



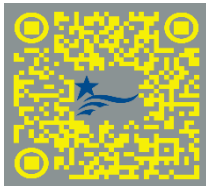
# PLANNING AND ZONING COMMISSION MEETING (AMENDED)

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Thursday, January 20, 2022 at 6:00 PM

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## Agenda

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

### VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/81209367234>

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

Webinar ID: 812 0936 7234

### ROLL-CALL ATTENDANCE

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

### ADOPTION OF AGENDA

#### CONSENT AGENDA [Action Item]

1. [Approve Minutes of the January 6, 2022 Planning and Zoning Commission Meeting](#)

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

#### ACTION ITEMS

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

**Applicant Requests Continuance to February 3, 2022**

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

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

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

**Application Requires Continuance**

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

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

**Applicant Requests Withdrawal of Application**

A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.

B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.

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

A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.

B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.

6. **Public Hearing** Continued from December 2, 2021 for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.

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

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

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

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

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

**ADJOURNMENT**



## AGENDA ITEM

**ITEM TOPIC:** Approve Minutes of the January 6, 2022 Planning and Zoning Commission Meeting

**Meridian Planning and Zoning Meeting**

**January 6, 2022.**

Meeting of the Meridian Planning and Zoning Commission of January 6, 2022, 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 Nick Grove and Commissioner Steven Yearsley,

Commissioners Absent: Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Others Present: Chris Johnson, Kurt Starman, Caleb Hood, Sonya Allen, Joe Dodson, Alan Tiefenbach and Dean Willis.

**ROLL-CALL ATTENDANCE**

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

McCarvel: Good evening and welcome to the Planning and Zoning Commission meeting for January 6, 2022. If you are joining us by -- on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiacity.org and they will reply to you as quickly as possible. 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 do -- it is an amended agenda and H-2021-0087, Apex West Subdivision, and H-2021-0090, Ten Mile RV Storage -- actually, Apex West Subdivision will be opened only for the purpose of being continued and Ten Mile RV Storage will -- is requesting withdrawal. If you are here tonight to testify on either of those applications we will not be taking testimony this evening. So, can 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: FIVE AYES. TWO ABSENT.

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

#### **1. Approve Minutes of the December 16, 2021 Planning and Zoning Commission Meeting**

McCarvel: Next is the Consent Agenda and we only have one item on the Consent Agenda, the approval of minutes for the December 16th, 2021, Planning and Zoning meeting. Can I get a motion to accept the Consent Agenda?

Cassinelli: So moved.

Seal: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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 signed up on our website in advance to testify. If you are here in person, please, come forward and if you are on Zoom you will, then, be unmuted. Please state your name and address for the record. If you -- and you will have three minutes to address the Commission. If you have previously sent pictures for -- or a presentation for the meeting it will be displayed on the screen and our clerk will run the presentation. 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 the 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 are listening on multiple devices, a computer and a phone, for example, please, be sure to mute those extra devices, so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you, you -- you will no longer have the ability to speak. Please remember we will not call on you a second time. After testimony has been heard, the applicant will be given another -- another ten minutes to come back and respond. When the applicant has finished -- finished responding to questions and concerns, we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions and recommend -- or recommendations to City Council as

needed.

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

### ACTION ITEMS

2. **Public Hearing for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.**
  - A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

McCarvel: So, at this time we would like to open the public hearing for H-2021.0087, Apex West Subdivision, and they are requesting a continuance to February 3rd due to the proof of public hearing notice signposting not being submitted to the city within the required time frame prior to the hearing. I think they had actually put January 20th, but it's a pretty full agenda already and so we are looking at February 3rd on that. Do we have any other -- do we have any further comments from staff?

Allen: No, Madam Chair.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move to continue file H-2021-0087 to the hearing date of February 3rd, 2022.

Yearsley: Second.

McCarvel: It has been moved and seconded to continue H-2021-0087 to February 3rd. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

3. **Public Hearing for Ten Mile RV Storage (H-2021-0090) by Hatch Design Architecture, Located on Parcels R5629430106, R5629430090, and R5629430080, Located Near the Northwest Corner of W. Ustick Rd. and N. Burley Ave./W. Nelis Dr.**
  - A. Request: Rezone of 5.65 acres from C-G to I-L.
  - B. Request: Development Agreement Modification to enter into a new development agreement to revise the approved concept plan to allow for a self-storage facility including outdoor RV storage.

McCarvel: Next item on the agenda is H-2021-0090, Ten Mile RV Storage, and that application is requesting a withdrawal. So, I don't believe we need a motion of any kind. It's just being withdrawn.

4. **Public Hearing Continued from December 2, 2021 for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.**
  - A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
  - B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.
  - C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.

