



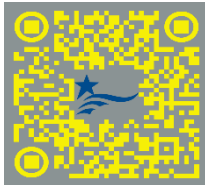
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, June 17, 2021 at 6:00 PM

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Agenda

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



Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15 minutes to present the project. Then, members of the public are allowed up to 3 minutes each to address Commissioners regarding the application. Any citizen acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners consenting to yield their time to speak. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. Commissioners may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard.

VIRTUAL MEETING INSTRUCTIONS

To join the meeting virtually:

<https://us02web.zoom.us/j/87577123826>

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

Webinar ID: 875 7712 3826

ROLL-CALL ATTENDANCE

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

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the June 3, 2021 Planning and Zoning Commission Meeting](#)
2. [Findings of Fact, Conclusions of Law for Gramercy Commons \(H-2021-0023\) by Intermountain Pacific, LLC, Located at 1873, 1925, and 2069 S. Wells Ave.](#)

3. [Findings of Fact, Conclusions of Law for Meridian Middle School Cafeteria Addition \(H-2021-0032\) by Lombard Conrad Architects, Located at 1507 W. 8th St.](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

4. [**Public Hearing** Continued from June 3, 2021 for Topgolf \(H-2021-0033\) by Arco/Murray, Located at 948 S. Silverstone Way](#)
 - A. [Request: Conditional Use Permit for an outdoor recreation facility on 11.56 acres of land in a C-G zoning district to include extended hours of operation from 8:00 a.m. to 2:00 a.m., seven days a week, abutting a residential zoning district.](#)
5. [**Public Hearing** Continued from June 3, 2021 for Popeyes Drive-Through \(H-2021-0030\) by Erik Wylie of JRW Construction, LLC, Located at 6343 N. Linder Rd.](#)
 - A. [Request: Conditional Use Permit for a drive-through establishment within 300-feet of an existing drive-through on 1.0 acres of land in the C-G zoning district.](#)
6. [**Public Hearing** for ACHD Ustick Maintenance Facility \(H-2021-0029\) by Engineering Solutions, LLP, Located at 3764 W. Ustick Rd.](#)
 - A. [Request: Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an Ada County Highway District \(ACHD\) maintenance facility on 23.7 acres.](#)

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the June 3, 2021 Planning and Zoning Commission Meeting

Meridian Planning and Zoning Meeting

June 3, 2021.

Meeting of the Meridian Planning and Zoning Commission of June 3, 2021, was called to order at 6:00 p.m. by Chairman Rhonda McCarvel.

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

Members Absent: Nick Grove.

Others Present: Adrienne Weatherly, Ted Baird, Bill Parsons, Sonya Allen, Joe Dodson, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

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

McCarvel: Okay. Good evening. Welcome to the Planning and Zoning Commission meeting for June 3rd, 2021. Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff and the city attorney and clerk's offices, as well as the City Planning Department. If you're joining us on Zoom this evening we can see that you are here. You may be able to observe the meeting, however, your ability to be seen on screen and talk will be muted during the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting please e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. If you simply want to watch the meeting this evening we encourage you to watch the streaming on the city's YouTube channel. You can access it at meridiancity.org/live. And with that let's begin with roll call.

ADOPTION OF AGENDA

McCarvel: Thank you. First item on the agenda is the adoption of the agenda. We have several items this evening that will be opened only for the sole purpose of continuing and I will -- we will try to move those to the front of the agenda. Items H-2021-0033, Top Golf, requests continuance to June 17th. H-2021-0015, Woodcrest Townhomes, requests continuance to July 1st. And 2021-0030, Popeye's Drive-Through requests continuance to June 17th. We will move those to the top of the agenda. So, with that could I get a motion to adopt the agenda as amended.

Seal: So moved.

Cassinelli: Second.

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

MOTION CARRIED: SIX AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the May 20, 2021 Planning and Zoning Commission Meeting**
- 2. Findings of Fact, Conclusions of Law for Gem Prep South (H-2021-0020) by Paradigm Design, Located Approximately 1/8 of a Mile East of S. Locust Grove Rd., on the South Side of E. Lake Hazel Rd.**

McCarvel: Next item on the agenda is the Consent Agenda and we have two items on the Consent Agenda. We have approval of minutes for the May 20th, 2021, P&Z meeting and Findings of Fact and Conclusions of Law for Gem Prep South, H-2021-0020. Could I get a motion to adopt -- to accept the Consent Agenda?

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to adopt the Consent Agenda. All those in favor say aye. All those opposed. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

McCarvel: So, at this time I will briefly explain the public hearing process. We will open each item individually and begin with the staff report. The staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called on only once during public testimony. The Clerk will call the names individually of those who have signed in on our website in advance to testify. You will, then, be unmuted. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on the screen and our Clerk will run the presentation. If you have established that you're speaking on behalf of a larger group, like an HOA where

others from that group will not be speaking, you will have up to ten minutes. After all of those who have signed up in advance have spoken we will invite others who may wish to testify. If you wish to speak on a topic you may press the raise hand button on the Zoom app or if you are listening on the phone, please, press star nine and wait for your name to be called. If you're listening on multiple devices, a computer and a phone, for example, please be sure to mute those extra devices, so we don't experience feedback and we can hear you clearly. When you're finished if the Commission does not have questions for you, you will be muted and no longer have the ability to speak. Please remember we will not call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing the Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommendations to the City Council as needed. And we have -- I guess I do have a question for legal as a point of procedure. Can we move action items four, five, and seven to the top of the agenda as requested in front of Item No. 3 or do we want to do Item No. 3 first?

Baird: Madam Chair, with the adoption of the agenda and the mention of moving those up, I interpreted that to do them now before you take that action item, so that anybody who was here for those items couldn't find the next date for continuance.

ACTION ITEMS

- 4. Public Hearing for Topgolf (H-2021-0033) by Arco/Murray, Located at 948 S. Silverstone Way**
 - A. Request: Conditional Use Permit for an outdoor recreation facility on 11.56 acres of land in a C-G zoning district to include extended hours of operation from 8:00 a.m. to 2:00 a.m., seven days a week, abutting a residential zoning district.

McCarvel: Sure. Perfect. Thank you. So, with that we will open Item H-2021-0033, Top Golf. They are requesting continuance to June 17th. I believe that was a posting issue. Do we have any other comments from staff on that? Okay. Could I get a motion to continue H-2021-0033 to June 17th?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I move that we continue file number H-2021-0033, Top Golf, to June 17th, 2021.

Seal: Second.

McCarvel: It has been moved and seconded to continue Item H-2021-0033, Top Golf, to June 17th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

5. Public Hearing for Woodcrest Townhomes (H-2021-0015) by Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way

- A. Request: Amendment to the Comprehensive Plan Future Land Use Map to change the future land use designation on 2+/- acres of land from the Commercial to the Medium High-Density Residential designation.
- B. Request: Rezone of 2.10 acres of land from the L-O (Limited Office) to the R-15 (Medium High-Density Residential) zoning district.

McCarvel: Thank you for all who wanted to testify on that. We'll see you June 17th. Next item being opened is H-2021-0015, Woodcrest Townhomes. They are requesting a continuance to the meeting July 1st. Do we have any other comments from staff on this application?

Dodson: Madam Chair, not that I am aware, but that's not my project. I don't know if Bill has more comments on that.

McCarvel: Okay.

Yearsley: Madam Chair?

Parsons: Nothing from staff at this point.

McCarvel: Commissioner Yearsley.

Yearsley: I think they were talking about not having a -- I don't know if we have a quorum identified for July 1st.

McCarvel: Yes, we do.

Yearsley: Okay.

McCarvel: Yeah. Can I get a motion to continue Item H-2021-0015, Woodcrest Townhomes, to July 1st?

Wheeler: So moved.

Seal: Second.

McCarvel: It has been moved and seconded to continue Item H-2021-0015, Woodcrest Townhomes. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

7. Public Hearing for Popeyes Drive-Through (H-2021-0030) by Erik Wylie of JRW Construction, LLC, Located at 6343 N. Linder Rd.

- A. Request: Conditional Use Permit for a drive-through establishment within 300-feet of an existing drive-through on 1.0 acres of land in the C-G zoning district.

McCarvel: Next item, H-2021-0030, Popeye's Drive-Through is being opened and would like to continue to June 17th. Do we have any other comments from staff?

Dodson: Madam Chair, only that I put the reasoning at the top of the outline for all of you. Other than that no other comments.

McCarvel: Okay.

Seal: Madam Chair?

McCarvel: Yes.

Seal: Move to continue file number H-2021-0030, Popeye's Drive-Through to June 17th, 2021.

Cassinelli: Second.

McCarvel: It has been moved and seconded to move Item H-2021-0030 to June 17th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

COMMUNITY ITEMS [ACTION ITEMS]

3. Resolution No. PZ-21-03: A Resolution of the Planning and Zoning Commission for the City of Meridian, Idaho, Validating Conformity of the Second Amendment to the Meridian Revitalization Plan with the City of Meridian's Comprehensive Plan

McCarvel: All right. Back to the next Item No. 3. This is resolution number PZ-21-03, which does -- is not open for public testimony, but we have presentation from staff.

Cleary: Yes. Thank you, Madam Chair, Members of the Commission. This is Planning and Zoning Resolution 21-03, validating conformity of the second amendment to the

Meridian Revitalization Plan with the city's Comprehensive Plan. This is basically a procedural requirement pursuant to Idaho statute, but I will go ahead and provide some context for this item. The original Meridian Revitalization District is due to sunset in 2026. This is the first of several urban renewal actions that will come before you this year. These actions will enable the Meridian Development Corporation, the city's urban renewal agency, to continue its efforts in the downtown core and extend those efforts further north spurring additional private investment in our downtown. This second amendment provides for de-annexation of two specific areas within this existing district. The first is a 1.5 acre area identified in your packet as Attachment A and referred to as the Idaho Block. Ultimately this area will be annexed into the existing union district, which was established last year. The second area is a larger 77.1 acre area identified as Attachment B in your packet and referred to as the Northern Gateway. These properties, along with several other properties that are not currently in any urban renewal district, will ultimately be included in a proposed new district called the Northern Gateway District. The amendment to the Union District plan and the Urban Renewal Plan for the Northern Gateway District will come before you later this year. Those will include a more detailed analysis as to the conformity of those plans with the city's Comprehensive Plan. Because there is no proposed new Urban Renewal Plan, zoning change or proposed development associated with this particular amendment before you this evening, it is, therefore, still in compliance with the city's comp plan. Following your action this evening this plan amendment will move forward to the City Council for approval of an ordinance ultimately adopting this second amendment. As stated this is a required procedural action. Staff recommends approval of Resolution 21-03 and also MDC is represented virtually this evening, as is legal counsel, and if they want to add any remarks for clarification or answer any questions you might have.

McCarvel: Okay. Madam Clerk, do we have anyone on Zoom wishing to make comments at this time from --

Weatherly: Madam Chair, we do have Meghan Conrad on the line. Meghan, you have the ability to unmute yourself if you would like to add a few words.

Conrad: Thank you, Commissioners. Meghan Conrad. Elam & Burke. 251 East Front Street. Thank you so much for having me here today. I think city staff did an excellent job of setting the stage as to what is coming down the pike. Just procedurally I hope I can fill in a few blanks here. We are -- this timeline to get these parcels out of the existing -- what is referred to as the downtown district and in order to get the value back on the tax rolls really does need to be done by the fourth -- excuse me -- in the fourth Monday in July and there are a number of steps in this process. Following your consideration of the resolution here today, there are three readings of the ordinance, the 22nd, the 6th, and the 13th of July and, then, there is a number of post-adoption transmittals that occur after that time. So, working against that fourth Monday of July deadline really is critical path to getting those values back on the tax rolls. Second, as city staff indicated, there will be further actions taken with regard to discussion of amending the Union District plan to add in what's referred to as the Idaho Block, as well as the formation of a new project area, which includes the de-annexed parcels that are referred to as the Northern Gateway. So,

with that happy to answer any -- any questions or concerns from this body and, again, thank you so much for having me here today.

McCarvel: Thank you, Meghan. Any questions for the presenters this evening? Okay. Any other discussion, anyone, or could I get a motion to approve resolution number PZ-21-03.

Seal: Madam Chair, just quick -- are we recommending approval. We aren't approving; correct?

McCarvel: We are approving and, then, it goes further through the process to City Council.

Cassinelli: We are the deciding body on -- on the de-annexation?

McCarvel: Go ahead.

Baird: Madam Chair and Members of the Commission, in answer to your question, you are not deciding on the de-annexation. What you are doing is -- is making a finding that the de-annexation is consistent with the Comprehensive Plan. The -- the memo in your packet and the resolution itself outline that and, then, as both Meghan and Tori mentioned, there will be City Council ordinances that will -- the City Council will approve the de-annexation and within those ordinances it will note that this came before you and you passed this resolution and you are finding as required by the statute that it's consistent with the Comprehensive Plan. So, you're just a little piece of the big pie. Not to belittle you.

Cassinelli: But we can hold it up.

Baird: You could, but we would really like to see you take action on it this evening.

Cassinelli: So, we are a pretty big part of the pie.

Seal: Just the first part. I'll take a stab at this, Madam Chair.

McCarvel: Okay. Go ahead.

Seal: After hearing all staff, applicant, and public testimony I move to approve resolution number PZ-21-03 as presented in staff -- well, as presented by staff for the hearing date of June 3rd, 2021.

Yearsley: I will second that.

McCarvel: I have a motion to -- and a second to approve Resolution No. PZ-21-03. All those in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Cleary: Thank you.

6. Public Hearing for Meridian Middle School Cafeteria Addition (H-2021-0032) by Lombard Conrad Architects, Located at 1507 W. 8th St.

- A. Request: Conditional Use Permit request for an approximate 7,525 square foot addition to the existing Meridian Middle School cafeteria.

McCarvel: Next in the middle of our agenda here we will actually open and hear the staff report for H-2021-0032, the Meridian Middle School Cafeteria Addition.

Tiefenbach: Good evening, Planning Commission. Alan Tiefenbach, associate planner with the City of Meridian. I think this will be relatively brief, unless you want me to go on at length. This is a proposal for a conditional use permit. The property is just a little shy of 37 acres, zoned R-4. It's located on Northwest 8th Street, which is in between Linder and Meridian. To the north is office zoned property. East, south, and west are all existing single family residents. There was a -- so -- so, what this is -- this is a conditional use permit to allow a 7,500 square foot addition to the Meridian Middle School. Real quick history of why we are here. So, Meridian Middle School campus consists of seven buildings totaling about 186,000 square feet. The first building started in 1969. In February of this year a representative came in to talk to staff about putting in a 7,500 square foot addition to the north side of the cafeteria building. You can see that here on the site plans that I have put up. This proposed addition -- basically it's going to be a vestibule. It's going to connect the cafeteria to the auditorium and the main classroom building. Some of the things that are going to be included are additional cafeteria space, a new kitchen and IT room, renovations to the choir room and some restrooms. When we were doing the pre-app we told the applicant that a public education institution is allowed in the R-4 zoning district by a conditional use. However, a conditional use has never been done for this school. So, this is really to address the as built conditions and to keep from getting snagged up in the future if the school wants to do any additional improvements. Again, the site plans have been included and shows what the external improvements are. I put a little bubble there, so you can see where it is. There was also a landscape plan. That was submitted. There is going to be two trees that are removed, but they are going to be putting in seven trees. Other than that, if you read our code it says that if you're doing additions of less than 25 percent there is no additional landscaping required. So, they are actually putting in a little more landscaping than they are required to. Here are the architectural elevations. What's existing is comprised of CMU, fiber cement, blue metal paneling and blue standing seam roofs. This -- oh, sorry. This is the new addition here is this little piece right here. That's looking from the north to the south and here is what you would see if you are inside the campus looking towards the north. This here is the addition. The applicant has submitted for a certificate of zoning compliance concurrently -- concurrently with this. So, if this conditional use is approved staff can release the CZC, so that the applicant can pull the building permit. The only two recommendations that staff had on this one is that Public Works commented that it looks

like there is an existing light pole on the school district within one of our sewer easements. The way this could be remedied is that the applicant could move the -- a manhole in the parking lot and we have showed the applicant which one it would be -- move it slightly to the east and, then, rededicate that easement. It would pull -- basically you would be re-shifting the easement and pulling the light pole out of that. That was the first condition. The second condition is that -- I can back up and show you. There is a very large parking lot here. Only some of it is striped. What the applicant has showed is 318 parking spaces, but actually what they are required per the code is 483. Quite a few more than -- than what they have shown here now. Staff believes a lot of this could be striped. Again, you have got pretty much a blank parking lot. So, staff's other recommendation would be that the school would stripe this parking lot to meet the code and with that staff will conclude our presentation, unless you have any questions or comments.

McCarvel: Okay. Any questions for staff? Okay.

Cassinelli: Madam Chair?

McCarvel: Yes.

Cassinelli: You did say that with striping that lot that they would have plenty of parking?

Tiefenbach: I think the applicant can address that, but they -- I'm sure just random guesstimation on that. It looks like they have got plenty of parking that they would actually stripe that in. Again I will defer to the applicant, if they can actually -- if they have actually done the math on that to figure out if that works or not.

Cassinelli: Okay.

McCarvel: Would the applicant like to come forward?

Raman: Yes. This is Priya Raman. Good evening. This is Priya Raman, senior architect with Lombard Conrad Architects and with reference to the parking striping, we will comply with what is required in the staff report for striping the north parking lot, but given that this is a middle school, most of the students are being dropped off and there is a bus drop off zone as well to the north in that parking lot. Predominantly what that parking -- the lot that you see, the asphalt paved area to the north of the building, is actually a driver's ed is what I'm aware of. Motorcycle driving education is what it is used for when the school is not in session. But when we read through the report that the staff recommended, we have no problems with restriping that parking lot to the north. As for the actual numbers, I am not aware that we can meet the 483. I will have to just go through the striping to figure out if we can meet that or not. But I can assure the Commission that there is plenty of parking available on the site for the existing use and we are not adding any extra student population or trips into the site.

McCarvel: Okay. Thank you. Did you have any other presentation?

Raman: I don't have anything else to share, except for the fact that this is a much needed improvement for the school. This existing facility is severely undersized, both the kitchen footprint and also the seating footprint when compared to the other middle schools and considering that this -- this kitchen is operational throughout the year, it would be a big benefit to the school community to have this addition approved.

McCarvel: Any questions for the applicant or staff? Okay. Oh. Yes, sir.

Tiefenbach: Alan Tiefenbach. I guess my only comment or question is what's required by the -- per the code, good or bad, right, because I understand that most of the kids are being dropped off there. You're probably not going to have 483 cars there. That said the code requires what the code requires. My only pause is that if the condition of approval goes forward as it is, it says that they are going to restripe it per the code, meaning they have to come up with 483 parking spaces. If the Planning Commission wants to decide to tweak the language a little bit to say that the applicant will stripe as many parking spaces as they can and still meet the driver's ed or something, it might give a little more flexibility in the future. Otherwise, staff might have to enforce 483 parking spaces. Does that make sense?

McCarvel: Thank you. Madam Clerk, do we have anybody signed up to testify on this application?

Weatherly: Madam Chair, we do not.

McCarvel: Okay. Is there anybody in the room or on Zoom who has not signed up that would like to testify on this application? Okay. With that could I get a motion to close the public hearing for H-2021-0032.

Yearsley: Madam Chair, before we do that I just have a quick question of staff.

McCarvel: Okay.

Yearsley: It's in the condition to meet that many parking spaces. Can we actually -- because it's looks like it's been working fine the way it is. Can we remove that condition all at once and not require the additional parking spaces or is that something that we just -- by code we have to meet?

Tiefenbach: This is a conditional use. You can remove that. You can add a requirement that the number of parking spaces that exists now is acceptable.

Yearsley: Okay. Madam Chair?

McCarvel: Mr. Seal.

Seal: I will just make a quick comment on there after having my son go to school there that during -- when there was assemblies and things like that that we attended, I would

have very much appreciated that parking lot being striped. So, during school and everything, yeah, absolutely, there is not a lot of need for it. But when there are gatherings there it's -- it gets messy for sure.

Yearsley: Okay.

Parsons: Madam Chair, this is Bill.

McCarvel: Go ahead, Bill.

Parsons: Thank you. Yes, we can -- certainly if the applicant can't get up to that number we can certainly look at something through the alternative compliance process. So, if that's the purview of the Commission to get as many as possible, but maybe not get to that amount per code, then, we can -- I would just add a condition -- either, you know, work with staff on alternative compliance.

McCarvel: Right.

Parsons: Obtain alternative compliance for a parking reduction for the school site.

McCarvel: Yeah.

Parsons: Would be my recommendation.

McCarvel: Work with staff to have as many as reasonably possible.

Parsons: Yeah. We can do that. Again, we can do that staff level with their CZC and design review application that Alan's currently processing. We don't charge the school district any fees for application submittals. They would just have to amend their submittal with an alternative compliance. If they can't meet that, then, we can analyze the parking for the site and I think Alan brings up good points, we -- it's not like it's a high school where you need 1,500 parking stalls, because all the kids are driving, but --

McCarvel: Right.

Parsons: -- certainly it's -- I think more is probably necessary, but I don't know if we are going to get to 400 or not without working with the applicant and them striping it out and letting us know exactly what they can provide on site.

McCarvel: Okay.

Parsons: So, I think we can amend the condition to say provide 800 -- or 480 stalls or apply for alternative compliance, may be the easiest route to go for you tonight.

McCarvel: Okay. Thank you.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I was a parent there for six years as well and the way the parking lot is now, without the striping -- and I respect the fact that -- that when there are assemblies it can be a little challenging, but because it mostly is a bus terminal of moving hundreds of kids in -- in and out and the Star group doing their motorcycling, it may -- and -- and they may be just a pay client, you know, they may choose to go someplace else if it doesn't work out. I think striping would probably -- the reason it wasn't done is because the alternative uses for that parking lot throughout the year, the striping would -- would detract from what they are trying to do. So, whether you are a new bus driver and they want to create these lanes or whatever else the -- the number of assemblies that are done at Meridian Middle in a given year are probably ten at best, whereas they are in school for hundreds of days.

McCarvel: Okay. We can open that up in our discussion after we close the public hearing.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I move that we close the public hearing on H-2021-0032.

Cassinelli: Second.

Seal: Second.

McCarvel: It has been moved and seconded to close the public hearing H-2021-0032. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

McCarvel: Comments?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli:

Cassinelli: Can -- can Star and the others that use that lot -- I mean would the striping of stalls interfere with what they are doing? Because -- I don't know. Alan, do you have a comment -- information on that? Or Bill maybe?

Tiefenbach: It might be a question for the applicant. I think that they certainly could stripe this to -- to get more parking spaces in. I'm not sure if they have actually done the logistics to figure out what they need for the bus turnaround. They just basically have a big, unstriped open area that would be available to the applicant, as Bill talked about with the

alternative compliance, because we are processing the CZC right now, so they would have to sort of show us what they need to get the buses in and out, what's the reasonable amount of parking spaces that they could get in there, maybe explain what the hours are, so that they have legitimate parking. They have tons of parking there, it's just not striped.

Cassinelli: Because I mean I have -- I have been to events there before where, you know, you show up to parking it's -- it's crazy, especially for somebody that isn't going there regularly and you are trying to race -- it's just kind of all over the place, upon on curbs and different things, and I don't know what that's like for the residents along 8th Street there on those days.

Dodson: Madam Chair?

McCarvel: Yes. Go ahead.

Dodson: Sorry. I know it's not my application, but I run through that parking lot quite a lot, because I live in the area. The Star program uses the east side of this parking lot that we are talking about. Striping the west half -- you can literally see the cones when they have it on -- would not interfere with them from what I can see.

McCarvel: Okay. Yeah. I think if -- we can maybe move it forward by turning it over to the staff and the applicant to work together to stripe it in the best manner possible for bus traffic and additional parking stalls.

Wheeler: Madam Chair?

McCarvel: Yes. Commissioner Wheeler.

Wheeler: How many additional spaces are needed, because there are several that are on that east side. So, how many -- if we can ask staff that.

Tiefenbach: On their site plan they identified 318 parking spaces. Per their code they are required to have 483.

McCarvel: Okay.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: If I were to motion on this I would have the wording basically be that work with staff to get as many parking spaces as possible, without inhibiting its use as a bus drop-off, pickup, as well as ancillary uses, such as the Star class training.

Yearsley: Madam Chair? Madam Chair? I think he is also -- or we can -- or apply for alternative compliance --

Seal: Okay.

Yearsley: -- to reduce the overall number of parking spaces. I think that -- it's just amend that to -- to meet the parking requirements or apply for alternative compliance would be probably just as simple.

McCarvel: Okay. Great. Commissioner Seal?

Seal: Oh. Sorry.

Cassinelli: We are all waiting for you.

Seal: I was going to let you keep going. Okay. So, after considering all staff, applicant, and public testimony, I move to approve file number H-2021-0032 as presented in the staff report for the hearing date of June 3rd, 2021, with the following modification: That they work with staff to stripe the parking lot with as many parking spaces as possible without inhibiting its use for bus, pickup, drop-off and Star class training, et cetera, or they can apply for alternative compliance to meet the requirement.

Cassinelli: There was also a condition on the easement.

McCarvel: I think that's covered in the staff report.

Cassinelli: Is it?

McCarvel: Yeah.

Cassinelli: Oh. Okay.

McCarvel: As written.

Cassinelli: Second.

McCarvel: It has been moved and seconded to approve H-2021-0032 with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

8. Public Hearing for Gramercy Commons (H-2021-0023) by Intermountain Pacific, LLC, Located at 1873, 1925, and 2069 S. Wells Ave.

- A. Request: Conditional Use Permit for a multi-family development consisting of 164 age-restricted units within a multi-story building with a multi-story parking garage on 5.24 acres of land in the C-G zoning district

McCarvel: Next on the agenda is H-2021-0023, Gramercy Commons, and we will begin with the staff report.

Dodson: Thank you, Madam Chair, Members of the Commission. Now, it's my project. Here we go. The application before you is for a conditional use permit. The site consists of 5.24 acres, zoned C-G, located at 1873 and 1925 and 2069 South Wells Avenue. As you can see on the zoning map and somewhat on the aerial, the north, east -- north and the east have C-G zoning adjacent. To the north of the northern most lot is an existing commercial building. To the east is three parcels, two of them are developed with commercial uses and one of them is undeveloped. To the south is a multi-use pathway and, then, further south of that is TN-R and R-15 zoning districts with -- I believe there is some attached single family, as well as some detached single family in there. To the west is R-4 zoning and Mountain View High School. It was originally annexed in 2006 as part of the Kenai Subdivision, now known as Gramercy Subdivision. And platted following that and the applicant has received, as of last Tuesday, development agreement modification approval from City Council for the proposed concept and conceptually for the use of -- that we are here to discuss tonight. Future land use out here is mixed use regional, as you can see on the map on the left. Rather large area, encompasses a lot of acreage on all four corners of the Eagle and Overland intersection. The applicant tonight is requesting a conditional use permit for a multi-family development consisting of 164 age-restricted units within a multi-story building, as wrapped around a multi-story parking garage on 5.24 acres of land within the C-G zoning district. The three parcels that are part of the application actually make up a total of 6.9 acres, but only a segment of parking lay across the shared property line between the northern most lot and the center lot. The applicant has received City Council approval of their concurrent DA mod as noted, which conceptually approved the site plan development and use. The purpose of this application is to ensure compliance with the specific use standards, UDC 11-4-3-27. The subject project is proposed to be constructed in one phase. Access to the site is proposed via three adjacent drive aisles, one to the north that currently does not exist until the very north of the property as noted. These two drive aisles to the east as well and they do exist currently. ACHD has noted that no improvements are required to any adjacent or nearby public roads and they did not require a TIS, a traffic impact study, because the development is not estimated to generate enough peak hour vehicle trips, despite proposing over one hundred units. ACHD has noted that all adjacent public roads, which would be East Goldstone Street and South 4th Avenue as the closest ones, are overbuilt for their current capacities and capable of handling additional vehicle trips without issue. Therefore, staff is supportive of the proposed development in regards to its transportation impact. All of the departments have also signed off on the proposed development with minimal or no comments, including Fire, Police and Public Works. The site plan depicts a singular multi-level age-restricted -- which would be three and four stories in height, multi-family apartment complex that is wrapped around a parking structure, something we do not have here in the City of Meridian. The parking structure is proposed to contain a majority of the required parking spaces. Around the proposed building the new development plan depicts a drive aisle that -- that circles the entire structure and includes two areas of surface level parking located on the east and north sides of the proposed building and they contain the remaining required parking. The drive

aisle that circles the building is intended to be for Fire and Emergency Services access. As noted, the project is proposed as a wrapped concept, where the vast majority of the parking is contained within the parking structure located in the center of the building or the site, with the apartment units wrapped around it. This design is affectionately known as a Texas donut and allows for a smaller building footprint and more efficient utilization of the -- of the development site overall. Based on the number of bedrooms per unit, which there are 108 one bedroom and 56 two bedroom units, a minimum of 274 parking spaces should be provided, with at least 164 of those spaces covered or within a garage. The applicant is proposing 291 parking spaces, with 220 coverage spaces within the parking garage. The remaining 71 spaces are located around the perimeter as noted. The applicant is, therefore, exceeding the minimum code requirements. I would like to note that they also included guest parking, which is not a current requirement, but a future requirement, so that is part of why they are exceeding their minimum. A minimum of 41,000 square feet of common open space is required per the specific use standards at the ratio of 250 square feet per unit, because each unit is between 500 and 1,200 square feet in size. The applicant has proposed 42,000 square feet of qualified common open space. The proposed open space consists of those areas outlined on the exhibit before you. A plaza along the east side of the building. A pool and pool deck with assorted amenities on the south side. A terrace with fire pits and barbecues and additional seating areas on the west and a pickleball court and community garden along the north side of the building. All of these areas have been verified by size and use to meet the -- meet and exceed the required quality and amount of common open space. Overall, the submitted open space meets the specific use standards and staff finds the proposed open space is adequate for the proposed development, especially when you combine the array of proposed amenities. Furthermore, the subject sites are within a quarter mile of a city park, which is to the south. They are in close proximity to a plaza park that is within the Gramercy Development and the shared park with everybody and directly adjacent to a regional pathway, which does go across the southern boundary -- or adjacent to the southern boundary. All of these factors present more than adequate open space and recreational opportunities for future residents. As noted, the proposed open space contains all of the amenities, which to be more specific on what I had before, swimming pool, a plaza with a public art, a sports court, which is a pickleball court, a community garden and multiple seating areas with barbecues and firepits. Staff finds the proposed amenities to be adequate in serving the proposed age-restricted multi-family development, in conjunction with the additional amenities nearby. The submitted elevations are for conceptual purposes only and will require future administrative design review approval. Staff notes that the submittal -- the submitted elevations do not meet all of the required design criteria for multi-family development, but at the time of the design review submittal staff will analyze the structure in more detail for the conformance with the -- with our architectural standards manual. An application for certificate of zoning compliance is also required to be submitted along with a design review, which will verify -- confirm these already discussed development points. There has been no written testimony as of 2:00 o'clock this afternoon when I wrote this. Staff does recommend approval of this subject application, because staff finds that proposing an apartment complex within this area of the city that is in close proximity to commercial development, childcare, charter school, which is directly to the east and established regional pedestrian

facilities, warrants the use, as well as is consistent with the mixed use regional Comprehensive Plan future land use designation. After that I will stand for any questions.

