A-17.

Qualified open space and site amenities are required to be provided in residential developments in accord with the standards listed in UDC 11-3G-3; these standards are in addition to the common open space, private usable open space and site amenities required in UDC 11-4-3-27 for multi-family developments. A minimum of 10% (1.7 acres) of qualified open space and one (1) site amenity is required. A central common area is depicted on the concept plan with a clubhouse, swimming pool and tot lot; a dog park is proposed at the northeast corner of the site across the Ridenbaugh Canal with access proposed via a pedestrian bridge; and a 10-foot wide multi-use pathway is proposed along S. Meridian Rd./SH-55 as amenities. A qualified open space exhibit is required to be submitted with the Conditional Use Permit application to ensure compliance with the minimum standards.

With development, a minimum 35-foot wide street buffer is required to be constructed along S. Meridian Rd./SH-69, an entryway corridor; and a minimum 25-foot wide street buffer is required along W. Victory Rd., an arterial street, landscaped per the standards listed in UDC 11-3B-7C. Because there isn't adequate area next to Victory Rd. for a sidewalk between the street and the Ridenbaugh Canal, ACHD is requiring the sidewalk to be constructed on the south side of the canal in a permanent right-of-way easement. **If the buffer area is entirely encumbered by the easement for the canal, a minimum 5-foot wide area outside of the easement is required for planting shrubs and trees.**

As part of the future development application, vertical curb, gutter and a 7-foot wide attached concrete sidewalk to cross the Ridenbaugh Canal on both the west and east sides for pedestrian connectivity with bridge railings will be required by ACHD. Plans for the bridge crossing over the canal are required to be submitted to ACHD for review and approval as required in their staff report (see Section IX.L for more information).

**Noise abatement is required to be provided for residential uses adjacent to a state highway (SH-69) in accord with the standards listed in UDC 11-3H-4D.**

**The Ridenbaugh Canal runs along the northern boundary of the site. All canals are required to be piped unless used as a water amenity or linear open space as defined in UDC 11-1A-1 per UDC 11-3A-6. Due to its large capacity, it's not feasible for the waterway to be piped. Therefore, the Applicant requests a waiver from City Council to leave the waterway open. Council may approve such a waiver if it finds that the public purpose requiring such will not be served and public safety can be preserved. To preserve public safety, Staff recommends a 6-foot tall wrought iron fence is provided adjacent to the canal.**

Conceptual building elevations were submitted for the 4-plex structures that are the same or similar to those constructed in Little Creek, east of Locust Grove Rd., south of Fairview Ave. (see Section VIII.D); elevations for the 2-plex structures were not submitted but the Applicant stated they will be very similar in design to the 4-plex structures. Building materials consist of a mix of vertical and horizontal siding with stone or brick veneer accents. All future structures are required to comply with the design standards listed in the Architectural Standards Manual. Detailed review of the elevations for compliance with these standards will take place with the Certificate of Zoning Compliance and Design Review application prior to application for building permits.

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

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

## VII. DECISION

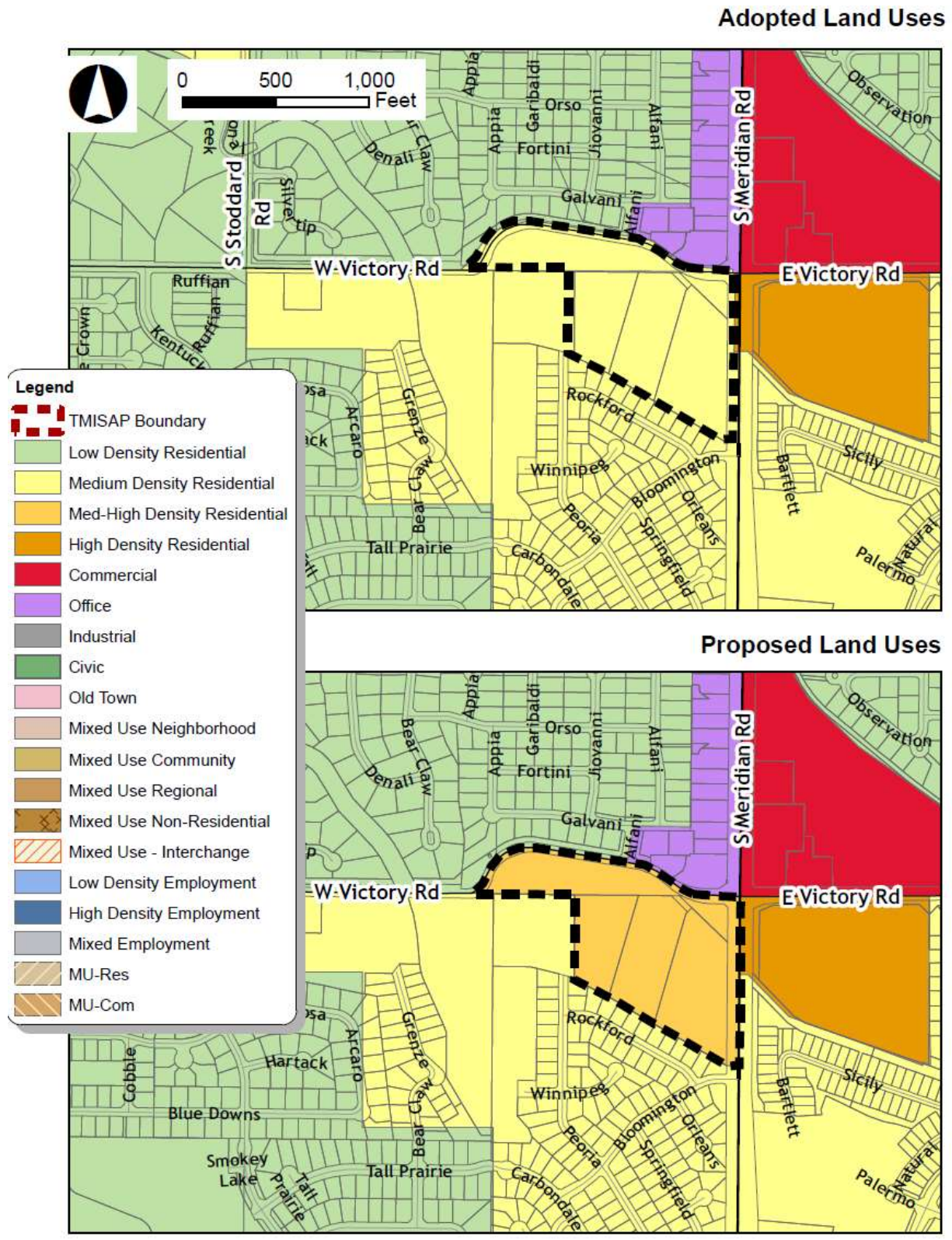
### A. Staff:

Staff recommends approval of the proposed amendment to the Future Land Use Map and Annexation & Zoning with the requirement of a Development Agreement per the provisions in Section VIII in accord with the Findings in Section IX.



### VIII. EXHIBITS

#### A. Future Land Use Map – Existing & Proposed



B. Annexation & Zoning Legal Description and Exhibit Map



J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

EXHIBIT "A"

VICTORY APARTMENTS  
ANNEXATION TO THE CITY OF MERIDIAN  
LEGAL DESCRIPTION

Those portions of the Southeast Quarter of the Southeast Quarter of Section 24 and the Northeast Quarter of the Northeast Quarter of Section 25, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

**BEGINNING** at the northeast corner of Section 25, Township 3 North, Range 1 West, Boise Meridian, from which the east quarter corner of said Section 25 bears South 00°25'44" West, 2,642.97 feet;

Thence S00°25'44"W, 926.51 feet along the east line of the Northeast Quarter of the Northeast Quarter of said Section 25 to the northeast corner of Meridian Heights No. 2 Subdivision according to the official plat thereof filed in Book 41 of Plats at Pages 3353 through 3354, Ada County Records;

Thence along the northeasterly boundary of said Meridian Heights No. 2 Subdivision the following four (4) courses:

- Thence N 89°21'10" W, 25.00 feet;
- Thence N 60°10'49" W, 562.21 feet;
- Thence N 58°42'19" W, 210.37 feet;
- Thence N 63°32'19" W, 212.25 feet;

Thence N 00°30'08" E, 452.66 feet departing from said northeasterly boundary to the south line of the Southeast Quarter of the Southeast Quarter of said Section 24;

Thence N 89°21'43" W, 434.41 feet along said south line to the southwest corner of said Southeast Quarter of the Southeast Quarter;

Thence N 00°47'01" E, 165.13 feet along the west line of said Southeast Quarter of the Southeast Quarter to the centerline of W. Victory Road;

Thence along said centerline the following ten (10) courses:

- Thence N 52°45'48" E, 58.84 feet to the beginning of a non-tangent curve;
- Thence along said non-tangent curve to the right an arc length of 27.08 feet, having a radius of 100.00 feet, a central angle of 15°30'48", a chord bearing of N 60°22'53" E and a chord length of 26.99 feet;
- Thence N 68°08'17" E, 44.82 feet to the beginning of a curve;
- Thence along said curve to the right an arc length of 137.15 feet, having a radius of 250.00 feet, a central angle of 31°26'00", a chord bearing of N 83°51'17" E and a chord length of 135.44 feet;



J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

Thence S 80°25'43" E, 514.81 feet to the beginning of a non-tangent curve;  
 Thence along said non-tangent curve to the right an arc length of 89.16 feet, having a radius of 350.00 feet, a central angle of 14°35'45", a chord bearing of S 73°07'49" E and a chord length of 88.92 feet to the beginning of a non-tangent curve;  
 Thence along said non-tangent curve to the right an arc length of 113.33 feet, having a radius of 319.41 feet, a central angle of 20°19'42", a chord bearing of S 56°42'33" E and a chord length of 112.73 feet;  
 Thence S 49°33'41" E, 56.30 feet to the beginning of a curve;  
 Thence along said curve to the left an arc length of 138.93 feet, having a radius of 200.00 feet, a central angle of 39°48'02", a chord bearing of S 69°27'42" E and a chord length of 136.15 feet;  
 Thence S 89°21'43" E, 213.76 feet to the **POINT OF BEGINNING**, containing 18.45 acres, more or less.

**END DESCRIPTION**

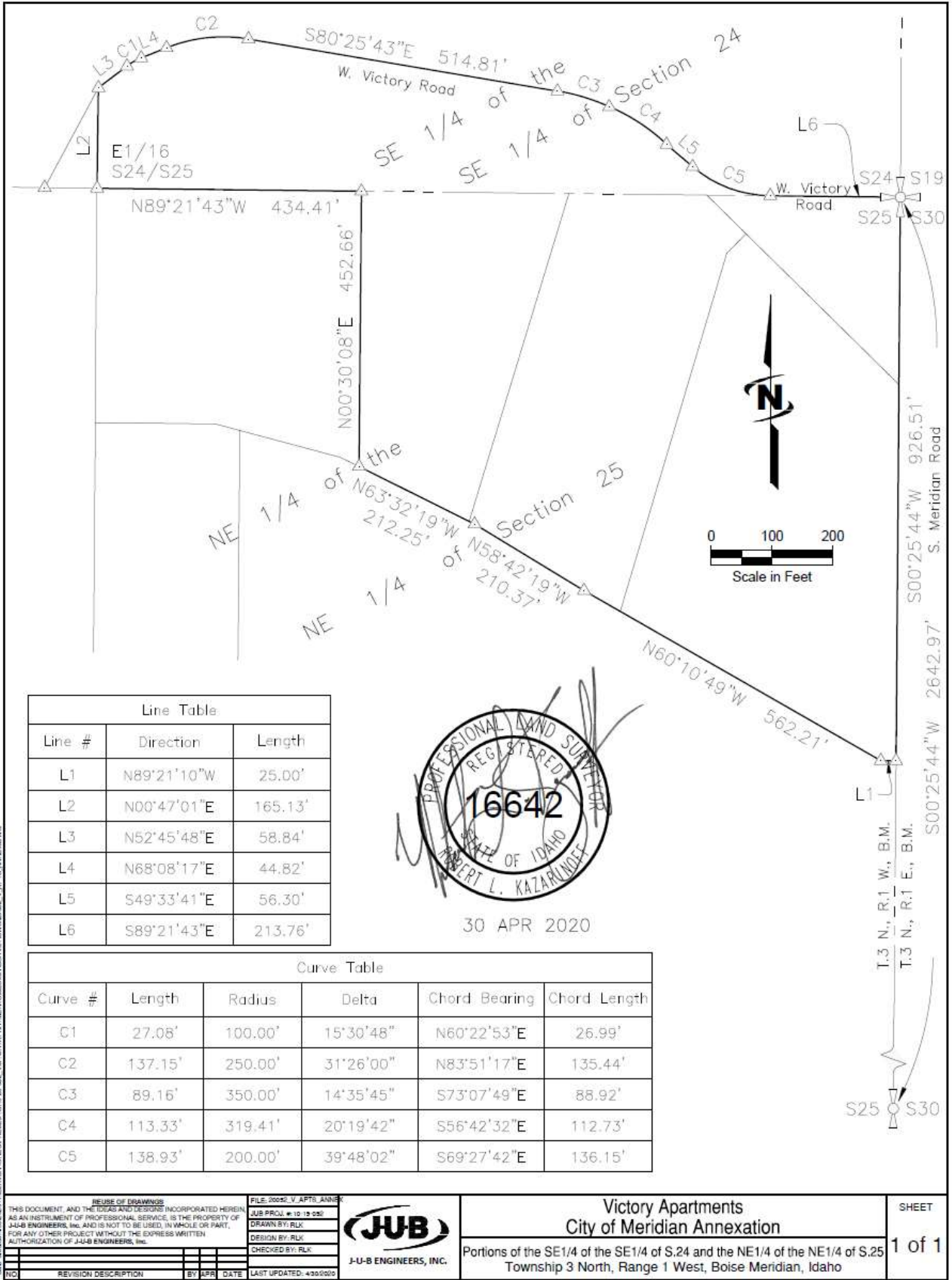
This description was prepared by me or under my supervision. If any portion of this description is modified or removed without the written consent of Robert L. Kazarinoff, PLS, all professional liability associated with this document is hereby declared null and void.

\_\_\_\_\_  
Robert L. Kazarinoff, PLS 16642

\_\_\_\_\_  
Date







Line Table		
Line #	Direction	Length
L1	N89°21'10"W	25.00'
L2	N00°47'01"E	165.13'
L3	N52°45'48"E	58.84'
L4	N68°08'17"E	44.82'
L5	S49°33'41"E	56.30'
L6	S89°21'43"E	213.76'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	27.08'	100.00'	15°30'48"	N60°22'53"E	26.99'
C2	137.15'	250.00'	31°26'00"	N83°51'17"E	135.44'
C3	89.16'	350.00'	14°35'45"	S73°07'49"E	88.92'
C4	113.33'	319.41'	20°19'42"	S56°42'32"E	112.73'
C5	138.93'	200.00'	39°48'02"	S69°27'42"E	136.15'

<p><b>REUSE OF DRAWINGS</b></p> <p>THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF J-U-B ENGINEERS, INC. AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF J-U-B ENGINEERS, INC.</p>	<p>FILE: 20052_V_APTS_ANNEX</p> <p>JUB PROJ. # 10-19-082</p> <p>DRAWN BY: RLK</p> <p>DESIGN BY: RLK</p> <p>CHECKED BY: RLK</p>	<p><b>J-U-B ENGINEERS, INC.</b></p>	<p><b>Victory Apartments</b> <b>City of Meridian Annexation</b></p> <p>Portions of the SE1/4 of the SE1/4 of S.24 and the NE1/4 of the NE1/4 of S.25 Township 3 North, Range 1 West, Boise Meridian, Idaho</p>	<p>SHEET</p> <p><b>1 of 1</b></p>								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 75%;">REVISION DESCRIPTION</th> <th style="width: 10%;">BY</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>					NO.	REVISION DESCRIPTION	BY	DATE				
NO.	REVISION DESCRIPTION	BY	DATE									

C. Conceptual Development Plan (dated: 8/13/20)



Conceptual Site Plan - Meridian Rental Apartments - Scheme 12

Updated  
Aug 13, 2020

### D. Conceptual Building Elevations

<p><b>COLOR PALETTE #3</b></p> <p>SHINGLES = BLACK          BODY 1 = RARE GRAY (SW 6189)          BODY 2 = PEWTER GREEN (SW 5287)          TRIM = CASA BLANCA (SW 7571)          ACCENT = CALVIN RED (SW 0088)          STONE = RURAL COUNTRY          LEDGESTONE = WHITE OAK</p> 	<p><b>COLOR PALETTE #2</b></p> <p>SHINGLES = BLACK          BODY 1 = FERLAND (SW7545)          BODY 2 = SIERRA REDWOOD (SW 7595)          TRIM = CASA BLANCA (SW 7571)          ACCENT = BUNGALOW BLUE (SW 0048)          STONE = RURAL COUNTRY          LEDGESTONE = WHITE OAK</p> 	<p><b>COLOR PALETTE #1</b></p> <p>SHINGLES = BLACK          BODY 1 = SANDBAR (SW 7647)          BODY 2 = VINTAGE TAPE (SW 7691)          TRIM = CASA BLANCA (SW 7571)          ACCENT = BUNGALOW BLUE (SW 0048)          STONE = RURAL COUNTRY          LEDGESTONE = WHITE OAK</p> 
<b>3</b> COLOR PALETTE #3 RAB 2/21	<b>2</b> COLOR PALETTE #2 RAB 2/21	<b>1</b> COLOR PALETTE #1 RAB 2/21

LITTLE CREEK FOURPLEX  
 LITTLE CREEK SUBDIVISION  
 LOCATED ON W. VICTORY RD. & S. MERIDIAN RD.

ARCHITECT: [Faded]  
 PROJECT NO.: [Faded]  
 DATE: [Faded]  
 SCALE: [Faded]  
 SHEET: [Faded]  
 A4.0 CP



Exterior Elevation - Facade "A"

Exterior Elevation - Facade "B"



Exterior Elevation - Facade "C"

Exterior Elevation - Facade "D"

South Meridian & West Victory Road Apartments  
Meridian Idaho





Exterior Elevation - Facade "A"



Exterior Elevation - Facade "B"



Exterior Elevation - Facade "C"



Exterior Elevation - Facade "D"

South Meridian & West Victory Road Apartments  
Meridian, Idaho

Scheme 2  
May 11, 2020



Exterior Elevation - Facade "A"



Exterior Elevation - Facade "B"



Exterior Elevation - Facade "C"



Exterior Elevation - Facade "D"

South Meridian & West Victory Road Apartments  
Meridian, Idaho

Scheme 1  
May 11, 2020



Exterior Elevation - Facade "A"



Exterior Elevation - Facade "B"



Exterior Elevation - Facade "C"



Exterior Elevation - Facade "D"

South Meridian & West Victory Road Apartments

Scheme 3

Meridian, Idaho

May 11, 2020



Exterior Elevation - Facade "A"



Exterior Elevation - Facade "B"



Exterior Elevation - Facade "C"



Exterior Elevation - Facade "D"

South Meridian & West Victory Road Apartments

Scheme 4

Meridian, Idaho

May 11, 2020

## IX. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the conceptual development plan and building elevations included in Section VIII and the provisions contained herein.
- b. Right-of-way for a public street extending from W. Victory Rd. through the site to the west boundary shall be dedicated to ACHD with development of the site.
- c. The bridge across the Ridenbaugh Canal and other improvements noted in the ACHD report included in Section IX.L shall be constructed to ACHD standards with development of this site.
- d. A conditional use permit application is required to be submitted and approved for the multi-family development in the R-15 zoning district per UDC Table 11-2A-2.
- e. Noise abatement shall be provided for residential uses adjoining State Highway 69 in accord with the standards listed in UDC 11-3H-4D.
- f. A 10-foot wide multi-use pathway is required within a 14-foot wide public pedestrian easement in the street buffer along S. Meridian Rd./SH-69 in accord with the Pathways Master Plan; landscaping is required on either side of the pathway in accord with the standards listed in UDC 11-3B-12C.
- g. Future development shall comply with the design standards listed in the Architectural Standards Manual. An application for Design Review shall be submitted and approved for the multi-family structures prior to submittal of building permit applications.
- h. All structures shall have fire sprinklers for fire protection; and secondary emergency access shall be provided to the site with the first phase of development.
- i. The Ridenbaugh Canal shall be piped as set forth in UDC 11-3A-6B *unless* otherwise waived by City Council. If Council approves a waiver to allow the canal to remain open, a 6-foot tall wrought iron fence shall be constructed along the canal to preserve public safety.
- j. Direct access, except for one emergency access, via S. Meridian Rd./SH-69 is prohibited per UDC 11-3H-4B.2.

### B. PUBLIC WORKS

#### 1. Site Specific Conditions of Approval

None – No utility plans were submitted for analysis with this application. Utility designs shall be submitted with the Conditional Use Permit application.

#### 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 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
  - 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
  - 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
  - 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
  - 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
  - 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
  - 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
  - 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.



- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

### C. FIRE DEPARTMENT

*No comments were received.*



**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192080&dbid=0&repo=MeridianCity>

**E. PARK'S DEPARTMENT**

*No comments were received.*

**F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192038&dbid=0&repo=MeridianCity>

**G. CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191389&dbid=0&repo=MeridianCity>

**H. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191617&dbid=0&repo=MeridianCity>

**I. WEST ADA SCHOOL DISTRICT (WASD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192799&dbid=0&repo=MeridianCity>

**J. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192105&dbid=0&repo=MeridianCity>

**K. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191431&dbid=0&repo=MeridianCity>

**L. ADA COUNTY HIGHWAY DISTRICT (ACHD) - DRAFT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=193034&dbid=0&repo=MeridianCity>

**X. FINDINGS****A. Comprehensive Plan Map Amendment**

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

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

*Staff finds the proposed amendment to MHDR is consistent with the Comprehensive Plan in that higher density residential uses are desired along major transportation corridors (i.e. SH-69) and a diversity in housing types is desired in all areas of the City.*

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

*Staff finds that the proposal to change the FLUM designation from MDR to MHDR will allow a higher density of residential development to occur in this area adjacent to SH-69, a major transportation corridor and in close proximity to I-84, which will provide an improved guide to future growth and development of the City.*

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

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

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

*Staff finds that the proposed amendment is consistent with the Unified Development Code.*

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

*Staff finds the proposed amendment will be compatible with abutting existing and future residential land uses and existing office and future commercial uses across Victory Rd. to the north and across SH-69 to the east.*

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

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

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

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

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

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

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

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

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

*The Applicant is proposing to annex the subject 18.45 acre property with R-15 zoning and develop multi-family apartments on the site at a gross density of 10.0 units per acre consistent with the proposed MHDR FLUM designation for this property. (See section V above for more information.)*

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

*Staff finds the proposed map amendment to R-15 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.*

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

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

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

*Staff finds City services are available to be provided to this development.*

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

*Staff finds the proposed annexation is in the best interest of the City.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Pearson Subdivision (H-2020-0075) by Melanie Pearson, Located at 175 W. Paint Horse Ln.

A. Request: A Combined Preliminary and Final Plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** August 6, 2020

**Topic:** **Public Hearing for Pearson Subdivision (H-2020-0075) by Melanie Pearson, Located at 175 W. Paint Horse Ln.**  
A. Request: A Combined Preliminary and Final Plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district.

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**Information Resources:**

[Click Here for Application Materials](#)

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

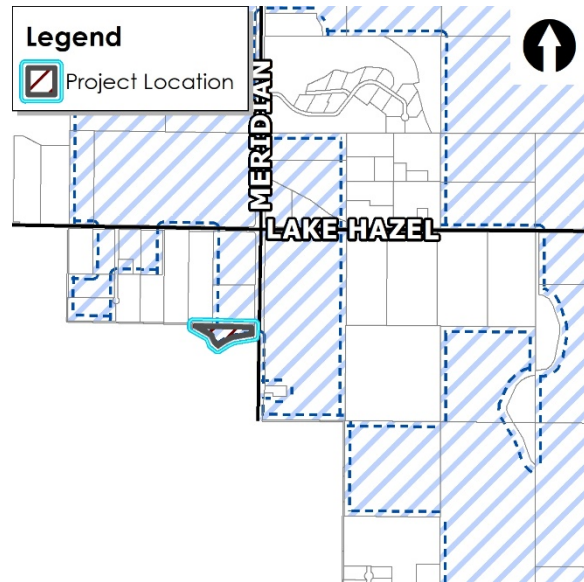
# STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/20/2020  
TO: Planning & Zoning Commission  
FROM: Joe Dodson, Associate Planner  
208-884-5533  
SUBJECT: H-2020-0075  
Pearson Subdivision

LOCATION: The site is located at 175 W. Paint Horse Lane, on the west side of S. Meridian Road approximately ¼ mile south of Lake Hazel Road, in the SE ¼ of the NE ¼ of Section 01, Township 2N., Range 1W.



### I. PROJECT DESCRIPTION

Request for a combined preliminary and final plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district, by Melanie Pearson.

### II. SUMMARY OF REPORT

#### A. Project Summary

Description	Details	Page
Acreage	3.98 (R-4 zoning district)	
Future Land Use Designation	Mixed Use Regional	
Existing Land Use(s)	Residential (one single-family home)	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	2 total lots – 2 single-family residential (one new lot)	
Phasing Plan (# of phases)	Proposed as one phase	
Number of Residential Units (type of units)	2 units – detached single-family homes	
Density (gross & net)	Gross – 0.5 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	N/A – Project size is below the 5 acre minimum.	
Physical Features (waterways, hazards, flood plain, hillside)	Rawson Canal – runs along eastern property boundary adjacent to Meridian Road (area of minimal flood hazard).	
Neighborhood meeting date; # of attendees:	August 5, 2020 – no attendees.	
Distance to nearest City Park (+ size)	1.6 miles to Discovery Park (76.8 acres in size, roughly 30 acres of this park has been developed at this time)	

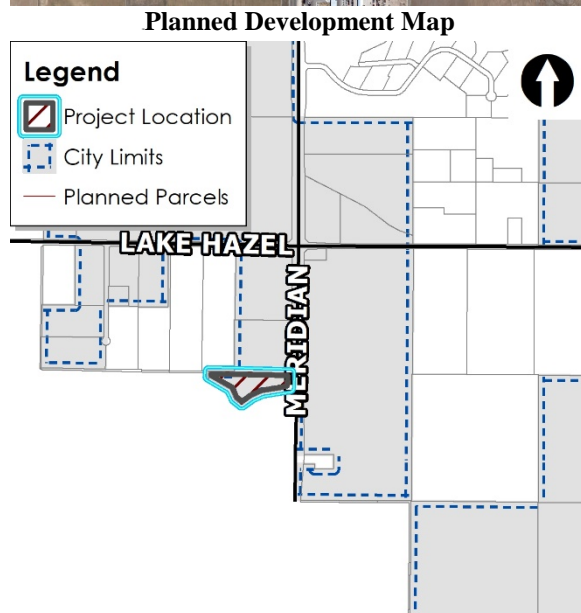
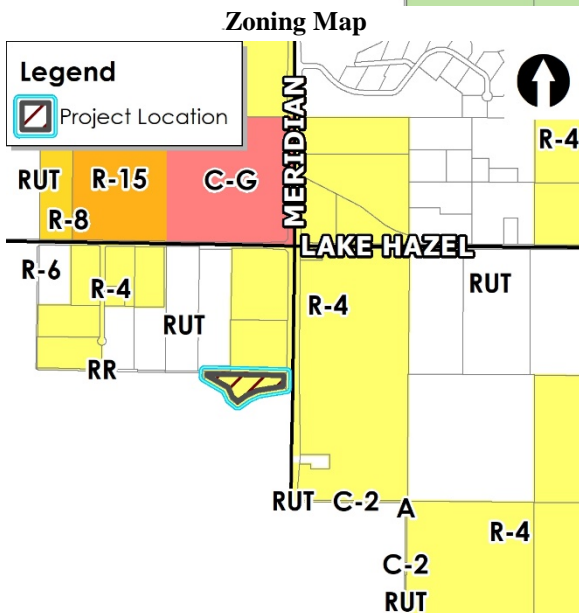
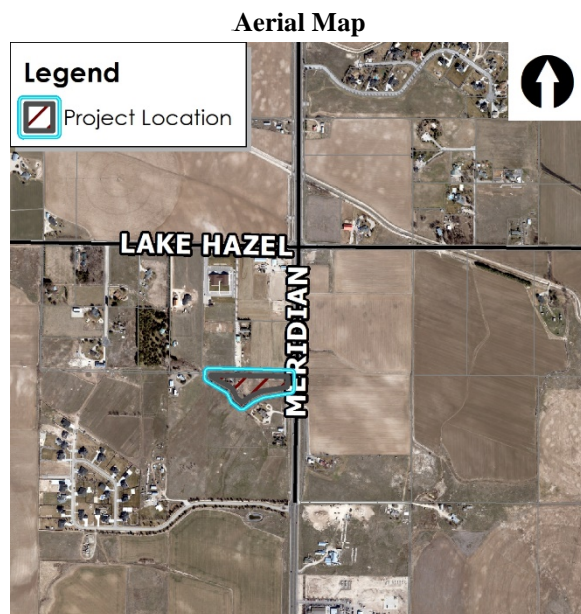
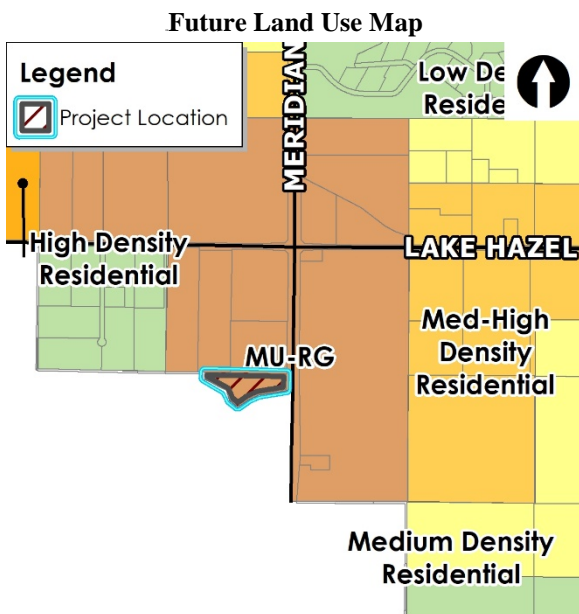
Description	Details	Page
History (previous approvals)	H-2015-0019 (South Meridian Annexation); DA Inst. #2016-007442	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	Letter received from ACHD No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via existing W. Paint Horse Lane, a private drive. No access is proposed to S. Meridian Road other than via existing access of Paint Horse Lane.	
Stub Street/Interconnectivity/Cross Access	Other properties use existing W. Paint Horse Lane; no need for stub street access at this time.	
Existing Road Network	Yes; private lane is existing and no new road dedication is proposed or required.	
Existing Arterial Sidewalks / Buffers	The subject property has a small area of arterial street frontage along S. Meridian Road. There are currently no improvements along this frontage. There is an existing berm and buffer.	
Proposed Road Improvements	Applicant is not proposing nor required to improve any right-of-way along S. Meridian Road or Paint Horse Lane at this time.	
Fire Service		
	<b>No Comments</b> – required turnaround is shown on property.	
Police Service		
	<b>No Comments</b>	
West Ada School District		
	<b>No comments were received for this project.</b>	
Wastewater		
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> <li>Sewer Shed</li> <li>Estimated Project Sewer ERU's</li> <li>WRRF Declining Balance</li> <li>Project Consistent with WW Master Plan/Facility Plan</li> <li>Additional Comments</li> </ul>	N/A South Black Cat Trunkshed See application 13.96 <b>NO – Subdivision will be on septic until utilities are available in the area.</b> <ul style="list-style-type: none"> <li>Flow has been committed</li> <li>Both units for this subdivision will be on septic.</li> <li>No proposed changes to Public Sewer Infrastructure within Record. Any changes or modifications, to the Public Sewer Infrastructure, shall be reviewed and approved by Public Works.</li> </ul>	
Water		
<ul style="list-style-type: none"> <li>Distance to Water Services</li> <li>Pressure Zone</li> <li>Estimated Project Water ERU's</li> <li>Water Quality Concerns</li> </ul>	N/A 5 See application N/A	

Description	Details	Page
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> <li>Impacts/Concerns</li> </ul>	<p><b>NO – no utilities are proposed with this subdivision as they are not available at this time.</b></p> <p>There are no City utilities located in the area. The City Engineer will need to review and grant the utility variance request to not hook up to City water.</p>	

C. Project Area Maps





**III. APPLICANT INFORMATION**

**A. Applicant:**

Melanie Pearson – 1717 N. 7<sup>th</sup> Street, Boise, ID 83702

**B. Owner:**

Mary Taysom – 175 W. Paint Horse Lane, Meridian, ID 83642

**C. Representative:**

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	7/17/2020	
Radius notification mailed to properties within 300 feet	7/14/2020	
Site Posting	7/25/2020	
Nextdoor posting	7/14/2020	

**V. STAFF ANALYSIS**

**To be concise, the subject application is proposing to subdivide one 4 acre lot into two lots for the purposes of allowing the current owner of the parcel to deed the new lot over to her daughter so that her and her family are close-by, this includes helping her daughter with her newborn child.**

**The subject property was annexed in 2015 as part of a larger annexation known as South Meridian Annexation (H-2015-0019). There is an existing Development Agreement (DA) associated with the original annexation and property and this application constitutes development under City code. In reviewing the existing DA, the Applicant needs to apply for a Development Agreement Modification prior to the City Council hearing for this combined preliminary/final plat. Per the existing DA, the first modification is at no cost to the Applicant.**

**The subject property has also received City Engineer and Public Works Director approval for a utilities waiver to not connect to City services at this time due to services being more than a half mile away. Staff finds that making a singular property owner pay for extending City services for a two lot subdivision is neither fair nor necessary. Central District Health (CDH) has also approved of an additional temporary well site and septic system—this fact further diminishes any concern Staff has with the Applicant’s application regarding water and sewer services.**

**Please see further Staff analysis below.**

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

Mixed Use Regional – The purpose of this designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. For example, an employment center should have supporting retail uses; a retail

center should have supporting residential uses as well as supportive neighborhood and community services.

*The subject site is part of a large area in south Meridian with this future land use designation. However, much of these sites are already zoned R-4, medium-low density residential. This zoning does not allow or offer the Applicant the opportunity to develop the site in accordance with the future land use designation. Because this site is relatively small in comparison to most mixed use properties, Staff finds that the mixed use requirements and policies cannot be obtained at this time. These policies should not be aimed for at this time due to the fact that no other nearby properties offer any mix of uses and have not been redeveloped since their annexation in 2015—Staff’s review shows all of the nearby properties to still be low-density residential homes. There is always the chance that in the future much of this area in south Meridian will redevelop with larger parcels of land. At that time, it will be up to the property owners to determine if redevelopment is applicable.*

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

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

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The main purpose of the proposed development is to create a new lot for the Applicant to build a home nearby her mother, the existing property owner. All of the surrounding homes lay on large undeveloped lots even though they are annexed into the City. This subdivision will not change the existing character of the surrounding development and will add an additional single-family home for the City of Meridian.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *Staff finds that the existing and known development of the immediate area create conditions that do not allow for this property owner to connect to City water and sewer services as required by code. Public Works, Meridian Police Department and Meridian Fire have no objections to this small subdivision. No other services should be affected as the existing access is to remain.*

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *Due to the size of the subject property being less than 5 acres, there are no open space requirements. However, this application is only a two-lot subdivision where a majority of each parcel will be undeveloped and remain natural space for each property owner to enjoy.*

*Although the proposed development does not align entirely with the current vision of the Comprehensive Plan, the predominate FLUM designation in the area is MU-R. Staff is of the opinion that it may be quite some time before City utilities are available to this area of Meridian and therefore supports the development of this property as it is consistent with the current R-4 zoning of the property. A mix of uses should occur in the vicinity with the redevelopment of the adjacent property to the north and east. For these reasons, staff believes the proposed development is generally consistent with the Comprehensive Plan.*

C. Existing Structures/Site Improvements:

The subject site currently holds a single family home on the entire 4 acre parcel owned by the mother of the Applicant. **This property, along with nearby properties, was annexed in 2015 but were not required to connect to City services at that time due to services not being available. This situation has not changed and because this subdivision is only for the purposes of creating one additional lot, Staff does not find it appropriate to require this owner to provide public utilities to their property at this time.** However, when services do

become available in S. Meridian Road, the Applicant will be required to connect to them as conditioned in this application and the existing Development Agreement.

D. Proposed Use Analysis:

The proposed use is single-family residential; single-family detached dwellings are listed as principally permitted uses in the R-4 zoning district per UDC Table 11-2A-2. The average lot size is 2 acres with the largest lot being 2.6 acres in size. The proposed use complies with all UDC requirements for the R-4 zoning district.

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

The submitted Preliminary Plat and Final Plat show lots that are 1.36 and 2.62 acres in size. These proposed lot sizes are vastly larger than the minimum lot size requirement of 8,000 square feet for the R-4 zoning district. The existing R-4 zoning district also requires a minimum dwelling size of 1,400 square feet with the first floor gross area being at least 800 square feet.

*The proposed plat meets the UDC dimensional standards for the R-4 zoning district. In addition, any future home built on the new parcel will be required to meet the minimum dwelling size requirements as outlined in UDC Table 11-2A-5.*

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

Access to this development is proposed via an existing private lane, W. Paint Horse Lane. ACHD is not requiring any public road dedication due to the access not being changed—the subject application does not warrant a public road or road improvements at this time according to ACHD. In accord with the existing access, UDC 11-3H-4 requires that if an existing state highway access has an increase in intensity that it is to be removed upon development or dedicated to ACHD and be constructed as noted on the Master Street Map (MSM). Paint Horse Lane is shown as a future collector roadway on the MSM but the addition of one single-family home does not warrant the construction of a collector roadway at this time. With the DA Modification the Applicant needs to apply for prior to City Council, new DA provisions will address this and ensure any future development meets the required development standards.

*As noted above, the subject application is proposing to subdivide one 4 acre lot into two lots and is proposing to use the existing access; there is no proposal to add an additional access to the state highway. Staff and ACHD find that the existing private access is sufficient for one additional single family home. Because other abutting properties are not redeveloping at this time there is no feasible way for the Applicant and owner to comply with those requirements in 11-3H-4. In addition, adding one home does not warrant sufficient traffic to construct a collector roadway as shown on the MSM. However, Staff understands that should any more intensive redevelopment occur on site or surrounding the property, the access will be evaluated for compliance with these requirements. Staff is recommending DA provisions be added with the DA Modification application that requires a future collector street consistent with the MSM if/when this or adjacent properties redevelop with more intense uses consistent with the MU-R land use designation.*

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

Per UDC 11-3H-4C.4, the Applicant is required to construct a ten (10) foot multi-use pathway along the frontage that abuts S. Meridian Road (SH 69). The Applicant is not proposing a multi-use pathway along Meridian Road at this time.

*The Parks Department has reviewed this application for the applicability of the required multi-use pathway along Meridian Road. Per the comments received by Parks (see Section VIII.C), the Applicant is not required to construct this section of the multi-use pathway along Meridian Road.*

*The closest pathway that is currently under construction is adjacent to Prevail Subdivision and is located approximately  $\frac{3}{4}$  of a mile north of this and is on the opposite of Meridian Road. Because of this, this short segment of pathway would be constructed and then lead to nowhere for the foreseeable future. Therefore, Staff is recommending that the Applicant grant a multi-use pathway easement within the required street buffer prior to final plat signature. This future pathway is the only required pedestrian infrastructure at this time due to Paint Horse Lane being a private lane that will likely be removed or redeveloped when other, larger nearby properties redevelop in the future.*

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

No sidewalks are proposed with this development. See pathway analysis above for further clarification.

*As noted above, the Applicant will be using an existing private easement for access and therefore no streets are being constructed with this application. Sidewalks will be required in the future with the extension of the collector street as this area redevelops.*

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

A 35-foot wide street buffer is required adjacent to S. Meridian Road, a state highway and entryway corridor, landscaped per the standards listed in UDC 11-3B-7C. *The landscape plan depicts a 25-foot wide landscape buffer instead of the required 35 feet. The correct amount of landscaping and a berm/fence combination at least 10' above the height of Meridian Road centerline height in accord with UDC 11-3H-4D is shown on the submitted landscape plans (see Exhibit VII.D). Staff is recommending a condition of approval to correct the width of the required landscape buffer along the state highway—the buffer width shall begin its measurement into the site at the edge of the ultimate right-of-way for Meridian Road/SH 69.*

In accord with UDC 11-3B-7C, the required street buffer is to be placed in a common lot and owned and maintained by a homeowner's association. *The nature of this two lot subdivision will not create a homeowner's association and therefore that requirement cannot be applied in this case. In addition, the submitted plat and landscape plans do not show the street buffer to Meridian Road in a common lot. Staff is recommending a condition of approval to amend the plat prior to City Council to show this lot in a common lot to be owned and maintained by the Applicant, Melanie Pearson.*

*Parallel to Meridian Road, the Rawson canal runs through the eastern edge of the subject site. The required buffer landscaping is shown to be outside of the easement for the Rawson Canal meeting the Boise Project Board of Control (BPBC) requirements. In addition, the Meridian Lateral abuts the property along its southern boundary but is not on the subject site. The Applicant is not proposing any landscaping within its easement per the requirements of BPBC.*

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. The existing fencing along the boundary of the subject site is shown on the landscape plans. This fence appears to be open vision fencing and is proposed to be protected in place. In addition, the Applicant is proposing a 6-foot tall vinyl privacy fence along the top of the proposed landscape berm.

*The existing and proposed fencing appear to meet those standards listed in UDC 11-3A-7.*

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

The Rawson Canal runs along the eastern boundary of the subject site and appears to already be tiled. The Applicant has not proposed any improvements within its easement other than shrubs and grass as allowed by BPBC.

**VI. DECISION**

A. Staff:

Staff recommends approval of the requested combined preliminary and final plat application per the Findings in Section IX of this staff report.

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.