McCarvel: Okay. Moving on. Next item is H-2021-0075. It is continued from December 2nd, Rackham East/Eagle View Apartments, and we will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. This item was continued, as noted, in order to get ACHD's report to understand what's going to happen with Rolling Hill Drive, to allow more time to address the issue with the out-parcel at the north boundary of the site, which will be an enclave if this property is annexed and to work on enforcement of no construction traffic on Rolling Hill Drive. The most recent draft staff report issued by ACHD earlier today states ACHD is supportive of the applicant's request for sole access to the site to be provided from the west from Silverstone Way and Overland Road, with emergency access only via Rolling Hill Drive if an updated operational analysis as submitted for the intersection of Silverstone and Overland Roads. ACHD will determine if restricting the site's access to Rolling Hill Drive to emergency only will be acceptable based on the updated analysis and district policy. If determined acceptable no additional offsite improvements will be required to Rolling Hill Drive, including traffic calming measures. A cul-de-sac will be required to be constructed at the terminus of Rolling Hill Drive -- excuse me. If determined not to be acceptable or if the applicant chooses not to restrict access to Rolling Hill, the applicant shall be required to restrict Rolling Hill Drive on Overland Road to right-in, right-out only, construct passive traffic calming measures on Rolling Hill, improve Rolling Hill with 24 feet of pavement, three foot wide gravel shoulders and six foot wide concrete sidewalk on one side of the road within existing right of way. Construct a mini roundabout at the terminus of Rolling Hill Drive and enter into a CDA to replace the crossing over the Five Mile Creek. The applicant would be restricted to phases one and two, the residential portion of the development, and may not proceed with phase three, the office portion, until the existing residential properties on Rolling Hill Drive are purchased and annexed into the city with commercial zoning. When there are no remaining residential homes on Rolling Hill Drive



ACHD may reclassify this roadway as a collector or commercial road and require additional improvements at that time. Since the last hearing an updated concept plan was submitted as shown for the multi-family residential development that depicts 20 extra parking spaces along the driveway at the northern boundary of the site. This is planned to be a private street in the future. These spaces could serve as guest parking, but don't meet the requirements for off-street parking as they are on street. The ACHD report also expresses concern pertaining to adequacy of available parking proposed in the multi-family portion of the development and the potential for overcrowded on-street parking on Rolling Hill Drive as ACHD traffic services has received several complaints about overcrowded on-street parking in the city with new apartment complexes. The report states it appears there are more tenants per apartment unit causing parking issues on adjacent public streets near apartment complexes in general due to lack of affordable housing. For these reasons staff is recommending the minimum amount of parking required for the use is provided internal to the development. A minimum of 11 additional spaces are needed. Staff is recommending the following changes to the staff report. The first bullet in your hearing outline please disregard. It was pertaining to minimum seven foot wide sidewalks to be provided where parking stalls abut sidewalks. The applicant did submit an updated site plan that shows that they are complying with that. The previous site plan did not include the curb dimension in that, so they are good on that. I am asking for a new condition to be included requiring construction traffic to access the site from the west from Silverstone and Overland Road intersection, rather than from South Rolling Hill Drive, as committed to by the applicant at the last hearing. And also modification to Condition A-1-G, a development agreement provision pertaining to ACHD required off-site improvements to Rolling Hill to simply require compliance with ACHD's requirements. And, then, one additional condition that is not on your hearing outline per the applicant. I believe they committed to this at the last hearing to provide an access easement to that out-parcel along the north boundary, so that the property owner can maintain weeds or anything else on the property. Thank you.

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

Wardle: Good evening, Commissioners. My name is Jon Wardle with Brighton. My address is 2929 West Navigator Drive, Suite 400, Meridian, Idaho. 83642. If I can I would like to share my screen on this. Appreciate the opportunity to come back. At our last hearing back in the beginning of December there were a few items specifically related to traffic that were -- that were raised. One of the issues was that we had not received an ACHD staff report at that time, which had left some open-ended questions and the other one was also regarding Rolling Hill Drive and how that would be treated with the concerns of the existing homes on Rolling Hill Drive. After that meeting we immediately had two conversations, one was with the Meridian Fire Department to talk about whether Rolling Hill Drive could be emergency access only, and the second conversation we had was with the Ada County Highway District on -- first off where -- where were they with their traffic study, but could we also consider that as an option. An interim report was submitted, but from there we went back and forth several times and I would like to kind of discuss where we landed. I would like to note from Meridian Fire Department they indicated that, yes, it could be used as emergency access only. So, provide the