McCarvel: Okay. Thank you. Would the applicant like to come forward?

Clark: Hi, everybody. Hethe Clark. 251 East Front Street in Boise and working with the applicant and I think Joe is getting my PowerPoint teed up here. As he does I will just mention a couple introductory things about this. We are here to discuss the conditional use permit for this -- what I think is a really cool apartment project in the Gramercy development. It's part of a two phase process procedurally. As Joe mentioned, the first phase was a modification to the development agreement that was processed with the City Council last week. As we discussed that with them, you know, one of the details that I would mention is that this is on the back side of the Gramercy project, kind of nestled there against -- against the high school and next to other multi-family and so Council agreed that it made sense in this location to change that and allow for a mixed -- or a multi-family project. So, with that in place -- this is in the C-G zone, so we have to do a conditional use permit, so that's why we get to come here on the hottest night of the year and see everybody in person. Our presentation is going to move forward in two phases. In order to make sure you're familiar with the details a little bit more beyond what Joe has shown tonight, we are going to have Mark Sindall with GGLO Architects, who is online, kind of walk through what was presented last week, so you guys can see all of that and, then, I'm going to come back and I will go over a few procedural details and, then, it looks like we are still having trouble with the -- the PowerPoint, but -- oh, is it? Good. Oh, it's just not on this screen. Got it. So, after Mark's done I will come back and, then, in the meantime I just want to note that Mike Chidester and Aaron Elton are here, they are with the Meridian based ownership group, so this is a -- truly a local project and a very cool thing for the city. So, with that I will turn the time over to Mark. It's black. I can just look over my back shoulder here. And do we have -- is Mark coming forward, too?

Weatherly: Mark, you should have the ability to unmute yourself and turn on your camera if you would like.

Sindall: Okay. Thank you. All right. Madam Chair, Commissioners, thank you. Mark Sindall. Principal with GGLO, 1199 Shoreline Lane in Boise. Next slide, please. Keep going. So, this is directly from your comp plan. We will start with that and I will just read it. You know your plan well. Multi-family residential may be allowed in some cases, but should be careful to promote a high quality of life through thoughtful site design, connectivity, and amenities and that's really what the basis of our design was from the beginning. Next slide, please. We also looked at the Gramercy experience and the notion of homes, workplaces, and shopping blending seamlessly into an urban inspired community. Of course, that's the most successful with proximity and walkability, as staff mentioned, and we believe this proposal goes a long way in delivering the truly Gramercy experience. Next slide, please. So, the site is situated adjacent to ball fields and a school. Walking distance to shops, parks, commercial and health services. And, really, as a site it's ideal for age restricted multi-family housing if planned wisely and with the right approach that we will get into a moment, it can open up opportunities for adjacencies and

future development of sites, with some efficiencies with the parking. So -- yes. There you go. You can see all the proximity. Next slide, please. So, that brings us to parking. Livability means more space for people and open space and a recognition that absolutely we need to accommodate cars, but not at the expense of livability. So, to that end we studied the impact of a four level wrapped garage, as staff mentioned, and Joe -- over a surface parking lot and what that can mean for livability goals for the district. The punchline is that we are reducing by two-thirds how much of paradise is being paved by parking lot, for you '70s or '90s rock fans, and the added benefit, of course, that most residents park on the floor that they live in. This is the nice aspect of a wrapped project. So, here is what we are proposing. If you go to the next slide. A parking garage. Keep going. A parking garage tucked behind a high quality building with large amenity spaces immersed in a beautiful regional landscape. The project traverses the district with outward facing plazas and frontages. You can keep clicking. With residential scale frontages and amenities facing the more pastoral ball fields and the high school. Click again. All right. If you go to the next slide you can start to see the location and the plan of the amenities that were mentioned previously, with terraces, gardens, and amenities and, then, a different approach to the architecture, depending on whether it's facing -- call it the more pastoral ball fields versus the more commercial district on its frontage. Next slide. So, you start to see how this lays out with the garage in the middle, the wrap, and, then, concentric rings with the gardens and amenity spaces and, then, the perimeter parking for access and fire access. Next slide. As was mentioned, we really tried to focus on usable diverse, larger, common amenities, so that this would really provide year around interest and open space for residents. So, community gardens, pollinator gardens, pickleball courts, private patios, common areas for lounge -- with lounges and fire pits and, then, the pool area and a more of a public facing plaza. On the commercial side all again immersed with trees for shade in a regionally inspired Treasure Valley landscape. Next. Just a little bit about the architecture. We don't want to get too much into this, but we are being attuned to the district and picking up with the Gramercy brick and materials and providing a mix of a more commercial and residential feel, providing a little bit of stature and simplicity to the building, given the bridge location that it's in between the high school in the larger fields and the rest of the district. Also just trying to keep it a little bit more simple, so we can focus on quality materials and good detailing. Next slide. So, elegance is key. Also looking at solar shading and how that all works with climate for human comfort and for a more sustainable, less intensive mechanical approach to the project. Keep going. And there is just a few shots. This is that public facing frontage with entries and with the plaza. Next slide. This is the amenity deck that you see there. Next slide. And, then, the more residential side with more modulation. Next slide. Elevations, just to give you an idea of the materials and the rhythm of the building. Keep going. More. And, again, this will just kind of show you what the intent is and we will get into that with design review. Thank you very much. Back to Hethe.

Clark: All right. Thanks, Mark. So, again, on the -- on the process, this did go in front of the Council. We are here for a conditional use. Again, it's required in the C-G zone. So, as we look at the proposal, it's well developed, it's a detailed application, as Joe mentioned, and meets or exceeds all of the applicable standards. A couple more details on that. We are proposing that it remain within the Gramercy development agreements

and all of the existing structure there. That will mean that the exterior parking will be part of the cross-parking, cross-access regime that exists at Gramercy, so it will be integrated into that project and it's part of the -- it will be part of the association as well. It's an age targeted facility, as Mark mentioned. It's very near services. You got right there within walking distance restaurants, physician's offices, banks. So, it's really ideal for an age targeted facility. As far as agency review as -- as Joe mentioned, no negative comments to date and ACHD has approved it without any improvements to the roadway system. So, the -- the question, then, for us is whether the conditional use permit factors have -- have been satisfied. So, we will just run through those quickly. The site is large enough to meet the proposed use. Again, this is a first for Meridian, but it's a very efficient use of the site that allows for less parking field and makes a lot of sense. The project is harmonious with the Meridian Comprehensive Plan. It's in the mixed use regional designation, which foresees a mixture of residential and commercial uses and, you know, I would just note that within the mixed use regional nodes there is a minimum of ten percent of residential and a maximum of 50 percent of commercial and we are a little heavy on commercial on this -- in this Eagle-Overland area. So, this will actually help get it closer to the -- to the intent of the Comprehensive Plan. The product -- or excuse me. The project is compatible with other uses. Again, you got multi-family right there on the east. You have got the commercial that this is going to take care of -- advantage of on the north. It won't adversely affect other properties. As Joe mentioned, we are overparked and we have got a system where folks are going to be able to come in and go right directly to their -- to their units and, then, additional parking on the exterior. It is adequately served by public facilities and those public facilities will not come at excessive cost. Again, all the agencies have commented and they have indicated no issues. There is no excessive production of traffic, et cetera. None of those apply here. ACHD's approved it. And I'm going fast because I think I might be kicking a dead horse here, but -- and, then, finally, there are no natural scenic or historic features affected. One last item that I just wanted to point out. Joe's been great to work with on this one. We had a condition of approval that's in the -- in this staff report that is also in the MDA and so we -- as a result of that we made a modification to the site plan that you can see on the screen and that was to create a connection or a physical connection between this project and the regional pathway to the south. So, we sent an updated site plan to Joe for the -- for the hearing last week and that's what you are seeing on the screen right now and we're going to use pavers to help connect and draw people into the regional pathway. So, with that I think I will wrap up and answer any questions that you might have.

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

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Only because we are taking bets whether we would get out of here in under an hour tonight, so I got lots of questions. Actually --

Clark: So, you have the over is what you're saying?

Cassinelli: Exactly. Either for -- for Hethe or for -- for staff. Do you know is -- because I didn't fully read all the ACHD comments. Are they planning on -- on lighting Wells or Bonita at anytime in the future?

Dodson: Mr. Cassinelli, I believe that it is supposed to signalize at Wells and Overland, but not Wells and Bonita. I do not know.

Cassinelli: Bonita is the next one over coming out of El Dorado.

Dodson: To the east. Yeah.

Cassinelli: It's to the east. Yeah. But Wells -- there is planned to -- to signal that at some point?

Dodson: At Wells and Overland. Yes. Especially with some more apartments potentially going in on the north side of Overland.

Cassinelli: Where Winco is going to go?

Dodson: Correct.

Cassinelli: Okay. Thank you.

McCarvel: Okay.

Yearsley: Madam Chair? Are these going to be leased or are they looking to be like townhomes or be sold?

Clark: Madam Chair, Commissioner Yearsley, they are -- it's intended to stay in common ownership, so they can be leased.

Yearsley: Okay.

Wheeler: Madam Chair?

McCarvel: Commissioner Wheeler.

Wheeler: I have a couple questions here. On this access that's to the north -- let me see. That -- one of the slides there showed an access that was a drive aisle that was going to the north. I just wanted to know if that was actually connecting to the parking lot that was to -- what would it be? To the north of there. I think that's like a behavioral health building or behavior parking area.

Clark: We will try to get the map out --

Wheeler: It's right there. Yes. That drive aisle there to the north, the access drive, is that actually tying into the property?

Clark: Madam Chair, Commissioner Wheeler, so it goes by the -- it's built. It goes by the building, but not into the parking lot. So, it's an access drive, not a -- it doesn't connect directly in there.

Wheeler: Okay. So, then, where is that tying into for an access drive for traffic?

Clark: I think it goes up to the last road south and parallel -- south of and parallel to Overland.

Dodson: Madam Chair?

McCarvel: Yes.

Dodson: From what I have -- this site plan kind of cuts it off, but when it's put out on the -- on the actual overlay it connects to the existing drive aisle that's there. It just isn't part of the -- the parking lot. It's like an actual drive aisle, not -- not just the parking. So, it will connect and have the future connect -- and allow for connectivity in the area.

Wheeler: Okay. All right. I see that here now on the -- on Google Maps there, seeing how that -- that does tie into that. And, then, another question that I have -- so, thank you on that. I had another question. And that was on that amenity building -- so, on that same -- I think it's on that same slide you guys have there. Yeah. That amenity building to the south, is that going to be for privacy there, too? Is it going to be solid? Or is it just going to be a little transparent with a screen.

Clark: Madam Chair, Commissioner Wheeler, I'm going to -- that one is going to, obviously, be subject to the design review, but I think we have got a good idea of that. But let me ask Mark to weigh in on that, because I think he's got the best idea.

Sindall: Yeah. Commissioners, Madam Chair, thank you. So, yes, the idea is that that has quality materials. There is a rendering, I think, that shows it and we have got vines on the building, planting, openings. So it's a combination of actually frontage to hold the edge a little bit and for privacy and, then, there is going to be bike storage and other things in there. So, it should be quite nice.

Wheeler: Thank you.

McCarvel: Thank you.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I like the concept of it and the parking will be -- that will be -- not be open to the elements, it will actually be covered; correct? I think I saw that.

Clark: Commissioner Seal, that's correct. Yeah.

Seal: Okay. And, then, the only concern I have is the baseball fields. Being the guy that can crank one over the fence every once in a while, that and I could -- I could hit that building.

McCarvel: Are you here to brag or is that a question?

Seal: Yeah. Well, I just -- that's like -- that -- that seems really close to me for, you know, the amount of people that are going to be in there, so that -- that's just a concern.

Clark: Madam Chair, Commissioner Seal that -- duly noted and we will do some measurements and make sure that that's designed properly for that issue.

Seal: Okay.

Wheeler: Please bring him out to hit some balls, though, so you can see what the range, is just to clarify that.

Seal: Right. My sister can hit them farther than me, but I can -- I can knock them out there, so --

Lorcher: It's funny that you mention that, because the first thing I thought about -- if this was an age specific building, so I'm assuming it's more seniors; is that correct?

Dodson: Fifty-five and older, yes, ma'am.

Lorcher: And seniors and marching bands and kids and the high school and all their noise, I was thinking, oh, is this the best spot for it, because Mountain View is a pretty lively school throughout the year. I live right by the new Owyhee High School and we are looking forward to hearing the marching band in our backyard, but not everybody appreciates that, so --

Clark: Madam Chair, Commissioner Lorcher, you know, that's actually something that we have talked quite a bit about. You know, this is going to be a site where the -- the people who are going to be attracted to this are going to be attracted to the liveliness of the area, the -- you know, the -- the restaurants nearby, the sound, the excitement and we think that the folks who are going to be coming here are actually going to really appreciate that element of it and, you know, this is a conditional use permit, so we are really -- we are kind of focused on the outward effects of this project on neighboring properties, not necessarily their effect on us, but we have definitely thought about that and, in fact, the ownership has been to Mountain View to talk to the -- the leadership there about

possibilities of our residents coming and volunteering and being engaged. So, we think that's actually a selling point for the -- for the project.

Lorcher: It will have to be in their lease that, you know, all marching band music is required.

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

Weatherly: Madam Chair, we do not.

McCarvel: That being said, is there anyone who did not sign up that would like to testify? Nobody on Zoom? Okay. With that could I get a motion to close the public hearing on H-2021-0023?

Seal: So moved.

Wheeler: Second.

McCarvel: It has been moved and seconded to close public hearing on H-2021-0023. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I like this idea. I hope it pans out and works as well as what they are -- they are hoping for. I like the idea that it's -- not only is it a parking garage style, but it's also covered -- you know, it's just not something that's -- you can see from everywhere. So, sometimes parking garages aren't the prettiest thing to look at, so -- plus it adds a small element of security for people that are driving in and out of there. It's a little harder to -- you know, for somebody to get in and out of there I would imagine. But lots of amenities. I think the placement of it is pretty good. I hate to see some of the C-G stuff go to multi-family, but I think they are right, where that's tucked in back there I think it would be a pretty hard sell to get businesses to open back there that are -- you know, want more kind of open frontage appeal to them. The only concern, like I said, is the baseball fields. But outside of that, you know, people might enjoy sitting out on their balcony and watching a baseball game or practice as well. So, I think it's going to be a pretty good project. I do like the way it ties into some of the other amenities that are there available to it already as well.

McCarvel: I agree.

Wheeler: Madam Chair?

McCarvel: Commissioner Wheeler.

Wheeler: Did I cut somebody off there or -- okay. We are good. This is on my jogging path when I jog. I jog right by the spot, go touch Overland and, then, jog back home and I was always curious about what was going to be back in this area and I like the plan, I like it is actually hiding the parking, instead of just having a bunch of surface parking on it. That's a good spot. I do think it could -- if it had like some rooftop patios on there you could actually get like a fan club base up there and cheer them on during some of their softball and baseball games that are going on right there and, then, it's also squeezed in between two -- two different schools. There is the charter school that's on the hard corner and the school over here, Mountain View, on the other side. But always was curious when I would run by this, what was going to go in here and this could be a big -- a good benefit for this area. It's surrounded also by other multi-use properties to townhomes type stuff and, yeah, the drive aisles seem to be good and if ACHD doesn't seem to have an issue with that, then, that's good.

McCarvel: Okay. Any other comments or --

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I guess there is only one concern that I have, just the bulk and scale of this -- this building versus what's around it is a little bit big. That being said, I don't think it's enough to -- to cause any concern about it. I think it's set back far enough from the main roads and I think it will -- with other buildings around it can be obscured a little bit better. Just as a side note, I thought it was interesting the landscaping plans showed all younger families in an age restricted facility, so I just thought that was kind of funny, so -- no, I think it's a good project, I think it is a good area, especially where it's a mixed use area, I think that serves a good niche for that area.

McCarvel: Any other comments? Motion?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to approve file number H-2021-0023, as presented in the staff report for the hearing date of June 3rd, 2021, with no comment -- no modifications.

Seal: Second.

McCarvel: It has been moved and seconded to approve H-2021-0023. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Cassinelli: Madam Chair, I move we adjourn.

Yearsley: Second.

McCarvel: It has been moved and seconded that we adjourn eight minutes past --

Cassinelli: Got the over.

McCarvel: -- on the official bets. All those -- all those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:07 P. M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RHONDA MCCARVEL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Gramercy Commons (H-2021-0023) by Intermountain Pacific, LLC, Located at 1873, 1925, and 2069 S. Wells Ave.

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



In the Matter of the Request for Conditional Use Permit for a multi-family development consisting of 164 age-restricted units within a multi-story building wrapped around a multi-story parking garage on 5.24 acres of land in the C-G zoning district, for Gramercy Commons, Located at 1873, 1925, and 2069 S. Wells Avenue, by Intermountain Pacific, LLC.

Case No(s). H-2021-0023

For the Planning & Zoning Commission Hearing Date of: June 3, 2021 (Findings on June 17, 2021)

A. Findings of Fact

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

B. Conclusions of Law

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

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of June 3, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of June 3, 2021, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

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

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

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

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

F. Attached: Staff report for the hearing date of June 3, 2021

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

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED _____

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED _____

COMMISSIONER LISA HOLLAND VOTED _____

COMMISSIONER STEVEN YEARSLEY VOTED _____

COMMISSIONER WILLIAM CASSINELLI VOTED _____

COMMISSIONER NICK GROVE VOTED _____

COMMISSIONER MARIA LORCHER VOTED _____

Rhonda McCarvel, Chairman

Attest:

Chris Johnson, City Clerk

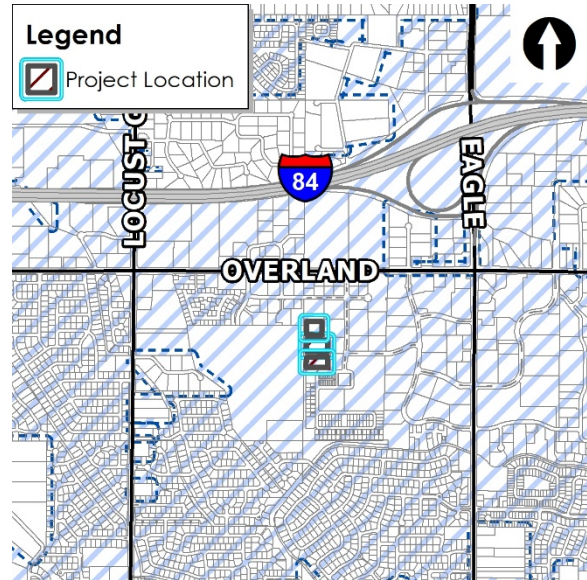
Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: June 3, 2021
TO: Planning & Zoning Commission
FROM: Joseph Dodson, Associate Planner
208-884-5533
SUBJECT: H-2010-0023
Gramercy Commons CUP
LOCATION: The site is located at 1873, 1925, and 2069 S. Wells Avenue, in the NW ¼ of the NE ¼ of Section 20, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Conditional Use Permit request for a multi-family development consisting of 164 age-restricted units within a multi-story building wrapped around a multi-story parking garage on 5.24 acres of land in the C-G zoning district, by Intermountain Pacific, LLC.

Applicant has received City Council approval of a concurrent Development Agreement Modification (H-2021-0022) to conceptually develop an age-restricted multi-family development specific to the terms of the amended development agreement not yet recorded. The purpose of this application is to ensure compliance with the specific use standards in UDC 11-4-3-27.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	6.9 acres overall (C-G zoning district) – proposed development is occurring on 5.24 of the 6.9 acres.	
Future Land Use Designation	Mixed Use Regional	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Multi-Family Residential and future Commercial	
Lots (# and type; bldg./common)	3 existing commercial building lots – property boundary adjustment to consolidate lots will be required	
Phasing Plan (# of phases)	Proposed as one phase for the residential. Unknown timeline for future commercial.	
Number of Residential Units (type of units)	164 multi-family units – proposed as age-restricted, 55 years and older.	
Density (gross & net)	Gross – 31.3 du/ac.; Net – 46.3 du/ac.	

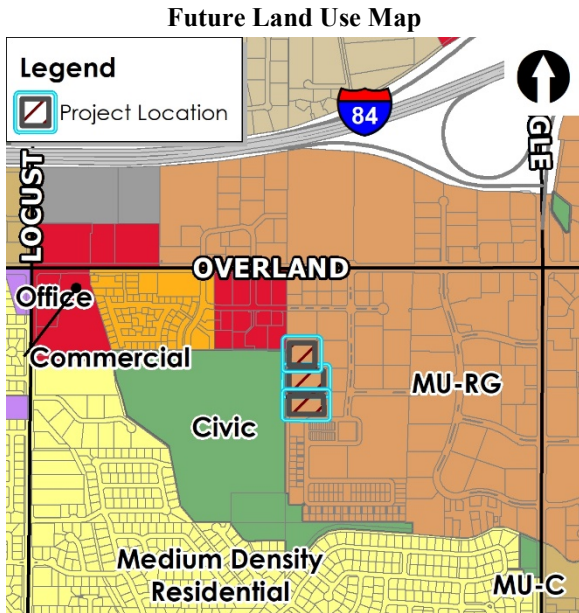
Description	Details	Page
Open Space (acres, total [%]/buffer/qualified)	55,120 square feet of qualified open space proposed – 42,000 square feet of qualified common open space proposed (approximately 18% overall). 13,120 square feet of private open space proposed.	
Amenities	At a minimum, five (5) amenities are proposed – Plaza with public art and picnic tables, courtyard with BBQs & firepits, sports court, community garden, and an additional courtyard that includes a swimming pool, grilling areas, lounges, and outdoor games. Further Staff analysis is below in Section V.	
Physical Features (waterways, hazards, flood plain, hillside)	N/A	
Neighborhood meeting date; # of attendees:	March 11, 2021 – no attendees	
History (previous approvals)	Part of Gramercy Subdivision (Kenai Subdivision) – AZ-06-007, DA Inst. 106141056; PP-06-019; FP-06-048; and H-2021-0022 (MDA).	

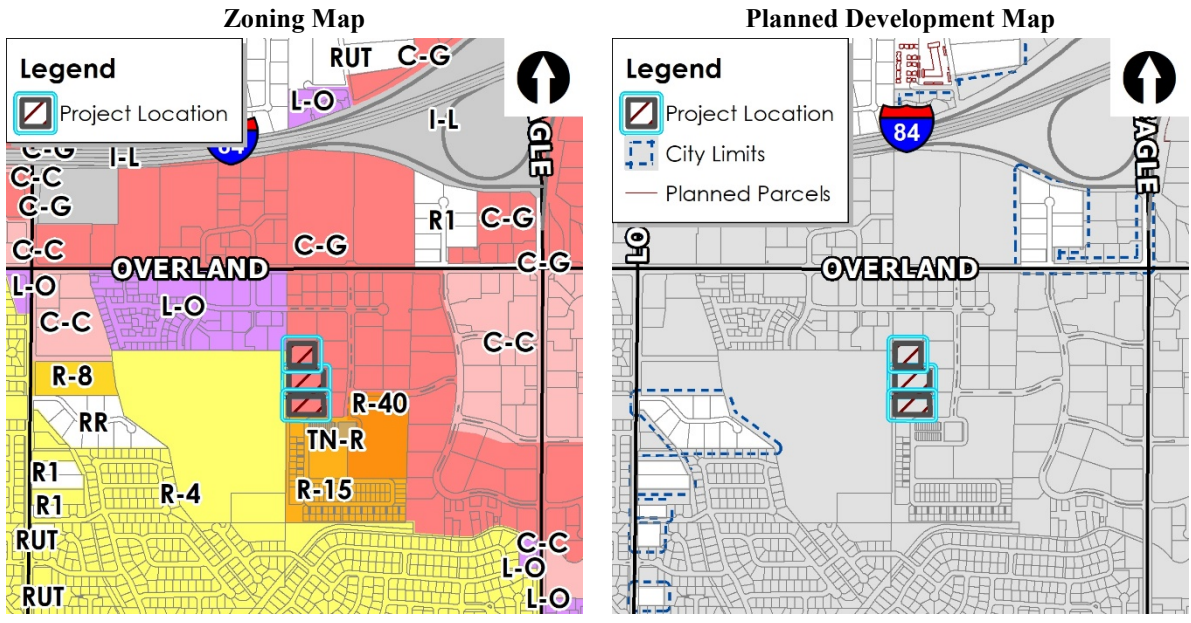
B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	Yes (simple response letter) No TIS required No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via driveway connections to existing drive aisles – two along the east boundary, and one along the north boundary.	
Stub Street/Interconnectivity/Cross Access	Interconnectivity is proposed through the aforementioned drive aisles that connect to S. Wells Avenue, a local commercial street.	
Existing Road Network	S. Wells Avenue and E. Goldstone Street are existing public roads near the project site. Project does not take direct access to either public road but utilizes existing drive aisles.	
Existing Arterial Sidewalks / Buffers	Not adjacent to any arterials. Closest arterial is Overland Road to the north and has existing arterial sidewalks and landscape buffers. Eagle Road is nearly ½ mile to the east and is also improved with buffers and arterial sidewalks.	
Proposed Road Improvements	No public road improvements are proposed or required, according to ACHD.	
Distance to nearest City Park (+ size)	Gordon Harris Park - 9 acres in size and approximately 800 feet south of subject site. Gramercy Subdivision also has a 0.8 acre park that is approximately 250 feet to the southeast. It is presumed future residents of this project would be able to utilize this shared area but Applicant should confirm.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station Fire Response Time Concerns 	Approximately 0.9 miles from Fire Station #4 This project lies within the Meridian Fire response time goal of 5 minutes. The fire department has no concerns with proposed development and/or location of proposed development.	
Police Service		

Description	Details	Page
	No comments	
West Ada School District		
	No comments submitted.	
Wastewater		
• Distance to Sewer Services	Adjacent	
• Sewer Shed	Five Mile Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	14.14	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	<ul style="list-style-type: none"> • Additional 17,011 gpd committed to model • There is a sewer main at the north end of the property in addition to a service line at the south. Whichever one is not used needs to be abandoned at the main per City requirements. 	
Water		
• Distance to Services	Directly adjacent	
• Pressure Zone	4	
• Estimated Project Water ERU's	See application	
• Water Quality Concerns	None	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	<ul style="list-style-type: none"> • There is an existing 8" water main stub at both the north and south boundaries that either needs to be used or abandoned. 	