**PEARSON SUBDIVISION  
W. PAINT HORSE LN.  
MERIDIAN, IDAHO 83642**

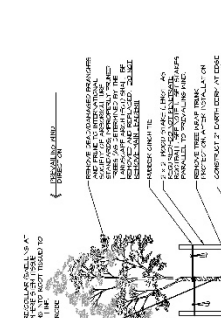
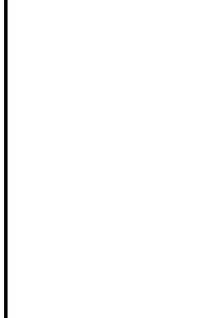
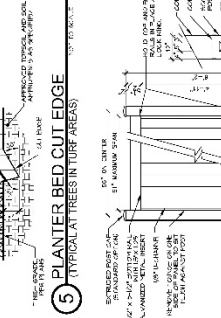
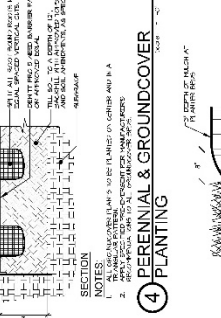
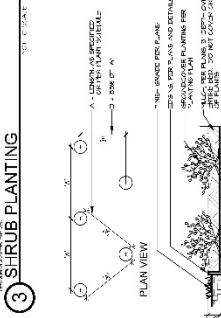
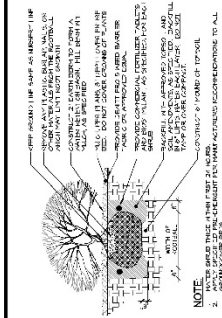
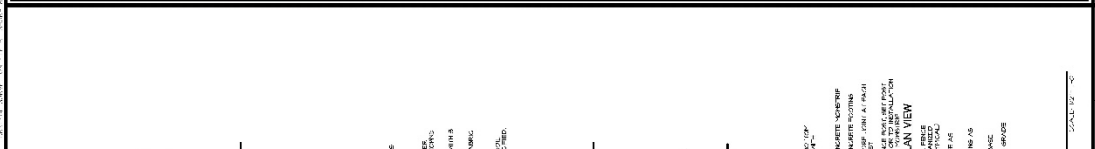
**LANDSCAPE DETAILS**

**PP15**  
SHEET NUMBER

DATE: 08/17/2020  
PROJECT NO.: 20002  
DRAWN BY: [Name]  
CHECKED BY: [Name]

811  
Call Before You Dig  
800-4-A-SHIELD  
www.811.com

PRELIMINARY PLAN



**LANDSCAPE AREA PREPARATION NOTES:**

1. ALL LANDSCAPE AREAS TO BE PREPARED IN THE SPRING OR FALL.
2. ALL LANDSCAPE AREAS TO BE PREPARED AT THE END OF THE BRANCHES.
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**TOPSOIL NOTES:**

1. ALL TOPSOIL TO BE PLANTED IN THE SPRING OR FALL.
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**PLANTING NOTES:**

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**CONSTRUCTION NOTES:**

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**GENERAL NOTES:**

1. ALL WORK TO BE COMPLETED IN THE SPRING OR FALL.
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10. ALL WORK TO BE COMPLETED AT THE END OF THE BRANCHES.

D. Utilities Waiver Letter – City Engineer approval to delay utility hook-up (dated: July 30, 2020)



Mayor Robert E. Simison  
City Council Members:  
Treg Bernt Brad Hoaglund  
Joe Borton Jessica Perreault  
Luke Cavener Liz Strader

MEMORANDUM

DATE: July 30, 2020  
TO: Mayor Robert Simison  
Members of the City Council  
CC: Warren Stewart, Joseph Dodson  
FROM: Dale Bolthouse  
RE: Waiver of water and sewer services connection for 175 Painted Horse Ln.

The City of Meridian received an application to develop property at 175 Painted Horse Lane (see attached map). The property owner has requested a waiver to connect to the City's water and sewer systems. The requestor is dividing their property to add an additional building lot. The property was annexed a few years ago as part of the larger South Meridian Annexation. The existing property is served with well water and septic. City water and sewer services are likely several years away.

Public Works has reviewed the application information for 175 Paint Horse Ln. along with other supporting documents. Based on the current distance to existing water and sewer infrastructure, and the fact the applicant is only requesting a two lot subdivision in order to build one additional home, the Public Works Department supports the request to waive the requirement to connect to the City's water and sewer system. However, we recommend the property owner enter into a Connection Agreement with the City of Meridian requiring them to connect to water and sewer services when those services are adjacent to the property. The following conditions should be included as part of that agreement:

- Owner pays the applicable assessment fees required to connect at time of connection
- Owner constructs the water and sewer service connections
- All other required City of Meridian fees be paid
- Development meets Planning and Zoning requirements

Please feel free to contact Warren Stewart or me if you have any questions regarding this matter.

Dale Bolthouse  
Director of Public Works  
City of Meridian Public Works

Attachment: Map of Request Location

Public Works Department ■ 33 E. Broadway Avenue, Suite 200, Meridian, ID 83642  
Phone 208-898-5500 ■ Fax 208-898-9551 ■ www.meridiancity.org





## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. The Applicant shall apply for a concurrent Development Agreement Modification application prior to this application being heard in front of City Council and at a minimum the following new provisions shall be added to the amended DA:
  - a. This development is not currently serviceable by Meridian Sanitary Sewer or Water Systems. The parcel owners shall be required to cease using their wells and septic systems and connect at their expense, to the Meridian Sanitary Sewer or Water Systems when they become available per MCC 9-1-4 and 9-4-8.
  - b. Prior to City Engineer's signature on the final plat, the Applicant shall enter into a Connection Agreement with the City of Meridian in accord with the connection waiver letter attached in Exhibit VII.D.
  - c. The applicant shall place W. Paint Horse Lane (a private road) in a separate 50-foot wide non-buildable lot for the construction of a public collector street in accordance with the Master Street Map. Timing for the extension of the roadway is predicated on the redevelopment of the parcel beyond two residential lots or with the redevelopment of the MU-R designated parcels to the north. At the time said roadway is constructed, the Applicant shall relinquish their rights to the use of said easement in favor of taking access from a future public street.
2. The final plat included in Section VII.B, dated April 30, 2020, shall be revised as follows prior to City Engineer signature on the plat:
  - a. Revise the plat to add a 35-foot wide common lot along S. Meridian Road/SH 69 to hold the required landscape buffer starting at the western edge of ultimate right-of-way.
  - b. Revise plat note #6 to add: "...; direct lot access to S. Meridian Road/SH 69 is prohibited."
  - c. Add a 50-foot wide common lot along the northern property boundary over the existing W. Paint Horse Lane to reserve this area for future public right-of-way.
  - d. Add a plat note that states the new common lot placed over the existing W. Paint Horse Lane is a non-buildable lot until such time that it is constructed as a collector roadway.
3. The landscape plan included in Section VII.C, dated June 18, 2020, shall be revised prior to City Engineer signature on the plat:
  - a. Revise the landscape plan to show a 35-foot wide landscape street buffer along S. Meridian Road/SH 69 that begins at the western edge of the ultimate right-of-way of Meridian Road.
  - b. Revise the berm/fence combo exhibit to meet UDC 11-3H-4D requirements—the required berm/fence combo along Meridian Road shall be at least ten (10) feet high as measured from the centerline of the road and not from the edge of pavement.
4. Prior to City Engineer signature on the Final Plat, the applicant shall submit a public access easement for the required multi-use pathway along Meridian Road/SH 69 with the required landscape buffer, wholly outside of the right-of-way. Submit easements to the Planning Division for Council approval and subsequent recordation. The easements shall be a minimum of 14' wide (10' pathway + 2' shoulder each side). Use standard City template for public access easement. Easement checklist must accompany all easement submittals. Coordinate with Kim Warren from the City of Meridian Parks Department.

5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-4 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per dwelling.
7. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
8. Upon completion of the landscape buffer installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
9. Approval of this combined preliminary and final plat shall become null and void if the applicant fails to obtain the city engineer's signature on the plat within two (2) years of the approval of the combined preliminary and final plat.

## **B. PUBLIC WORKS**

### **1. Site Specific Conditions of Approval**

- 1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A future installation agreement for streetlights will be required for the required lights on Meridian Road. Contact the Meridian Transportation and Utility Coordinator for additional information.

### **1.2 This development is not currently serviceable by Meridian Sanitary Sewer or Water Systems. The parcel owners shall be required to cease using their wells and septic systems and connect at their expense, to the Meridian Sanitary Sewer or Water Systems when they become available per MCC 9-1-4 and 9-4-8.**

### **2. General Conditions of Approval**

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.5 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.6 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.7 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.
- 2.8 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. PARK'S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191554&dbid=0&repo=MeridianCity>

**D. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191386&dbid=0&repo=MeridianCity>

**E. BOISE PROJECT BOARD OF CONTROL (BPBC)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190916&dbid=0&repo=MeridianCity>

**F. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191398&dbid=0&repo=MeridianCity>

**G. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192079&dbid=0&repo=MeridianCity>

**IX. FINDINGS****A. Combined Preliminary and Final Plat Findings:**

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

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

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

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

*Water and Sewer services cannot be provided to the subject property at this time. The City Engineer and Public Works Director have approved a waiver for this requirement (See Exhibit VII.D). Staff finds that all other services are available for the subject property. (See Section VIII of the Staff Report for more details from public service providers.)*

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

*Because City water and sewer and any other utilities will be provided by the development at a later date as discussed above, 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. The Applicant is not proposing any improvements along either waterway on or adjacent to the site other than landscaping outside of the applicable easements.*





## AGENDA ITEM

**ITEM TOPIC: Public Hearing for Modern Craftsman at Black Cat (H-2020-0022) by Baron Black Cat, LLC, Located in the Northeast Corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26)**

A. Rezone a total of 23.63 acres of land for the purpose of reducing the C-C zone from approximately 8 acres to 4.42 acres and increase the R-15 zone from approximately 15.1 acres to approximately 19.2 acres.

B. Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts.

C. Conditional Use Permit for a multi-family development consisting of 196 residential units on 20.13 acres in the R-15 zone.

D. Modification to the existing development agreements (Inst. #'s: 106151218; 107025555; 110059432; and 114054272) for the purpose of removing the subject property from the boundaries and terms of previous agreements and enter into a new one, consistent with the proposed development plan.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** August 20, 2020

**Topic:** **Public Hearing for Modern Craftsman at Black Cat (H-2020-0022) by Baron Black Cat, LLC, Located in the Northeast Corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26)**

- A. Rezone a total of 23.63 acres of land for the purpose of reducing the C-C zone from approximately 8 acres to 4.42 acres and increase the R-15 zone from approximately 15.1 acres to approximately 19.2 acres.
- B. Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts.
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## Information Resources:

[Click Here for Application Materials](#)

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

## City Council Members:

Treg Bernt  
Joe Borton  
Luke Cavener

Brad Hoaglund  
Jessica Perreault  
Liz Strader

August 20, 2020

### MEMORANDUM

TO: Planning and Zoning Commission

CC: Kent Brown, Kent Brown Planning

FROM: Joseph Dodson, Current Associate Planner

RE: Modern Craftsman Continuance (H-2020-0022)

Dear Commissioners,

Modern Craftsman (H-2020-0022), was heard by Planning and Zoning Commission on July 9, 2020. At that hearing the Commission continued the project to the August 20, 2020 hearing date in order for the Applicant to address Commission's concerns with the limited amount of commercial development that was proposed as part of the project. Since the hearing, the Applicant has submitted revised plans to Planning Staff which has resulted in a number of recommended changes to the conditions of approval and development agreement. Please refer to the attachments and subsequent bullet points below regarding the changes since the Commission hearing.

The revised plans show the following changes proposed by the applicant based on the Commission's deliberation:

- C-C zoning increased from approximately 2.2 acres to 4.2 acres and now includes that area containing the clubhouse.
  - The clubhouse now incorporates offices that residents may rent out and use for their home businesses or meetings, adding 1,050 square feet of leasable space.
- Applicant added a 5,070 square foot Vertically Integrated building along N. Black Cat Road.
- The corner commercial building (near intersection of Chinden and Black Cat) is proposed as a two-story structure with parking below the first level of one half of the building.
  - Two-story variation now allows building to have 19,450 square feet of commercial space—**Staff fully supports the two-story concept.**

- **Total commercial square footage proposed for the site is now approximately 27,000 square feet.**

With the increase in commercial square footage, staff finds the site can accommodate smaller scale, more neighborhood serving commercial uses to serve area residents as discussed and envisioned by the Comprehensive Plan.

Further, the applicant has removed a row of commercial parking directly abutting the southern east-west street and added the required 5-foot landscape strip between the parking and the street as conditioned. Additional parking in this area has increased due to some of the parking being placed underneath the second level of the newly proposed 2-story commercial building. The increased commercial area has 88 parking spaces to be used between the corner commercial, the vertically integrated building, and clubhouse. The minimum required parking for the proposed commercial square footage is 56 spaces. Therefore, the proposed and revised plans show parking in excess of the requirements.

The revised plans and commercial area have resulted in Staff modifying certain conditions and requesting new ones to coincide with the revisions. Staff recommends the following changes be made to the staff report by the Planning and Zoning Commission, noted with strikeout and underline changes below:

- 1.b – The 10-foot multi-use pathway along Chinden Boulevard shall be constructed with Phase 1 of the development; And should be placed at least four (4) feet from the edge of the common lot abutting the common lot reserved for ITD.
- Strike condition 3.d; ~~Revise the landscape plans to add a 5-foot wide landscape buffer along the northern boundary of the commercial parking area to eliminate conflict of cars backing out into the path of traffic on the private street. The buffer shall be landscaped in accord with UDC 11-3B-8C.~~
- Add DA provision #1.h – The Applicant shall vegetate the common lot (Lot 1, Block 1), reserved for future dedication to Idaho Transportation Department (ITD), with grass and not gravel until such time that this lot is dedicated to ITD.
- Add DA provision #1.i – The proposed commercial building located near the intersection of N. Black Cat Road and W. Chinden Boulevard (SH 20/26) shall be constructed as a two-story structure as depicted in the submitted concept renderings and as noted on the revised CUP Site Plan.
- Add DA provision 1.j – The Vertically Integrated Residential Project area of the site shall adhere to the specific use standards as outlined in UDC 11-4-3-41.

Exhibits:

- Revised Site Plan
- Revised Landscape Rendering
- New Vertically Integrated Building Rendering
- Corner Commercial Rendering – 2-story Concept
- Original Corner Commercial Rendering – 1-story Concept
- Revised Rezone Exhibits



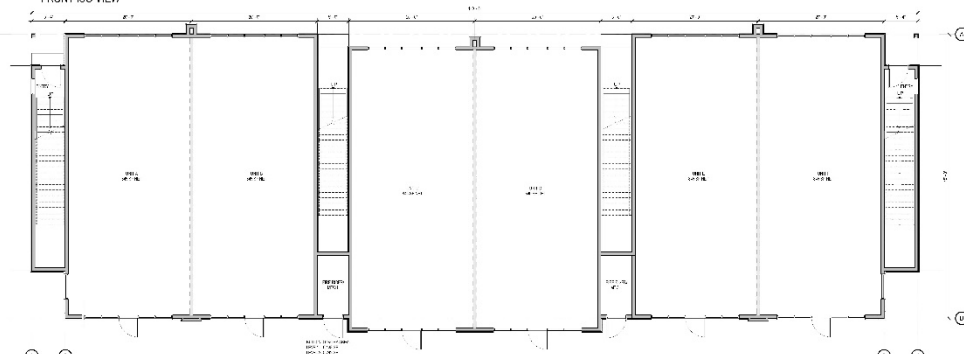




### C. New Vertically Integrated Building Rendering



FRONT ISO VIEW



LEVEL 1 - FLOOR PLAN - PRELIMINARY - GROSS AREA LEVEL 1 = 6,138 SF

PRELIMINARY NOT FOR CONSTRUCTION
MODERN CRAFTSMAN AT BLACK CAT VERTICAL INTEGRATED RESIDENTIAL / COMMERCIAL BUILDING
<small>           PROJECT NO. 2023-001            SHEET NO. A0.0            DATE 10/20/23            DRAWN BY J.M.            CHECKED BY J.M.            PROJECT LOCATION: 12345 Main St, Suite 100, Denver, CO 80202            CLIENT: ABC DEVELOPMENT LLC            ARCHITECT: XYZ ARCHITECTURE         </small>
LEVEL 1 FLOOR PLAN & PERSPECTIVE
A0.0



REAR ISO VIEW



LEVEL 2 - FLOOR PLAN - PRELIMINARY - GROSS AREA LEVEL 2 = 5,242 SF

PRELIMINARY NOT FOR CONSTRUCTION
MODERN CRAFTSMAN AT BLACK CAT VERTICAL INTEGRATED RESIDENTIAL / COMMERCIAL BUILDING
<small>           PROJECT NO. 2023-001            SHEET NO. A0.1            DATE 10/20/23            DRAWN BY J.M.            CHECKED BY J.M.            PROJECT LOCATION: 12345 Main St, Suite 100, Denver, CO 80202            CLIENT: ABC DEVELOPMENT LLC            ARCHITECT: XYZ ARCHITECTURE         </small>
LEVEL 2 FLOOR PLAN & PERSPECTIVE
A0.1



### D. Corner Commercial Rendering – 2-story Concept



<b>PRELIMINARY NOT FOR CONSTRUCTION</b>		
NO.	DESCRIPTION	DATE
<b>MODERN CRAFTSMAN AT BLACK CAT 2-STORY CONCEPT COMMERCIAL BUILDING</b>		
<small>           ALL DIMENSIONS AND FINISHES ARE APPROXIMATE AND SUBJECT TO CHANGE WITHOUT NOTICE. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATORY APPROVALS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATORY APPROVALS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATORY APPROVALS.         </small>		
<b>HOUSTON &amp; BUEATZSCH ARCHITECTS, CHARTERED</b> <small>           20000 WINDY HILLS            SUITE 1000            HOUSTON, TEXAS 77058            P: 281.356.4655 FAX: 281.356.4656         </small>		
Prepared by:	BNS	
Date:	03/06/20	
Drawn by:	SA	
Job No.:	19037	
Issued for:	OWNER	
<b>PERSPECTIVE VIEWS</b>		
<b>A0.0</b>		

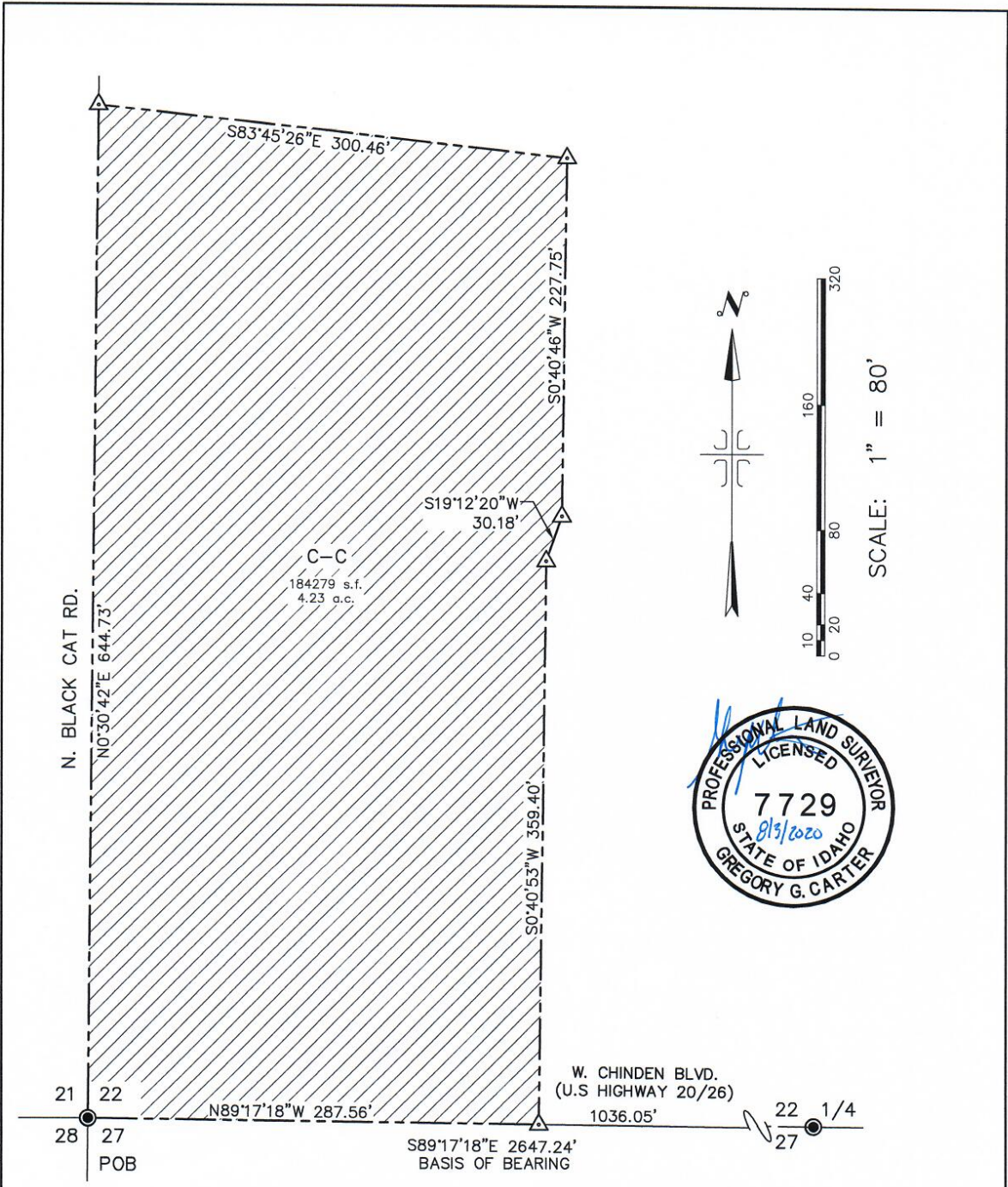
### E. Original Corner Commercial Rendering – 1-story Concept