C. Project Maps





III. APPLICANT INFORMATION

- A. Applicant:
Mike Chidester, Intermountain Pacific, LLC – 2541 E. Gala Street, Meridian, ID 83642
- B. Owners:
St. Luke’s Regional Medical Center, LTD.; The Dagney Group, LLC, and; Elton Family Fund 1, LLC
- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	5/14/2021
Radius notification mailed to properties within 500 feet	5/11/2021
Public hearing notice sign posted on site	5/19/2021
Nextdoor posting	5/12/2021

V. STAFF ANALYSIS

- A. **COMPREHENSIVE PLAN** (<https://www.meridiancity.org/complan>):
This property is designated MU-R (Mixed Use – Regional) on the Future Land Use Map (FLUM).
Land Use:
The MU-R designation is used to provide for 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 standards for the MU-R designation provide an incentive for larger public and quasi-public uses where they provide a meaningful and appropriate mix to the development.

The proposed development plan depicts a singular, multi-level, age-restricted (three and four stories in height) multi-family apartment complex that is wrapped around a parking structure—the parking structure is proposed to contain a majority of the required parking spaces. Around the proposed building the new development plan depicts a drive aisle that circles the entire structure and includes two areas of surface level parking located on the east and north sides of the proposed building that contain the remaining required parking. The drive aisle that circles the building is intended to be for Fire and EMS but Staff is unaware if the drive aisle will be closed to resident traffic as well. In addition to the building, the new development plan depicts multiple areas of open space and amenities located along each side of the building to include: a pool and other amenities within a south courtyard; an entry plaza along the east side of the building; fire-pits and lounging areas along the west, and; a community garden and pickleball court along the north side of the building. All of the open space and amenity areas appear to be connected with sidewalks and easily accessible by future residents. More specific analysis is below in the Specific Use Standard review, see Section “B” below.

In general, the proposed use of multi-family development is listed as an allowed use within the MU-R designated areas. In addition to what is proposed within the subject sites, the MU-R designation requires looking beyond the site boundaries to integrate and enhance other uses nearby. Staff finds proposing an apartment complex in this area of the City in close proximity to commercial development, child care/charter school, and established regional pedestrian facilities complies with the MU-R future land use designation.

More specific comprehensive plan policy analysis is below.

Transportation:

Access is proposed via three (3) drive aisle connections: one to the north connecting to an existing drive aisle and commercial property and two to the east to connect to S. Wells Avenue. The drive aisle to the north does not currently exist but the two drive aisles to the east abut the east property line.

According to ACHD, the proposed development will not generate enough peak hour vehicle trips to require a Traffic Impact Study despite the number of units being greater than 100. Staff verified with ACHD that the estimated trip generation of the development does not change whether the units are proposed as age-restricted or not. In addition, ACHD has noted that all adjacent public roads are over-built and are capable of handling additional vehicle trips without issue. Because of these reasons provided by ACHD, Staff is supportive of the proposed development in regards to its transportation impact and has no recommendations or proposed changes regarding this element of the project.

Furthermore, Staff finds it necessary to discuss in a slightly more detail the proposed parking element of the project as this design is new to the City of Meridian. As noted, the project is proposed as a “wrapped” concept where the vast majority of the parking is contained in a multi-level parking structure located in the center of the site with the apartment units wrapped around the structure. This design is affectionately known as a “Texas Donut” and allows for a smaller building footprint and more efficient utilization of the development site. Staff recommends the Commission look at the Applicant’s narrative to see a more illustrative example of this concept and the standard alternative of surface parking.

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 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 age- restricted, multi-family dwellings would be a new use in this area of the City and the Gramercy Commons development overall. In addition, there are nearly double the number of 1-bedroom units proposed as 2-bedroom units (108 to 56) which offers future residents rental opportunities at a lower price than apartments in other areas of the City.

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

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

- “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)

Traditional three-story, garden-style apartments are currently under construction throughout the City which makes the proposed wrapped concept even more interesting and desired. The proposed residential is also a different type of residential dwelling than the single-family that exists directly south; this area of Gramercy could therefore contain multi-generational housing opportunities in close proximity to one another and desirable commercial uses.

- “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 by continuing existing stubs where available.

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

The subject site is already annexed and in a widely developed area. However, the subject sites are undeveloped and have been vacant for more than a decade as commercial only properties. It is one of the last areas of the Gramercy development to be developed and the Applicant believes constructing high-end senior housing in this area will jumpstart the remaining commercial properties directly adjacent.

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the Area of City Impact.” (6.01.03B)

The proposed development will connect to S. Wells Avenue, a commercial local street that connects directly to W. Overland, an arterial street. S. Wells has other local streets that bisect it and connect to a commercial collector, S. Bonito Way, further to the east. Overall, Staff and ACHD agree that the public road system nearby is easily capable of handling the minimal additional traffic generated by the proposed development.

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

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

The proposed development is in fact high-density residential. However, the Applicant is reserving an area of approximately 1.5 acres along the north boundary of the site for future commercial use(s). However, Staff does not find it necessary to require at least three land uses on the subject site due to its relatively small size (6.8 acres) in relation to the much larger mixed-use area overall that contains multiple types of uses in relatively close proximity including general commercial, office, retail, education institutions and single-family residential. Therefore, Staff finds the proposed development meets this goal.
- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”

The Applicant is proposing multi-family residential at a gross density of 31 units/acre which falls within the high density residential range were the project to be located in that designation. In addition, the subject parcels have easy access to a number of employment and commercial destinations within a half-mile of the site. Despite losing 5 acres of commercial zoning, Staff finds the proposed development to be appropriate in this location.
- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed-Use designation.”

An overall development plan was approved for this area in 2006 that incorporated multiple types of commercial uses as well as residential uses. The subject parcels were originally slated for commercial development but have been sitting vacant for more than a decade. Therefore, the Applicant requested a DA Modification to allow these parcels to develop in accord with the proposed development plan and with the proposed use of age-restricted multi-family. The Applicant was successful in this request and thus the subject parcels are allowed to be developed with additional multi-family units.
- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”

The proposed plan depicts an emergency drive aisle, landscaping, and existing landscaping with a multi-use pathway between the proposed structure and the existing residential to the south. Overall, the proposed site plan depicts buffering to all adjacent uses via a drive aisle and landscaping.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”

The proposed development is directly adjacent to a childcare facility and nearby both a charter school and a shared park within the Gramercy development. Furthermore, the Applicant is constructing two connections to a segment of regional pathway that connects to a public park within a quarter mile of the subject sites. The Applicant is also proposing a plaza along the east side of the building that is intended to be shared with the rest of the Gramercy development; this is a major reason why the Applicant insisted on remaining part of the existing Gramercy DA instead of entering into a new DA.
- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”

The proposed development will be directly accessible to adjacent neighborhoods through extension of sidewalks from the existing network into the site, including the regional multi-use pathway system.

Staff believes the proposed site design offers adequate integration and accessibility to nearby neighborhoods.

In reviewing development applications, the following items will be considered in MU-R areas, per the Comprehensive Plan:

- “Developments should comply with the general guidelines for development in all Mixed-Use areas.”
See analysis above.
- “Residential uses should comprise a minimum of 10% of the development area at gross densities ranging from 6 to 40 units/acre.”
The proposed development meets this policy by providing a majority of the subject sites as residential (overall, the Gramercy development contains more than 10% as residential uses) and with a gross density of approximately 31 units/acre.
- “There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.”
No commercial uses are proposed with this specific project but a plethora of non-retail commercial uses are within walking distance of the proposed development.
- “Retail commercial uses should comprise a maximum of 50% of the development area.”
Staff is unaware of the specific percentage of retail commercial uses within Gramercy overall but by a simple site visit one can see a majority of this area is developed as commercial.

Based on the analysis above, Staff finds the proposed plan is generally consistent with the vision of the Comprehensive Plan for this area in regard to land use, density and transportation.

B. UNIFIED DEVELOPMENT CODE (UDC) ANALYSIS

Conditional Use Permit (CUP) – Multi-family Development (UDC 11-4-3-27) Specific Use Standards:

The proposed multi-family development consists of 164 age-restricted units within a multi-story building that is wrapped around a four story parking structure. The proposed use of multi-family residential is subject to conditional use permit approval by the Planning and Zoning Commission within the existing C-G zoning district 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.

As discussed in the Comprehensive Plan analysis section above, Staff finds the proposed multi-family development meets and/or exceeds all of the purpose statements listed.

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/site design 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 disposal areas that may only be visible from the north drive aisle; 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. *According to the submitted open space exhibit, the apartments are proposed with the minimum required 80 square feet of private open space in the form of private patios and decks for each unit.*
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.

Based on the number of bedrooms per unit (108 one-bedroom units and 56 two-bedroom units), a minimum of 274 parking spaces should be provided with at least 164 of those spaces covered or within a garage. The Applicant has proposed a total of 291 parking spaces overall with 220 within the proposed parking garage and the remaining 71 spaces as surface parking along the perimeter drive aisles on the east and north boundaries of the site. The Applicant provided additional guest parking at the ratio of one (1) space for every 10 units, consistent with code changes that have not yet been approved. Therefore, the proposed parking is in excess of both current code requirements and future code requirements.

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)

It is not entirely clear on the submitted plans where these items are contained on-site—where it is not clear, the Applicant shall comply with these requirements at the time of CZC submittal.

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.

Each unit is between 500 and 1,200 square feet of living area. Therefore, 250 square feet of common open space is required per unit in accord with the requirements above.

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. The Applicant has proposed 42,000 square feet of qualified common open space while needing to provide a minimum of 41,000 square feet; the proposed open space exceeds the minimum requirements.

The proposed open space consists of those areas outlined on the open space exhibit: a plaza along the east side of the building; a pool and pool deck with assorted amenities on the south side of the building; a terrace with firepits, BBQs, and seating areas along the west side; and a pickleball court and community garden along the north side of the building. All of these areas have been verified to meet or exceed the required quality and amount of common open space.

Overall, the submitted open space meets the specific use standards and Staff finds the proposed open space is adequate for the proposed development, especially in combination with the array of proposed amenities. Furthermore, the subject sites are within a quarter mile of a City park, in close proximity to a plaza/park within Gramercy, and directly adjacent to a regional pathway. All of these factors present more than adequate open space and recreational opportunities for future residents.

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. *The proposed development is to be developed in one (1) phase, according to the Applicant.*
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). *No common open space or any part of the site abuts a collector street. Therefore, this standard is not applicable to this project.*

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 164 proposed units, the number of amenities required shall be determined by the decision-making body, the Planning and Zoning Commission. According to the submitted plans, the Applicant has proposed approximately 6 qualifying amenities, at least one from each category as required by code.

The Applicant has proposed the following amenities: a swimming pool, a plaza with public art, a sports court (pickleball court), a community garden, and multiple seating areas with BBQs and firepits.

Staff finds the proposed amenities to be adequate in serving the proposed age-restricted multi-family development.

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 submitted landscape plan appears to meet the specific use standard landscape requirements. However, these standards will be further verified at the time of CZC submittal (see Exhibit VII.B).

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

The proposed development is required to comply with the dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district and those within the specific use standards for Multi-family Development discussed above (UDC 11-4-3-27). *As noted above, the submitted plans show compliance with all dimensional and specific use standards, including but not limited to, building height, setbacks, accesses, and parking count.*

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

Access was discussed within the transportation section of the comprehensive plan analysis section earlier in the report. Please review that section as well as the Community Metrics section at the beginning of the report for the access and transportation facts of the proposed development.

Road Improvements:

The Applicant is not required to construct any improvements to the adjacent or nearby public roads as ACHD has stated these roadways are currently overbuilt in terms of vehicular capacity.

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

All proposed sidewalks are adjacent to the multi-family residential building and shown to connect throughout the site as at least 5-feet, as required. There is also a segment of regional multi-use pathway abutting the south property boundary that the Applicant is showing two connections to on the submitted plans.

Despite UDC 11-3A-19B.4 being applicable to nonresidential uses, Staff is recommending the pedestrian crossings from the multi-family building to the multi-use pathway across the emergency drive aisle is clearly delineated from the driving surface by being constructed with either brick, pavers, stamped concrete, or similar. These crossings should be clearly shown on future CZC plans. This point was discussed at the Council hearing for the DA Modification and there is an approved DA provision that requires these connections be constructed in these ways. Staff will verify compliance with a future CZC submittal.

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

Because there are no public streets adjacent to the site, there are no requirements for landscape street buffers. However, there are vehicle use areas proposed surrounding the site, the drive aisle that circumvents the entire structure. Per UDC 11-3B-8, at least 5-feet of landscaping is required along the perimeter of vehicle use areas (i.e. drive aisles).

*The submitted landscape plan depicts an area of landscaping along the perimeter of the circumventing drive aisle except for along the east property boundary. It appears there is enough area for the required landscaping but it is not shown on the submitted plans. Furthermore, this landscape strip is also required to be vegetated with trees located no more than 35 linear feet apart throughout the buffer—trees may also be grouped together where necessary and visually appealing. **At the time of CZC submittal, the Applicant should correct the landscape plans to show compliance with both of these requirements.***

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

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

No fencing appears to be proposed; any future fencing shall comply with UDC 11-3A-7.

Storm Drainage (UDC [11-3A-18](#)):

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18. Storm drainage will be proposed with a future Certificate of Zoning Compliance application and shall be constructed to City and ACHD design criteria.

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

Conceptual building elevations were submitted for the apartment complex but no formal Design Review was submitted. Staff notes that the submitted elevations do not meet all of the required design criteria for multi-family development. **All multi-family development requires Administrative Design Review prior to obtaining building permits so, at the time of that submittal Staff will analyze conformance with the Architectural Standards Manual. An application for Certificate of Zoning Compliance is also required to be submitted along with Design Review for this entire development.**

VI. DECISION**A. Staff:**

Staff recommends approval of the of the requested Conditional Use Permit per the conditions of approval included in Section VIII in accord with the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard this item on June 3, 2021. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.**1. Summary of the Commission public hearing:**

- a. In favor: Hethe Clark, Applicant Representative;**
- b. In opposition: None**
- c. Commenting: Hethe Clark; Mark Sindell, Project Architect;**
- d. Written testimony: None**
- e. Staff presenting application: Joseph Dodson, Associate Planner**
- f. Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. None**

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

- a. Nearby road improvements by ACHD and any impact this site may have on that;**
- b. Clarify ingress/egress for the site;**
- c. Potential of issues associated with being adjacent to the ball fields for Mountain View High School due to noise, lights, etc.**

4. Commission change(s) to Staff recommendation:

- a. None**

Item 2.

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VII. EXHIBITS

A. Site Plan (dated: 3/23/2021)

SECTION 03 | SITE PLAN

Ganergy Commons | Meridian, ID | Conditional Use Permit Application | 03-23-2021

PROJECT DATA
 Current & Proposed Zone: C-G

PARKING
 Required:
 2 Bedroom (2/unit): 112
 1 Bedroom (1.5/unit): 162
 Guest Parking (future Requirement): 16
 Total Parking Required: 290

Provided:
 Garage (standard): 212
 Garage (accessible): 8
 Surface (standard): 68
 Surface (accessible): 3
 Total Parking Provided: 291

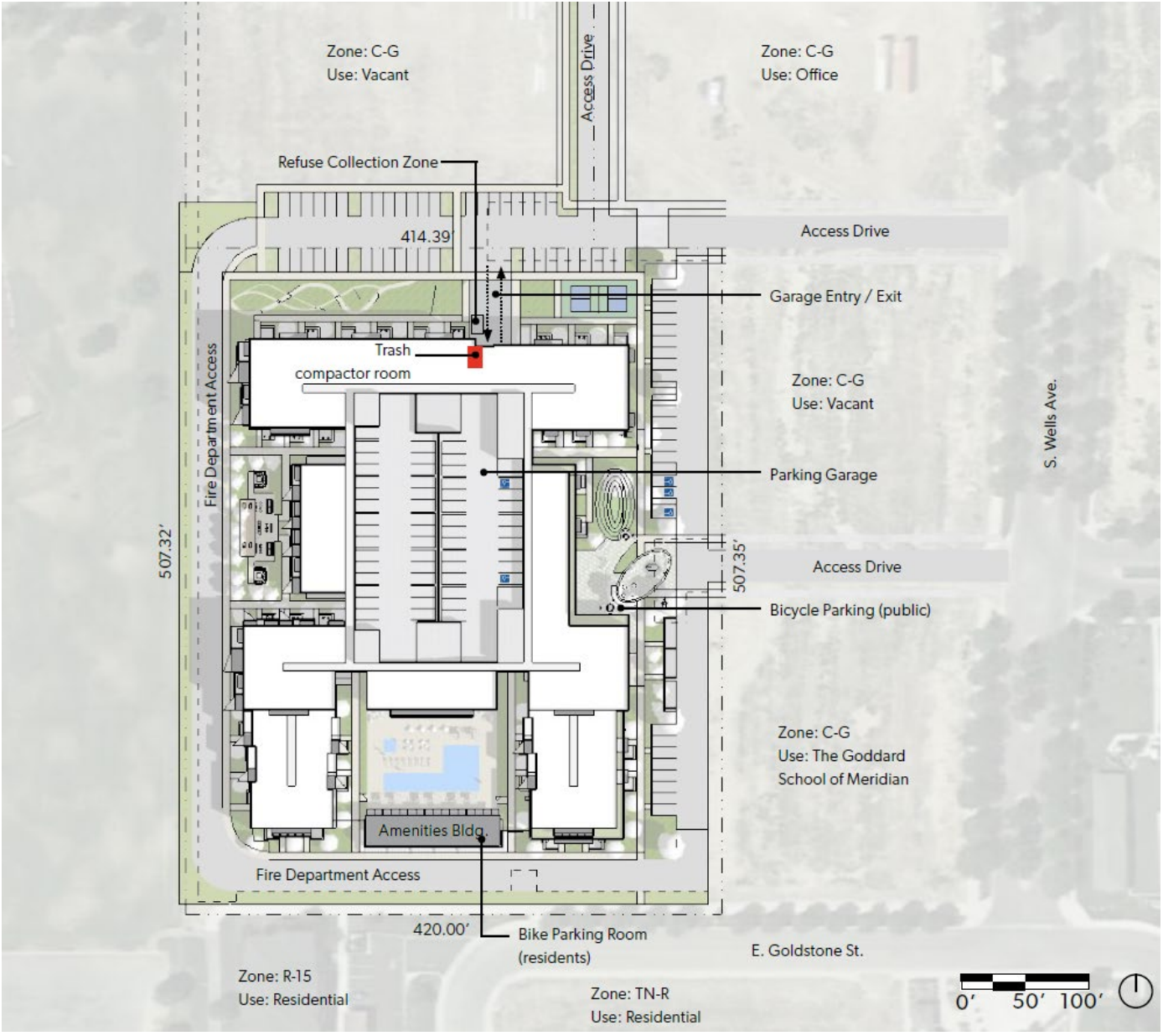
Bicycle Parking:
 Required: 12
 Provided: 12
 (Additional secure bike parking to be provided, size TBD.)

Building Size: 175,087 sq ft
 Garage Size: 112,516 sq ft
 Total Gross Building Area: 287,603 sq ft

Lot Size: 211,702 sq ft

GGLO 6

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B. Landscape Plan (dated: 3/23/2021)

SECTION 07 | LANDSCAPE PLAN



PROJECT INFORMATION

There are no existing natural features, existing buildings, or existing trees with trunks greater than 4 inches on the site.

Street Trees: see Tree Species Mix

Street Buffers: n/a

Parking lot perimeter landscape strip: 10'

Buffer width between different land uses: 10'

Number of parking stalls and percent of parking area with internal landscaping: 71 surface stalls located along internal circulation routes, no more than 12 stalls between landscaping

Total number of trees and tree species mix: 94 (see Tree Species Mix)

- 1 Entry Plaza
- 2 South Courtyard
- 3 Sunset Terrace
- 4 Community Garden
- 5 Recreation Court
- 6 Garage Entry & Service Court
- 7 Fire Department Access
- 8 8' x 10' Residential Patio Typ.
- 9 Pedestrian Connection to Gordon Harris Park
- 10 Pedestrian Connection to existing residential

SECTION 08 | TREE SPECIES MIX

CLASS I



Amelanchier x grandiflora 'Autumn Brilliance'
Serviceberry
Height: 15-25'
Spread: 15-25'
Water: Medium
Maintenance: Low



Malus 'snow drift'
Flowering Crabapple
Height: 15-20'
Spread: 15-20'
Water: Medium
Maintenance: Medium

CLASS II



Betula nigra 'Heritage'
River Birch
Height: 35-50'
Spread: 30-40'
Water: Medium
Maintenance: Low



Acer rubrum
Red Maple
Height: 35-45'
Spread: 25-35'
Water: Medium
Maintenance: Low

CLASS III



Gymnocladus dioica
Kentucky Coffee Tree
Height: 50-60'
Spread: 35-45'
Water: Medium
Maintenance: Low

TREE TOTALS

Amelanchier = 60
Malus = 2
Kentucky Coffee = 1
River Birch = 22
Red Maple = 9
770 L.F. of Street Frontage
No existing trees on site

C. Open Space Exhibit (dated: 3/23/2021)

SECTION 09 | EXTERIOR AMENITY SPACES



EXTERIOR AMENITIES

Required:		
Common Open Space	41,000 sq ft	
Private Open Space	13,120 sq ft	
Total	54,120 sq ft	
Provided:		
Common Open Space	42,000 sq ft	
Private Open Space (private patios & balconies)	13,120 sq ft	
Total	55,120 sq ft	

EXTERIOR AMENITY SPACES

- 1 Entry Plaza**
9,000 sq ft
- 2 South Courtyard**
13,000 sq ft
- 3 Sunset Terrace**
9,000 sq ft
- 4 Community Garden**
7,500 sq ft
- 5 Recreation Court**
3,500 sq ft

D. Building Perspective and Conceptual Building Elevations (NOT APPROVED)



SECTION 06 | PERSPECTIVE VIEWS



SECTION 06 | PERSPECTIVE VIEWS



SECTION 04 | ELEVATIONS



EAST ELEVATION



SOUTH ELEVATION

SECTION 04 | ELEVATIONS



WEST ELEVATION



NORTH ELEVATION

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Conditional Use Permit (CUP):

1. The Applicant shall adhere to all previous conditions of approval associated with this site (AZ-06-007, DA Inst. 106141056; PP-06-019; FP-06-048; and H-2021-0022, DA Inst. # unknown at this time).
2. **With the future Certificate of Zoning Compliance submittal, the Applicant shall submit a revised site plan with the following revisions:**
 - a. Depict the pedestrian crossings to the multi-use pathway along the south property boundary to be constructed with bricks, pavers, colored or stamped concrete or similar to clearly delineate the pedestrian walkway.
 - b. Clearly depict/label compliance with the Multi-family Development Specific Use Standards (UDC 11-4-3-27), specifically subsection B.7:
 1. A property management office.
 2. A maintenance storage area.
 3. A central mailbox location (including provisions for parcel mail) that provide safe pedestrian and/or vehicular access.
 4. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)
3. **With the future Certificate of Zoning Compliance submittal, the Applicant shall submit a revised landscape plan with the following revisions:**
 - a. Depict the required parking lot landscaping along the east boundary adjacent to the drive aisle and east property line;
 - b. Throughout all of the perimeter landscaping, depict the required vegetation and trees per UDC 11-3B-8.
4. The Applicant shall obtain Administrative Design Review and Certificate of Zoning Compliance approvals for the multi-family residential building prior to submittal for any building permits for the residential portion of the development.
5. Future building elevations of the multi-family development shall incorporate similar design elements and finish materials seen throughout the Gramercy development to ensure an integrated and cohesive design.
6. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district.
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. The Applicant shall comply with all ACHD conditions of approval.
9. 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.
10. 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.

11. The Applicant has a continual obligation to maintain compliance with the Multi-family Development Specific Use Standards outlined within this report and in UDC 11-4-3-27.
12. Prior to issuance of Certificate of Occupancy on any building, the Applicant shall provide proof of the required maintenance agreement to the Planning Division in accord with UDC 11-4-3-27 – all multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features.
13. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 No Permanent structures (buildings, carports, trash receptacle walls, fences, infiltration trenches, lightpoles, etc.) can be built within the utility easement.
- 1.2 There is a sewer main at the north end of the property in addition to a service line at the south. Whichever one is not used needs to be abandoned at the main per City requirements.
- 1.3 There is an existing 8” water main stub at both the north and south boundaries that either needs to be used or abandoned.

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.
- 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. NAMPA-MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228987&dbid=0&repo=MeridianCity>

D. CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228246&dbid=0&repo=MeridianCity>

E. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228702&dbid=0&repo=MeridianCity>

F. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228605&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit Findings (*UDC 11-5B-6E*):

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.**

If all conditions of approval are met, Commission finds the submitted site plan shows compliance with all dimensional and development regulations in the C-G 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.**

Commission finds the proposed use of multi-family residential is harmonious with the comprehensive plan designation of Mixed-Use Regional and the requirements of this title when included in the overall MU-R designation analysis.

- 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 directly to the south, Commission 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, so long as the Applicant constructs the proposed building as proposed.

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

Commission 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.**

Commission finds the proposed use will be served adequately by essential public facilities and services because all services are readily available.

- 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 Commission 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 is sure to increase in the vicinity with the addition of more residential units, all major roadways adjacent to the site are already at their full width and the development has multiple avenues of accessing the arterial network to the north or to the east. Therefore, Commission 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).**

Commission is unaware of any natural, scenic, or historic features within the development area, therefore, Staff finds the proposed use should not result in damage of any such features.



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Meridian Middle School Cafeteria Addition (H-2021-0032) by Lombard Conrad Architects, Located at 1507 W. 8th St.

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



In the Matter of the Request for Conditional Use Permit for Meridian Middle School Cafeteria Addition, Located at 1507 NW 8th St in the R-4 Zoning District, by West Ada School District.

Case No(s). H-2021-0032

For the Planning & Zoning Commission Hearing Date of: June 3, 2021 (Findings on June 17, 2021).

A. Findings of Fact

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

B. Conclusions of Law

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

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of June 3, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of June 3, 2021, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

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

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-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. **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 June 3, 2021

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

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED _____

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED _____

COMMISSIONER LISA HOLLAND VOTED _____

COMMISSIONER STEVEN YEARSLEY VOTED _____

COMMISSIONER WILLIAM CASSINELLI VOTED _____

COMMISSIONER NICK GROVE VOTED _____

COMMISSIONER MARIA LORCHER VOTED _____

Rhonda McCarvel, Chairman

Attest:

Chris Johnson, City Clerk

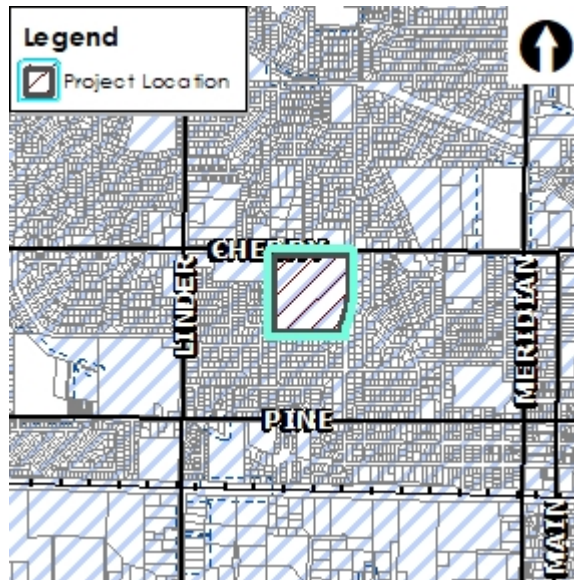
Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 6/3/2021
TO: Planning & Zoning Commission
FROM: Alan Tiefenbach
208-884-5533
Bruce Freckleton, Development Services Manager
208-887-2211
SUBJECT: CUP H-2021-0032
Meridian Middle School Cafeteria
LOCATION: The site is located at 1507 NW 8th St, in Section 12, Township 3N, Range 1W.



I. PROJECT DESCRIPTION

Conditional Use Permit to allow 7,525 sq. ft. addition expansion to the Meridian Middle School. The school is located near the southeast corner of N. Linder Rd and W. Cherry Lane, is on a 36.9-acre lot and is zoned R-4.

The Meridian Middle School campus consists of 7 existing building totaling 185,789 sq. ft with construction of the first building beginning in 1969. In February of this year, a representative of the school met with staff to discuss a 7,525 sq. ft. addition to the cafeteria building. The proposed addition would connect the cafeteria building to the auditorium and main classroom building by a new vestibule. Proposed improvements include additional cafeteria seating space, a new kitchen, an IT room, renovations to the choir room and restroom remodels. During the pre-application meeting, staff informed the applicant that public education institutions are allowed in the R-4 zone district by conditional use. Staff did not find any record of previous conditional uses approved for the property. Because of this, a conditional use is required to address the as-built conditions as well as any additional additions or expansions.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	36.91	
Future Land Use Designation	Civic	
Existing Land Use(s)	Civic (Educational Institution)	
Proposed Land Use(s)	Cafeteria expansion	
Lots (# and type; bldg./common)	1 Lot, 7 buildings	

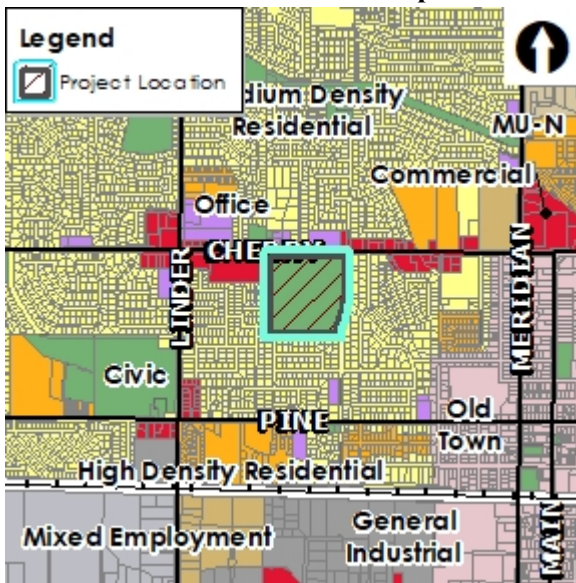
Description	Details	Page
Neighborhood meeting date; # of attendees:	April 13, 2021, 2 attendees	
Physical Features (waterways, hazards, flood plain, hillside)	No known physical features or floodplains	
History (previous approvals)	CZC (A-2017-0104) to allow new student drop off area at the southwest portion of the site.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	No No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	W. Cherry Lane (arterial) and NW 8 th St (Collector)	
Existing Road Network	W. Cherry Lane (arterial) and NW 8 th St (Collector)	
Existing Arterial Sidewalks / Buffers	There is at least a 50' wide buffer of turf along W. Cherry Lane. There is no landscape buffer along NW 8 th St; it is all parking. There is existing sidewalk along both property frontages.	
Proposed Road Improvements	No improvements are required.	
Distance to nearest City Park (+ size)	The school contains a large outdoor recreation field, and is also within a mile from 8 th St Park, Generations Park, and Centennial Park.	
Fire Service	No comments	
Police Service	No comments	
Wastewater	Public Works commented that it appears there is an existing light pole in a sewer easement. Public Works requests the applicant move the manhole in the parking lot to the east and rededicate an easement which moves the light pole out of the easement. PW added the applicant should ensure 20' easements for water and 30' easements for sewer.	
<ul style="list-style-type: none"> Distance to Sewer Services 	There is existing sewer service and no changes are required as a result of this request.	
Water	There is existing water service and no changes are required as a result of this request.	

C. Project Area Maps

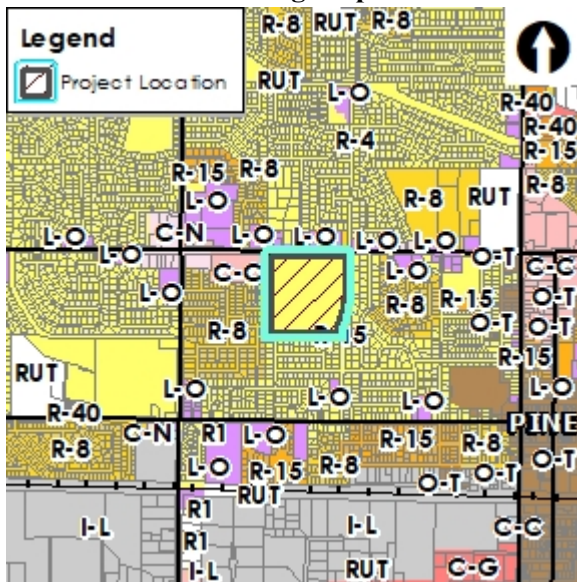
Future Land Use Map



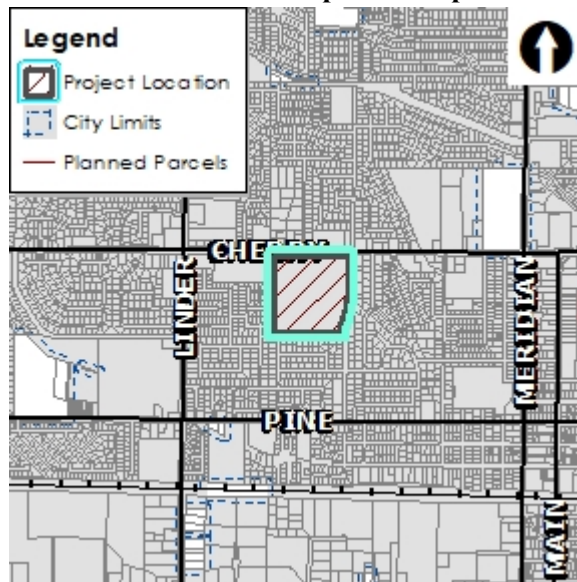
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant / Representative:

Priya Raman, Lombard Conrad Architects – 472 W. Washington St, Boise, ID 83702

B. Owner:

Joe Yochum, West Ada School District – 1303 E. Central Dr, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	5/14/2021	
Radius notification mailed to properties within 500 feet	5/11/2021	
Sign Posting	5/11/2021	
Nextdoor posting	5/12/2021	

V. STAFF ANALYSIS

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

The Future Land Use Map recommends this area for civic uses. The purpose of this designation is to preserve and protect existing and planned municipal, state, and federal lands for area residents and visitors. This category includes public lands, law enforcement facilities, post offices, fire stations, cemeteries, public utility sites, public parks, **public schools**, and other government owned sites within the Area of City Impact. The proposal to expand the existing school is consistent with the goals of the Plan.

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

- 2.03.01B Support construction of multi-use facilities that can be used by both schools and the community.

The existing campus contains two gymnasiums, an auditorium, numerous classrooms, a cafeteria, and a large sports field which includes a football field, baseball diamond, tennis courts and a running track. The school has been integrated into and used by the community for decades.

- Ensure the location and design of schools are compatible with existing and planned neighborhoods and land uses. (2.03.01D)

In general, a school is a community use that can be very compatible with a residential neighborhood. The more the school is integrated into the neighborhood, the more of a benefit to the community and the safer for the students. The existing school campus has been in this neighborhood for 50 years, is established in the community, provides a community benefit and this proposal would result in a very small addition to the campus.

- Continue to explore partnerships with alternative providers, such as schools, to increase level of service. (4.01.01C).

The City has been working with West Ada School District regarding improvements to the school to increase level of service for the school and the community.

C. Existing Structures/Site Improvements:

There are seven existing buildings comprising a total of 185,789 sq. ft. This includes two gymnasiums, a cafeteria building, an auditorium and main class room building, 2 more classroom buildings to the south and a shop building. This proposal would allow a 7,525 sq. ft. expansion to connect the cafeteria building to the main class room building (reducing the number of separate buildings to six).

D. Proposed Use Analysis:

This proposal includes an existing 185,789 middle school campus. This is considered an educational use and is allowed by conditional use in the R-4 zone district, subject to the specific use standards below.

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

UDC 11-4-3-14. (Education Institutions) requires schools to be located within the center of neighborhoods with access encouraged from local streets. Middle and high schools may take access off a designated arterial or collector street. At least thirty percent (30%) of the perimeter of an elementary school site should be open to streets or open space areas.

Meridian Middle School is located in the center of an established neighborhood and has been in this location since 1969. There is one existing point of access from W. Cherry Lane (an arterial) and four existing points of access from NW 8th St. No changes to access are proposed with this very small expansion. More than 50% of the northern frontage of the property along W. Cherry Lane is a playfield being open to the street, with the remainder of the frontages along W. Cherry Lane and W. 8th Street is parking and access.

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

Dimensional standards in the R-4 Zone District include a minimum property size of 8,000 sq. ft. setbacks of 25' from the street, 15' from the rear, and 5' from the side. Building height is limited to 35'.

The property is approximately 37 acres. The existing and proposed buildings meet all required setbacks. The 50' high existing gymnasium exceeds the maximum height, but the proposed addition is shown at a maximum height of 26', well within the height maximum.

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

As mentioned above, there is one existing point of access from W. Cherry Lane (an arterial) and four existing points of access from NW 8th St. No changes to access are proposed with this small expansion. ACHD responded that a traffic impact study was not required as there were no additional students proposed with this application.

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

UDC 11-4-3-14 requires one (1) space for every four hundred (400) square feet of gross floor area in all residential or commercial districts. There are seven existing buildings to a total of 185,789 sq. ft. This proposal would connect the cafeteria building to the existing main classroom building with an approximately 7,525 sq. ft. addition, bringing the total gross floor area to 193,314 sq. ft. Based on the parking requirements, 483 parking spaces are required whereas 318 parking spaces are indicated. Staff understands the largest majority of users of this facility are students who would not be driving to the school; they would either walk or bike, be dropped off, or arrive via bus. Staff also understands the purpose of this conditional use is to allow an addition

to connect two buildings with additional cafeteria seating space, new restrooms, new kitchen, and IT room; it is not intended to facilitate the enrollment of additional students.

However, being community-serving uses, educational facilities are used for a range of purposes including events in the auditorium or sports activities. There is a large parking area at the north side of the property (approximately 122,000 sq. ft. +/-). Based on the site plans submitted by the applicant, only 1/3 of this parking area (on the south side) is striped. With the upgrade and additions being undertaken, staff believes this is an opportunity to stripe the parking lot accordingly. Staff recommends as a condition of approval that the parking lot be restriped to provide the required parking for this facility.

UDC 11-3C-6-G requires 1 bicycle parking space for every 25 vehicle spaces. 15 bicycle spaces are required, 50 are provided.

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

There are numerous pathways existing throughout the campus, this proposal does not include nor require any additional pathways.

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

There are existing sidewalks of at least 6' wide along both frontages of the property. There are existing pedestrian connections throughout the campus.

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

A landscape plan was submitted that indicates 2 trees with a total of 18" caliper inches will be removed. The landscape plan shows 7 trees will be planted to a total of 19 caliper inches, satisfying the tree mitigation requirements of UDC 11-3B-10. Per UDC 11-3B-2, because this proposal is for an addition of less than 25%, no additional landscaping is required.

A 25' landscape buffer would be required along W. Cherry Lane and a 20' buffer would be required along NW 8th St. There is at least a 50' wide buffer of turf along W. Cherry Lane although it does not meet the tree requirements. There is no landscape buffer along NW 8th St; it is all parking. As mentioned above, due to the small scale of this addition, no additional landscaping is required. However, expansions could be cumulative over time, thus future expansions may trigger compliance with current landscape standards even if each expansion is less than 25%.

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

There are no waterways indicated on site.

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

There is existing chain link fencing along the majority of the property boundary. No additional fencing has been proposed with this small addition.

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

All utilities are presently installed. Public Works commented that it appears there is an existing light pole in a sewer easement. Public Works requested the applicant move a manhole in the parking lot to the east and rededicate the easement to move the light pole out of the easement.

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

The existing school is comprised of two different shades of grey CMU, fiber cement, blue metal paneling and blue standing seam roofs. The building form of the addition matches and ties in with

the existing buildings by mimicking the roof canopies, parapet styles, columns and storefront glazed windows of the existing buildings.

The eastern elevation of the new addition includes the blue standing seam roof incorporated by the majority of the campus buildings, blue painted steel columns, and more than half of the building face of the addition is storefront windows. The northern elevation of the addition is 40 feet long, which is only 10% of entire northern frontage, and is more than 300 feet from W. Cherry Ln. According to the applicant, windows were not included at this portion of the addition because this is where the IT room will be and security is paramount. The first elevation submitted of the northern addition was a blank wall. After discussions with staff, the applicant agreed to add pilasters on this side to mimic the pilasters along the remaining northern building frontages. Given the very small scale of the addition, that it is consistent with the rest of the northern elevation, and the distance from the right-of-way, staff agrees with the applicant that requiring additional architectural features does not justify the expense and may not be consistent with what is existing.

The applicant has submitted for a certificate of zoning compliance and design review concurrently with this conditional use permit.

VI. DECISION

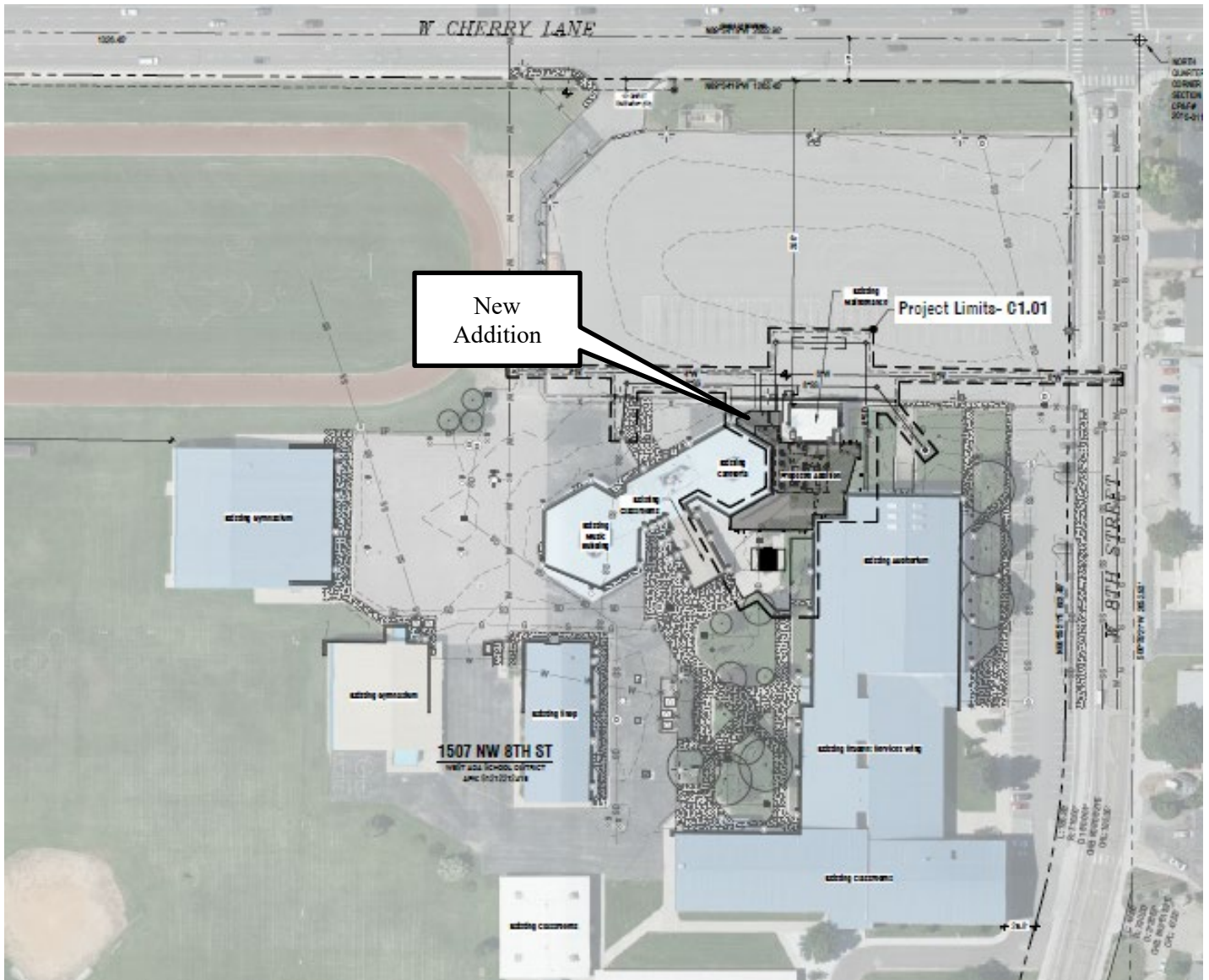
- A. Staff: Staff recommends approval of the proposed conditional use permit with the conditions in Section VIII per the Findings in Section IX.
- B. The Meridian Planning & Zoning Commission heard this item on June 3, 2021. At the public hearing, the Commission moved to approve the subject conditional use request.
 1. Summary of the Commission public hearing:
 - a. In favor: Priya Raman
 - b. In opposition: None
 - c. Commenting: Priya Raman
 - d. Written testimony: None
 - e. Staff presenting application: Alan Tiefenbach
 - f. Other Staff commenting on application: Bill Parsons
 2. Key issue(s) of public testimony:
 - a. None
 3. Key issue(s) of discussion by Commission:
 - a. Discussion regarding whether the parking was adequate, and how much re-striping could be done and still preserve areas for bus drop off, and motorcycle driver's education.
 4. Commission change(s) to Staff recommendation:
 - a. That the applicant work with staff to stripe the parking lot with as many parking spaces as possible without inhibiting its use for bus, pickup, drop-off and Star class training, et cetera, or they can apply for alternative compliance to meet the requirement.

VII. EXHIBITS

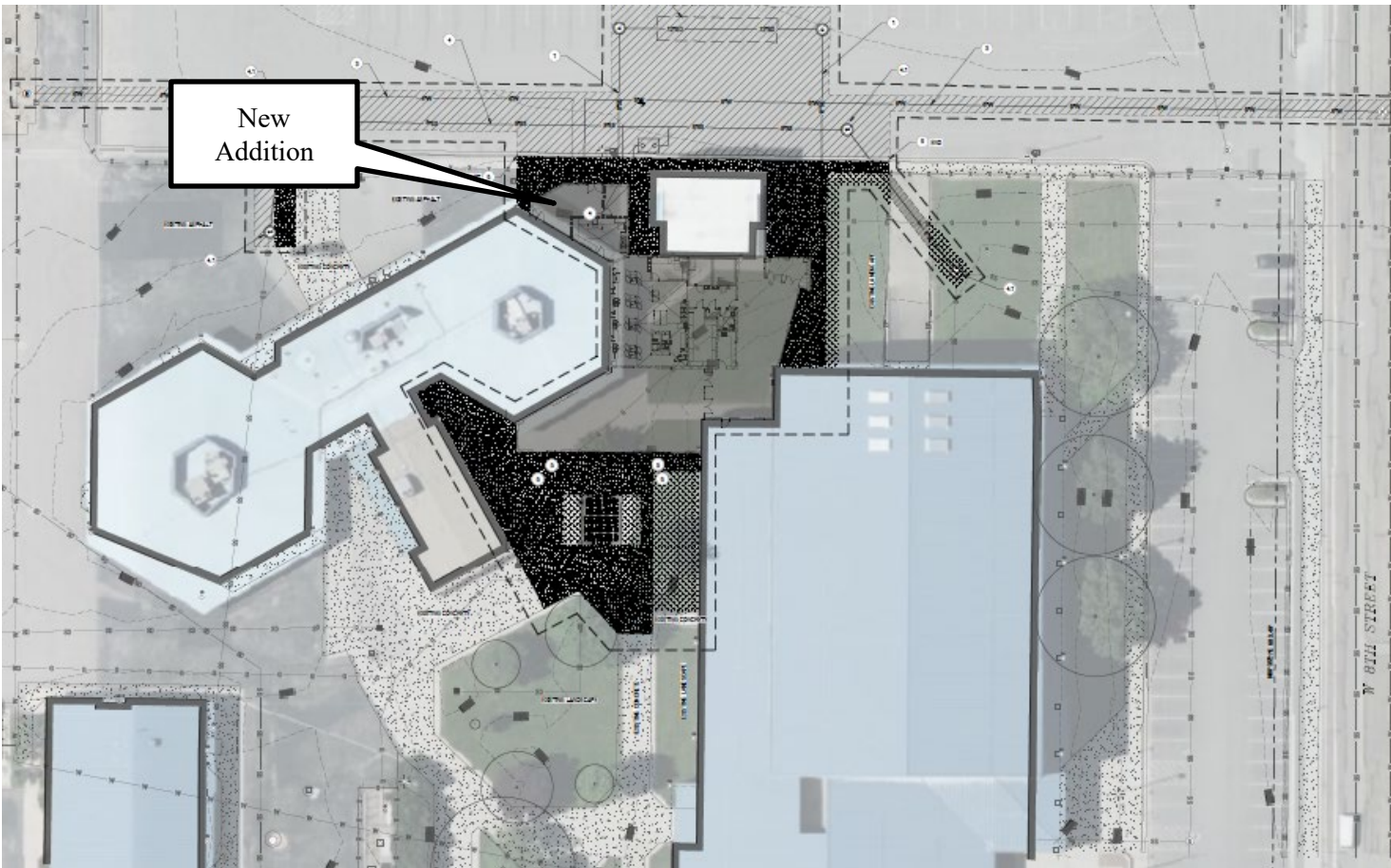
A. Building Site Plan (date: 3/22/21)



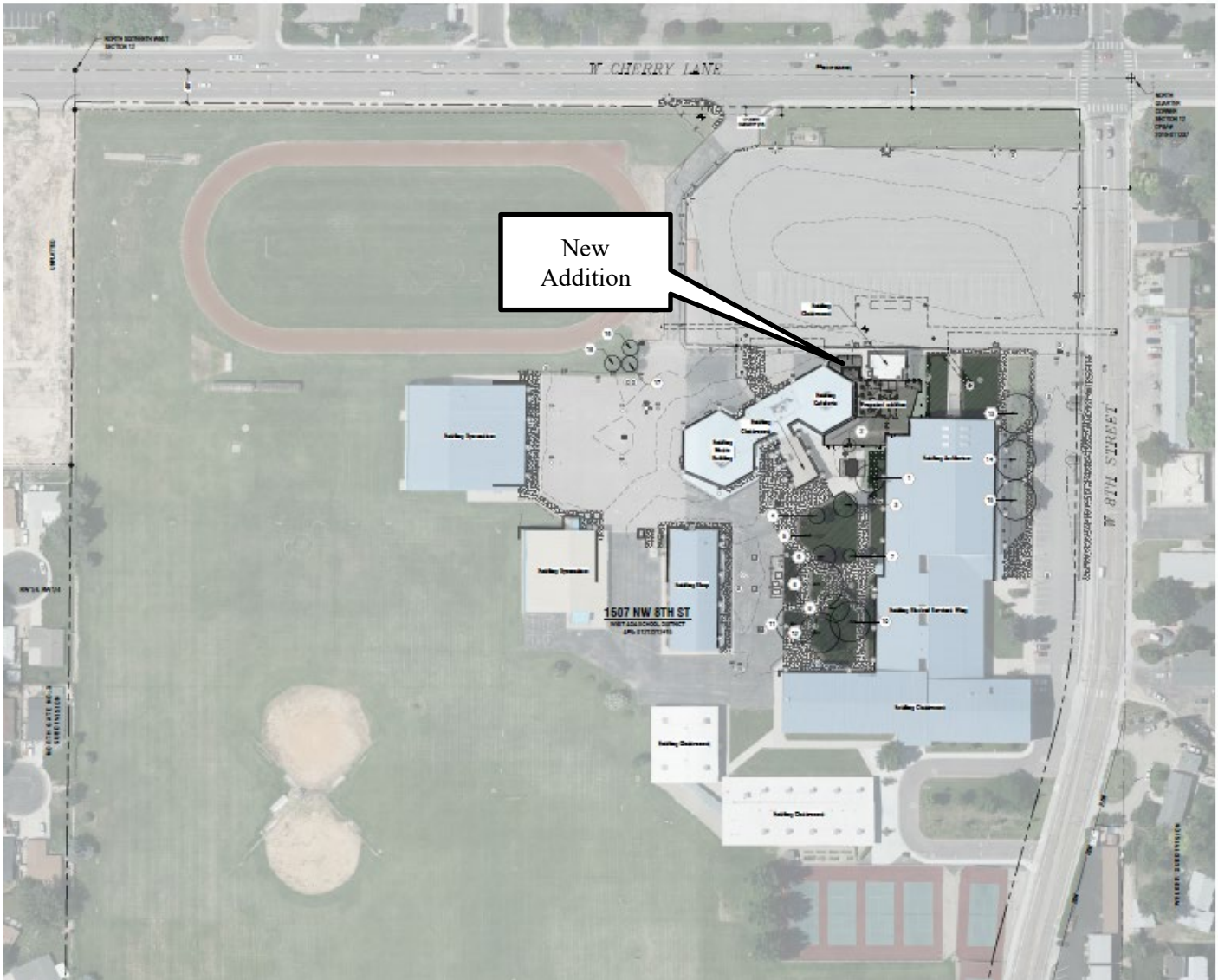
B. Overall Site Plan (date: 4/22/2021)



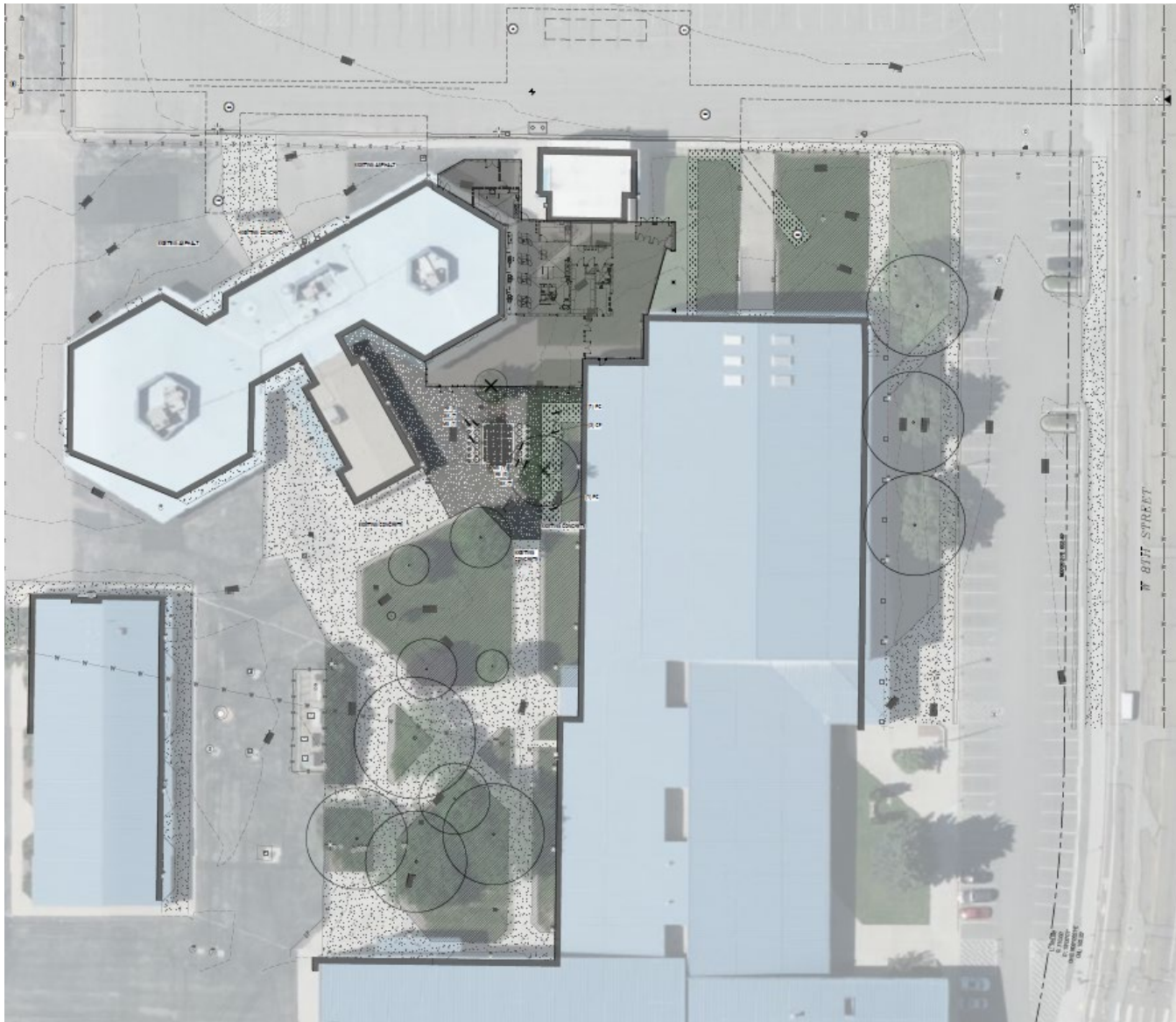
C. Site Plan Closeup (date: 4/22/2021)