<p>PRELIMINARY NOT FOR CONSTRUCTION</p>		
NO.	DESCRIPTION	DATE
<p>MODERN CRAFTSMAN AT BLACK CAT 1-STORY CONCEPT COMMERCIAL BUILDING</p>		
<p>HOUSTON ■ BUGATSCH ARCHITECTS, CHARTERED 13077 N. SH. P. 31 WEST S. 13077 N. HOUSTON, TEXAS 77060 P. 281.462.8200</p>		
Drawn by:	BNS	
Date:	08/06/20	
Drawn by:	SA	
Scale:	1/8" = 1'-0"	
Drawn for:	OWNER	
<p>PERSPECTIVE VIEWS</p>		
<p>A0.0</p>		



F. Revised Rezone Exhibits



P:\Modern Craftsmen (Baron Development)\19-144\Draw\ZONING\Modern Craftsmen C-C.dwg 8/3/2020 9:29:19 AM

**ISG** IDAHO SURVEY GROUP, LLC  
9955 W. EMERALD ST.  
BOISE, IDAHO 83704  
(208) 846-8570

EXHIBIT \_\_\_ DRAWING FOR  
MODERN CRAFTSMAN SUBDIVISION  
C-C ZONING DISTRICT

LOCATED IN THE SW ¼ OF THE SW ¼ OF SECTION 22, T.4N., R.1W.,  
B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO

JOB NO. 19-144
SHEET NO. 1
DWG. DATE 8/3/2020





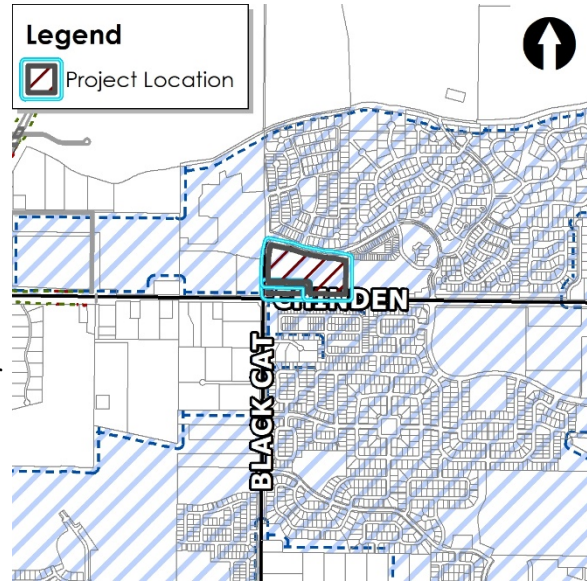
# STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 7/9/2020  
TO: Planning & Zoning Commission  
FROM: Joe Dodson, Associate Planner  
208-884-5533  
SUBJECT: H-2020-0022  
Modern Craftsman at Black Cat

LOCATION: The site is located in the northeast corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26), in the SW ¼ of the SW ¼ of Section 22, Township 4N., Range 1W.



### I. PROJECT DESCRIPTION

- Rezone a total of 23.63 acres of land for the purpose of reducing the C-C zone from approximately 8 acres to 2.26 acres and increase the R-15 zone from approximately 15.1 acres to 21.37 acres;
- Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts;
- Conditional Use Permit for a multi-family development consisting of 196 residential units on 20.13 acres in the R-15 zone;
- Modification to the existing development agreements (Inst. #'s: 106151218; 107025555; 110059432; and 114054272) for the purpose of removing the subject property from the boundaries and terms of previous agreements and enter into a new one, consistent with the proposed development plan, by Baron Black Cat, LLC

*Note: The Applicant is also applying for private streets and administrative design review. These applications are reviewed and approved by the Director; Commission action is not required. Analysis of the building and private street design are provided below in section V.*

### II. SUMMARY OF REPORT

#### A. Project Summary

Description	Details	Page
Acreage	23.63 (R-15 – 21.37 acres; C-C – 2.26 acres)	

Description	Details	Page
Future Land Use Designation	Mixed Use Community	
Existing Land Use(s)	Commercial (tree farm)	
Proposed Land Use(s)	Multi-Family Residential and Commercial	
Lots (# and type; bldg./common)	4 total lots – 1 multi-family residential; 1 commercial; 1 common lots; and 1 other lot.	
Phasing Plan (# of phases)	Proposed as one phase	
Number of Residential Units (type of units)	196 single-family, for rent units (single-family style on a single lot).	
Density (gross & net)	Gross – 8.7 du/ac.; Net – 10.54 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	3.78 acres of qualified open space <u>overall</u> (approximately 17.5%) – 2.36 acres for 11-3G requirements (approximately 10.9%); 62,061 square feet proposed for 11-4-3-27 (Multi-Family) standards. 1.89 acres of private open space is proposed (82,170 square feet; approximately 419 square feet per unit).	
Amenities	5 qualifying amenities – 10’ multi-use pathway; pool; clubhouse; picnic area; and tot-lot (a dog park is also proposed but does not meet UDC requirements to be a qualifying site amenity).	
Physical Features (waterways, hazards, flood plain, hillside)	N/A	
Neighborhood meeting date; # of attendees:	January 13, 2020 – 7 attendees; June 30, 2020 – 4 attendees	
History (previous approvals)	AZ-06-004; MI-06-010/011; MI-07-004; MDA-10-004; MDA-14-006; (DA #'s 106151219, 107025555; 107141993, 110059432, & 2014-065517)	

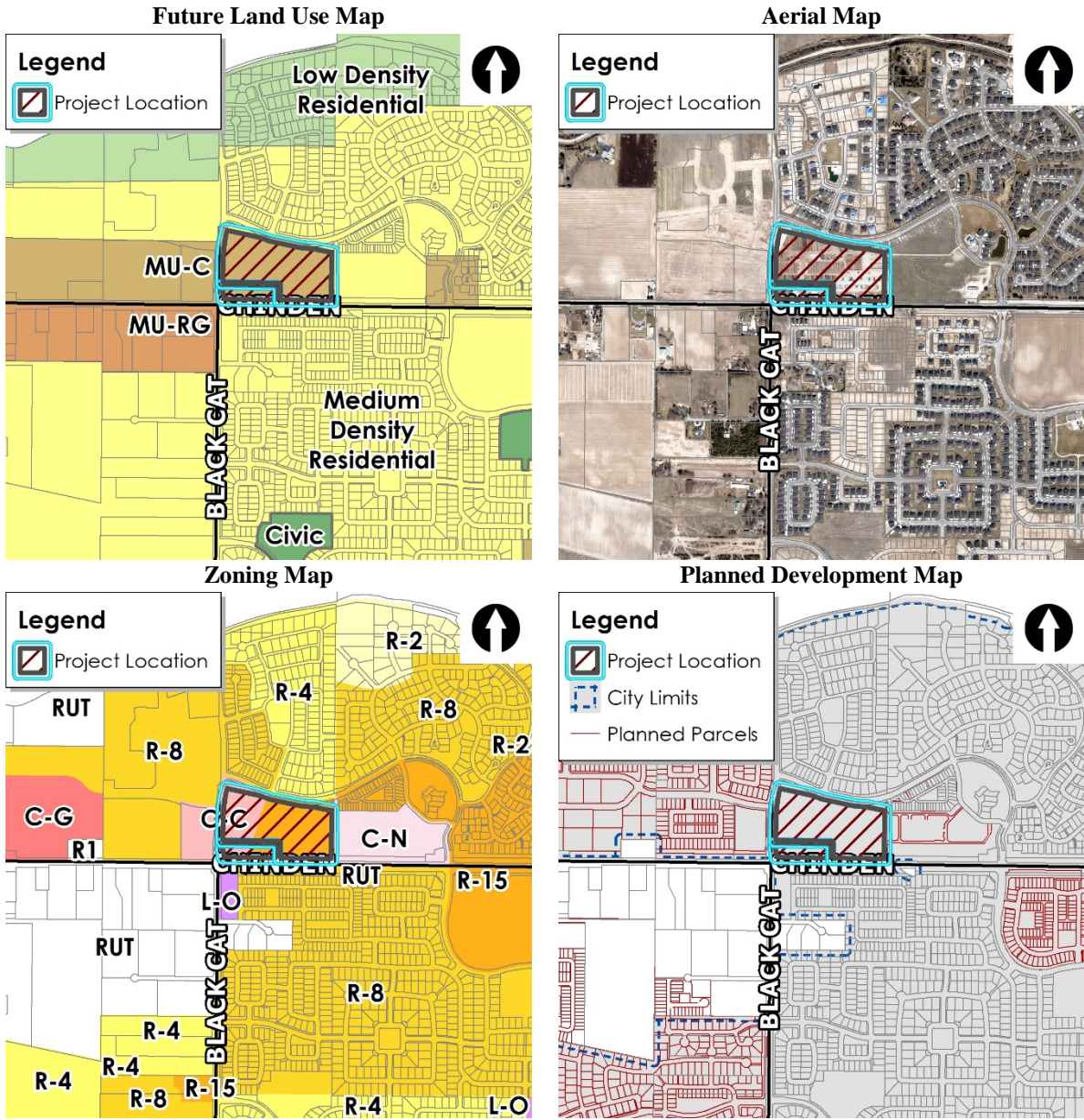
## B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> <li>• Requires ACHD Commission Action (yes/no)</li> </ul>	No No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via private streets off of Black Cat Rd. and Tree Crest Way. There are two access points proposed off of N. Black Cat and one off of W. Tree Crest Way.	
Traffic Level of Service		
Stub Street/Interconnectivity/Cross Access	Applicant is proposing private streets throughout the development; a stub street connection is proposed to the eastern property in the northeast corner of the property (Rock Harbor Church site) and will connect with one of the driveway connections on that site. No other vehicle connections are proposed as the subject site is surrounded by streets on 3 of the 4 property boundaries.	
Existing Road Network	No	
Existing Arterial Sidewalks / Buffers	Chinden Blvd (SH 20/26) abuts the southern property boundary and is currently a two-lane roadway with no improvements along its shoulder. There are no existing sidewalks along the state highway; the Applicant is proposing a 10-foot multi-use pathway within a common lot landscape buffer that will lay outside of the future ITD right-of-way for SH 20/26.	



Description	Details	Page
Proposed Road Improvements		
Distance to nearest City Park (+ size)	0.8 miles to Keith Bird Legacy Park (7.5 acres in size)	
<b>Fire Service</b>		
• Distance to Fire Station	2.2 miles from Fire Station #5	
• Fire Response Time	This project lies within the Meridian Fire response time goal of 5 minutes.	
• Resource Reliability	Fire Station #5 reliability is 80%.	
• Risk Identification	Risk Factor 2 – residential with hazards (multi-family)	
• Accessibility	Proposed project meets all required access, road widths, and turnarounds; Fire has signed off on Private Street layout.	
<b>Police Service</b>		
• Distance to Station	8.5 miles from Meridian Police Department	
• Response Time	Approximately 5 ½ minute response time to an emergency.	
• Call Data	Between 2/1/2019- 1/31/2020, the Meridian Police Department responded to 258 calls for service within a mile of the proposed development. The crime count on the calls for service was 14. See attached documents for details. Between 2/1/2019- 1/31/2020, the Meridian Police Department responded to 5 crashes within a mile of the proposed development. See attached documents for details.	Section VII.
• Additional Concerns	None	
<b>West Ada School District</b>		
• Distance (elem, ms, hs)	Star Elementary – 2.7 miles; Star Middle – 5.0 miles; Meridian High School – 5.3 miles.	
• Capacity of Schools	Star Elementary – 420 students Star Middle – 1000 students Meridian High School – 2400 students	
• # of Students Enrolled	Star Elementary – 622 students Star Middle – 704 students Meridian High School – 1995 students	
<b>Water – Service will not be by the City of Meridian, as it falls within SUEZ North America service area.</b>		
<b>Wastewater</b>		
• Distance to Sewer Services	Directly adjacent	
• Sewer Shed	North Black Cat Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.9	
• Project Consistent with WW Master Plan/Facility Plan	YES	
• Impacts/Concerns	Design and number of units clustered together is of particular concern – staff is unclear as to how all units will be serviced. A utility layout depicting how all of the units will be serviced while still meeting design requirements will be required.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Baron Black Cat LLC – 1401 17<sup>th</sup> Street, Ste. 700, Denver, CO 80202

**B. Owner:**

Same as Applicant

**C. Representative:**

Kent Brown Planning – 3161 E. Springwood Drive, Meridian, ID 83642

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	5/1/2020	
Radius notification mailed to properties within 300 feet	4/28/2020	
Site Posting	6/26/2020	
Nextdoor posting	4/28/2020	

**V. STAFF ANALYSIS**

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

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

*The subject site is surrounded by existing City of Meridian zoning and development that is both existing and planned (the adjacent parcels are entitled but some have not yet begun construction). The proposed land use of multi-family residential and commercial are consistent with the land use types noted in the Future Land Use Map (FLUM) designation definitions and preferred uses. The proposed product type is by definition multi-family (more than 2 units on a single building lot) but the Applicant has designed the units so to emulate single-family attached and detached structures that share mews and pedestrian pathways rather than public streets. The proposed unit types also provide more private open space than traditional multi-family development, furthering its feel of single family residential. In addition, certain densities are required to be met for residential projects within the MU-C future land use designation. The proposed project as shown is approximately 8 du/ac, meeting the 6-15 du/ac requirement (see community metrics above). Therefore, Staff finds the density proposed with the short plat and rezone is consistent with the Future Land Use Map designations of Mixed Use Community (MU-C).*

*Mixed-use designations also require at least three (3) types of land uses. The proposed project offers an area of commercial zoning that should accommodate multiple future uses. The commercial lot is proposed with two building sites that have multiple suites so there is potential that distinct land uses will be available on-site. When analyzing projects within the MU-C future land use designation, the approved and/or developed land uses nearby must be taken into account. Therefore, Staff has taken into account adjacent land uses that can be traveled between with relative ease. Directly to the east of this site is the future Rock Harbor Church site, a*

*different use than proposed with this project. Within a half mile to the west and off of Chinden Blvd., a mixed use project (Central Valley Plaza/Pollard Subdivision) is approved and will offer multiple additional uses and employment opportunities that these future residences could use. Within a half mile to the east, the new Costco building has been approved and is in the process of receiving building permit approval. Directly across N. Black Cat, more commercial development is proposed within the Fairbourne Subdivision.*

*Staff initially had concerns with the overall site design but the Applicant has worked diligently to take Staff's comments into account, specifically in relation to this mixed-use policy: "Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further place-making opportunities considered."*

*The Applicant added additional commercial area to the project and moved the open space to a more central location to help integrate the commercial with the proposed residential. Staff particularly finds the plaza area between the clubhouse and one of the commercial buildings as a great example of integrating the uses as the commercial building fronts on the plaza and would offer great pedestrian connectivity for residents in this project. Staff may prefer additional commercial on the subject site more in line with the existing zoning areas, but Staff also understands that nearby uses help mitigate the loss of commercial zoning on this specific parcel. Staff finds that the proposed layout generally meets the MU-C future land use designation policies and goals.*

The Applicant is also requesting to modify the recorded development agreements (Inst. #'s: 106151218; 107025555; 107141993; 110059432; and 2014-065517) for the purpose of removing the subject property from the boundary of the previous agreements and enter into a new development agreement (DA) consistent with the proposed development plan. Staff's recommended DA provisions are included in Section VIII.A1. The new DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting approval of the MDA by City Council and subsequent recordation.

*The existing development agreement and subsequent addendums relate to a much larger area than this specific corner on Black Cat Road and Chinden Blvd. (Highway 20/26). One of the addendums (from 2007) does directly address the existing tree farm and allows it to continue its use as a tree farm until such time that the property is redeveloped. Because this new development is one of the last portions of the larger area governed by the original DA to redevelop, the Applicant wishes to remove this project site from that DA and its subsequent addendums and enter into its own DA consistent with the proposed development plan. Staff finds a new DA will allow the subject site to develop in a more cohesive and clean pattern while also eliminating the need to amend the existing DA any further.*

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

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

*"Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City" (2.01.01G). Modern Craftsman at Black Cat is offering a new type of development within the City of Meridian by proposing single-family attached and detached homes within a multi-family setting. To both the north and to the west (across N. Black Cat Road) traditional detached single-family homes exist and are proposed. The Applicant hopes to add an additional housing type in this area that will delineate a new housing use in the City and add to the housing diversity available.*



“Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices” (3.07.01A). *The proposed site design incorporates mews, private streets, common open space, and different housing designs within the same parcel. Much of the surrounding development, especially the closest subdivisions, is of lower density, detached single-family development. Because of this, a lot of the public testimony received has requested that this subject site emulate these subdivisions. The subject site does not share the same future land use designation as the adjacent subdivisions and therefore cannot be developed in the same way. Despite being a mixed use designation, the Applicant has chosen to propose a development that is made up of mostly single-story structures. The Applicant did this in order to be more compatible with surrounding residential development.*

*In regards to site design, the Applicant is proposing two-story townhomes along the eastern and western boundaries; these townhomes will abut a parking lot for the adjacent Rock Harbor Church on the east side of development and abut Black Cat along the western boundary and landscape buffer. Also along the eastern boundary is a smaller landscape buffer (approx. 10-foot wide) that is approximately 520 feet in length and proposed with 5 trees and a vinyl fence. The Applicant has also proposed a few of their larger detached structures (3-bedroom units) next to the proposed townhomes along Black Cat to help with buffering along the busy collector. Interior of these townhomes is the main component of this project, attached and detached single-story homes mostly laid out in a detached four-plex configuration. Sidewalks run throughout the development and these attached and detached units making for great pedestrian connectivity throughout the site. In addition, the Applicant has proposed two sidewalk connections out to the proposed multi-use pathway extension along Chinden to help with interconnectivity between parcels. Further pedestrian and open space analysis is in other sections of the staff report below.*

*The Applicant is not proposing any vehicular accesses onto Chinden Blvd. which is a welcomed proposition for ITD and Staff. Reducing access points to arterial streets and state highways is a major goal within the City’s Comprehensive Plan and helps funnel traffic in appropriate manners. Staff believes placing townhomes along Black Cat offers an appropriate buffer between the busy collector roadway and the single-story structures that make up a majority of the development. In addition, the subject site is bordered on three sides by public roads that have or will have landscape buffers. These landscape buffers and the public roads should offer a needed buffer.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *All public utilities are available for this project site due to the existing subdivision to the north, per Public Works comments. This project also lies within the Fire Department response time goal. Chinden Boulevard is currently being widened in multiple places along its corridor and will connect to the planned expansion of Highway 16. It is the intent of these road improvements to help with current and future congestion along Chinden Boulevard. To help mitigate this, the Applicant is not requesting any accesses onto Chinden but instead is proposing two access points to Black Cat and one access to N. Tree Farm Way, essentially the northern border of the property.*

*West Ada School District has offered comments on this project and estimate an additional 156 school age children could reside in this community. Of the closest neighborhood schools, Star Elementary is the only school shown as currently over enrolled. West Ada also notes that future students in this area could attend the Owyhee High School and Pleasant View Elementary School—Pleasant View is scheduled to open in Fall 2020. Staff understands that school enrollment is a major issue to be dealt with but at least in the northwest Meridian area, some relief appears to be on the horizon with new schools opening up soon.*

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

*“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). The proposed project offers open space that meets and exceeds the minimum requirements in the unified development code (UDC). The Applicant has increased the amount of open space over the course of discussions with Staff which improves the overall project. There are three main areas of open space in this development but smaller, qualifying open space also exists throughout the project. These three main areas hold the proposed dog park, clubhouse and pool, tot-lot, a plaza shared between some commercial and the open space lot, and a central vista that connects both ends of the development with green space. This central vista is also anchored at each end with amenities making the open space flow and feel as part of the development. See further analysis in Section V.E and V.L.*

*“Explore development and implementation of architectural and/or landscape standards for geographic areas of the City.” (5.01.02F). The proposed project site is not within a specific area plan for the City but because it is a multi-family product, it is subject to design review. The Applicant has submitted a concurrent administrative design review application that accompanies Staff’s review of the conceptual elevations. The architecture proposed throughout the residential portion of the project offers modern design elements that include shed roof combinations that are combined with stucco and stone sidings, finished wood as a siding and accent material, and metal as an accent material. Staff not only finds the submitted elevations to be in compliance with the Architectural Standards Manual but also finds this type of architecture as unique and a welcome addition to the neighborhood.*

*“Establish distinct, engaging identities within commercial and mixed use centers through design standards.” (2.09.03A). As discussed above, the proposed product type and architecture would make Modern Craftsman at Black Cat a distinct area within the City. The Applicant has worked with Staff to offer a site design that provides some integration between the commercial and residential product types. In addition, there is a similar look and feel in the development created largely by the inclusion of the central vista and large amounts of private open space for multi-family development. As noted above, Staff may desire more commercial on this parcel to offer more opportunity to be integrated, but Staff cannot and should not analyze this project without looking at the development around the subject site, without looking from a macro view of the surrounding area. When taking all of the surrounding area into consideration, Staff finds that the proposed development meets a majority of the mixed-use policies and objectives.*

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

**C. Existing Structures/Site Improvements:**

The site currently houses a tree farm that has a number of small mobile home type structures. All existing structures will be removed upon development of this site. In fact, under the terms of the existing DA, this use was to cease long before now.