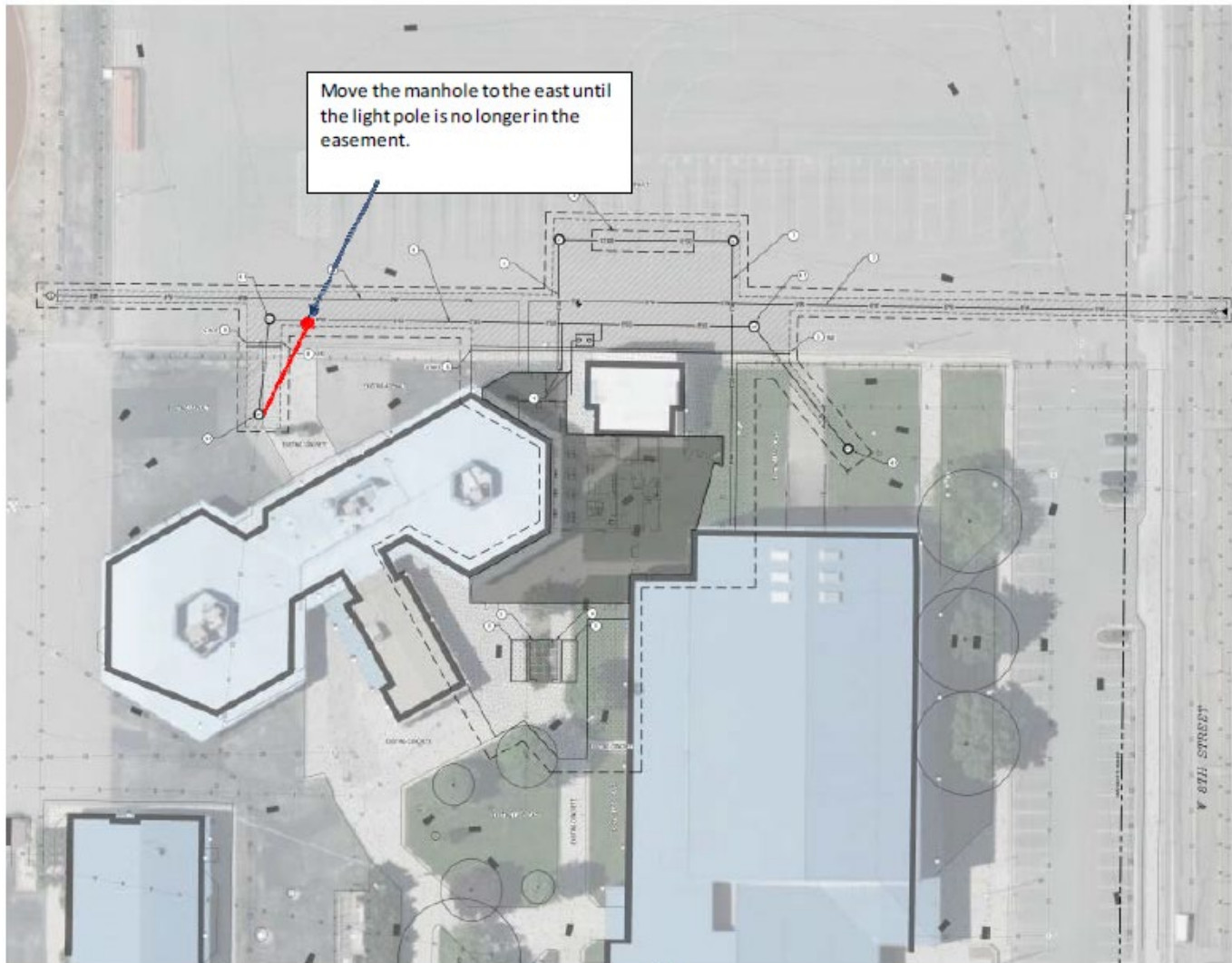
D. Proposed Landscape Plan (date 4/22/2021:)



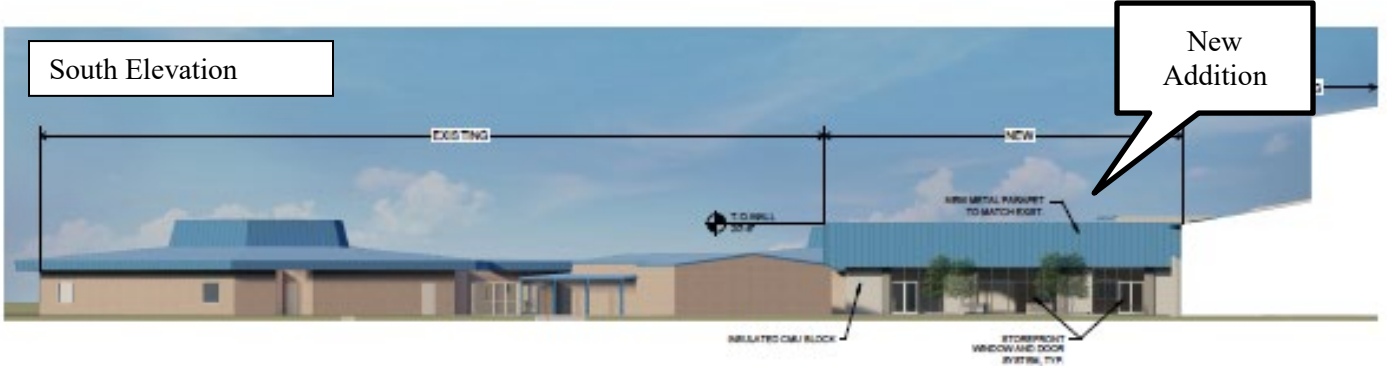
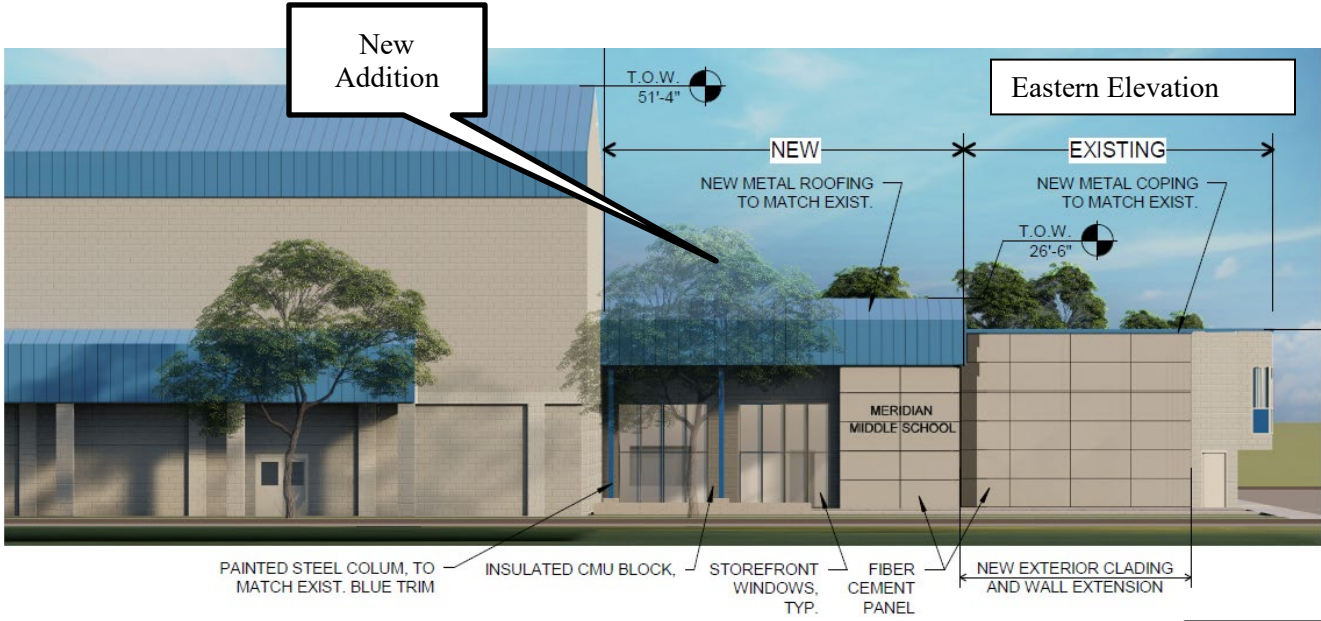
E. Enlarged Landscape Plan (date 4/22/2021:)



F. Site Plan Showing Public Works Comments (date: 5/11/2021)



G. Proposed Elevations (date: 5/20/21)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. 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.
2. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC 11-3A-19 and the design standards listed in the Architectural Standards Manual.
3. The applicant shall relocate the manhole in the parking lot to the east in order to rededicate and easement which moves the existing light pole out of the easement.
4. ~~The applicant shall re-stripe the northern parking lot to meet parking requirements. That the applicant work with staff to stripe the parking lot with as many parking spaces as possible without inhibiting its use for bus, pickup, drop-off and Star class training, et cetera, or they can apply for alternative compliance to meet the requirement.~~
5. Applicant shall comply with all specific use standards required Educational Institution, UDC 11-4-3-14.
6. All existing landscaping on-site shall be protected during construction; if any is damaged or removed, it must be replaced prior to obtaining certificate of occupancy.
7. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.

B. PUBLIC WORKS

1. Move the proposed manhole at the northwest side of the site east until the easement does not interfere with the existing streetlight. No permanent structures can be within a City utility easement.

IX. FINDINGS

A. Conditional Use Permit

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

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

The site meets all dimensional and development regulations of the R-4 zoning district. The campus is already existing, and the site already contains landscaping. As this proposal is only to allow a 7,525 sq. ft. addition, staff finds the site is large enough to accommodate the proposed use. However, the Commission believes the existing parking area is large enough that it is possible to stripe the required parking.

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

The Commission finds that the proposed education institution in the R-4 zoning district is a desired use and has been established in this location for nearly 50 years. The Comprehensive Plan recommends this property for civic uses.

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 Meridian Middle School has been in this location since the early 1970's, is surrounded by an established single-family neighborhood and this proposal is for a very small addition. The subject property is compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity.

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

Any potential impacts associated with Meridian Middle School have long been established, the current proposal would have negligible additional impacts.

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.

The 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.

The Commission finds that the proposed development does not involve activities that will create nuisances that would be detrimental to the general welfare of the surrounding area as any potential impacts have already been established and this is a very small addition to an existing campus.

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

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



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from June 3, 2021 for Topgolf (H-2021-0033) by Arco/Murray, Located at 948 S. Silverstone Way

A. Request: Conditional Use Permit for an outdoor recreation facility on 11.56 acres of land in a C-G zoning district to include extended hours of operation from 8:00 a.m. to 2:00 a.m., seven days a week, abutting a residential zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: June 17, 2021

Topic: **Public Hearing** Continued from June 3, 2021 for Topgolf (H-2021-0033) by Arco/Murray, Located at 948 S. Silverstone Way

- A. Request: Conditional Use Permit for an outdoor recreation facility on 11.56 acres of land in a C-G zoning district to include extended hours of operation from 8:00 a.m. to 2:00 a.m., seven days a week, abutting a residential zoning district.

Information Resources:

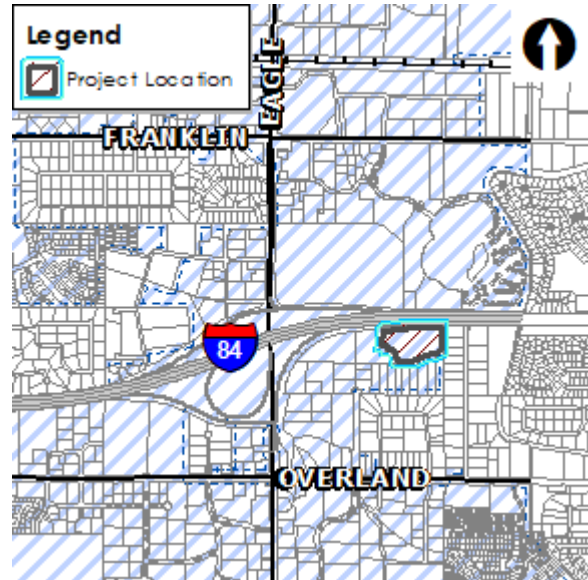
[Click Here for Application Materials](#)

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

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: June 17, 2021
Continued from: 6/3/2021
TO: Planning & Zoning Commission
FROM: Sonya Allen, Associate Planner
208-884-5533
Bruce Freckleton, Development Services Manager
208-887-2211
SUBJECT: H-2021-0033
Topgolf
LOCATION: 948 S. Silverstone Way
SW ¼ of Section 16, T. 3N., R.1E.



I. PROJECT DESCRIPTION

Conditional use permit for an outdoor entertainment/recreation facility with a non-permanent outdoor stage/music venue on 11.56-acres of land in a C-G zoning district to include extended hours of operation from 8:00 am to 2:00 am, seven days a week, abutting a residential zoning district.

II. SUMMARY OF REPORT

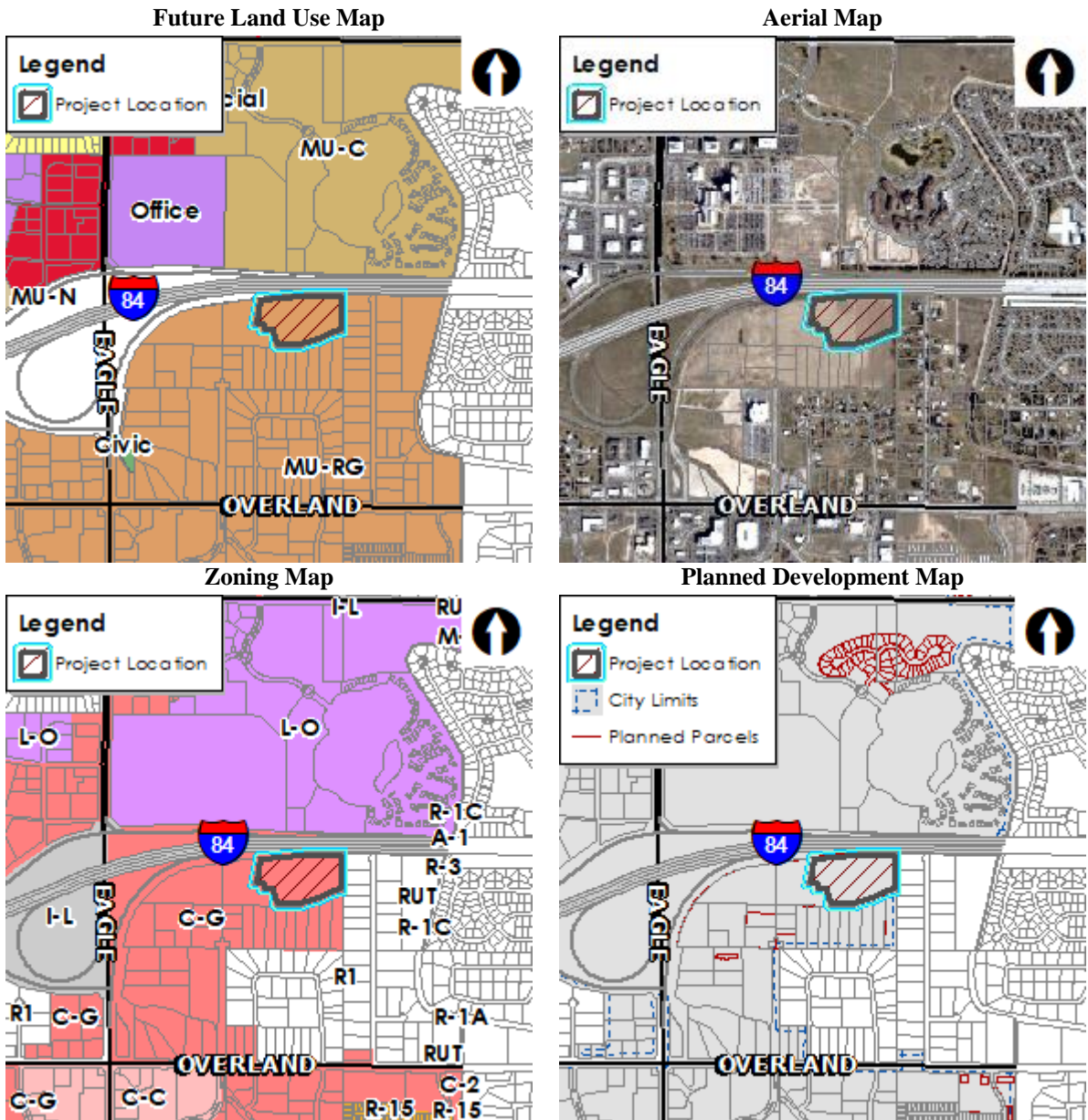
A. Project Summary

Description	Details	Page
Acreage	11.56-acres	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use(s)	Vacant/undeveloped land	
Proposed Land Use(s)	Outdoor entertainment/recreation facility	
Neighborhood meeting date; # of attendees:	March 30, 2021; one (1) attendee (neighbor)	
History (previous approvals)	H-2018-0126 (PP); H-2019-0005 (MDA Inst. #2019-0037825); H-2019-0081 (MDA Inst. #2019-088365); H-2019-0128 (FP) – Rackham Subdivision (recorded)	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes - letter stating no improvements are required to adjacent streets; a traffic impact fee is required to be paid.	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	E. Overland Rd./Silverstone Way (existing)	
Existing Road Network	Yes	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Paul Straits, Arco/Murray – 113 N. May St., Chicago, IL 60607

B. Owner:

Tonn Peterson, BVA Development, LLC – 2775 W. Navigator Dr., Ste. 220, Meridian, ID 83642

C. Representative:

Tanner Micheli, Topgolf International, Inc. – 8750 N. Central Expy, Ste. 1200, Dallas, TX 75231

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	5/14/2021	
Radius notification mailed to properties within 300 feet	5/11/2021	
Site Posting Date	6/3/2021	
NextDoor posting	5/12/2021	

V. COMPREHENSIVE PLAN (*Comp. Plan*)

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

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

The Applicant proposes to develop an entertainment complex (i.e. Topgolf) on the site consisting of a multi-level golf driving range with a full-service restaurant and bar. The site is located in close proximity to a major intersection at S. Eagle Rd. and E. Overland Rd. and near the Eagle Rd./I-84 interchange. This use will have a regional draw and will have supportive uses in the vicinity consistent with the MU-R designation.

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

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)
The proposed use will contribute to the mix of uses in this area that ensure livability and economic vitality of the community.
- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The subject mixed-use area currently contains office uses and will eventually include other commercial and residential uses. The proposed entertainment center will offer opportunities for play and recreation in close proximity to employment and residential uses as desired.

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

An 8-foot wide pathway is proposed within the buffer along the entire frontage of I-84 and along main driveways within the site for pedestrian connectivity and easy access within the mixed-use development.

- “Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.” (5.01.01F)

Operation of the proposed use should comply with City ordinances pertaining to noise, lighting, and odor disturbances.

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

The proposed use, an outdoor entertainment/recreation facility with a non-permanent outdoor stage/music venue, is listed as a conditional use in the C-G (General Retail and Service Commercial) zoning district per UDC Table [11-2B-2](#). Extended hours of operation are proposed from 8:00 am to 2:00 am, seven days a week, abutting a residential zoning district, which also requires conditional use approval per UDC [11-2B-3B](#).

VII. STAFF ANALYSIS

The proposed use is consistent with the MU-R FLUM designation in the Comprehensive Plan as discussed above in Section V. The proposed development is generally consistent with the conceptual development plan included in the Development Agreement (Inst. #2019-037825 & #2019-088365) for this site and complies with the conditions governing development of the subject property in the agreement.

The CUP is required for the outdoor stage/music venue that is proposed as a non-permanent component of the outdoor entertainment/recreation facility, which is a principal permitted use in the C-G zoning district. Although the subject property abuts a residential zoning district to the east, the residential homes have been removed by the developer who recently acquired these lots for future expansion of the mixed-use development to the west (i.e. Rackham Subdivision). Therefore, the extension on the hours of operation will not adversely affect abutting residential uses as there are none. In fact, the closest residence is approximately 918’ to the south of the driving range.

The outdoor stage is proposed to be located in the patio space which will seat 71 people and will be fully enclosed by an 8’ tall fence. During the summer months the stage is anticipated to be used about once a week in the afternoons until the venue closes. Performances will be limited to small musical acts and no additional sound equipment will be used for any performances – all music will be channeled through the building’s integrated sound system.

The proposed use is subject to the following UDC standards:

Specific Use Standards ([UDC 11-4-3-2](#)) - Arts, Entertainment or Recreation Facility, Indoors and Outdoors: (*Staff analysis in italics*)

A. General Standards:

1. All outdoor recreation areas and structures that are not fully enclosed shall maintain a minimum setback of one hundred feet (100’) from any abutting residential districts. The playing

areas of golf courses, including golf tees, fairways, and greens, are an exception to this standard. (Ord. 07-1325, 7-10-2007). *The outfield and targets for the proposed golf entertainment facility are located within 100' of the shared property line with a County residential district (R1) to the east. However, as noted above, the homes on the adjacent lots have been removed and this area will be redeveloped and included in the subject mixed-use development. Further, this area could be deemed to qualify as the playing area/driving range of a golf course, which is exempt from this standard.*

2. No outdoor event or activity center shall be located within fifty feet (50') of any property line and shall operate only between the hours of six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. *The activity center (i.e. outfield and targets) is not within 50' of any property line. The Applicant is requesting an extension of the hours of operation from 8:00 am to 2:00 am, 7 days a week with the CUP application as allowed by UDC 11-2B-3B. See Hours of Operation below for analysis.*

3. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only. *Accessory uses consisting of a restaurant, bar, golf lessons and golf academies for kids should serve patrons of the use only.*

4. Outdoor speaker systems shall comply with section 11-3A-13, "Outdoor Speaker Systems", of this title. *Applicant shall comply with this and all relevant code sections upon approval.*

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

C. Additional Standards for Outdoor Stage or Musical Venue: Any use with a capacity of one hundred (100) seats or more or within one thousand feet (1,000') of a residence or a residential district shall be subject to approval of a conditional use permit. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005). *The outdoor stage area is proposed to be located in the patio space which is enclosed by an 8' tall fence and will provide seating for 71 people. This area is more than 1,000' from a residence but is within 1,000' of a residential district which no longer has any homes. A CUP is requested as required for the outdoor stage/music venue.*

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

Development of the site shall comply with the dimensional standards of the C-G zoning district in UDC Table [11-2B-3](#). Staff has reviewed the proposed plans and building elevations and they comply with the required standards.

Hours of Operation (UDC [11-2B-3B](#)):

Business hours of operation in the C-G district are limited from 6:00 am to 11:00 pm when the property abuts a residential use or district; extended hours may be requested through a CUP per UDC 11-2B-3B. Additionally, the specific use standards associated with the use limit the hours of operation from 6:00 am to 11:00 pm per UDC 11-4-3-2A.2.

A CUP is requested for extended hours of operation from 8:00 am to 2:00 am abutting a residential district. As discussed above, although the subject property abuts a residential zoning district to the east, the residential homes have been removed by the developer. Therefore, Staff believes the extended hours shouldn't affect any nearby residences. Additionally, the closest residence from the driving range is approximately 918' away to the south. For these reasons, Staff is supportive of the request.

If extension of the hours of operation beyond 11:00 pm are approved, the use is subject to the City's noise ordinance (MCC [6-3-6](#)) which states noise may not create a public

disturbance as defined, between the hours of 11:00 pm and 6:00 am or at any time so as to unreasonably disturb or interfere with the peace, comfort or enjoyment of others.

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

Access is proposed on the site plan from E. Talons View Ln., a private street along the southern boundary of the site, from S. Silverstone Way, a collector street, from E. Overland Rd., an arterial street to the south. No access is proposed or allowed via I-84. Two points of access are available for emergency access that meet Fire Dept. requirements – one via S. Rackham Way and one via S. Silverstone Way.

E. Talons View Ln. ends approximately 200' west of the east property line and is not proposed to extend to the east at this time. There is a public street, S. Rolling Hills Drive, just off-site from the subject parcel to the east. Rolling Hills Drive is constructed as a local, rural street with 24' of pavement and does not have curb, gutter, sidewalk or streetlights. It provides access to the remaining homes in Rolling Hills Subdivision and dead-ends in a cul-de-sac at the north end.

Because S. Rolling Hills Drive currently serves residences and is not improved to urban standards (i.e. – no sidewalk, curb, gutter or streetlights and has a narrow pavement width), Staff recommends access be prohibited to the Topgolf site via S. Rolling Hills Dr. until such time as improvements are made that are deemed appropriate by ACHD and the City. All vehicular access, including construction access, should be taken via the private street (Street A) from S. Silverstone Way until such time. See public record for [comments](#) from neighbors.

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

A minimum of one (1) off-street parking space is required per 500 square feet (s.f.) of gross floor area. Based on 36,771 s.f., a minimum of 74 parking spaces are required. A total of 275 parking spaces are proposed, exceeding UDC standards.

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

Street buffer: The street buffer along I-84 was required to be constructed with the improvements for Rackham Subdivision. No other public streets abut this site.

Buffer to residential uses: There are no residential uses abutting this site. The former residential homes to the east have been removed.

Parking lot: Landscaping is required in the parking lot per the standards in UDC 11-3B-8C. **No linear grouping of parking spaces may exceed 12 in a row without an internal planter island per UDC 11-3B-8C.2b; the row of parking directly south of the green space on the east end exceeds 12 spaces – the site/landscape plans should be revised to comply.** All other landscaping appears to comply with UDC standards.

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

All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C unless otherwise approved through alternative compliance. Light fixtures that have a maximum output of 1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C.

Details of the lighting proposed on the site that demonstrate compliance with the standards listed in UDC 11-3A-11 should be submitted with the Certificate of Zoning Compliance application.

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

No fencing is depicted on the site/landscape plan. Fencing is depicted on the elevations to the north and south sides of the storefront. Eight-foot tall cedar fencing is proposed to fully enclose the patio area. All fencing should be depicted on the plans submitted with the Certificate of Zoning Compliance application and comply with the standards in UDC 11-3A-7.

Net poles with a polyester barrier netting system ranging from 70' to 156' in height are proposed around the perimeter of the driving range to contain golf balls. This barrier does not meet the definition of a fence in UDC 11-1A-1 and therefore is not subject to the fencing standards in UDC 11-3A-7.

Building Elevations:

Conceptual building elevations were submitted for the proposed structure as shown in Section IX.C. Building materials consist of EIFS and metal in a variety of colors, glazing and composite paneling. The elevations appear to generally comply with the standards in the Architectural Standards Manual; however, a detailed review will take place with the administrative Design Review application.

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

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

Administrative Design Review (UDC [11-5B-8](#)):

An application for administrative Design Review is required to be submitted concurrent with the CZC application. The design of the site and structures is required to comply with the standards listed in UDC 11-3A-19 and in the Architectural Standards Manual ([ASM](#)).