**D. Proposed Use Analysis:**

The proposed use is multi-family residential and commercial; the commercial area is relatively small when compared to the residential, approximately 2 acres compared to 21 acres, respectively. Multi-family residential is a conditional use in R-15 zoning district per UDC Table 11-2A-2. The commercial area is already zoned and there are currently no tenants in place for the proposed commercial building suites. Because no tenants are currently known of, Staff cannot review those uses for compliance in the C-C zoning district. Commercial buildings require



Certificate of Zoning Compliance (CZC) and Design Review so at that time Staff will evaluate the uses for compliance.

The multi-family development is proposed to be constructed in one phase and incorporate both detached and attached structures; of the 196 multi-family units, 42 units are townhomes proposed along the eastern and western boundaries of the site. As discussed previously, the multi-family buildings are subject to design review and the Applicant has applied for this concurrently with the conditional use permit application. The Applicant did not provide elevations for the future commercial buildings; upon submittal of the required CZC, the Applicant will be required to submit concurrent design review for the commercial buildings. The Applicant has provided conceptual elevations of the Clubhouse and it shares in similar architecture with the proposed residential units as required by the specific use standards.

*The proposed use is not a traditional type of single-family or multi-family development, it is a hybrid of the two. The Applicant could have chosen to plat each one of these buildings individually; the Applicant could also have proposed traditional 4-story garden style apartments. Both potentials have their positives and negatives and the Applicant is proposing a different product type to the City of Meridian. The proposed units are a majority of single-story one, two, and three-bedroom detached units without garages. The Applicant is proposing more traditional apartment style parking but some units do have attached one-car garages. All of the townhome units also have attached garages on their first floor.*

*Largely, the proposed buildings in this development look like detached single-family homes but have on-street parking and less private open space than a standard 4,000 or 8,000 square foot lot. However, the Applicant is proposing vastly more private open space than is required by UDC for multi-family development. UDC requires at least 80 square feet per unit and the Applicant is proposing an average of 400 square feet per unit via small private yards for every single unit. The design of this can be best seen on the open space exhibit (see Exhibit VII.C) and the fencing plan shown on the last page of the landscape plans (see Exhibit VII.D).*

*To be clear, the main proposed use is single-family detached structures with on-street parking that all reside on one single building lot, making it a multi-family development by definition. There are also traditional style townhome units but are also on the same building lot, making the whole residential product type multi-family.*

E. Specific Use Standards ([UDC 11-4-3](#)):

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

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

A. Purpose:

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

## B. Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or *title 10* of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Proposed project complies with this requirement.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The site plan depicts screened trash enclosures; all proposed transformer/utility vaults shall also comply with this requirement.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *The private, usable open space provided for each unit varies with each unit type but each one provides more than the required amount. According to the Applicant, the minimum private open space provided is 288 square feet, the maximum for any one unit would be approximately 869 square feet, and the average is approximately 419 square feet. Again, this proposed design offers private open space that is more akin to single-family developments but is still a multi-family product and the type of housing that Baron Black Cat is aiming to provide.*
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *Applicant shall comply with this requirement.*
6. The parking shall meet the requirements set forth in *chapter 3*, "Regulations Applying to All Districts", of this title. *See analysis in staff report below.*
7. Developments with twenty (20) units or more shall provide the following:
  - a. A property management office.
  - b. A maintenance storage area.
  - c. A central mailbox location (including provisions for parcel mail) that provide safe pedestrian and/or vehicular access.
  - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

*Per the submitted plans, the Applicant appears to meet these requirements.*

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

## C. Common Open Space Design Requirements:

1. A minimum area of outdoor common open space shall be provided as follows:

- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.
- b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

***Note: Open space standards found in UDC 11-3G AND those found in these specific use standards shall apply to this project. Please see the applicability section of both code sections. Staff analysis for both open space requirements is in Section V.L of this staff report instead of splitting the analysis into two parts.***

2. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *Proposed open space submitted as meeting this requirement has been reviewed. All area labeled as qualified common open space on the open space exhibit complies with this requirement.*
3. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *This project is proposed to be developed in one (1) phase.*
4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009). *The buffer along N. Black Cat Road, a collector street, does not count toward the common open space requirements for these specific use standards. However, those areas along the arterial and collector roadways do count towards the minimum 10% required open space for the residential development as a whole.*

#### D. Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
  - a. Quality of life:
    - (1) Clubhouse.
    - (2) Fitness facilities.
    - (3) Enclosed bike storage.
    - (4) Public art such as a statue.
  - b. Open space:
    - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
    - (2) Community garden.
    - (3) Ponds or water features.
    - (4) Plaza.
  - c. Recreation:
    - (1) Pool.

- (2) Walking trails.
  - (3) Children's play structures.
  - (4) Sports courts.
2. The number of amenities shall depend on the size of multi-family development as follows:
- a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
  - b. For multi-family development between twenty (20) and seventy five (75) units, three (3) amenities shall be provided, with one from each category.
  - c. For multi-family development with seventy five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
  - d. For multi-family developments with more than one hundred (100) units, the decision making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

***Based on 195 proposed units, a minimum of four (4) amenities are required; however, the decision making body is authorized to consider other amenities in addition to those provided per the standards listed above in 2.d.***

***The following amenities are proposed from the quality of life, open space and recreation categories: a clubhouse with offices for rent by the residents, a tot-lot, a swimming pool, picnic shelter with a BBQ area, a plaza, community garden, and a small fenced dog park area. Therefore, the Applicant is proposing 6 qualifying site amenities. The proposed dog park does not meet the UDC requirements to qualify as a site amenity due to it not being large enough and not showing the required trash receptacles or dog washing station. Even though it is not a qualifying amenity, Staff presumes it will be used often. Staff recommends that at least trash receptacles be added to the dog park area to ensure a clean and odorless experience is incurred. In addition to these amenities, the Applicant is proposing 102 self-storage lockers (each locker is 12 square feet) spread throughout each of the garage buildings so that residents may store small amounts of personal items onsite and near their units. This is also not a qualifying site amenity but Staff finds that these will likely be heavily used even though not all residents will be allowed to participate in it due to the difference in unit count and available lockers.***

**E. Landscaping Requirements:**

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

*The landscape plan provided appears to meet these specific use standard landscape requirements. (see Exhibit VII.D)*

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

The commercial and multi-family residential lots appear to meet all UDC dimensional standards per the submitted plat. In addition, all private streets appear to meet all UDC dimensional standards per the submitted plans.

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

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

Access is proposed via private streets off of N. Black Cat Rd. and W. Tree Crest Way. The two proposed access points to Black Cat Road have been approved by ACHD but typically access to Black Cat is limited by the City. The Applicant may request from City Council to keep the two access points as proposed, in accord with UDC 11-3A-3. The Applicant is also proposing an access in the northeast corner of the property via a shared driveway with the Rock Harbor Church site. Private streets are proposed throughout the development, with two running east-west (W. Waverton Ln. and W. Caragana Ln.) and two running north-south (N. Spurwing Ln and N. Agrarian Ln.). Access via Chinden Blvd. is prohibited and is not proposed. Due to the nature of the proposed use, Staff believes private streets are appropriate in this development.

***Private streets are required to comply with the design and construction standards listed in UDC 11-3F-4. The proposed private streets are 25 feet wide with 5-foot or 7-foot attached sidewalks on both sides. Both open and covered parking is provided along most of the private streets. Further parking analysis is discussed in the next section, Section V.H. In addition, private streets are required to be on their own common lot or within an easement per UDC 11-3F-3B.3 standards. The submitted plat does not appear to show this requirement; Staff is recommending a condition of approval to revise the plat to show compliance with this requirement prior to the City Council hearing.***

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for multi-family dwellings based on the number of bedrooms per unit. *The submitted and revised plan named “Conditional Use Plan” appears to have the most up to date parking counts and show 497 spaces for the entire development. 436 are proposed for the residents, 28 are reserved for the clubhouse, and the remaining 33 are for the proposed commercial. Of the 436 for the residential units, 179 spaces are uncovered, 134 are covered carport spaces, and the remaining 123 are garage spaces. Across the different unit types there are 64 1-bedroom units, 100 2-bedroom units, and 32 3-bedroom units. The 1-bedroom units require 1.5 spaces per units, with at least one of the spaces being covered; the two and three bedroom units require 2 spaces per unit, also with at least one covered per unit. Therefore, the minimum amount of parking required for the multi-family portion of this development is 360 spaces, with 196 of those required to be covered. Therefore, the proposed parking count exceeds the minimum UDC requirements.*

*The commercial areas proposed in the southwest corner of the site is shown as 12,789 square feet that would be spread across two building pads—the smaller pad, approximately 2,000 square feet, shares a plaza with the tot-lot and open space area near the west-central portion of the site. For commercial uses, the parking requirement is one space for every 500 square feet and the proposed commercial area requires a minimum of 26 spaces. The Applicant has proposed 33*

*spaces for the commercial area, exceeding the minimum amount required by the UDC. A portion of the proposed parking directly abuts the street and those utilizing the commercial parking would have to back into or drive directly onto the private street in order to exit those spaces. This is not prohibited by code but is far from ideal. Staff believes this type of parking set up may cause additional accidents and therefore recommends a redesign of the parking for the proposed commercial area. This redesign should minimally include a 5-foot wide landscape island along the edge of this proposed parking area to eliminate this conflict. The Applicant shall still provide the required number of parking stalls based upon the gross floor area of the proposed commercial area.*

*A parking plan can be seen in Exhibit VII.E.*

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

A 10-foot wide multi-use pathway is proposed along the entire W. Chinden Blvd. street frontage and is proposed to be placed within the required arterial street landscape buffer. The proposed pathway will be approximately 60-feet from the existing edge of right-of-way of Chinden Blvd. due to future widening projects. The Applicant is dedicating a separate, 60-foot wide, non-buildable lot along Chinden Blvd. for the future benefit of Idaho Transportation Department. This section of multi-use pathway will allow further safe pedestrian connection along the SH 20/26 corridor and will directly help connect this development with the adjacent Rock Harbor Church site to the east and with development to the west and across N. Black Cat.

The multi-use pathway is also proposed to connect to a new 5-foot detached sidewalk along N. Black Cat and to two internal connections from within the development. These sidewalk connections offer further pedestrian connectivity between developments along the SH 20/26 corridor.

The proposed sidewalks in this development are essentially micro-pathways. These pathways connect throughout the entire development and traverse through every mew as well. They offer increased pedestrian connection and give future residents the opportunity to walk rather than drive within the project site.

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

Attached sidewalks are proposed along all internal private streets as part of the overall pedestrian circulation, in accord with the standards listed in UDC 11-3A-17. Part of the sidewalk plan places one within a long vista that connects all the way from the clubhouse/tot-lot area in the west of the site to the barbeque and picnic area in the east portion of the site. This area is proposed with landscaping adequate to offer both shade and green space but does not appear to be so convoluted with trees as to offer line of sight issues for public safety. Staff supports the sidewalk and pedestrian circulation plan for this development. See Exhibit VII.F.

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

A 35-foot wide street buffer is required adjacent to W. Chinden Blvd., a state highway system (SH 20/26), landscaped per the standards listed in [UDC 11-3B-7C](#). A 35-foot wide common lot is depicted on the plat to the interior of the 60-foot wide common lot for future ITD purchase. There is also a required 20-foot wide landscape buffer adjacent to N. Black Cat, a residential collector roadway. This required landscape buffer should also be placed into common lot(s) per UDC standards in 11-3B-7C.2; Staff is recommending a condition of approval to amend the plat to show the entire buffer along N. Black Cat within a common lot. Per UDC 11-3H-4D, and within the required buffer along SH 20/26, the Applicant is also required to build a noise attenuation wall or wall and berm combination at least 10-feet in height, measured from the height of the centerline of the highway. The Applicant is proposing a wall/berm combination that appears to



meet the height requirement. Staff notes that this wall is also required to modulate over the course of its length. The submitted landscape plans do not appear to show this modulation so the Applicant will be required to correct the plans prior to final plat submittal.

On the submitted landscape plans, there are no proposed trees or shrubs shown within the required landscape buffer between the commercial lot and SH 20/26. This area of the landscape buffer is also required to be landscaped and Staff is recommending a condition of approval to include landscaping in this area beyond grasses. See Section VII.D for the submitted landscape plans.

Landscaping is required along all pathways (including micro-pathways) in accord with the standards listed in *UDC 11-3B-12C*. The total lineal feet of pathways with the required and proposed number of trees are NOT included in the Landscape Calculations table on the submitted landscape plans, sheet L.4. **The addition of this data in the calculations table will be required as a condition of approval.**

Common open space is required to be landscaped in accord with the standards listed in *UDC 11-3G-3E*. The total square footage of common open space and the required number of trees to demonstrate compliance with UDC standards is NOT included in the Landscape Calculations table. **The addition of this data in the calculations table will be required as a condition of approval.**

*The City Arborist has also made comments on the subject application regarding its landscaping, specifically on the type of tree species proposed. Fraxinus "Ash" tree species attract a specific and invasive pest and it is the request of the City Arborist that projects start trying to replace these types of trees with other tree species. Therefore, Staff is recommending a condition of approval that the Applicant work with the City Arborist on an appropriate alternative to their proposed "Ash" tree selection.*

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

A minimum of 10% **qualified** open space meeting the standards listed in *UDC 11-3G-3B* is required. Based on the proposed plat of 21.59 acres, a minimum of 2.16 acres of qualified common open space should be provided to satisfy this requirement. In addition, because this is a multi-family development within a residential zoning district, the common open space standards listed within the specific use standards, *UDC 11-4-3-27*, also apply. **The Applicant's open space calculations do not accurately depict the amount of required and proposed open space for the multi-family specific use standards; Staff is recommending a condition to correct this prior to City Council. According to Staff's calculations, a minimum of 55,000 square feet (or 1.26 acres) of additional qualifying common open space should be provided. Combined, the required amount of minimum qualifying open space that should be provided is 3.42 acres.**

According to the open space exhibit (see Exhibit VII.C), the applicant is proposing a total of **3.78** acres of qualified open space. There are a number of small areas throughout the development that are still green space but are not qualifying open space. Of the 3.78 acres proposed, 2.36 acres is proposed to meet the overall minimum 10% requirement (2.36 acres equates to 10.9%). This qualified open space consists of a 10-foot multi-use pathway, common lots with open space areas, and required street buffers along adjacent roadways. This area exceeds the minimum UDC requirements.

The remaining 1.42 acres of open space is proposed to meet the specific use standards for multi-family development. These areas of open space consist of the mews between unit blocks (including the long vista that connects the east side of the development with the west side of the site), some end cap landscaped areas along streets, and smaller areas of open space that meet the

minimum 20' x 20' dimensions. The open space proposed to meet the specific use standards exceeds the minimum UDC requirements.

*As noted above, the common open space provided with this development exceeds the minimum amounts required by code. In addition, the Applicant is proposing much more additional private open space than is required by code. Staff and the Applicant worked diligently together to design the open space in such a way to integrate the commercial uses with the residential as required in the MU-C policies and goals.*

*The Applicant responded to these conversations by providing a community garden area that can be shared by the commercial building and the nearby residents. Perhaps a future restaurant as one of the commercial tenants could utilize this garden area for fresh produce in their daily operations. In addition, the Applicant proposed additional commercial space that shares a plaza space with the clubhouse and residents. There are a plethora of potential uses for this including a farmer's market style use or pop-up shops where tenants can utilize the sidewalk space for further interaction with customers. This plaza area is directly linked with the long vista in the center of the development via micro-pathways and stamped/colored concrete across the private streets. Staff appreciates the additional delineation of pedestrian and vehicular travel ways but wishes the Applicant would have proposed more stamped/colored concrete throughout the development to add more character to the development and its pedestrian circulation. However, Staff supports the connection of open space from one end of the site to the other and the fact that the vista and open space areas are anchored by an amenity on the east end and amenities and commercial space on the west end of the site. All in all, Staff finds that the proposed common and private open space are sufficient for a project of this size and proposed use.*

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

Based on the area of the proposed short plat (21.59 acres), a minimum of one (1) qualified site amenity is required to be provided per the standards listed in [UDC 11-3G-3C](#).

The applicant proposes one (1) qualified amenity to satisfy the requirements in this section of the UDC, a 10-foot multi-use pathway along SH 20/26. All other site amenities (analyzed in an above section) are meant to satisfy the specific use standard amenity requirements. The proposed multi-use pathway meets the minimum UDC standards.

*As noted above, the Applicant is proposing a small dog park in the northwest corner of the subject site (it is not a qualifying site amenity). Multi-family specific use standards do not allow this area to count as open space if it up against a collector roadway (Black Cat Road) unless separated from the street by a berm or barrier at least 4-feet in height with breaks in it to allow for pedestrian access. According to the submitted landscape plan, there appears to be no such berm or barrier along this corner other than a fence meant to delineate the actual dog park. Therefore, the proposed dog park area is not qualifying open space or a qualifying amenity for the multi-family requirements. However, it is qualifying open space under the general minimum 10% requirement.*

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

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

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

As discussed in the comprehensive plan policies analysis, Staff believes most of the submitted elevations meet the required Architectural Standards. The applicant has submitted a concurrent design review application and staff finds the submitted architecture of the residential portion of

the development complies with the ASM except for those elevations for the proposed townhome style units. Commercial elevations were not submitted with this application but future buildings should incorporate similar architectural features to ensure a cohesive design as envisioned by the Comprehensive Plan and ASM. A separate DES will be required for the Commercial portion of the development.

*The submitted elevations for the proposed townhome home units show only one field material, stucco. The ASM requires at least two field materials for multi-family development for facades as long as those shown. Staff recommends the Applicant include more of the proposed lap siding along both the front and rear facades to meet the intent of the ASM goals. In addition, the ASM notes that no two multi-family buildings should look the same. To ensure compliance with at least the intent of this requirement, the Applicant should create differentiation between some of the 6-plex, townhome buildings through differing architectural designs and color palettes. Staff is recommending conditions of approval to correct this.*

## **VI. DECISION**

### **A. Staff:**

Staff recommends approval of the requested conditional use permit, short plat, rezone, and development agreement modification applications per the Findings in Section IX of this staff report. The Director approved the private street and administrative design review applications.

### **B. Commission:**

Enter Summary of Commission Decision.

### **C. City Council:**

To be heard at future date.

**VII. EXHIBITS**

**A. Rezone Legal Descriptions and Exhibit Maps**

**EXHIBIT \_\_\_\_**

**DESCRIPTION FOR  
MODERN CRAFTSMAN SUBDIVISION  
R-15 ZONING DISTRICT**

A portion of Lots 1 and 2, Block 1 of Puma Subdivision as filed in Book 71 of Plats at Pages 7263 through 7264, records of Ada County, Idaho and a portion of the SW 1/4 of the SW 1/4 of Section 22, T.4N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the SW corner of said Section 22 from which the S1/4 corner of said Section 22 bears South 89°17'18" East, 2647.24 feet;

thence along the South boundary line of said Section 22 South 89°17'18" East, 287.86 feet to the **REAL POINT OF BEGINNING**;

thence leaving said South boundary line North 00°40'53" East, 356.80 feet;

thence North 89°19'07" West, 150.19 feet;

thence 3.70 feet along the arc of a non-tangent curve to the right, said curve having a radius of 100.00 feet, a central angle of 02°07'14" and a long chord which bears South 20°41'00" West, 3.70 feet;

thence South 21°44'37" West, 46.35 feet;

thence North 68°15'23" West, 23.88 feet;

thence 37.06 feet along the arc of curve to the left, said curve having a radius of 100.00 feet, a central angle of 21°13'54" and a long chord which bears North 78°52'20" West, 36.84 feet;

thence North 89°29'17" West, 62.18 feet to a point on the West boundary line of said Section 22;

thence along said West boundary line North 00°30'42" East, 573.44 feet;

thence leaving said West boundary line and along the southerly boundary line of Tree Farm Subdivision No. 2 as filed in Book 114 of Plats at Pages 16914 through 16921, records of Ada County, Idaho and the northwesterly extension thereof South 78°03'14" East, 104.00 feet to an angle point on the southerly boundary line of Lot 2, Block 7 of said Tree Farm Subdivision No. 2;

thence along said southerly boundary line of said Tree Farm Subdivision No. 2 the following 5 course and distances:

thence 61.63 feet along the arc of a non-tangent curve to the left, said curve having a radius of 1,552.00 feet, a central angle of 02°16'31" and a long chord which bears North 10°48'30" East, 61.63 feet;

thence North 55°40'41" East, 10.27 feet;

thence 151.39 feet along the arc of a non-tangent curve to the right, said curve having a radius of 700.00 feet, a central angle of 12°23'31" and a long chord which bears South 71°18'06" East, 151.10 feet;

thence South 65°06'21" East, 221.65 feet;

thence 56.81 feet along the arc of a non-tangent curve to the left, said curve having a radius of 850.00 feet, a central angle of 03°49'45" and a long chord which bears South 67°01'18" East, 56.80 feet to a corner common to Lot 2, Block 7 of said Tree Farm Subdivision No. 2, and Lot 1, Block 7 of Tree Farm Subdivision No. 1 as filed in Book 113 of Plats at Pages 16498 through 16505, records of Ada County, Idaho;

thence along the South boundary line of said Lot 1, Block 7 the following 4 courses and distances:

thence 135.28 feet along the arc of curve to the left, said curve having a radius of 850.00 feet, a central angle of 09°07'08" and a long chord which bears South 73°29'44" East, 135.14 feet;

thence South 78°03'14" East, 263.21 feet;

thence 183.86 feet along the arc of curve to the left, said curve having a radius of 841.73 feet, a central angle of 12°30'53" and a long chord which bears South 84°18'41" East, 183.49 feet;

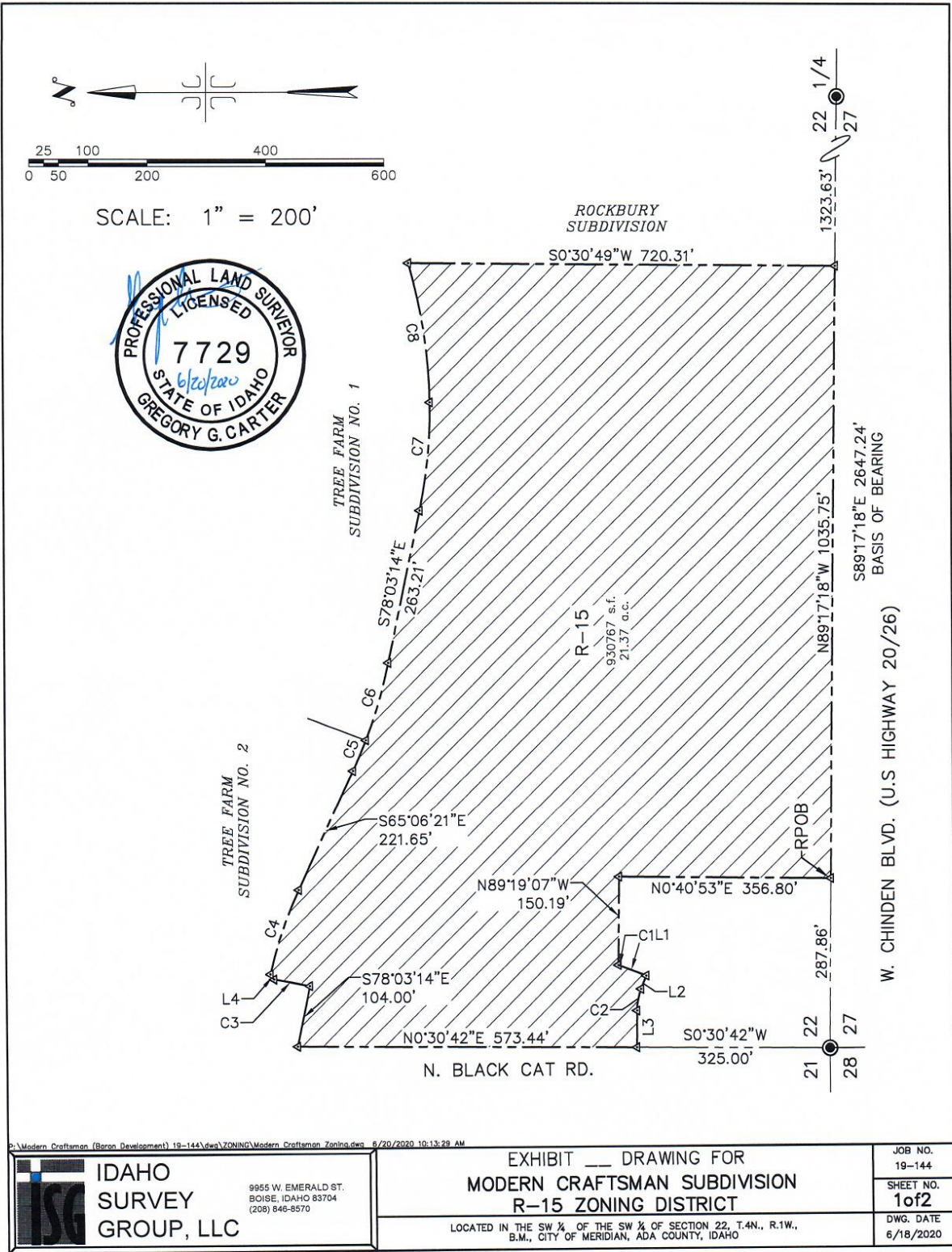
thence 237.50 feet along the arc of a non-tangent curve to the left, said curve having a radius of 841.73 feet, a central angle of 16°09'58" and a long chord which bears North 81°20'52" East, 236.71 feet to the SE corner of said Lot 1, Block 7, point also being a point on the West boundary line of said Rockbury Subdivision;

thence South 00°30'49" West, 720.31 feet along said West boundary line and the southerly extension thereof to a point on the South boundary line of said Section 22;

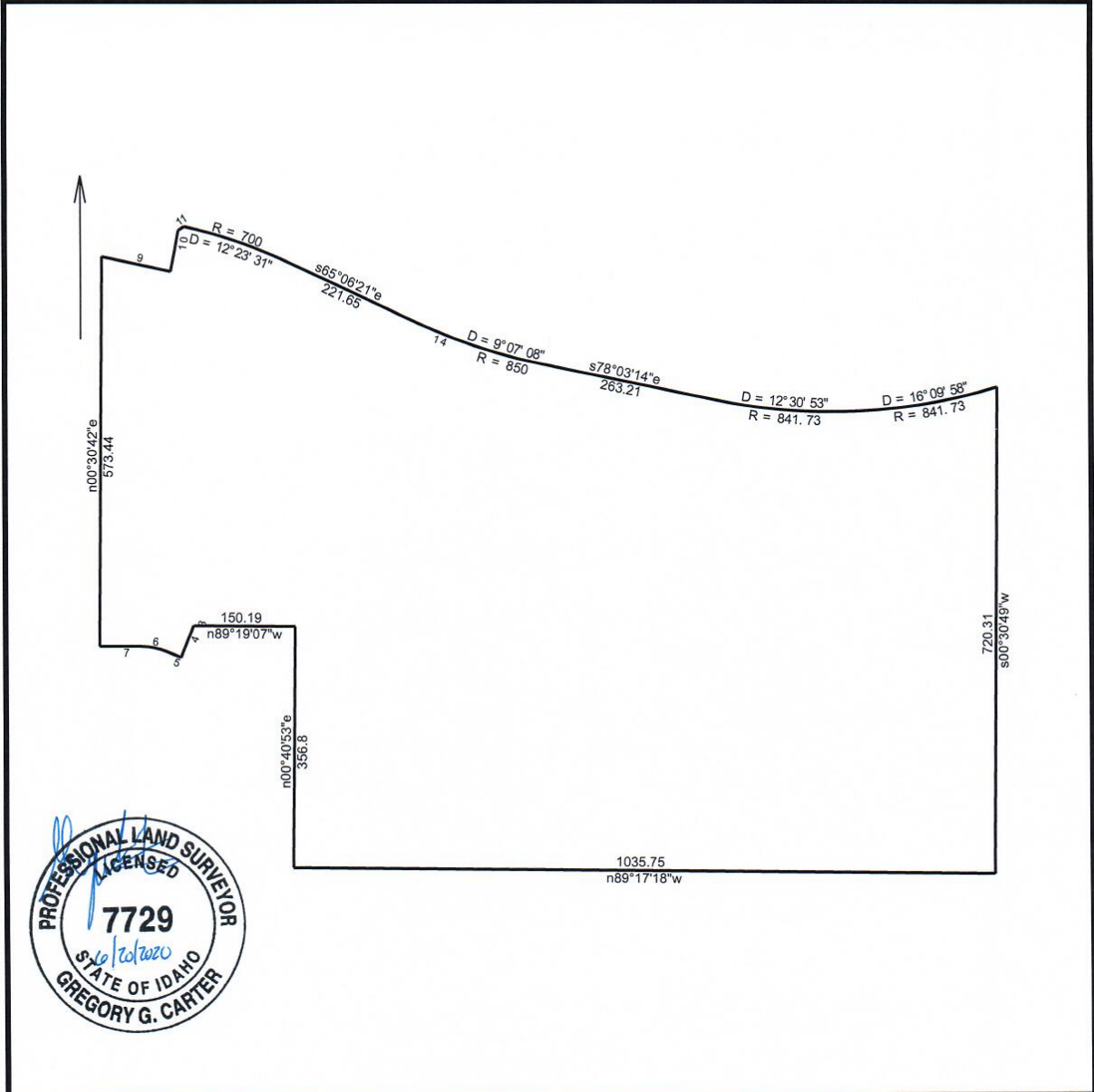
thence along said South boundary line North 89°17'18" West, 1,035.75 feet to the **REAL POINT OF BEGINNING**. Containing 21.37 acres, more or less.











Modern Craftsman Sub R-15 Zone Closure Sheet 6/20/2020

Scale: 1 inch = 200 feet File:

Tract 1: 21.3674 Acres, Closure: n35.4345w 0.01 ft. (1/384942), Perimeter=4435 ft.

01 n00.4053e 356.8	14 Lt, r=850.00, delta=003.4945, chord=s67.0118e 56.80
02 n89.1907w 150.19	15 Lt, r=850.00, delta=009.0708, chord=s73.2944e 135.14
03 Rt, r=100.00, delta=002.0714, chord=s20.4100w 3.70	16 s78.0314e 263.21
04 s21.4437w 46.35	17 Lt, r=841.73, delta=012.3053, chord=s84.1841e 183.49
05 n68.1523w 23.88	18 Lt, r=841.73, delta=016.0958, chord=n81.2052e 236.71
06 Lt, r=100.00, delta=021.1354, chord=n78.5220w 36.84	19 s00.3049w 720.31
07 n89.2917w 62.18	20 n89.1718w 1035.75
08 n00.3042e 573.44	
09 s78.0314e 104	
10 Lt, r=1552.00, delta=002.1631, chord=n10.4830e 61.63	
11 n55.4041e 10.27	
12 Rt, r=700.00, delta=012.2331, chord=s71.1806e 151.10	
13 s65.0621e 221.65	

EXHIBIT \_\_\_\_

DESCRIPTION FOR

**MODERN CRAFTSMAN SUBDIVISION  
C-C (COMMERCIAL) ZONING DISTRICT**

A portion of Lots 1 and 2, Block 1 of Puma Subdivision as filed in Book 71 of Plats at Pages 7263 through 7264, records of Ada County, Idaho and a portion of the SW 1/4 of the SW 1/4 of Section 22, T.4N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

**BEGINNING** at the SW corner of said Section 22 from which the S1/4 corner of said Section 22 bears South 89°17'18" East, 2647.24 feet;

thence along the West boundary line of said Section 22 North 00°30'42" East, 325.00 feet;

thence leaving said West boundary line South 89°29'17" East, 62.18 feet;

thence 37.06 feet along the arc of curve to the right, said curve having a radius of 100.00 feet, a central angle of 21°13'54" and a long chord which bears South 78°52'20" East, 36.84 feet;

thence South 68°15'23" East, 23.88 feet;

thence North 21°44'37" East, 46.35 feet;

thence 3.70 feet along the arc of curve to the left, said curve having a radius of 100.00 feet, a central angle of 02°07'14" and a long chord which bears North 20°41'00" East, 3.70 feet;

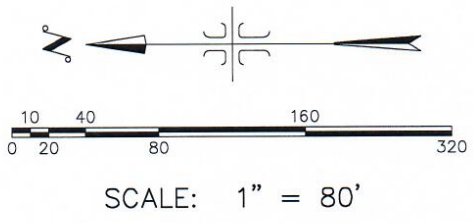
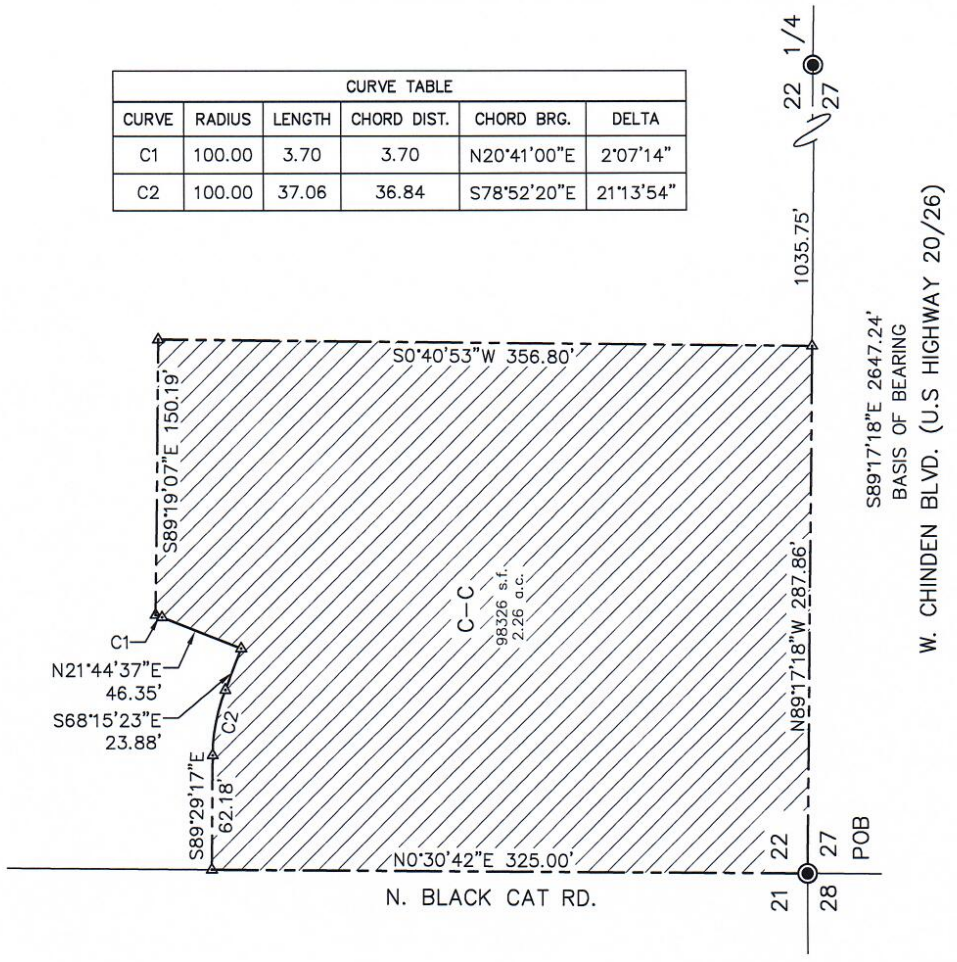
thence South 89°19'07" East, 150.19 feet;


thence South 00°40'53" West, 356.80 feet to a point on the South boundary line of said Section 22;

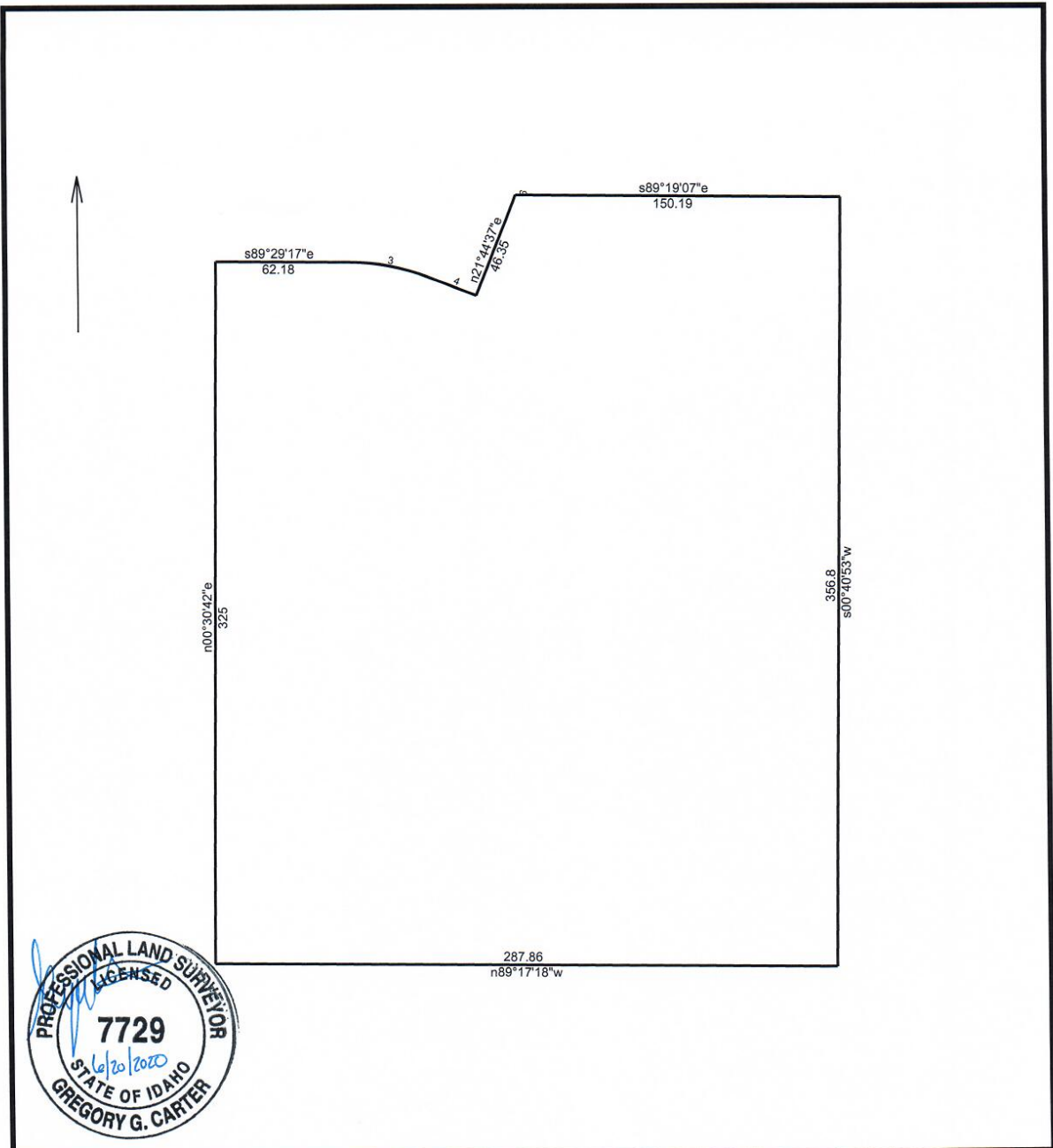
thence along said South boundary line North 89°17'18" West, 287.86 feet to the **REAL POINT OF BEGINNING**. Containing 2.26 acres, more or less.



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	100.00	3.70	3.70	N20°41'00"E	2°07'14"
C2	100.00	37.06	36.84	S78°52'20"E	21°13'54"



 <b>IDAHO SURVEY GROUP, LLC</b> 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	EXHIBIT ___ DRAWING FOR <b>MODERN CRAFTSMAN SUBDIVISION</b> <b>C-C ZONING DISTRICT</b>	JOB NO. 19-144
	LOCATED IN THE SW ¼ OF THE SW ¼ OF SECTION 22, T.4N., R.1W., B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO	SHEET NO. 1
		DWG. DATE 6/18/2020



**Modern Craftsman Sub C-C Zone Closure Sheet** 6/20/2020

Scale: 1 inch= 60 feet File:

Tract 1: 2.2572 Acres (98324 Sq. Feet), Closure: s74.0239e 0.01 ft. (1/110982), Perimeter=1293 ft.

01 n00.3042e 325	08 s00.4053w 356.8
02 s89.2917e 62.18	09 n89.1718w 287.86
03 Rt, r=100.00, delta=021.1354, chord=s78.5220e 36.84	
04 s68.1523e 23.88	
05 n21.4437e 46.35	
06 Lt, r=100.00, delta=002.0714, chord=n20.4100e 3.70	
07 s89.1907e 150.19	



Item 8.