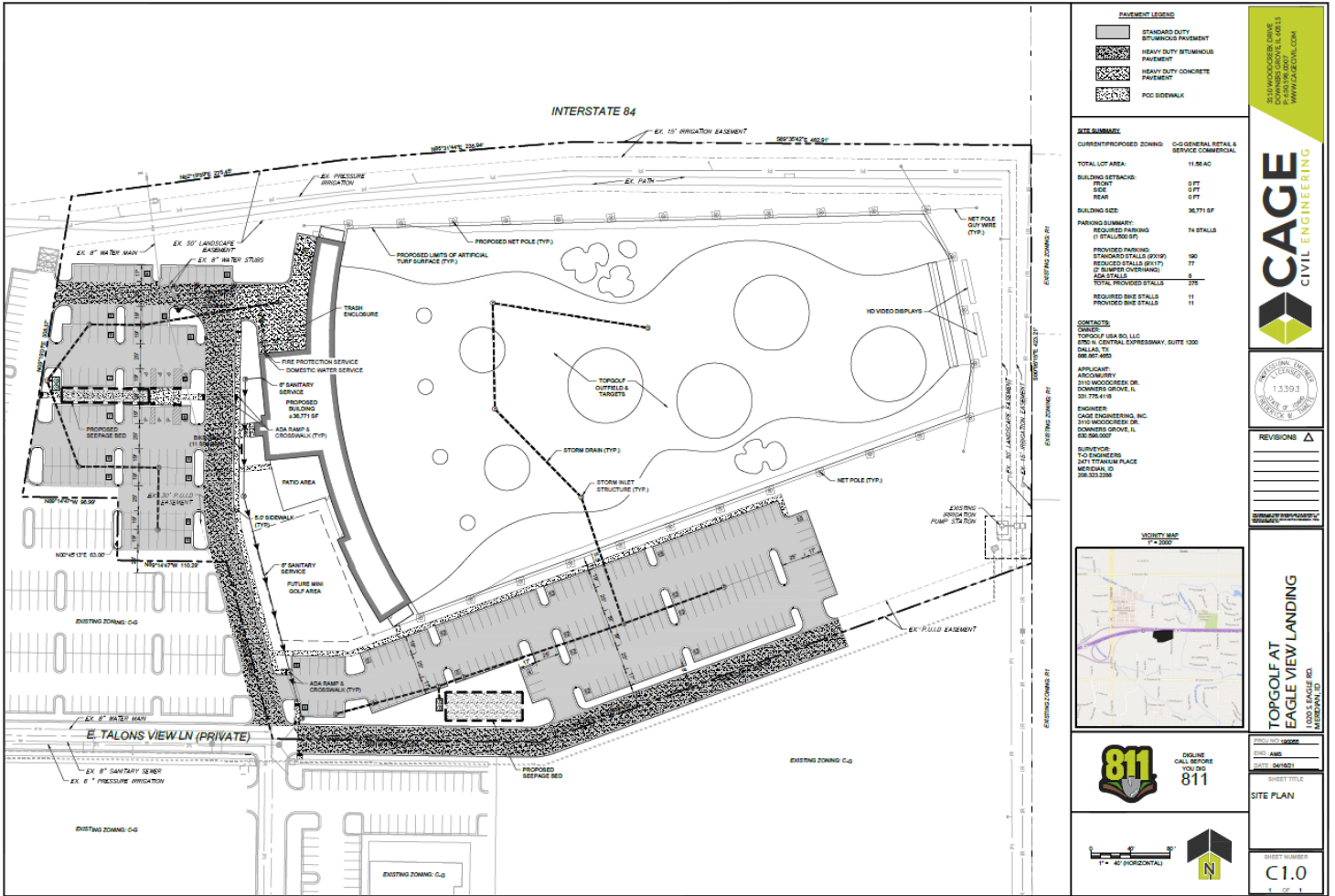
VIII. DECISION

A. Staff:

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

IX. EXHIBITS

A. Site Plan (date: 4/16/2021)



PAVEMENT LEGEND

- STANDARD DUTY BITUMINOUS PAVEMENT
- HEAVY DUTY BITUMINOUS PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- POG SIDEWALK

DEEL SUMMARY:

CURRENT/PROPOSED ZONING: C-3 GENERAL RETAIL & SERVICE COMMERCIAL

TOTAL LOT AREA: 11.56 AC

BUILDING SETBACKS:

- FRONT: 0 FT
- REAR: 0 FT
- SIDE: 0 FT

BUILDING SIZE: 36,771 SF

PARKING SUMMARY:

- REQUIRED PARKING: 74 STALLS
- PROVIDED PARKING: 74 STALLS
- PROVIDED STALLS (TYPE): 74
- REQUIRED BIKE STALLS: 11
- PROVIDED BIKE STALLS: 11

CONTACTS:

TOWNSHIP: JEFFERSON CO. ILL. 62201

APPLICANT: ANCHORAGE 3100 WOODCREEN DR. DOWNERS GROVE, IL 60130-7754

ENGINEER: CAGE ENGINEERING, INC. 3100 WOODCREEN DR. DOWNERS GROVE, IL 60130-7754

SUPERVISOR: T-O ENGINEERS 2411 TRAVELER PLACE MERRILLVILLE, IN 46541-2008

REVISIONS

NO.	DATE	DESCRIPTION

811 ONLINE CALL BEFORE YOU DIG 811

SCALE: 1" = 40' (HORIZONTAL)

PROJECT NUMBER: C1.0

B. Landscape Plan (date: 4/28/2021)

GENERAL LANDSCAPE NOTES - AGENCY SUBMITTAL

1. CONTRACTOR SHALL LOCATE AND EXISTING UNDERGROUND AND SURFACE UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR PROTECTING THEM FROM DAMAGE. MEANS OF PROTECTION OF UTILITIES AND SERVICES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR'S ENGINEER.
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GENERAL IRRIGATION NOTES

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CZC LANDSCAPE PLAN

DEVELOPER: CITY OF DALLAS, 1200 N. CENTRAL EXPRESSWAY, SUITE 1000, DALLAS, TX 75201

LANDSCAPE ARCHITECT: JOHN REINHOLD GROUP, LLC, 1000 N. CENTRAL EXPRESSWAY, SUITE 1000, DALLAS, TX 75201

CONTACT: JOHN REINHOLD, 214.742.1234

LANDSCAPE CALCULATIONS TABLE

STREET	L.F. FRONTAGE	BUFFER WIDTH	NO. OF TREES REQ.
STREET A (SOUTH SIDE)	200'	10'	8
STREET A (NORTH SIDE)	200'	10'	8
STREET B (EAST SIDE)	100'	10'	4
STREET B (WEST SIDE)	100'	10'	4
STREET C (EAST SIDE)	100'	10'	4
STREET C (WEST SIDE)	100'	10'	4

LANDSCAPE REQUIREMENTS

TYPE	REQUIREMENT	PROVIDE
1. TREE SPECIES	1. TREE SPECIES LIST (SEE 1.1.1)	14
2. TREE SIZE	1. TREE SPECIES LIST (SEE 1.1.1)	8
3. TREE PLACEMENT	1. TREE SPECIES LIST (SEE 1.1.1)	8
4. TREE MAINTENANCE	1. TREE SPECIES LIST (SEE 1.1.1)	8
5. TREE REMOVAL	1. TREE SPECIES LIST (SEE 1.1.1)	8

KEYNOTES

1. SEE 1.1.1 FOR TREE SPECIES LIST
2. SEE 1.1.2 FOR TREE PLACEMENT
3. SEE 1.1.3 FOR TREE MAINTENANCE
4. SEE 1.1.4 FOR TREE REMOVAL

LANDSCAPE MATERIALS

NO.	DESCRIPTION	QUANTITY
1	1.0" GRAVEL	1000
2	2.0" GRAVEL	1000
3	3.0" GRAVEL	1000
4	4.0" GRAVEL	1000
5	5.0" GRAVEL	1000

LANDSCAPE LEGEND

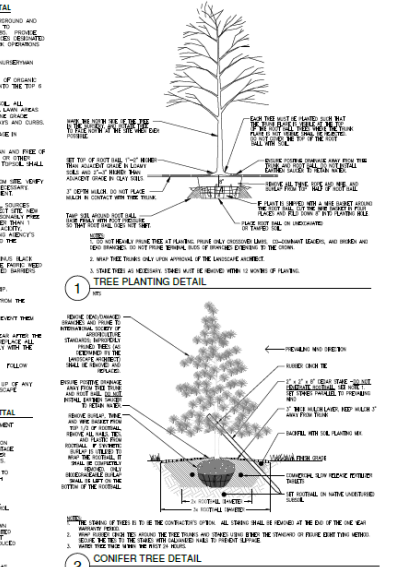
SYMBOL	DESCRIPTION
(Symbol)	1.0" GRAVEL
(Symbol)	2.0" GRAVEL
(Symbol)	3.0" GRAVEL
(Symbol)	4.0" GRAVEL
(Symbol)	5.0" GRAVEL

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TREE PLANTING DETAIL

CONIFER TREE DETAIL

PLANT SCHEDULE

NO.	SYMBOL	COMMON / BOTANICAL NAME	SIZE	MAXIMUM TREE HGT.	LAND
1	(Symbol)	1.0" GRAVEL	1000		
2	(Symbol)	2.0" GRAVEL	1000		
3	(Symbol)	3.0" GRAVEL	1000		
4	(Symbol)	4.0" GRAVEL	1000		
5	(Symbol)	5.0" GRAVEL	1000		
6	(Symbol)	6.0" GRAVEL	1000		
7	(Symbol)	7.0" GRAVEL	1000		
8	(Symbol)	8.0" GRAVEL	1000		
9	(Symbol)	9.0" GRAVEL	1000		
10	(Symbol)	10.0" GRAVEL	1000		
11	(Symbol)	11.0" GRAVEL	1000		
12	(Symbol)	12.0" GRAVEL	1000		
13	(Symbol)	13.0" GRAVEL	1000		
14	(Symbol)	14.0" GRAVEL	1000		
15	(Symbol)	15.0" GRAVEL	1000		
16	(Symbol)	16.0" GRAVEL	1000		
17	(Symbol)	17.0" GRAVEL	1000		
18	(Symbol)	18.0" GRAVEL	1000		
19	(Symbol)	19.0" GRAVEL	1000		
20	(Symbol)	20.0" GRAVEL	1000		
21	(Symbol)	21.0" GRAVEL	1000		
22	(Symbol)	22.0" GRAVEL	1000		
23	(Symbol)	23.0" GRAVEL	1000		
24	(Symbol)	24.0" GRAVEL	1000		
25	(Symbol)	25.0" GRAVEL	1000		
26	(Symbol)	26.0" GRAVEL	1000		
27	(Symbol)	27.0" GRAVEL	1000		
28	(Symbol)	28.0" GRAVEL	1000		
29	(Symbol)	29.0" GRAVEL	1000		
30	(Symbol)	30.0" GRAVEL	1000		
31	(Symbol)	31.0" GRAVEL	1000		
32	(Symbol)	32.0" GRAVEL	1000		
33	(Symbol)	33.0" GRAVEL	1000		
34	(Symbol)	34.0" GRAVEL	1000		
35	(Symbol)	35.0" GRAVEL	1000		
36	(Symbol)	36.0" GRAVEL	1000		
37	(Symbol)	37.0" GRAVEL	1000		
38	(Symbol)	38.0" GRAVEL	1000		
39	(Symbol)	39.0" GRAVEL	1000		
40	(Symbol)	40.0" GRAVEL	1000		
41	(Symbol)	41.0" GRAVEL	1000		
42	(Symbol)	42.0" GRAVEL	1000		
43	(Symbol)	43.0" GRAVEL	1000		
44	(Symbol)	44.0" GRAVEL	1000		
45	(Symbol)	45.0" GRAVEL	1000		
46	(Symbol)	46.0" GRAVEL	1000		
47	(Symbol)	47.0" GRAVEL	1000		
48	(Symbol)	48.0" GRAVEL	1000		
49	(Symbol)	49.0" GRAVEL	1000		
50	(Symbol)	50.0" GRAVEL	1000		

SHRUB PLANTING DETAIL

EDGING DETAIL

BOULDER PLACEMENT DETAIL

BAER DESIGN GROUP, LLC
 Eagle View Landing
 Top Golf
 City of Meridian CZC
 Landscape Plan
 L1.0

BAER DESIGN GROUP, LLC
 Eagle View Landing
 Top Golf
 City of Meridian CZC
 Landscape Details
 L1.1

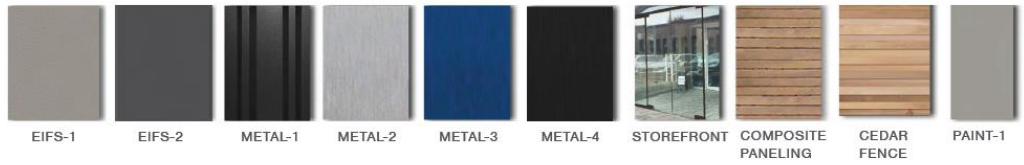
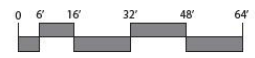
C. Elevations (dated: 4/22/21)



Front Elevation

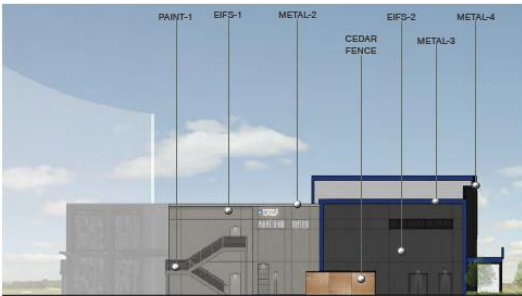


Rear Elevation



Exterior Elevations

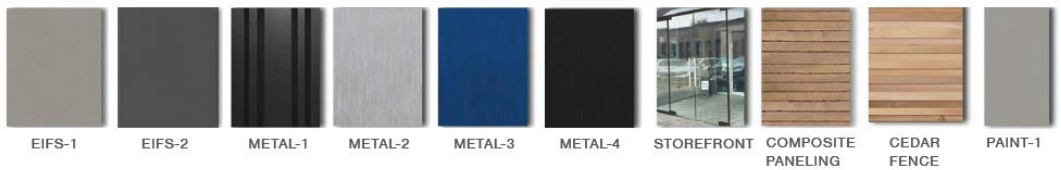
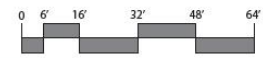
Boise, ID | Planning and Zoning | April 22, 2021 | Page 1



Left Elevation



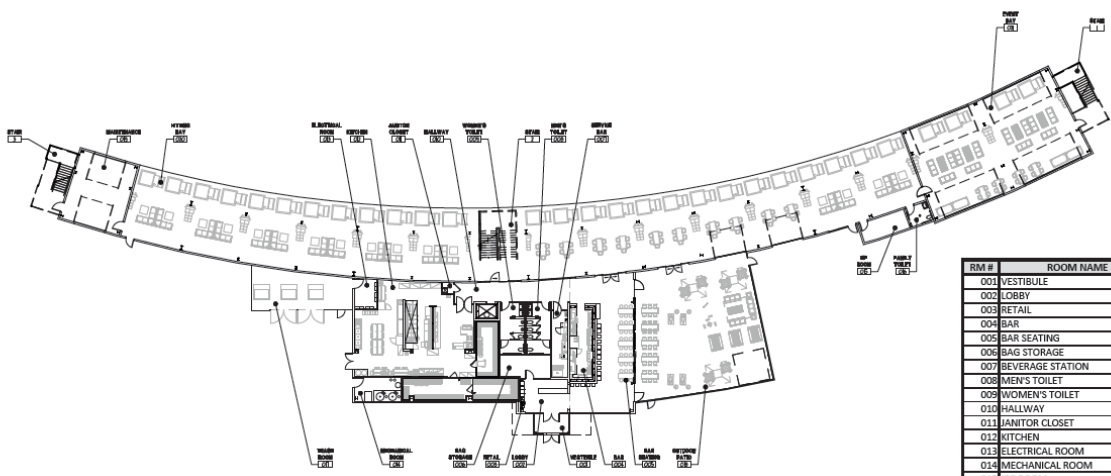
Right Elevation



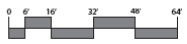
Exterior Elevations

Boise, ID | Planning and Zoning | April 22, 2021 | Page 2





RM #	ROOM NAME	AREA (SQ. FT.)
001	VESTIBULE	100 SQ. FT.
002	LOBBY	140 SQ. FT.
003	RETAIL	90 SQ. FT.
004	BAR	635 SQ. FT.
005	BAR SEATING	635 SQ. FT.
006	BAG STORAGE	170 SQ. FT.
007	BEVERAGE STATION	155 SQ. FT.
008	MEN'S TOILET	180 SQ. FT.
009	WOMEN'S TOILET	180 SQ. FT.
010	HALLWAY	355 SQ. FT.
011	JANITOR CLOSET	15 SQ. FT.
012	KITCHEN	1465 SQ. FT.
013	ELECTRICAL ROOM	95 SQ. FT.
014	MECHANICAL ROOM	160 SQ. FT.
015	DF ROOM	135 SQ. FT.
016	FAMILY TOILET	65 SQ. FT.
017	TRASH ROOM	NOT INCLUDED - 555 SQ. FT.
018	OUTDOOR PATIO	2395 SQ. FT.
019	MAINTENANCE	630 SQ. FT.
020	HITTING BAY	2645 SQ. FT.
021	HITTING BAY SEATING	5186 SQ. FT.
021	EVENT BAY	2275 SQ. FT.
GROUND LEVEL		
NET USEABLE FLOOR AREA		17,706 SQ. FT.

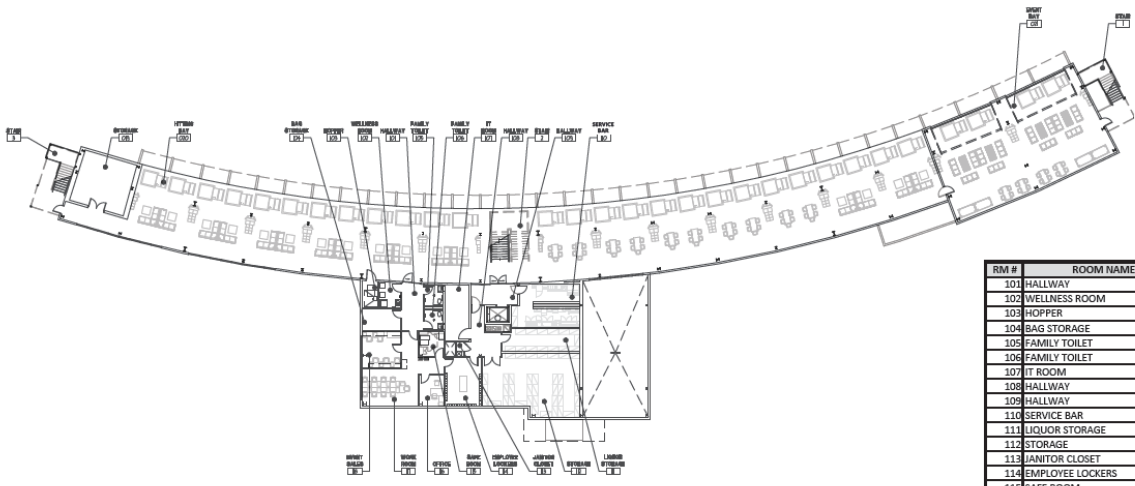


GROSS FLOOR AREA
19,691 TOTAL SQUARE FEET
AT GROUND LEVEL

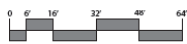


Floor Plan - Ground Level

Boise, ID | Planning and Zoning | April 22, 2021 | Page 3



RM #	ROOM NAME	AREA (SQ. FT.)
101	HALLWAY	140 SQ. FT.
102	WELLNESS ROOM	70 SQ. FT.
103	HOPPER	60 SQ. FT.
104	BAG STORAGE	115 SQ. FT.
105	FAMILY TOILET	50 SQ. FT.
106	FAMILY TOILET	50 SQ. FT.
107	IT ROOM	185 SQ. FT.
108	HALLWAY	160 SQ. FT.
109	HALLWAY	130 SQ. FT.
110	SERVICE BAR	385 SQ. FT.
111	LIQUOR STORAGE	240 SQ. FT.
112	STORAGE	780 SQ. FT.
113	JANITOR CLOSET	15 SQ. FT.
114	EMPLOYEE LOCKERS	245 SQ. FT.
115	SAFE ROOM	85 SQ. FT.
116	OFFICE	105 SQ. FT.
117	WORK ROOM	435 SQ. FT.
118	EVENT SALES	190 SQ. FT.
119	STORAGE	400 SQ. FT.
120	HITTING BAY	2645 SQ. FT.
120	HITTING BAY SEATING	5186 SQ. FT.
121	EVENT BAY	2275 SQ. FT.
UPPER LEVEL		
NET USEABLE FLOOR AREA		13,946 SQ. FT.



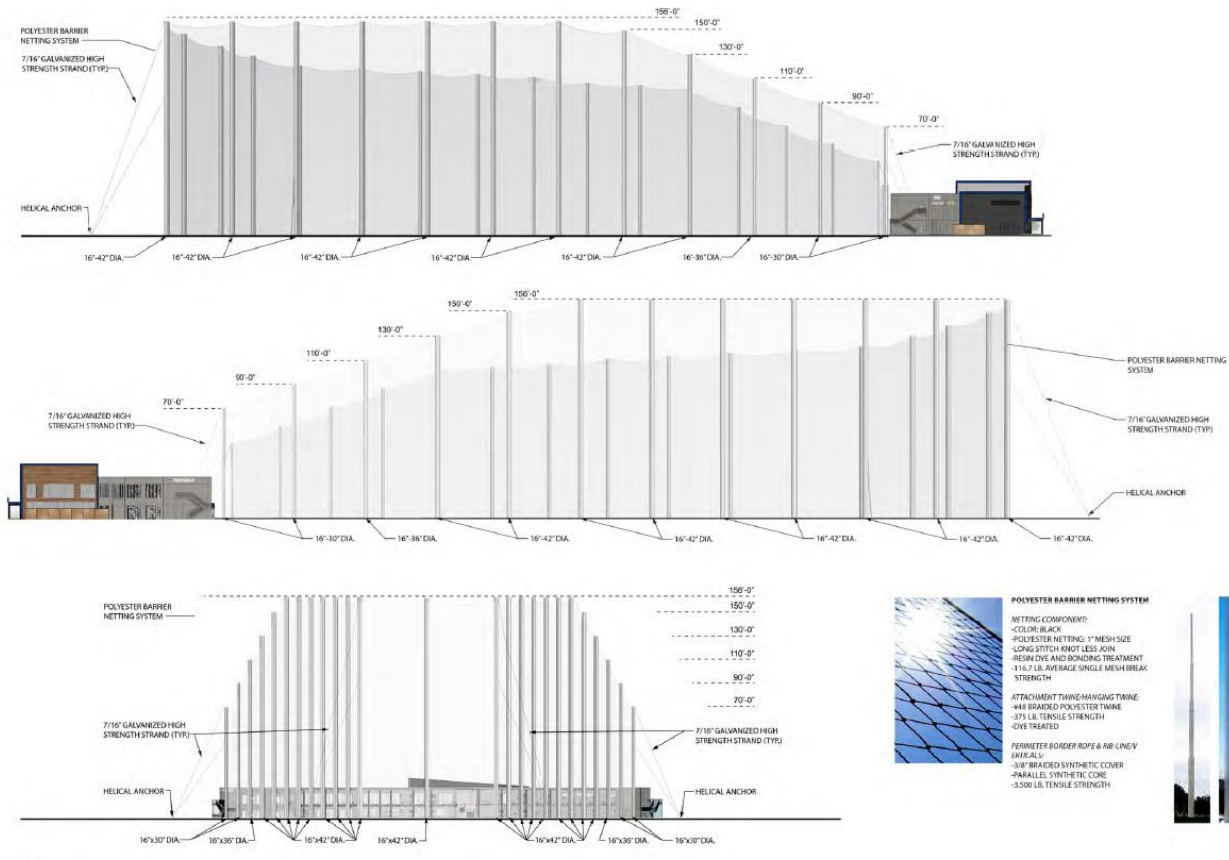
GROSS FLOOR AREA
17,080 TOTAL SQUARE FEET
AT UPPER LEVEL



Floor Plan - Upper Level

Boise, ID | Planning and Zoning | April 22, 2021 | Page 4





POLYESTER BARRIER NETTING SYSTEM

NETTING COMPONENT:
 -COLOR: BLACK
 -POLYESTER NETTING, 3" MESH SIZE
 -LONG STITCH KNOT, LESS JOIN
 -RESIN DYE AND BONDING TREATMENT
 -316.7 LB. AVERAGE SINGLE MESH BREAK STRENGTH

ATTACHMENT TWINE/MARKING TWINE:
 -#44 BRAIDED POLYESTER TWINE
 -375 LB. TENSILE STRENGTH
 -DYE TRACED

PERIMETER BORDER ROPE & NW LINE/V SPINALLS:
 -3/8" BRAIDED SYNTHETIC COVER
 -PARALLEL SYNTHETIC CORE
 -3,500 LB. TENSILE STRENGTH



Net Pole - Elevations



X. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-2 – Arts, Entertainment or Recreation Facility, Indoors and Outdoors, including but not limited to the following:
 - a. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only, and not the general public.
 - b. Any outdoor speaker systems shall comply with section [11-3A-13](#), "Outdoor Speaker Systems."
2. Any outdoor event shall only operate between the hours of eight o'clock (8:00) A.M. and two o'clock (2:00) A.M. as approved with the subject conditional use permit.
3. Outdoor lighting shall comply with the standards listed in UDC [11-3A-11](#). Lighting details shall be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with these standards.
4. The site/landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
 - a. The row of parking directly south of the green space on the east end exceeds 12 spaces in a row without an internal planter island; revise to comply with UDC 11-3B-8C.2b.
 - b. All proposed fencing shall be depicted on the plans and shall comply with the standards listed in UDC [11-3A-7](#).
5. Access via S. Rolling Hills Dr. shall be prohibited to the site until such time as improvements are made that are deemed appropriate by ACHD and the City for public access to the Rackham mixed-use development. All access, including construction access, shall be taken via the private street (Street A) from S. Silverstone Way until such time.
6. Compliance with the City's noise ordinance (MCC [6-3-6](#)), which states noise may not create a public disturbance as defined, between the hours of 11:00 pm and 6:00 am or at any time so as to unreasonably disturb or interfere with the peace, comfort or enjoyment of others, is required.
7. 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 a building permit application.

B. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228116&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229305&dbid=0&repo=MeridianCity>

A Traffic Impact Study (TIS) was not required with this application as it was already included in the TIS for Silverstone (Eagle View Landing) Subdivision.

C. Nampa & Meridian Irrigation District (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229759&dbid=0&repo=MeridianCity>

D. Boise Project Board of Control (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228670&dbid=0&repo=MeridianCity>

E. Police Department (PD)

The Police Dept. has no comments at this time.

F. Meridian Fire Department (MFD)

The Fire Dept. has no access or fire flow issues with this development. The building will need a plan review by the Building Department.

XI. FINDINGS

A. Conditional Use Permit

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

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

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

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

Staff finds the proposed use will be harmonious with the Comprehensive Plan in that it will provide an entertainment use which will contribute to the mix of uses desired in the MU-R designation.

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

Staff finds the design, construction, operation and maintenance of the proposed use with the conditions imposed, should be compatible with the other commercial and residential uses existing and proposed in this area and will not adversely change the essential character of the area.

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

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

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

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

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

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

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

Although traffic will increase in this area due to the proposed use, it should not be excessive and the estimated traffic counts on adjacent roadways have been determined by ACHD to be acceptable. Noise will also increase but the closest residence is over 850' away to the south which should mitigate any adverse impacts of the noise associated with the use. There shouldn't be any smoke, fumes, glare or odors associated with the use. Therefore, Staff finds the proposed use should 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)

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



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from June 3, 2021 for Popeyes Drive-Through (H-2021-0030) by Erik Wylie of JRW Construction, LLC, Located at 6343 N. Linder Rd.

A. Request: Conditional Use Permit for a drive-through establishment within 300-feet of an existing drive-through on 1.0 acres of land in the C-G zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: June 17, 2021

Topic: **Public Hearing** Continued from June 3, 2021 for Popeyes Drive-Through (H-2021-0030) by Erik Wylie of JRW Construction, LLC, Located at 6343 N. Linder Rd.

- A. Request: Conditional Use Permit for a drive-through establishment within 300-feet of an existing drive-through on 1.0 acres of land in the C-G zoning district.