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B. Short Plat (dated: June 2020)

### PLAT SHOWING MODERN CRAFTSMAN AT BLACK CAT

BEING LOTS 1 & 2, BLOCK 1 OF PUMA SUBDIVISION  
LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 22  
TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN  
MERIDIAN, ADA COUNTY, IDAHO  
2020

**NOTES:**

- Any Re-Subdivision of this Plat shall be in compliance with the most recently approved Subdivision Standards of the City of Meridian.
- This development recognizes Idaho Code Section 22-4503, right to farm act, which states: "No agricultural operation, agricultural facility or activity shall be considered to be abandoned or discontinued solely by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it ceased operation, and the operation, facility or expansion was not a nuisance when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof."
- Irrigation water has been provided by Settlers Irrigation District in compliance with Idaho Code Section 31-3905(1)(b). Lots within the subdivision will be entitled to Irrigation Water Rights and will be Obligated for Assessments from Settlers Irrigation District.
- Direct lot access to W. Chinden Boulevard is prohibited.
- Lot 2, Block 1 is a common lot and shall be owned and maintained by the Baron Block Cat LLC. All common lots are subject to a blanket public utility easement and Irrigation easement.
- Lot 1, Block 1 is reserved for purchase by the Idaho Department of Transportation.
- Existing City of Meridian Sanitary Sewer Easement - Instrument No. 107181979
- Pressure Irrigation Access Easement - Instrument No. \_\_\_\_\_
- Existing Horizontal Easement - Instrument No. 108031180
- City of Meridian Sanitary Sewer Easement - Instrument No. \_\_\_\_\_
- State Water Idaho Water Easement - Instrument No. \_\_\_\_\_
- City of Meridian Sidewalk Easement - Instrument No. \_\_\_\_\_
- AGHD License Agreement - Instrument No. \_\_\_\_\_

SHEET 1 OF 4

**Bailey Engineering, Inc.**  
CIVIL ENGINEERING/PLANNING/CADD  
1111 S. 10th St., Suite 100  
Boise, ID 83725  
www.baileyengineering.com

**LEGEND**

- SUBDIVISION BOUNDARY
- SECTION LINE
- BUILDING SETBACK LINE
- EASEMENT LINE (SEE NOTES)
- STREET CENTERLINE
- LOT LINE
- LOT NUMBER
- FOUND MANHOLE
- FOUND 5/8" IRON PIN
- FOUND PLASTIC CAP AS NOTED WITH PLASTIC CAP
- FOUND PLASTIC CAP AS NOTED WITH PLASTIC CAP
- CALCULATED POINT

Line #	Description	Length
L1	N83°26'41"E	10.27
L2	N43°02'07"W	28.35
L3	N02°02'42"E	34.83
L4	N69°30'05"W	7.98
L5	N02°02'42"E	10.00
L6	S89°00'01"E	7.98
L8	S85°03'26"E	20.00

Curve #	Radius	Length	Chord	Bearing	Delta
C10	1332.00	50.48	50.48	N02°32'22"E	1°33'34"
C11	114.00	5.05	5.05	S00°08'00"E	2°02'30"
C12	114.00	34.33	34.32	S00°08'00"E	17°15'14"
C13	1463.00	176.28	176.22	N02°02'42"E	4°27'55"
C14	1463.00	227.83	227.72	N02°02'42"E	4°47'35"
C15	1332.00	30.86	30.85	N02°32'22"E	1°33'10"
C16	1443.00	117.54	117.50	N02°02'42"E	4°28'30"
C17	100.00	33.78	33.62	S77°00'01"E	11°21'30"

Curve #	Radius	Chord	Bearing	Delta
C1	1332.00	81.63	N02°02'42"E	2°02'31"
C2	700.00	81.39	S71°18'00"E	2°27'31"
C3	850.00	7.32	S83°01'10"E	2°29'10"
C4	850.00	84.77	S71°18'00"E	2°27'16"
C5	847.73	183.86	S04°18'41"E	1°25'33"
C6	847.73	237.90	S87°20'52"W	1°09'25"
C7	114.00	34.33	N02°02'42"E	1°25'33"
C8	84.00	23.80	N02°02'42"E	1°25'33"
C9	1463.00	341.95	N07°10'23"E	1°39'22"

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Item 8.

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MODERN CRAFTSMAN AT BLACK CAT

The site plan shows Block 1 bounded by W. Chinden Blvd. (US Highway 20/28) to the south, W. Tree Crest Way to the east, and various easements and street lines to the north and west. Lots L1 through L15 are shown with their respective dimensions and bearings. Easements for water and sewer are indicated throughout the block. A north arrow and a scale of 1"=80' are provided. The plan also shows adjacent subdivisions: Tree Farm Subdivision No. 1, Tree Farm Subdivision No. 2, and Farmhouse Subdivision No. 1.

PROFESSIONAL LAND SURVEYOR  
 OREGON  
 7729  
 GREGORY G. CARTER, PLS 7729  
 6040 SW 10TH AVE, SUITE 110  
 BEASLEY, OREGON 97104

GREGORY G. CARTER, PLS 7729  
 6040 SW 10TH AVE, SUITE 110  
 BEASLEY, OREGON 97104

**Bayley Engineering, Inc.**  
 CIVIL ENGINEERING | PLANNING | CADD  
 1100 N. W. 10TH AVE., SUITE 110  
 BEASLEY, OREGON 97104  
 WWW.BAYLEYENGINEERING.COM

NOTE:  
 REFER TO SHEET 1 OF 4 FOR NOTES.  
 REFER TO SHEET 1 OF 4 FOR LINE AND  
 CURVE TABLES.

**LEGEND**

- SUBDIVISION BOUNDARY
- SECTION LINE
- BUILDING SETBACK LINE
- EASEMENT LINE (SEE NOTES)
- STREET CENTRALINE
- LOT LINE
- ⑬ LOT NUMBER
- FOUND ALUMINUM CAP MONUMENT, AS NOTED
- FOUND 5/8" IRON PIN WITH PLASTIC CAP AS NOTED WITH PLASTIC CAP AS NOTED
- △ CALCULATED POINT

80 0 40 80 160  
 SCALE IN FEET  
 1"=80'

SHEET 2 OF 4

PAGE

BOOK

PAGE

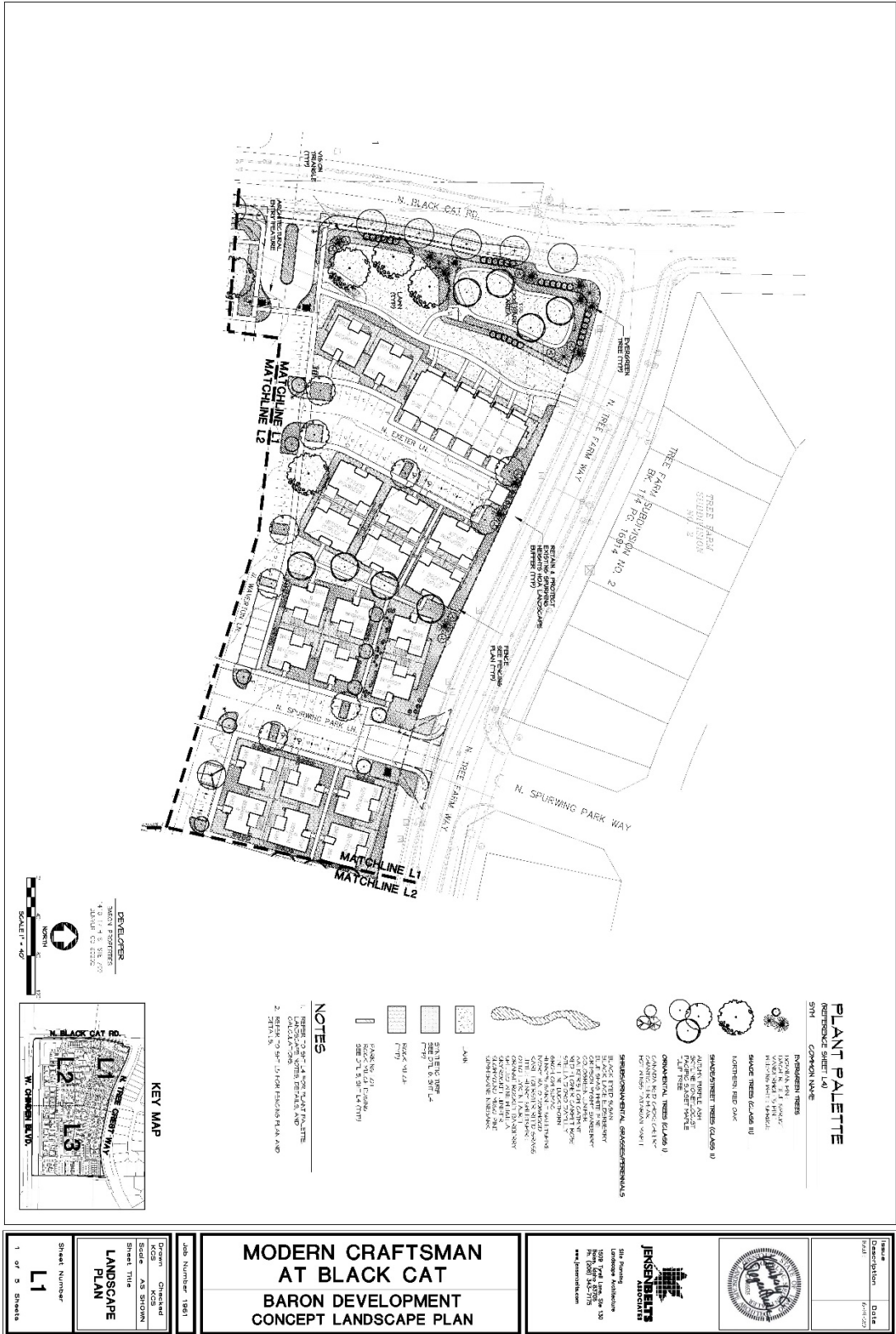
Page 26











**PLANT PALETTE**

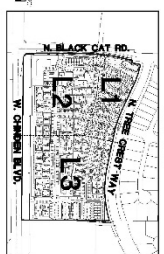
REFERENCE SHEET (A)

- PERMANENT TREES
- SHADOWERING TREES (CLASS 3)
- ORNAMENTAL TREES (CLASS 3)
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**NOTES**

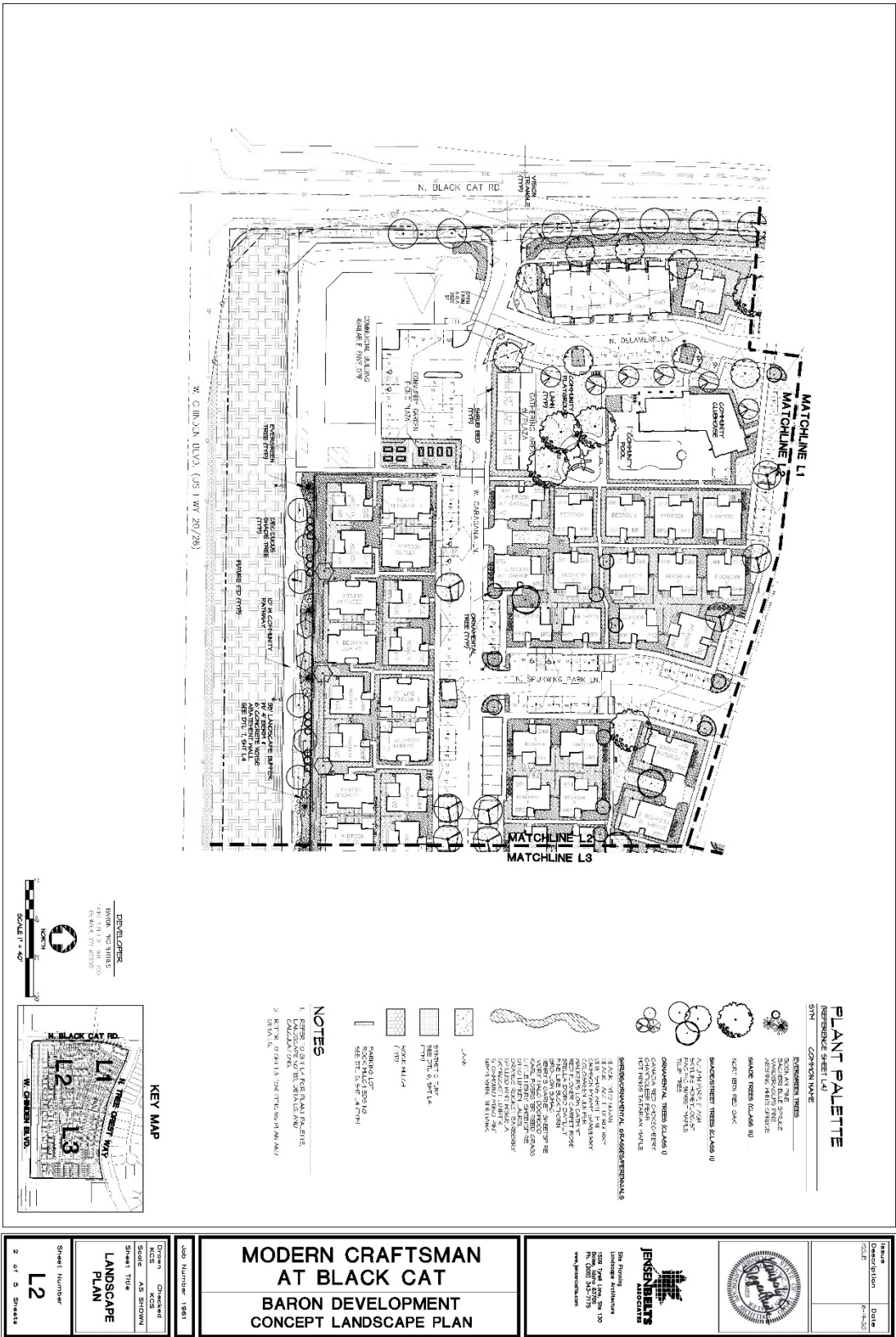
1. REFER TO SHEET L1 FOR PLANT PALETTE
2. REFER TO SHEET L1 FOR HATCHES FOR LAND AND TREE IS.

**KEY MAP**



<p>Issue: 1 Description: 1 Date: 6/1/2020</p>		<p><b>JENSEN BELTS ASSOCIATES</b></p> <p>314 Spring Lansdowne Architecture 1000 York Road, Suite 100 N. Lombard, MD 21050 www.jensenbelts.com</p>	<p><b>MODERN CRAFTSMAN AT BLACK CAT BARON DEVELOPMENT CONCEPT LANDSCAPE PLAN</b></p>	<p>Job Number: 1961</p>	<p>Drawn: Checked KCS: KCS Scale: AS SHOWN Street: THIS PLAN</p>	<p>Street Number: <b>L1</b></p> <p>1 of 5 Sheets</p>
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**PLANT PALETTE**

- CONSPICUOUS TREES**
  - SAVING BLUE SPRUCE
  - ASHLEAF WHITE BIRCH
  - SHADE TREES (CLASS III)
  - LEAFY LIME (CLASS II)
- MANAGEMENT TREES (CLASS II)**
  - ASHLEAF WHITE BIRCH
  - LEAFY LIME (CLASS II)
  - LEAFY LIME (CLASS II)
- MANAGEMENT TREES (CLASS I)**
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- ORNAMENTAL TREES (CLASS VI)**
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**NOTES**

1. SEE 2024 L2 FOR PALETTE
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98. SEE 2024 L99 FOR PALETTE
99. SEE 2024 L100 FOR PALETTE

**DEVELOPERS**  
 BROWN HOLDINGS  
 1400 W. 10TH ST. SUITE 200  
 DENVER, CO 80202

**SCALE 1" = 40'**

**KEY MAP**

**MODERN CRAFTSMAN AT BLACK CAT**  
**BARON DEVELOPMENT**  
**CONCEPT LANDSCAPE PLAN**

Job Number: 1984

Drawn: Checked  
 KCS ACS  
 Scale: AS SHOWN

Sheet Title:  
**LANDSCAPE PLAN**

Sheet Number:  
**L2**

2 of 5 Sheets

**JENSEN BELTS ASSOCIATES**

Site Planning  
 Landscape Architecture  
 1000 14th Street, Suite 100  
 Denver, CO 80202  
 Tel: 303.733.7773  
 Fax: 303.733.7774  
 www.jensenbelts.com









# MODERN CRAFTSMAN AT BLACK CAT

## CONCEPT LANDSCAPE PLAN

MERIDIAN, ID



### PLAN LEGEND

SYMBOL	COMMON NAME
	EVERGREEN TREES
	SHADE TREES (CLASS II)
	SHADE TREES (CLASS I)
	ORNAMENTAL TREES (CLASS II)
	ORNAMENTAL TREES (CLASS I)
	SHRUBS
	LAWN
	PRIVATE BACKYARD WITH SHRUBS
	SYNTHETIC TURF

JUNE 19, 2020

SCALE 1" = 40'

NORTH

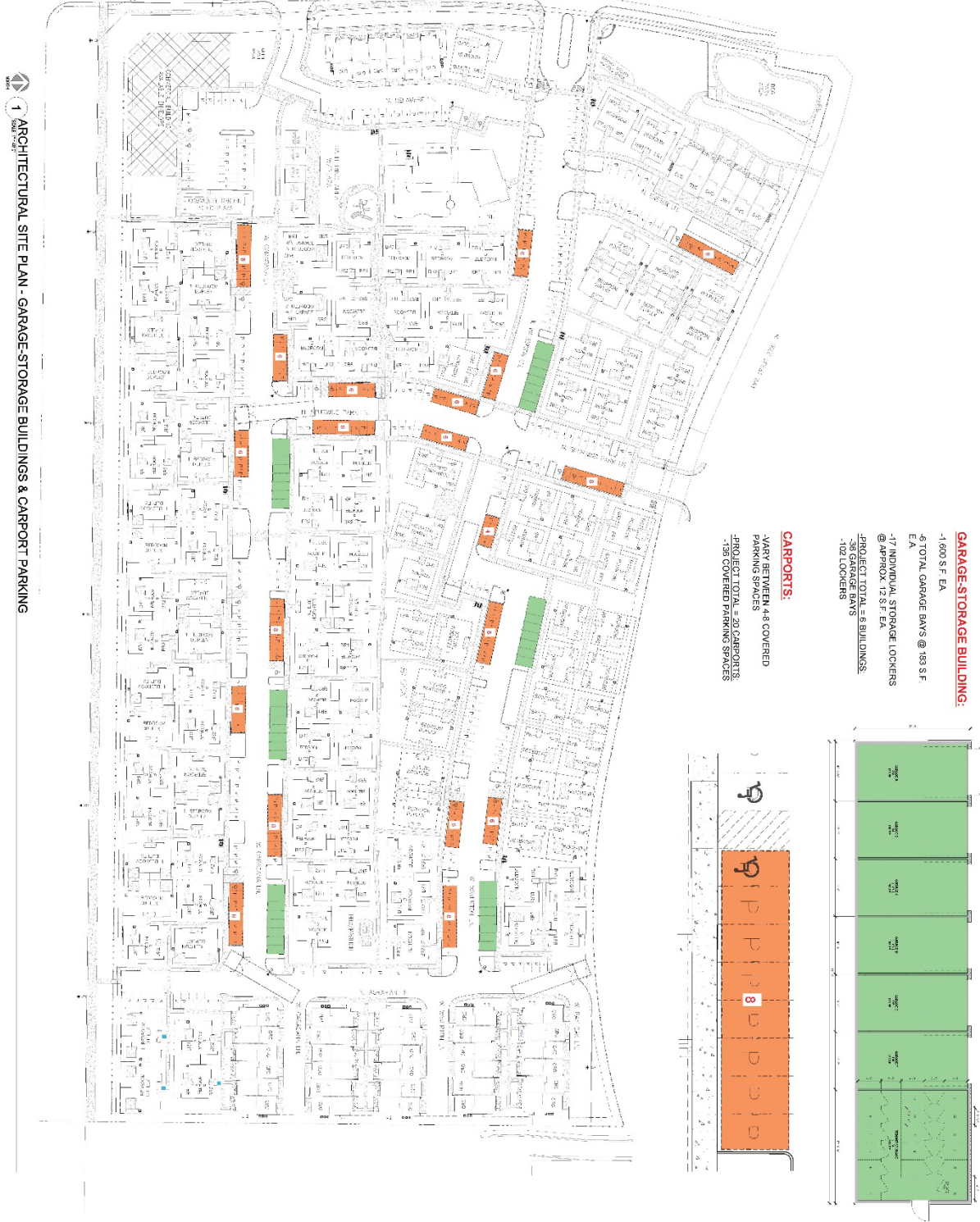


**DEVELOPERS**  
 BORN PROPERTIES  
 1000 N. 10TH ST.  
 DENVER, CO 80202

**JENSEN BELTS**  
 1000 N. 10TH ST.  
 DENVER, CO 80202



E. Parking Plan (date: 5/1/2020)



PROJECT NO. 19031 DATE 05/01/2020 SCALE AS SHOWN DRAWN BY J. B. BROWN CHECKED BY J. B. BROWN PROJECT REVIEW ARCHITECTURAL SITE PLAN A0.1	HOLSTON & BUDATSEICH ARCHITECTS, CHARTERED 1007 W. 32nd St. Ste. 500 Boise, ID 83725 TEL: 208-333-5111 FAX: 208-333-7422	<b>MODERN CRAFTSMAN AT BLACK CAT          ARCHITECTURAL SITE PLAN</b> BLACK CAT & CHINDEN ROADS MERIDIAN, IDAHO ZIP	SHEET NO. 172 TOTAL SHEETS 172
	THIS PLAN IS THE PROPERTY OF HOLSTON & BUDATSEICH ARCHITECTS, CHARTERED. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HOLSTON & BUDATSEICH ARCHITECTS, CHARTERED.		DATE PLOTTED: 05/01/2020 10:00 AM PLOTTER: HP DesignJet T1100e





### G. Conceptual Building Elevations



SOUTHWEST ELEVATION

**MODERN CRAFTSMAN**  
AT BLACK CAT

**COLOR PALETTE #1**

- 1. STUCCO: LIGHT TAUPE
- 2. SIDING: DARK HORIZONTAL
- 3. ACCENT: LIGHT GRAY
- 4. STONE: LIGHT GRAY

## Clubhouse Elevations



SOUTHEAST ELEVATION

**CLUBHOUSE**

HOUSTON • SUBATSCH ARCHITECTS, CHARTERED

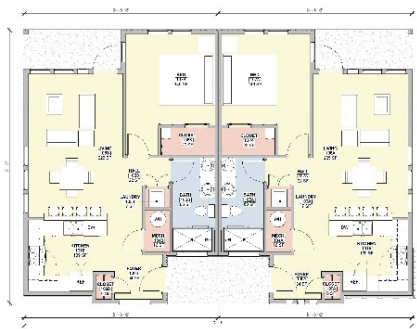
MODERN CRAFTSMAN ARCHITECTS



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

**MODERN CRAFTSMAN**  
AT BLACK CAT

**COLOR PALETTE #1**

- 1. STUCCO: LIGHT TAUPE
- 2. SIDING: DARK HORIZONTAL
- 3. ACCENT: LIGHT GRAY
- 4. STONE: LIGHT GRAY

**COLOR PALETTE #2**

- 1. STUCCO: LIGHT TAUPE
- 2. SIDING: DARK HORIZONTAL
- 3. ACCENT: LIGHT GRAY
- 4. STONE: LIGHT GRAY

**COLOR PALETTE #3**

- 1. STUCCO: LIGHT TAUPE
- 2. SIDING: DARK HORIZONTAL
- 3. ACCENT: LIGHT GRAY
- 4. STONE: LIGHT GRAY

**1 BED - 1 BATH - DUPLEX**

HOUSTON • SUBATSCH ARCHITECTS, CHARTERED

MODERN CRAFTSMAN ARCHITECTS





SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN

HOUSE 08023 AREA: 1147 SF



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

**MODERN CRAFTSMAN AT BLACK CAT**

**COLOR PALETTE #1**

- 1 EXTERIOR: WHITE WOODGRAIN SIDING
- 2 EXTERIOR: SPOT ON GRAY SIDING
- 3 EXTERIOR: CHARCOAL GRAY SIDING
- 4 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING

**COLOR PALETTE #2**

- 1 EXTERIOR: SPOT ON GRAY SIDING
- 2 EXTERIOR: SPOT ON GRAY SIDING
- 3 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING
- 4 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING

**COLOR PALETTE #3**

- 1 EXTERIOR: SPOT ON GRAY SIDING
- 2 EXTERIOR: SPOT ON GRAY SIDING
- 3 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING
- 4 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING

**2 BED - 2 BATH - A**

HOUSTON • SUBATSON ARCHITECTS, CHARTEERS

MODERN CRAFTSMAN AT BLACK CAT



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN

HOUSE 08023 AREA: 1147 SF



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

**MODERN CRAFTSMAN AT BLACK CAT**

**COLOR PALETTE #1**

- 1 EXTERIOR: WHITE WOODGRAIN SIDING
- 2 EXTERIOR: SPOT ON GRAY SIDING
- 3 EXTERIOR: CHARCOAL GRAY SIDING
- 4 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING

**COLOR PALETTE #2**

- 1 EXTERIOR: SPOT ON GRAY SIDING
- 2 EXTERIOR: SPOT ON GRAY SIDING
- 3 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING
- 4 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING

**COLOR PALETTE #3**

- 1 EXTERIOR: SPOT ON GRAY SIDING
- 2 EXTERIOR: SPOT ON GRAY SIDING
- 3 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING
- 4 EXTERIOR: COLUMBIAN ROAST ROYAL WOODGRAIN SIDING

**2 BED - 2 BATH - B**

HOUSTON • SUBATSON ARCHITECTS, CHARTEERS

MODERN CRAFTSMAN AT BLACK CAT



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN

BUILDING GROSS AREA: 1,161 SF



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

**MODERN CRAFTSMAN**  
AT BLACK CAT

**COLOR PALETTE #1**

- 1. EXTERIOR: ROOF: CHARTRAC 28" R-19
- 2. EXTERIOR: SIDING: FINE LINE OF CYP
- 3. EXTERIOR: ACCENT: PINE TRIM 2" X 4" COLOR: WOOD
- 4. EXTERIOR: FOUNDATION: INTERLOCKING 4" X 8" CONCRETE
- 5. INTERIOR: CULMADONAL: PINE 1" X 4" COLOR: WOOD

**COLOR PALETTE #2**

- 1. EXTERIOR: ROOF: CHARTRAC 28" R-19
- 2. EXTERIOR: SIDING: FINE LINE OF CYP
- 3. EXTERIOR: ACCENT: PINE TRIM 2" X 4" COLOR: WOOD
- 4. EXTERIOR: FOUNDATION: INTERLOCKING 4" X 8" CONCRETE
- 5. INTERIOR: CULMADONAL: PINE 1" X 4" COLOR: WOOD

**COLOR PALETTE #3**

- 1. EXTERIOR: ROOF: CHARTRAC 28" R-19
- 2. EXTERIOR: SIDING: FINE LINE OF CYP
- 3. EXTERIOR: ACCENT: PINE TRIM 2" X 4" COLOR: WOOD
- 4. EXTERIOR: FOUNDATION: INTERLOCKING 4" X 8" CONCRETE
- 5. INTERIOR: CULMADONAL: PINE 1" X 4" COLOR: WOOD

**2 BED - 2 BATH - GARAGE**

HOUSTON • RUSSELLTON ARCHITECTS, CHARTERED

**MODERN CRAFTSMAN**  
AT BLACK CAT



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN

BUILDING GROSS AREA: 1,161 SF



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

**MODERN CRAFTSMAN**  
AT BLACK CAT

**COLOR PALETTE #1**

- 1. EXTERIOR: ROOF: CHARTRAC 28" R-19
- 2. EXTERIOR: SIDING: FINE LINE OF CYP
- 3. EXTERIOR: ACCENT: PINE TRIM 2" X 4" COLOR: WOOD
- 4. EXTERIOR: FOUNDATION: INTERLOCKING 4" X 8" CONCRETE
- 5. INTERIOR: CULMADONAL: PINE 1" X 4" COLOR: WOOD

**COLOR PALETTE #2**

- 1. EXTERIOR: ROOF: CHARTRAC 28" R-19
- 2. EXTERIOR: SIDING: FINE LINE OF CYP
- 3. EXTERIOR: ACCENT: PINE TRIM 2" X 4" COLOR: WOOD
- 4. EXTERIOR: FOUNDATION: INTERLOCKING 4" X 8" CONCRETE
- 5. INTERIOR: CULMADONAL: PINE 1" X 4" COLOR: WOOD

**COLOR PALETTE #3**

- 1. EXTERIOR: ROOF: CHARTRAC 28" R-19
- 2. EXTERIOR: SIDING: FINE LINE OF CYP
- 3. EXTERIOR: ACCENT: PINE TRIM 2" X 4" COLOR: WOOD
- 4. EXTERIOR: FOUNDATION: INTERLOCKING 4" X 8" CONCRETE
- 5. INTERIOR: CULMADONAL: PINE 1" X 4" COLOR: WOOD

**3 BED - 2 BATH**

HOUSTON • RUSSELLTON ARCHITECTS, CHARTERED

**MODERN CRAFTSMAN**  
AT BLACK CAT



**MODERN CRAFTSMAN AT BLACK CAT**

**COLOR PALETTE #1**

1. WALL: 2018 ARBON-GUMED  
 2. GARAGE: 14100 TRUCKWOOD-SPIDER-GLOSS-KWALL  
 3. FLOOR: 100 BRASSIUM-PAV-1-UNAPPLIED-SPR-6-1102

**ENTRY FEATURE**

HOUSTON • BUSATSOCH ARCHITECTS, CHARTERED

MODERN CRAFTSMAN AT BLACK CAT



FRONT VIEW

**MODERN CRAFTSMAN AT BLACK CAT**

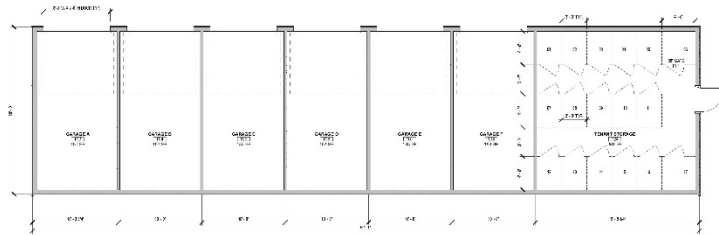
**COLOR PALETTE #1**

1. WALL: 2018 ARBON-GUMED  
 2. GARAGE: 14100 TRUCKWOOD-SPIDER-GLOSS-KWALL

**GARAGE - STORAGE BUILDING**

HOUSTON • BUSATSOCH ARCHITECTS, CHARTERED

MODERN CRAFTSMAN AT BLACK CAT



FLOOR PLAN

BUILDING OFFICE: 2888 JIM ST





FRONT VIEW



FLOOR PLAN - LEVEL 1

**MODERN CRAFTSMAN AT BLACK CAT**

**COLOR PALETTE #1**

- 1. EXTERIOR: BEIGE, DARK GREY, WOOD
- 2. LIFT SLIDE: ANTIKOR GRANITE
- 3. LIFT SLIDE: ALUMINUM, THERMAL BREAK, ANTI-KOR COATING
- 4. INTERIOR: BEIGE, WOOD, DARK GREY, ANTIKOR GRANITE
- 5. FLOOR: POLISHED CONCRETE, POLISHED CONCRETE

**COLOR PALETTE #2**

- 1. EXTERIOR: BEIGE, WOOD, DARK GREY
- 2. LIFT SLIDE: ANTIKOR GRANITE
- 3. LIFT SLIDE: ALUMINUM, THERMAL BREAK, ANTI-KOR COATING
- 4. INTERIOR: BEIGE, WOOD, DARK GREY, ANTIKOR GRANITE
- 5. FLOOR: POLISHED CONCRETE, POLISHED CONCRETE

**COLOR PALETTE #3**

- 1. EXTERIOR: BEIGE, WOOD, DARK GREY
- 2. LIFT SLIDE: ANTIKOR GRANITE
- 3. LIFT SLIDE: ALUMINUM, THERMAL BREAK, ANTI-KOR COATING
- 4. INTERIOR: BEIGE, WOOD, DARK GREY, ANTIKOR GRANITE
- 5. FLOOR: POLISHED CONCRETE, POLISHED CONCRETE

**TOWNHOUSES - 6 PLEX**

HOUSTON • SUBARON ARCHITECTS, CHARTERED

MODERN CRAFTSMAN



BACK VIEW



FLOOR PLAN - LEVEL 2

**MODERN CRAFTSMAN AT BLACK CAT**

**COLOR PALETTE #1**

- 1. EXTERIOR: BEIGE, WOOD, DARK GREY
- 2. LIFT SLIDE: ANTIKOR GRANITE
- 3. LIFT SLIDE: ALUMINUM, THERMAL BREAK, ANTI-KOR COATING
- 4. INTERIOR: BEIGE, WOOD, DARK GREY, ANTIKOR GRANITE
- 5. FLOOR: POLISHED CONCRETE, POLISHED CONCRETE

**COLOR PALETTE #2**

- 1. EXTERIOR: BEIGE, WOOD, DARK GREY
- 2. LIFT SLIDE: ANTIKOR GRANITE
- 3. LIFT SLIDE: ALUMINUM, THERMAL BREAK, ANTI-KOR COATING
- 4. INTERIOR: BEIGE, WOOD, DARK GREY, ANTIKOR GRANITE
- 5. FLOOR: POLISHED CONCRETE, POLISHED CONCRETE

**COLOR PALETTE #3**

- 1. EXTERIOR: BEIGE, WOOD, DARK GREY
- 2. LIFT SLIDE: ANTIKOR GRANITE
- 3. LIFT SLIDE: ALUMINUM, THERMAL BREAK, ANTI-KOR COATING
- 4. INTERIOR: BEIGE, WOOD, DARK GREY, ANTIKOR GRANITE
- 5. FLOOR: POLISHED CONCRETE, POLISHED CONCRETE

**TOWNHOUSES - 6 PLEX**

HOUSTON • SUBARON ARCHITECTS, CHARTERED

MODERN CRAFTSMAN

## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (DA) (Inst. #'s: 106151218; 107025555; 107141993; 110059432; and 2014-065517) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the Planning Division within six (6) months of the City Council granting subject modification. The new DA shall incorporate the following provisions:
  - a. Future development of this site shall be generally consistent with the submitted plat, site plan, landscape plan, open space exhibit, and conceptual building elevations for included in Section VII and the provisions contained herein.
  - b. The 10-foot multi-use pathway along Chinden Boulevard shall be constructed with Phase 1 of the development.
  - c. Direct lot access to W. Chinden Boulevard (SH 20/26) shall be prohibited.
  - d. The existing accesses onto Chinden Boulevard and N. Black Cat Road shall be closed upon development of the subject site.
  - e. Additional right-of-way shall be reserved for dedication to Idaho Transportation District for the future widening of Chinden Boulevard, as shown on the plat as Lot 1, Block 1.
  - f. The only approved access to N. Black Cat Road is the northernmost access shown on the proposed CUP Plan as W. Waverton Lane, unless City Council approves the second access in accord with UDC 11-3A-3.
  - g. The required landscape street buffers shall be constructed and vegetated along the entire perimeter (along N. Black Cat and Chinden Boulevard) with the first phase of development.
2. The short plat included in Section VII.B, dated June 2020, shall be revised as follows prior to the City Council hearing:
  - a. Revise the plat to include the entire required landscape buffer along N. Black Cat Road in a common lot(s) per UDC 11-3B-7C.2.
  - b. Add common lot or perpetual ingress/egress easement for the private streets in accord with UDC 11-3F-3B.3.
  - c. Stamped and signed by the licensed land surveyor.
3. The landscape plan included in Section VII.D, dated 06/18/2020, shall be revised as follows prior to submittal of the Certificate of Zoning Compliance application:
  - a. The Landscape Calculations/Requirements table shall include the following: 1) the total linear feet of pathways and the required number of trees per UDC 11-3B-12); the total square footage of common open space and required number of trees per UDC 11-3G-3E.
  - b. Revise the landscape plans to show the required modulation in the required noise attenuation wall along W. Chinden Blvd. in accord with UDC 11-3H-4D.
  - c. Revise the landscape plans and add trees, shrubs, and other vegetative ground cover to the areas of the landscape buffers between the future commercial buildings and Chinden Blvd. and Black Cat Road in accord with UDC 11-3B-7C



- d. Revise the landscape plans to add a 5-foot wide landscape buffer along the northern boundary of the commercial parking area to eliminate conflict of cars backing out into the path of traffic on the private street. The buffer shall be landscaped in accord with UDC 11-3B-8C.
  - e. Revise the landscape plans to show trash receptacles and bags for waste disposal throughout the proposed dog park area.
4. The residential elevations included in Section VII.G, dated February 2020, shall be revised as follows at least 10 days prior to the City Council hearing:
    - a. Add additional area of a secondary field material for the proposed townhome units to help break up the large amount of stucco as a field material.
    - b. Create at least two (2) more design palettes for the proposed townhome units to include at the least different color palettes and field material combinations.
    - c. Continue the stone material along the bottom of all building façades of the proposed clubhouse.
  5. The Open Space Exhibit calculations table shall be corrected to reflect the correct amount of common open space required per the specific use standards in UDC 11-4-3-27.
  6. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6, UDC Table 11-2B-3, and those listed in the specific use standards for multi-family development, UDC 11-4-3-27.
  7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
  8. With the CZC submittal, the Applicant shall correct the applicable plans to show additional colored or stamped concrete (or similar) of the main pedestrian sidewalk that traverses through the center of development to further delineate the pedestrian pathways.
  9. The Applicant shall work with the City Arborist on an appropriate alternative to their proposed “Ash” tree selection and obtain approval from the City Arborist prior to Final Plat approval.
  10. The Applicant shall comply with all ACHD conditions of approval.
  11. The Applicant shall obtain Administrative Design Review approval for the future commercial buildings with the submittal of the Certificate of Zoning Compliance for the entire site. The architecture of the commercial buildings shall complement that of the residential portion of the project.
  12. The Applicant shall obtain Certificate of Zoning Compliance approval for the entire subject site prior to applying for any building permit.
  13. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.
  14. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
  15. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.

17. The applicant and/or assigns shall comply with the private street standards as set forth in UDC 11-3F-3 and 11-3F-4.
18. 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.
19. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit a public access easement for the multi-use pathway(s) along Chinden Boulevard to the Planning Division for approval by City Council and subsequent recordation.
20. Business hours of operation within the C-C zoning district shall be limited from 6 am to 11 pm as set forth in UDC 11-2B-3A.4.

## **B. PUBLIC WORKS**

### **1. Site Specific Conditions of Approval**

- 1.1 Design and number of units clustered together is of particular concern – staff is unclear as to how all units will be serviced. A utility layout depicting how all of the units will be serviced while still meeting design requirements shall be required.
- 1.2 Sanitary sewer mainlines are not allowed within common drives, only sewer services (reminder that a maximum of three services are allowed into a manhole, with a minimum 30-degrees of angle separation).
- 1.3 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A future installation agreement is required for the streetlights on Chinden Blvd. Contact the Meridian Transportation and Utility Coordinator for additional information.
- 1.4 Water service to this site is being proposed via extension of water mains under the jurisdiction of SUEZ North America.
- 1.5 Though the City of Meridian will not own or maintain the water system in this development, final fire hydrant location shall be coordinated with and receive approval from the Meridian Public Works Department and Meridian Fire Department prior to construction plan approval.
- 1.6 Structures of 3600 square feet and larger including the garage, shall comply with the fire flow, and hydrant requirements of appendix b and c of the 2015 International Fire Code.
- 1.7 Prior to construction plan approval, the applicant shall submit documentation from SUEZ North America indicating that they have approved the water plans.
- 1.8 Prior to scheduling of a pre-construction meeting, the applicant shall submit documentation from SUEZ North America that all of their requirements have been met to be able to go to construction.

### **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 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.

- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

### **C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184359&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184598&dbid=0&repo=MeridianCity>

**E. PARK'S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=185184&dbid=0&repo=MeridianCity>

**F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184930&dbid=0&repo=MeridianCity>

**G. BOISE PROJECT BOARD OF CONTROL**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184482&dbid=0&repo=MeridianCity>

**H. NAMPA & MERIDIAN IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184914&dbid=0&repo=MeridianCity>

**I. CENTRAL DISTRICT HEALTH DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184498&dbid=0&repo=MeridianCity>

**J. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184482&dbid=0&repo=MeridianCity>

**K. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190915&dbid=0&repo=MeridianCity>

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

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

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

*Staff finds the proposed zoning map amendment to adjust the areas of the existing R-15 and C-C zoning districts and subsequent development is consistent with the Comprehensive Plan, if all conditions of approval are complied with.*

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



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

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

*Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.*

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

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

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

*The subject property is already annexed; therefore Staff finds that this finding is not applicable.*

**B. Short Plat Findings:**

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

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

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

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

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

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

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

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

*Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VII for more information.)*

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

*Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis but has not provided comments at this time.*

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

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

C. Conditional Use Permit Findings:

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

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

*Staff finds that the submitted conditional use plat appears to meet all dimensional and development regulations in the R-15 zoning district in which it resides.*

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

*Staff finds the proposed use of multi-family residential and commercial are harmonious with the comprehensive plan designation of Mixed-Use Community and the requirements of this title.*

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

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

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

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

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

*Staff finds the proposed use will be served adequately by essential public facilities and services as all services are readily available and nearby streets are currently being widened to accommodate additional traffic flow.*

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

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

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

*Although traffic will likely increase in the vicinity with the proposed use, all major roadways adjacent to the site are planned for improvements in the near future. Therefore, Staff finds the proposed use will not be detrimental to any persons, property, or the general welfare.*

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

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

D. Private Street Findings:

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

- 1. The design of the private street meets the requirements of this article;**  
*The Director finds that the proposed private street design meets the requirements.*
- 2. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and**  
*The Director finds that the proposed private streets would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity if all conditions of approval are met.*
- 3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**  
*The Director finds the use and location of the private streets do not conflict with the comprehensive plan or the regional transportation plan because the proposed design meets all requirements.*
- 4. The proposed residential development (if applicable) is a mew or gated development. (Ord. 10-1463, 11-3-2010, eff. 11-8-2010)**

NA