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

June 10, 2021

MEMORANDUM

TO: Planning and Zoning Commission

CC: Renny Wylie and Erik Wylie, JRW Construction, LLC

FROM: Joseph Dodson, Current Associate Planner

RE: Popeyes Drive-through CUP (H-2021-0030)

Dear Commissioners,

Following the original staff report publication for the Conditional Use Permit for a Popeyes Drive-through the Applicant requested a continuance to work with Staff on the requested site design changes. Following this discussion, the Applicant has sent a revised site plan with **all of the requested changes to the site plan**. The revised site plan is attached and Staff's recommended revisions to the conditions of approval are noted in strikethrough and underline changes below:

Conditions of approval, Section VIII.A:

A.2a – ~~No more than one (1) menu board/order speaker shall be permitted;~~

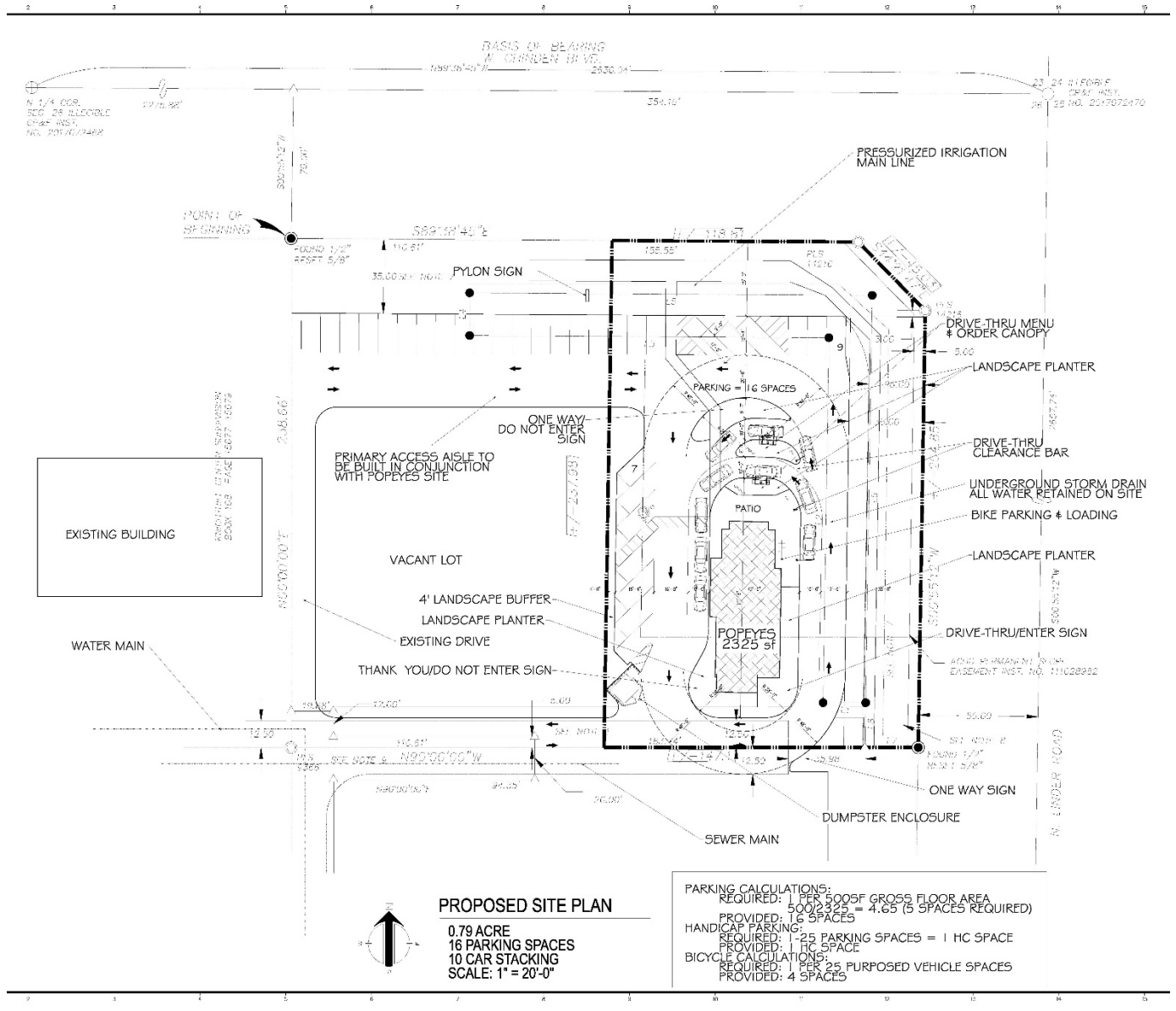
A.2c – The west drive-aisle shall be no less than ~~20~~ 15 feet in width (not including the drive-through lane) and the east drive aisle shall be no less than 12 feet in width.

A.2d – The parking spaces along the north boundary shall be ~~restricted to~~ shown as employee parking only on the site plan.

Strike A.3a-3e. (3f remains as written).

Modify A.4a – Show compliance with UDC 11-3B-8C by constructing the required 5 feet of perimeter landscaping along the west boundary adjacent to the revised angled parking location; this shall be constructed with this application regardless of the property line location because there is common ownership between the two properties.

Exhibit A: Revised Site Plan (dated: June 7, 2021)





STAFF REPORT

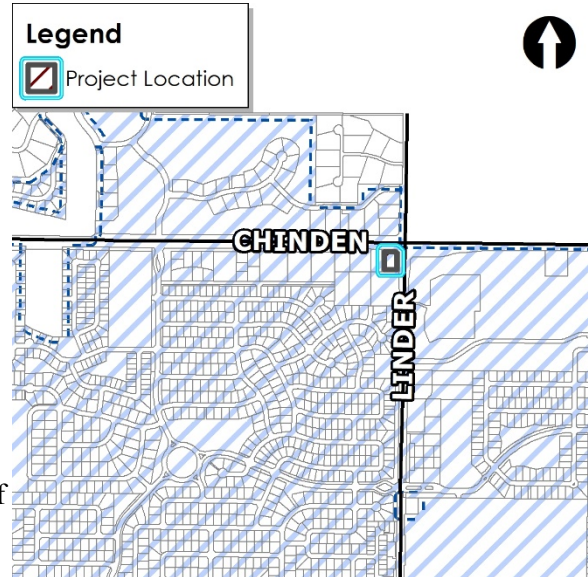
COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: 6/3/2021

TO: Planning & Zoning Commission
FROM: Joseph Dodson, Associate Planner
208-884-5533

SUBJECT: H-2021-0030
Popeye’s Drive-Through – CUP

LOCATION: The site is located at 6343 N. Linder Road, the southwest corner of W. Chinden Boulevard/Hwy. 20/26 and N. Linder Road, in the NE ¼ of the NE ¼ of Section 26, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

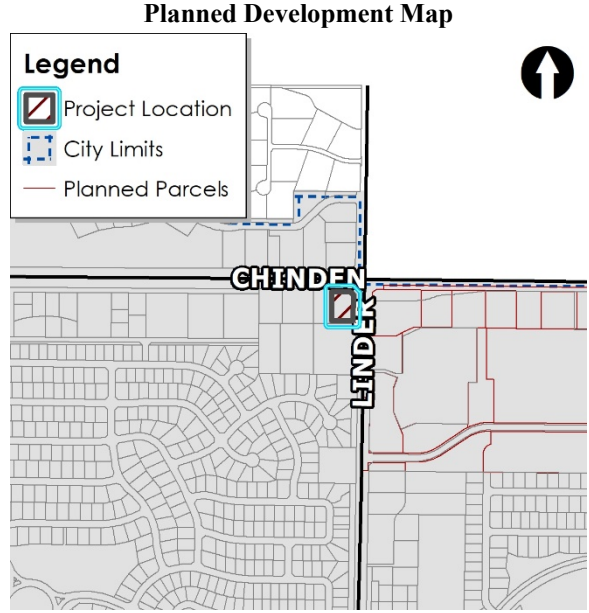
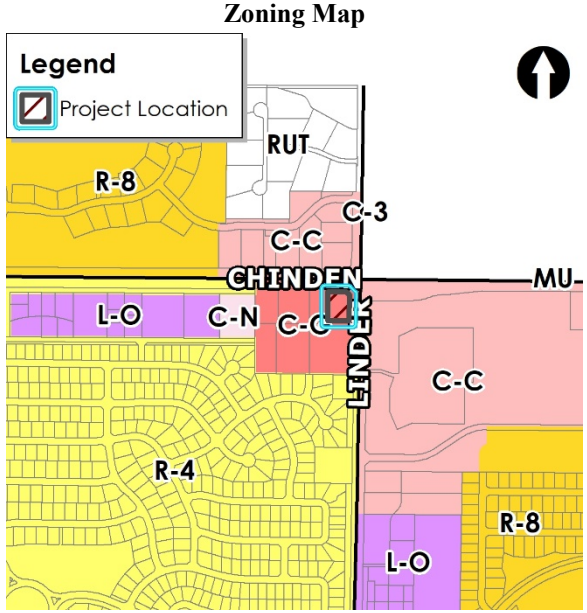
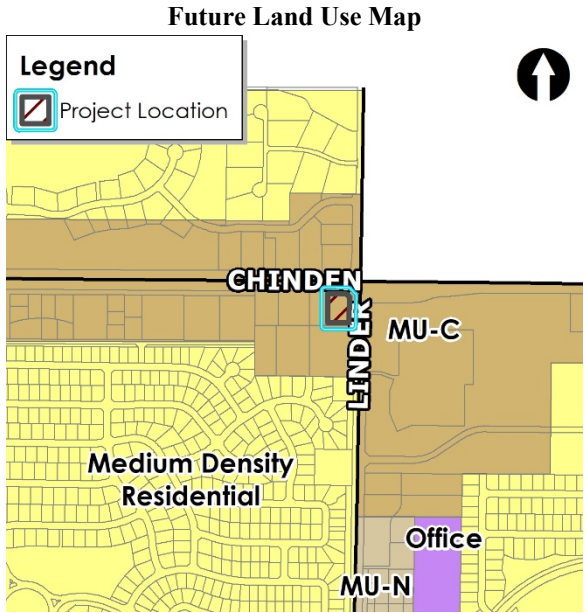
Conditional Use Permit for a drive-through establishment within 300-feet of an existing drive-through on 1.0 acres of land in the C-G zoning district with concurrent Administrative Design Review for the proposed building elevations.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.0-acre	
Future Land Use Designation	Mixed-Use Community	
Existing Land Use	Vacant/undeveloped	
Proposed Land Use(s)	Restaurant with a dual drive-through	
Current Zoning	General Retail and Service Commercial District (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	April 5, 2021; no attendees (One phone call after meeting, see application materials online)	
History (previous approvals)	AZ-06-006; PP-13-031; FP-14-020; MDA-13-019 (DA Inst. #114014784).	

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Same as Owner

B. Owner:

Erik Wylie, JRW Construction, LLC – 1676 N. Clarendon Way, Eagle, ID 83616

C. Representative:
Same as Owner

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	5/14/2021
Radius notification mailed to properties within 500 feet	5/11/2021
Site Posting Date	5/21/2021
Next Door posting	5/12/2021

V. STAFF ANALYSIS

The proposed drive-through is for a 2,325 square foot Popeyes Louisiana Kitchen restaurant that is within 300-feet of a separate drive-through to the south, which requires Conditional Use Permit approval (CUP) per UDC Table 11-2B-2 and the specific use standards, UDC 11-4-3-11. The submitted site plan shows a rectangular building situated relatively centered on the site with angled parking along the east and north boundaries. The site plan shows one-way drive aisles around the building that connects to a two-way drive aisle in the northwest corner of the site; this two-way drive aisle is off-site but the adjacent property shares the same ownership. The Applicant anticipates the north drive aisle to be the main point of access to the drive-through.

The subject site is located within the Mixed-use Community (MU-C) future land use which contemplates a multitude of uses, residential, commercial, and otherwise. Due to the size of the site, this singular site cannot be expected to contain three distinct uses as discussed within the mixed-use sections of the Meridian Comprehensive Plan. Instead, those uses within the nearby radius should also be contemplated for compliance with this future land use. Staff finds the proposed use and the surrounding uses, both existing and planned, comply with the MU-C future land use designation.

Specific Use Standards: The proposed drive-through establishment is subject to the specific use standards listed in UDC 11-4-3-11, Drive-Through Establishment. A site plan is required to be submitted that demonstrates safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum, the plan is required to demonstrate compliance with the following standards:

In general, Staff does not support the proposed site design and is recommending revisions for the Commission to consider; Staff’s analysis of the specific use standards and any recommendations are in italics.

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

The proposed site layout places a dual ordering drive-through along the south of the site and the pick-up window on the east side of the building. With this site design the proposed drive-through has a minimal stacking lane due to the overall site and building being relatively small.

Furthermore, the site design is made for traffic to flow in a circular pattern around the building utilizing a portion of the drive aisle adjacent to the west side of the building as the stacking lane. Furthermore, the proposed site design with the anticipation of the extended north drive aisle as

the main entry point requires patrons who intend to park and utilize the dining room to go through the site along the west boundary, use the shared drive aisle along the south boundary to head east, and finally enter the site again to use the parking spaces. As proposed by the Applicant, Staff can envision patrons double stacking to order faster and block the one-way drive along the west boundary and effectively restricting patrons from using the parking spaces along the east boundary. Staff also envisions patrons blocking and/or utilizing the north drive aisle and obstructing both this anticipated exit and entry for the site with as few as seven (7) cars stacked along the west of the building (approximately 140' from the ordering window to the north drive aisle).

Therefore, Staff recommends multiple changes to the site design: 1) one drive-through instead of two should be utilized; 2) the ordering and pick-up areas be flipped on the site to have the pick-up window on the west side of the building and the menu boards located near the north/east side of the site; and 3) flip the parking from the east side of the site to the west side of the site. These changes will allow for adequate stacking with less potential of obstructing the existing drive aisle along the south boundary of the site and allow customers who want to utilize the dining room better access to parking which would be on the west side of the building instead of the east. Further analysis is below in the **Access and Parking** sections of this report.

In addition, Staff does not agree with the Applicant that the northern drive aisle would be utilized as the main access point to the site and instead Staff believes the existing drive aisle along the south of the site will be utilized more for the drive-through component of the business. Because the site is designed to function as a one-way loop, the Applicant should provide more than adequate signage to ensure patrons utilize the traffic flow correctly.

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

Per the submitted site plan, the stacking lane(s) are along the west side of the site and are separated from the west drive aisle by striping despite having two drive-through menu boards/speakers. With two proposed drive-through speakers, Staff does not find the proposed separation to be sufficient. In fact, and as noted above, Staff believes patrons would utilize the drive west drive aisle as the second stacking lane and completely obstructing this drive aisle and site exit. Staff's recommended changes above would help alleviate this issue by removing the dual drive-through speaker and placing the singular one along the north/east side of the site adjacent to the one-way drive aisle that is eight feet wider than the west drive aisle. Further analysis is below in the Access section of this report.

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

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

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

The stacking lane exceeds 100' in length but utilizes some of the one-way drive aisle as the stacking area so it is difficult to discern where the stacking lane starts. However, there is also no need for a designated escape lane because the site design does not close off the menu board and patrons can exit the drive-through by utilizing the drive aisle. The adjacent drive aisle is wide enough to function as the escape lane so Staff has no concern with the Applicant complying with this standard with the recommended changes noted above that allow for patrons to exit directly west through the new drive aisle along the north boundary or to the south adjacent to the pick-up window on the west side of the site should they decide they no longer wish to order.

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

The proposed drive-through is located along the south and east side of the site and is visible from Linder Road. With Staff's recommended changes, the menu boards would be located along the north side of the property with the pick-up window on the west side of the building and less visible than currently proposed. After discussions with Meridian Police, they are more concerned with the site circulation than they are regarding the pick-up window being less visible on the west side of the building. Locating the pick-up window on the west side of the building still allows it to be visible from Chinden Boulevard and from within the commercial subdivision.

Staff's specific recommendations can be found in Section VIII.A2 & A3.

The proposed use of a Restaurant is subject to an additional specific use standard listed in UDC 11-4-3-49 and notes that the minimum amount of parking shall be one (1) space for every 250 square feet of gross floor area. *Based on the proposed building size of 2,325 square feet noted on the submitted site plan, a minimum of nine (9) parking spaces are required. The proposed site plan shows 19 parking spaces, exceeding UDC minimums. At the time of the future Certificate of Zoning Compliance (CZC) application, the data table on the site plan should be corrected to reflect the correct minimum standards of a restaurant use instead of the general commercial ratio.*

Access: Access to the site is shown via two drive aisles: one along the south boundary which is currently existing, and; one abutting the site in the northwest corner that is proposed to be constructed with this project. The new proposed drive aisle would traverse an undeveloped lot and connect to a drive aisle that serves existing commercial buildings along Chinden (including an additional drive-through). This drive aisle is the proposed main entry point to the site, according to the Applicant.

The south drive aisle is existing and traverses through the entire commercial subdivision with an access to a private drive aisle intended to be an auxiliary ingress/egress point for the properties in this area. Because the south drive aisle does not have any parking that directly accesses this drive aisle and has access to an auxiliary ingress/egress point, Staff believes this drive aisle will be far more utilized than the new north drive aisle that starts much closer to the Chinden ingress/egress and is essentially a parking lot instead of a drive aisle.

Therefore, with the potential access points and the concerns introduced above, Staff has recommended revisions to the site plan to help mitigate the concerns and increase the efficiency and safety of the site design.

First, Staff recommends the drive-through contain only one (1) ordering speaker to help mitigate double stacking issues. Secondly, Staff recommends mirroring the site to have the menu board on either the east or north sides of the site therefore moving the pick-up window to the west side of the building. Staff does not know if the entire site needs to be flipped placing the main entrance facing south; this would not be preferred as the more architectural elevations would be facing internal rather than towards the adjacent busy roads. However, Staff assumes the internal portions of the building can be flipped to move the pick-up window to the west side of the building and maintain the patio space and building entry facing north along the entryway corridor. With these changes, the entire building can be shifted south and remove the need for any vehicle use area along the south side of the building. Additional landscaping or other features could be utilized in this area. Furthermore, the building shift to the south allows for the menu board to be placed near the north side or northeast corner of the building further away from the patio area—Staff envisions there would be adequate room along the north of the building site to include additional landscaping to screen and mitigate the additional noise generated by vehicles ordering while patrons utilize the patio space.

In short, shifting the site south and flipping the location of the ordering and pick-up windows

opens up the site and allows for easier and more logical ingress and egress to the drive-through by allowing vehicles to enter the site in the southeast corner, stack along the east and northeast sides of the building, pick-up their order along the west side of the building, and then immediately exit via the southbound one-way drive aisle to the shared drive aisle along the south boundary. Staff's recommended site design is based on the assumption that more traffic will utilize the drive aisle along the south boundary than the proposed drive aisle in the northwest corner.

Parking: A minimum of one (1) parking space is required to be provided for every 250 square feet of gross floor area for the proposed restaurant use. *The proposed building is shown as 2,325 square feet requiring a minimum of 9 (rounded down from 9.3) parking spaces; the submitted site plan shows 19 proposed parking spaces exceeding UDC minimums.*

Consistent with Staff recommendations above, Staff recommends flipping the parking from the east side of the site to the west side of the site and face them south to further mitigate conflicts of stacking and parking. By placing the angled parking on the west side and facing them south instead of north, combined with Staff's previous recommendations of flipping the order and pick-up areas, the building can be shifted east by approximately the width of the proposed 20' drive aisle and the angled parking stalls. Therefore, the east drive aisle and south entrance could be used solely for ordering and stacking at the new location of the menu boards along the north end of the site. With the angled parking along the west side of the building, the one-way drive aisle must be at least 13 feet wide per UDC 11-3C-4 but Staff feels it should largely mirror what is currently proposed on the east side (approximately 20 feet wide) to allow for the drive aisle to function as the escape plan as discussed above. Furthermore, the flip of the site allows the escape lane and the drive-thru exit to pick-up their order and immediately exit to the south without impeding as many parking spaces. The Applicant could then designate the parking along the north drive aisle as employee parking to meet the drive-through establishment specific use standard that states employee parking may be impeded by stacking lanes (the new order and stacking location along the east and north sides of the building could impede the parking along the north boundary).

As noted, to make all of this work all of Staff's recommendations should be utilized including the requirement of clear and visible signage noting the required traffic flow for the site.

The existing Development Agreement requires cross-access through all of the commercial parcels within the Knight Hill Center Subdivision. Staff does not have a copy of said cross-access agreement but with other applications, the Applicant has shown compliance with this requirement. *Staff does not have concerns with the Applicant complying with the existing requirement.*

A minimum one (1) bicycle parking space is required to be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). *Bicycle parking is shown on the submitted plans in compliance with code.*

Pedestrian Walkways: A striped pedestrian walkway is depicted on the site plan from the proposed building to the multi-use pathway along W. Chinden Blvd. as required by UDC 11-3A-19B.4a. It also appears there is a sidewalk proposed near the south boundary of the site as a connection to the sidewalk along Linder Rd. However, it is not clear by the submitted plans where the sidewalk is and appears to run into the proposed trash enclosure location. *Staff's recommended changes would allow the trash enclosure to be pushed further north enough to allow for an unobstructed sidewalk along the south boundary of the site. Because it is unclear if the Applicant is proposing a sidewalk along the south boundary, Staff recommends the Applicant make it clearly visible where the pedestrian facilities are when revising the site plan; this allows the Applicant to match what is existing along the south side of the drive aisle along the south boundary of the site. In addition, this pedestrian walkway to Linder has to traverse a drive aisle and should be distinguished from the driving surface. The Applicant should also make it clear where a pedestrian connection to the Linder sidewalk is*

proposed.

Furthermore, subsection B of this code section requires that the pedestrian walkway be distinguished from the driving surface by being constructed with pavers, brick, or scored/colored concrete. The proposed site plan appears to only show striping which does not comply with this code section. The Applicant should show compliance with this code section with a future CZC submittal.

Landscaping: Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C. Landscaping is depicted on the landscape plan in Section VII.B.

A minimum 5-foot wide landscape buffer is required to be provided along the perimeter of the parking or other vehicular use areas as set forth in UDC 11-3B-8C.1. *The proposed parking spaces align the perimeter of the site which allows the Applicant to utilize the existing street buffer landscaping as the required landscaping. Staff agrees with this design to maximize the site design. This code requirement is also applicable along the west boundary of the site where a 12-foot wide one-way drive is proposed heading south. The submitted plans do not show any perimeter landscaping along this boundary. Because the adjacent property is owned by the same property owner and the western drive aisle is intended to always function as a one-way drive aisle, Staff is amenable to placing the required 5-feet of landscaping on that property instead. **With the CZC submittal, the landscape plan should be revised to show the required 5-foot wide landscape buffer adjacent to the drive west drive aisle.***

Street buffer landscaping, including sidewalks/multi-use pathway, along N. Linder Rd. and W. Chinden Blvd. were installed with development of the overall subdivision. The submitted landscape plans show the buffers remaining as it currently exists except for the new pedestrian connection to the multi-use pathway along Chinden. *Proposed buffer landscaping complies with UDC requirements.*

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

Building Elevations: The Applicant applied for Design Review concurrently with this CUP application and therefore provided building elevations to be reviewed. The building elevations were submitted as shown in Section VII.C and incorporate two main field materials, fiber cement siding and stone. The siding and stone are two contrasting colors (coal-like color and white, respectively) which adds to the overall modern design of the building. On the east and west elevations, the number of proposed windows can act as either an accent material or a third field material. The lack of modulation along the north and south elevations are of concern to Staff. In order to meet the modulation requirements for these two facades, a column of stone at least 6 inches in depth should be added to each façade, matching the overall aesthetic by placing them as evenly as possible on each façade.

The detached drive-through canopy is shown with the same two field materials (fiber cement siding and stone) as the main building and meets all of the applicable design standards outlined in the Architectural Standards Manual.

No elevations were submitted that show the proposed trash enclosure; this should be corrected with the future CZC submittal and should match the style of the proposed building. The submitted landscape plans do show adequate screening of the trash enclosure.

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

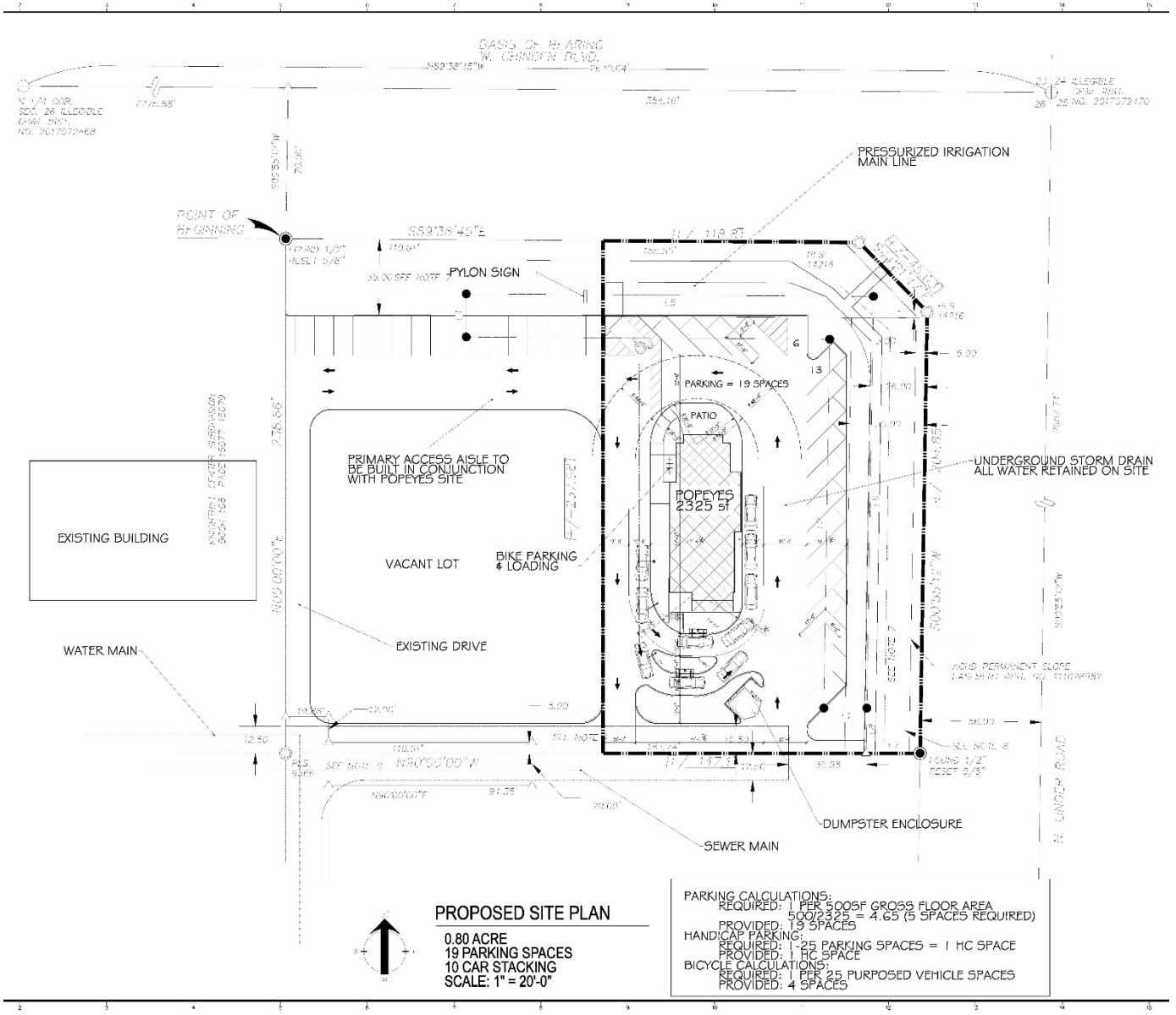
VI. DECISION

A. Staff:

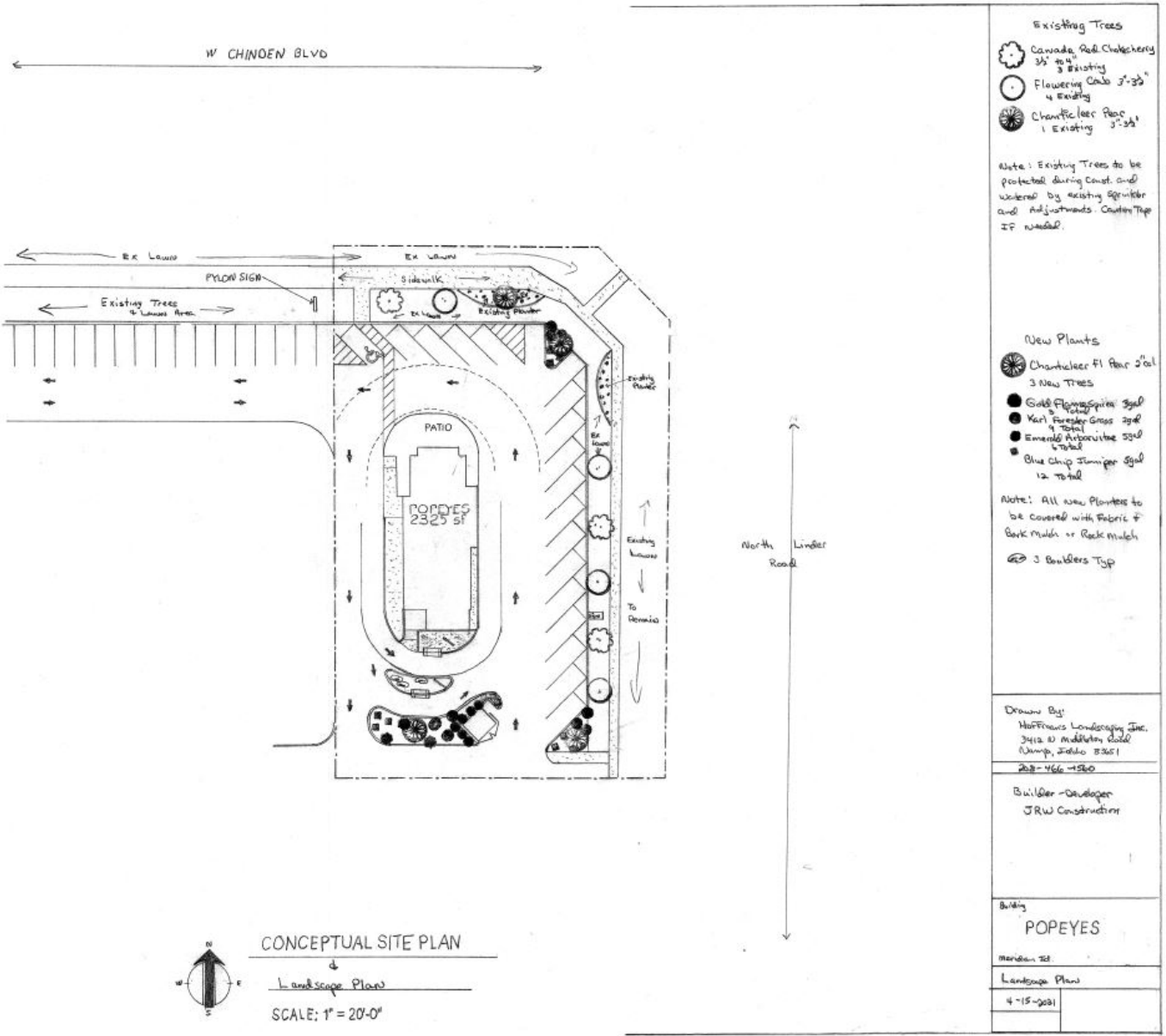
Staff recommends approval of the proposed conditional use permit with the conditions included in Section VIII per the Findings in Section IX. The Director has approved the administrative design review request with conditions.

VII. EXHIBITS

A. Proposed Site Plan (dated: 4/15/2021) NOT APPROVED



B. Proposed Landscape Plan (dated: 4/15/2021) NOT APPROVED





VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the existing Development Agreement ([DA Inst. #114014784](#)), and associated conditions of approval (AZ-06-006; PP-13-031; FP-14-020; MDA-13-019).
2. The Conditional Use Permit for the proposed Drive-Through Establishment is hereby approved with the following conditions of approval:
 - a. No more than one (1) menu board/order speaker shall be permitted;
 - b. The site shall be redesigned per the specific revisions noted below in VIII.A3 and A4 below.
 - c. The west drive-aisle shall be no less than 20 feet in width (not including the drive-through lane) and the east drive aisle shall be no less than 12 feet in width.
 - d. The parking spaces along the north boundary shall be restricted to employee parking only.
 - e. Additional signage is required throughout the site to efficiently and adequately direct patrons to the menu boards and throughout the site with minimal conflict.
 - f. The proposed off-site east-west drive aisle along Chinden Blvd. shown on the adjacent property (Parcel #R4995350100) shall be constructed prior to receiving Certificate of Occupancy, as proposed;
 - g. Prior to receiving Certificate of Occupancy on the proposed building, a Property Boundary Adjustment shall be obtained by the Applicant to reflect the new location of the west property line, as shown on the submitted plans.
3. The site plan submitted with the future Certificate of Zoning Compliance application shall be revised as follows:
 - a. Depict the pick-up window on the west side of the building and the menu board/order speaker along the north/northeast side of the building;
 - b. Depict the north facing angled parking to be on the west side of the site instead of the east side of the site and angle them southbound;
 - c. Shift the proposed building to the east and to the south to allow for better utilization of the site along the north drive aisle with the option to incorporate more landscaping for screening;
 - d. Designate the parking along the north boundary of the site as employee-only parking and move the handicap space to the new parking along the west boundary to place it closer to the building entrance;
 - e. Depict pedestrian facilities along the south boundary of the site to match what is on the south side of this shared drive aisle; depict these pedestrian walkways and their connections clearly on revised site plans;
 - f. Per UDC 11-3A-19B.4b, depict pedestrian walkways across driving surfaces to be constructed with bricks, pavers, and/or colored or scored concrete to clearly delineate the driving surface from the pedestrian walkway.

4. The landscape plan submitted with the future Certificate of Zoning Compliance application shall be revised as follows:
 - a. Show compliance with UDC 11-3B-8C by constructing the required 5 feet of perimeter landscaping along the west boundary adjacent to the revised angled parking location.
5. The elevations submitted with the Administrative Design Review (DES) application are approved with the following revisions:
 - a. Ensure the east and west elevations have qualifying modulation per standard 3.1A & 3.1B in the [Architectural Standards Manual](#). It is unclear based on the site plan whether the portions of the wall with the brick façade have the qualifying modulation. Any revisions to the elevations are required with the submittal of the certificate of zoning compliance application.
6. Submit elevations of the trash enclosure that generally matches the proposed building design.
7. Comply with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment is required.
8. Comply with the standards listed in UDC [11-4-3-49](#) – Restaurant.
9. A Certificate of Zoning Compliance application shall be submitted and approved for the proposed use prior to submittal of a building permit application.
10. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC [11-5B-6](#). A time extension may be requested as set forth in UDC 11-5B-6F.

B. PUBLIC WORKS

1. There are no utilities shown with the plans submitted. Any changes to public water or sewer infrastructure must be reviewed by Public Works prior to approval.

C. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229161&dbid=0&repo=MeridianCity>

D. CENTRAL DISTRICT HEALTH (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228244&dbid=0&repo=MeridianCity>

IX. FINDINGS

Conditional Use (UDC 11-5B-6)

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

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

Staff finds the site is large enough to accommodate the proposed development and meet all dimensional and development regulations of the C-G zoning district if Staff's recommendations of approval are met.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



AGENDA ITEM

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

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



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: June 17, 2021

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

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

Information Resources:

[Click Here for Application Materials](#)

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

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



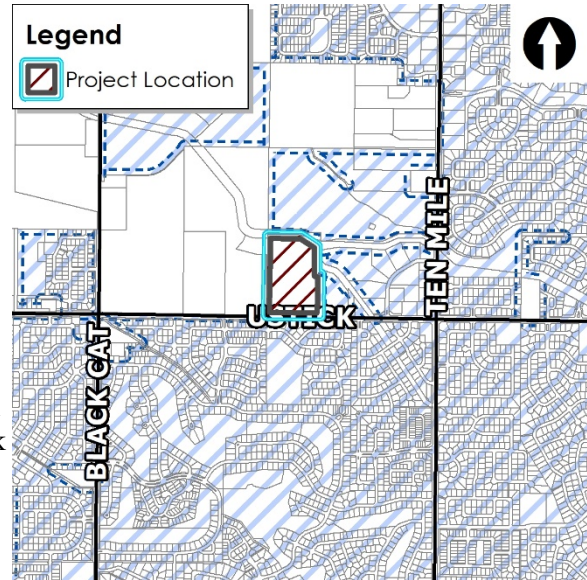
HEARING DATE: 6/17/2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0029
ACHD Ustick Maintenance Facility

LOCATION: The site is located at 3764 W. Ustick Road, approximately 1/2 mile west of Ten Mile Road on the north side of W. Ustick Road, in the SW 1/4 of the SE 1/4 of Section 34, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

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

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

II. SUMMARY OF REPORT

A. Project Summary

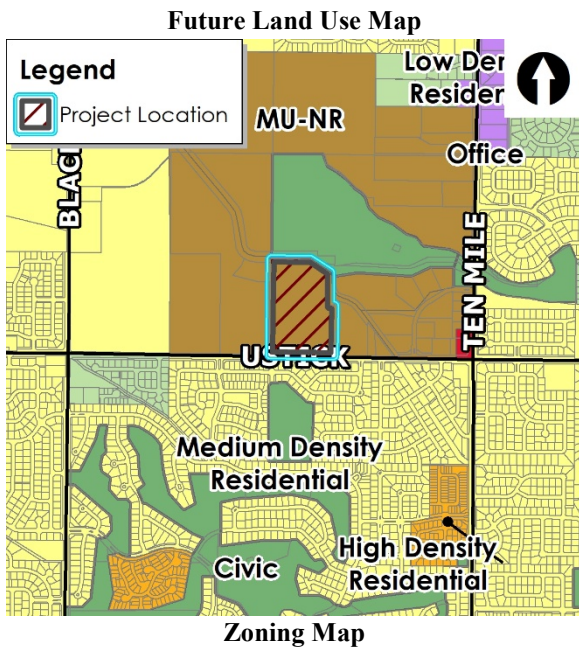
Description	Details	Page
Acreage	AZ – 30.27 acres; Project Site – 23.7 acres	
Future Land Use Designation	Mixed-Use Non-Residential (MU-NR)	
Existing Land Use(s)	County Residential (home is no longer occupied)	
Proposed Land Use(s)	ACHD Maintenance Facility	
Lots (# and type; bldg./common)	One (1) building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

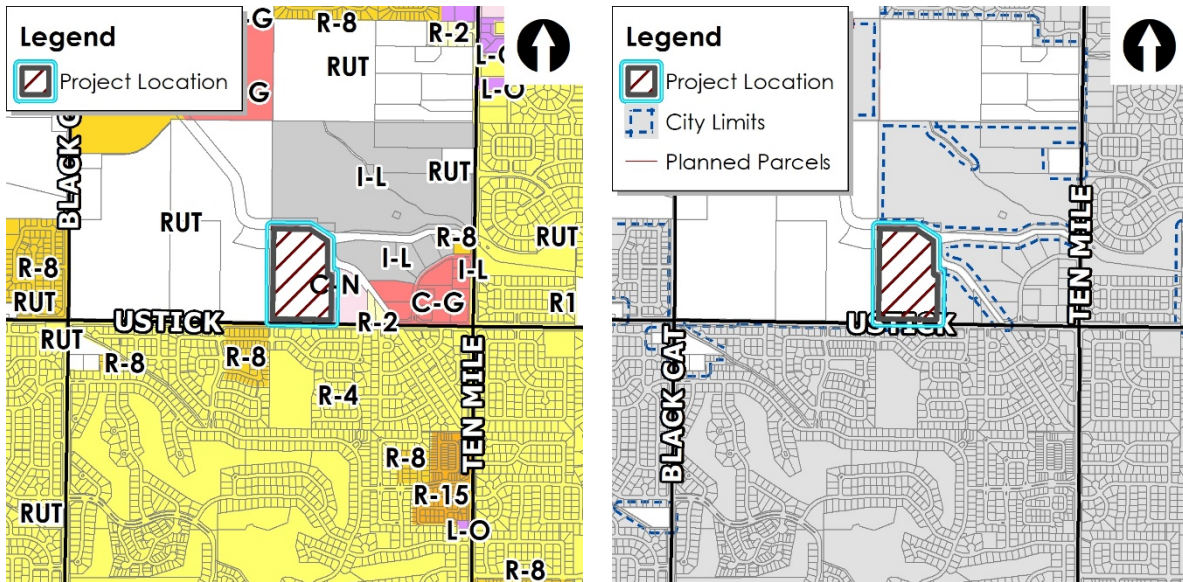
B. Community Metrics

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

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

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

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

C. Representative:

Same as Applicant

IV. NOTICING

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

V. STAFF ANALYSIS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FY28 – Finishing of outlier projects

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

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

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

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

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

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

C. Existing Structures/Site Improvements:

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

D. Proposed Use Analysis:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VI. DECISION

A. Staff:

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

B. Commission:

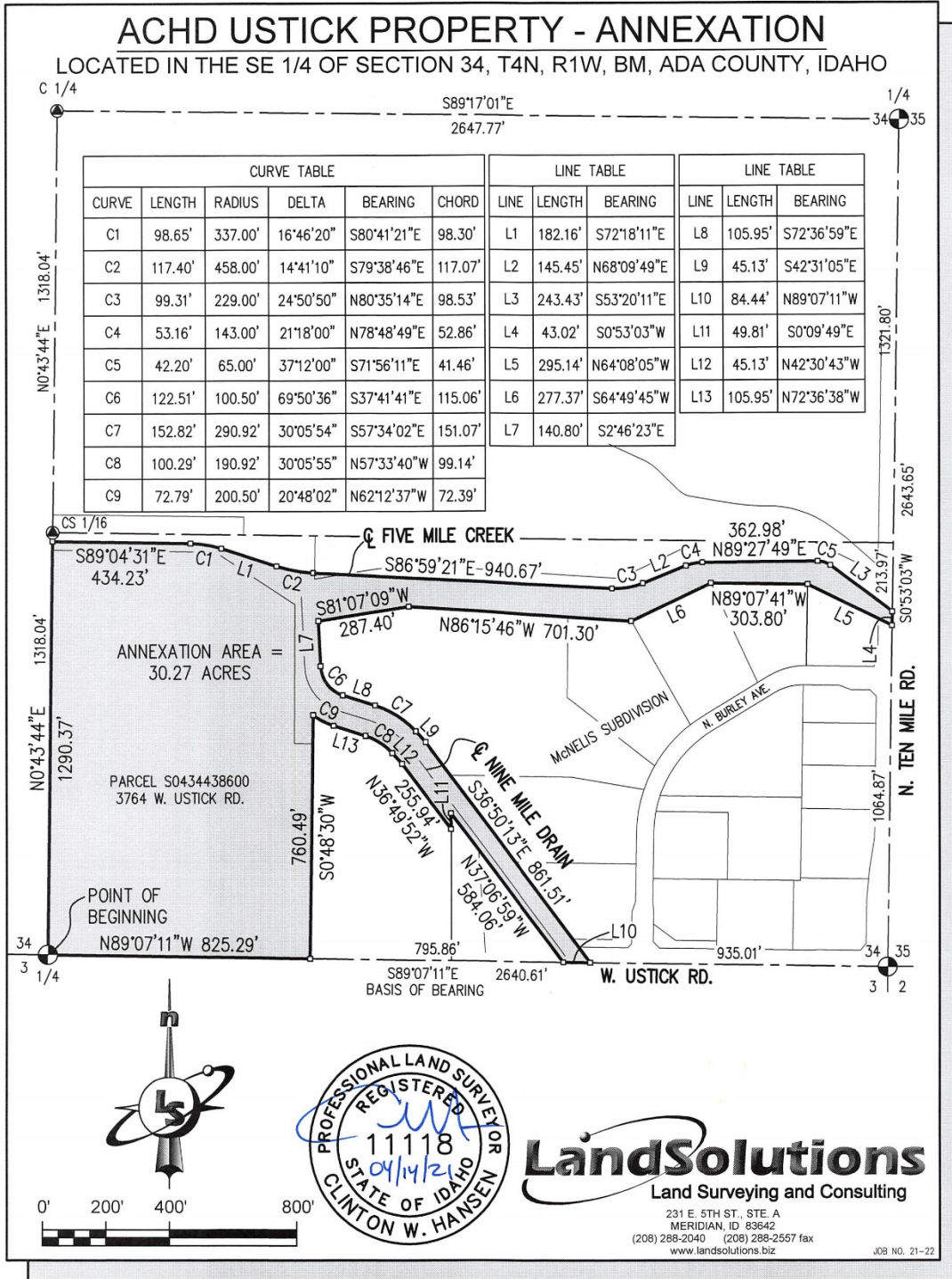
Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

VII. EXHIBITS

A. Annexation and Zoning Legal Descriptions and Exhibit Maps



Legal Description
ACHD Ustick Property - Annexation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thence leaving said Five Mile Creek centerline and along said easterly boundary of the SE $\frac{1}{4}$ S $0^{\circ}53'03''$ W a distance of 43.02 feet to a point;

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

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

Thence N $89^{\circ}07'41''$ W a distance of 303.80 feet to a point;

Thence S $64^{\circ}49'45''$ W a distance of 277.37 feet to a point;

Thence N $86^{\circ}15'46''$ W a distance of 701.30 feet to a point;

Thence S $81^{\circ}07'09''$ W a distance of 287.40 feet to a point;

Thence S $2^{\circ}46'23''$ E a distance of 140.80 feet to a point;

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

Thence S $72^{\circ}36'59''$ E a distance of 105.95 feet to a point;

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

Thence S $42^{\circ}31'05''$ E a distance of 45.13 feet to a point;

Thence continuing along said boundary and the extension thereof S $36^{\circ}50'13''$ E a distance of 861.51 feet to a point on the southerly boundary of said SE $\frac{1}{4}$;

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

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

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

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



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

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

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

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

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

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

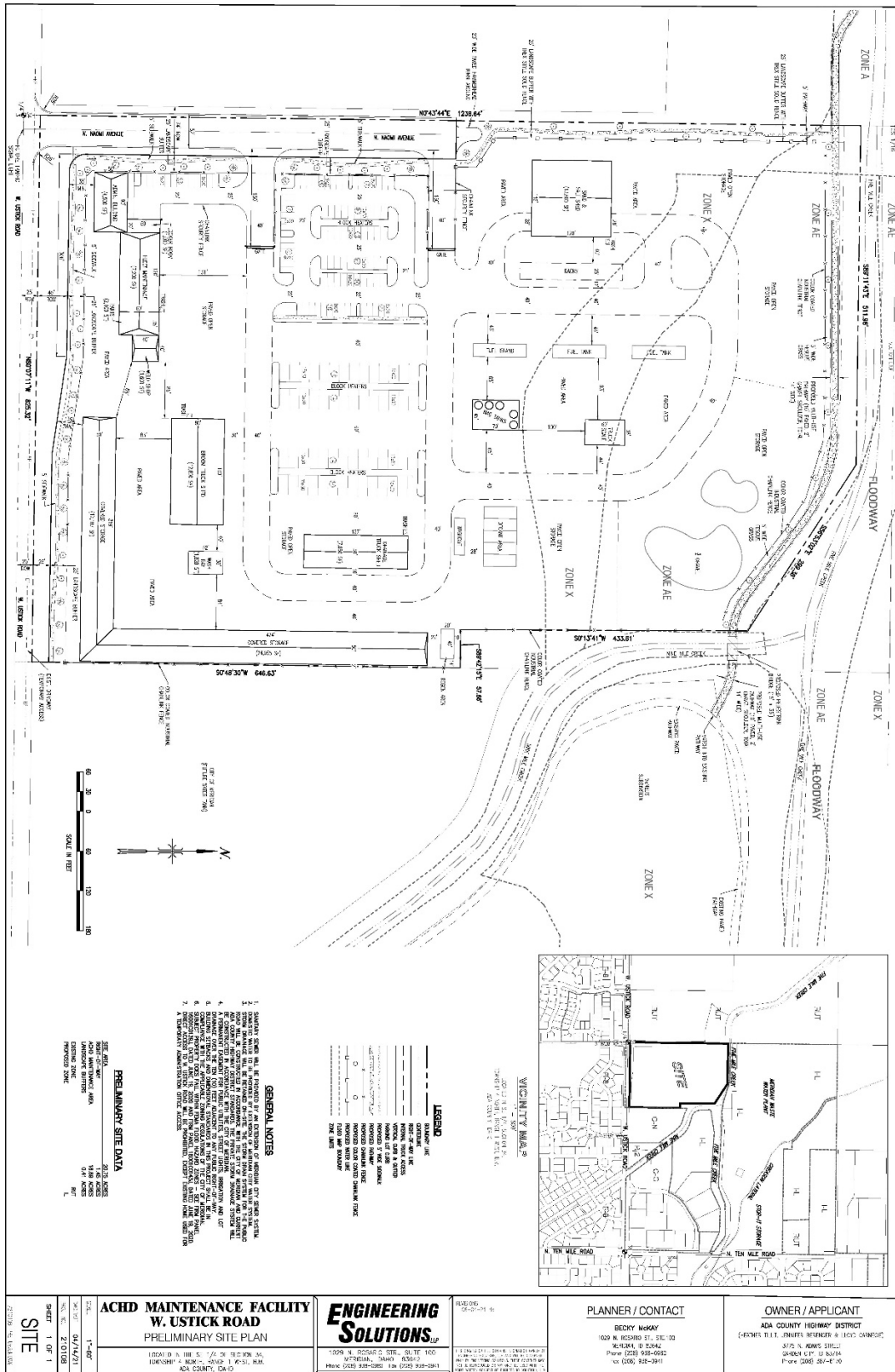
Thence leaving said boundary and along said southerly boundary N 89°07'11" W a distance of 825.29 feet to the **POINT OF BEGINNING**.

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

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



B. Revised Concept Plan (dated: 4/14/2021)



GENERAL NOTES

1. STUDY: CONDUCTED BY THE ENGINEER OF RECORD FOR THE CITY OF ANN ARBOR.
2. DESIGN: CONDUCTED BY THE ENGINEER OF RECORD FOR THE CITY OF ANN ARBOR.
3. PERMITS: ALL NECESSARY PERMITS SHALL BE OBTAINED PRIOR TO CONSTRUCTION.
4. UTILITIES: ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO CONSTRUCTION.
5. EROSION CONTROL: EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
6. TREE PROTECTION: ALL TREES TO BE PROTECTED SHALL BE MARKED AND PROTECTED PRIOR TO CONSTRUCTION.
7. ENVIRONMENTAL: ALL ENVIRONMENTAL REGULATIONS SHALL BE FOLLOWED DURING CONSTRUCTION.
8. SAFETY: ALL SAFETY MEASURES SHALL BE FOLLOWED DURING CONSTRUCTION.
9. QUALITY CONTROL: ALL WORK SHALL BE SUBJECT TO QUALITY CONTROL MEASURES.
10. AS-BUILT: ALL AS-BUILT CONDITIONS SHALL BE DOCUMENTED AND SUBMITTED TO THE CITY OF ANN ARBOR.

LEGEND

- PROPOSED DRIVE
- PROPOSED SIDEWALK
- PROPOSED BIKEWAY
- PROPOSED FENCE
- PROPOSED LIGHT FIXTURE
- PROPOSED SIGN
- PROPOSED LANDSCAPE
- PROPOSED UTILITY
- PROPOSED EROSION CONTROL
- PROPOSED TREE PROTECTION
- PROPOSED SAFETY
- PROPOSED QUALITY CONTROL
- PROPOSED AS-BUILT

PRELIMINARY SITE DATA

DATE: 04/14/2021
 SCALE: 1" = 40'
 SHEET: 1 OF 1
 SITE

**ACHD MAINTENANCE FACILITY
 W. USTICK ROAD
 PRELIMINARY SITE PLAN**

ENGINEERING SOLUTIONS, LP

1000 WEST WASHINGTON AVENUE
 ANN ARBOR, MI 48106
 PHONE: (734) 769-1000
 FAX: (734) 769-1001
 WWW.ESOLUTIONS.LP

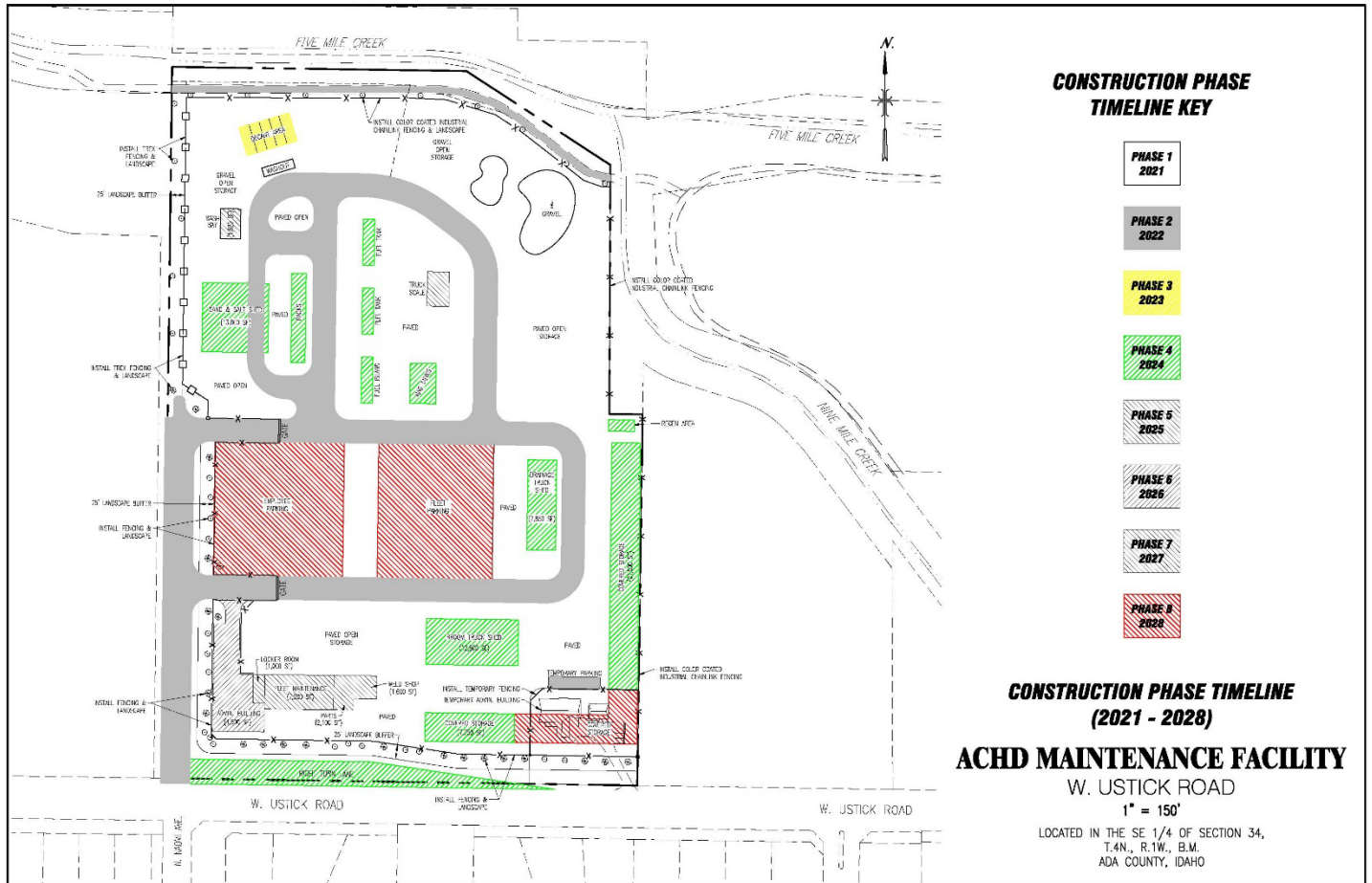
PLANNER / CONTACT
 BECKY MORAY
 1000 WEST WASHINGTON AVENUE
 ANN ARBOR, MI 48106
 PHONE: (734) 769-1000
 FAX: (734) 769-1001
 WWW.ESOLUTIONS.LP

OWNER / APPLICANT
 ADA COUNTY HIGHWAY DISTRICT
 1000 WEST WASHINGTON AVENUE
 ANN ARBOR, MI 48106
 PHONE: (734) 769-1000
 FAX: (734) 769-1001
 WWW.ESOLUTIONS.LP

D. TREX Fence Example



E. Phasing Plan – Not updated and NOT APPROVED



04-06-21

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the approved concept plans included in Section VII and the provisions contained herein.
 - b. With the first phase of development, the existing home shall be removed and the existing driveway access to Ustick Road shall be closed.
 - c. Future structures proposed along the Ustick Road frontage shall adhere to the Commercial district design standards in lieu of the Industrial district design standards.
 - d. The required multi-use pathway segment, detached sidewalks along Ustick and Naomi, 5-foot micro-path, and landscape buffers shall be constructed with the first phase of development.
 - e. The Applicant shall construct all fencing as proposed on the approved concept plan to specifically include closed vision fencing along the south and west property boundaries.
 - f. With the first phase of development, the Applicant shall connect to City water and sewer services, if available. Should sewer service not be available at the time of development, the Applicant shall connect to sewer services when available or the water service may be discontinued by the City.
 - g. Provide a utility easement for the benefit of the City through the site to parcel S0434438850 to the east along the north half of the boundary for future sewer infrastructure. Coordinate the exact location with Public Works staff.
 - h. With the first Certificate of Zoning Compliance application, the landscape buffer to Ustick Road shall be vegetated with additional landscaping to include: trees that touch at maturity, and; incorporate landscape beds along the entire fence line for added shrubs and vegetation to help mitigate any noxious uses within the site.
 - i. The Applicant shall adhere to the specific use standards for the approved Public Utility, Major use, as outlined in UDC 11-4-3-31.
2. Prior to commencing any site development, the Applicant shall obtain Certificate of Zoning Compliance (CZC) approval for the first phase of site development. Any future buildings and site development will also require CZC approval.
 3. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2C-3 for the I-L zoning district and in UDC 11-4-3-31 for the Public Utility, Major specific use standards.

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

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

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

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall be dedicated via the City of Meridian's standard forms. The easement shall be graphically depicted on the construction plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being developed shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.6 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 2.7 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.8 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
- 2.9 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.10 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

- 2.11 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.12 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.13 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.14 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.15 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.16 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. PARKS DEPARTMENT – PATHWAYS

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

D. ADA COUNTY HIGHWAY DISTRICT (ACHD)

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

IX. FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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