appropriate turnaround at the end of the road, but also it could be bollarded or some other mechanism that would ensure that they could get through, but access from the commercial property and from the apartment project wouldn't access Rolling Hill Drive, that it would remain just as it was. So, tonight we wanted to talk specifically about that, Rolling Hill Drive. ACHD -- they did provide an updated staff report. There were two options. Option One, which I have placed in front of you, talks about using Rolling Hill Drive as emergency access only. The criteria there that they want to have us provide them -- and our traffic engineers are working on that -- is updating the traffic study that showed the trips that would be on Rolling Hill Drive and moving those to Silverstone. Silverstone is a collector. It is a signalized intersection and what that would be. We don't have that where we have been able to provide that to ACHD yet, but they are asking for that and we will. Option Two is that we do use Rolling Hill Drive and that Rolling Hill Drive would need improvements to it, including the access out onto Overland. We have concluded, however, and have talked with a few of the neighbors that the approach that we want to take is to do emergency access only -- is to provide that needed turnaround at the end of that public road, provide the appropriate approved restriction onto -- at the end of Rolling Hill from the neighbors to the south and us to the north, so that Fire could get through, but the access couldn't be made from residents or businesses out of the project, that they would go to Silverstone. We still need to provide that report, but we feel like the trips that would go to Silverstone -- it can be accommodated. There is a signal there and, as I mentioned, I have spoken with a couple of the neighbors, either by phone or via e-mail, face-to-face, just discussing that we are pursuing this as an option. So, what does that mean? Just a quick exhibit here is just showing our internal circulation and how that traffic would come out -- out to Overland Road on Silverstone and they could also access Rackham Way, but Rackham Way would be a right-in, right-out only, so any trips that wanted to go out there they could use that, but Silverstone would be the point of access to it. We are -- we do understand what the -- what the neighbors have asked, the concerns about those trips on there while they still are residences. The Comprehensive Plan does show that at some point that we will transition -- transition to something that it is -- something different than it is today, but those plans aren't there today and so we are trying to do our best to listen to what they have asked. In fact, this was very specific at the hearings and the last hearing was can we use Rolling Hill as emergency access only. We believe that, yes, we can. Like I said, we still need to check that box with ACHD on providing the updated study, but I think we will all be able to note and agree that putting those trips to a signal on a collector road is the better option at this time. Like I said, ACHD has requested that we provide them with an updated analysis of that intersection. It's in process. We will provide that to them shortly. But we -- like I said, we are hopeful that they will be able to extend that determination that Silverstone is, in fact, the appropriate place at this time for that access to occur. As Sonya mentioned, there was an update to the site plan. We have -- we are providing some additional on-street parking as noted here kind of along the north area. I will -- I do want to note that we do meet the parking requirements for all of the residential units. We do meet that. The difference here or the rub here is -- is the amenity element of the project. We had not calculated the parking for that. There has been -- I guess that has varied from project to project, but in this case staff indicated that we did need to calculate that and so, really, we are meeting the parking requirements for all the residential units and we are able to

provide additional on-street parking, which will be guest parking on those parallel stalls on the north. We went through pretty extensively before and I can -- I can go back and answer any questions that you have regarding the project if there are any, but it felt like the open items before you to -- that we wanted to discuss tonight were the ACHD traffic study. Do we have that? Yes, we do. And are there solutions for Rolling Hill at this time? Yes, there are. The solution that we are pursuing is the emergency access only and that's what we are proposing and we are hopeful that at the conclusion of our updated traffic analysis of that intersection that ACHD will agree with that as well. We respectfully request that the Planning and Zoning Commission approve the conditional use permit and also that the Commission transmit to the Council with a recommendation for annexation and rezoning and preliminary plat and I stand for any questions that you might have tonight.

McCarvel: I will start off, because I don't want it to be a surprise to anybody -- and this did come fairly late, so even though the option you would like to move forward with on Rolling Hills Drive is the emergency access only, that is still predicated on that traffic study. So, I just want -- could you talk a little bit more about what -- what Option B really is and what that entails?

Wardle: Well, Option B is the option that has been option number two. I will tell you that there are conversations, even within ACHD, about the importance of using Silverstone. John Wasson, who is the traffic -- kind of -- who is a liaison that I think you see quite frequently on these correspondences, his own concern about, you know, using Rolling Hill. So, they are just asking us to reallocate what would be those future trips, which is at build out about 2,500 daily trips. The peak hours are significantly less than that and what that would mean to that intersection. Preliminarily, we are being told that there is not a significant impact. Will there be a traffic signal at Silverstone? Yes. But that signal that's there and the -- the nature of the road as it's currently built, will -- will be able to accommodate it. We haven't -- we don't have a full report to give at ACHD, but that's what we are being told that appears that it will be -- it will function. ACHD at the same time needs to review that and I think it would be important for this Commission and even the City Council to indicate their concurrence with that and ask that that be the result. Even if there is a little bit of overloading at Silverstone, that overloading today is better than the -- the use of Rolling Hill.

McCarvel: And if you could maybe elaborate a little bit -- I know there was the little enclave property. Was there --

Wardle: Yes.

McCarvel: -- on that?

Wardle: Madam Chair, you are referencing kind -- I hope you can see my little hand right here on the screen, but there is a little piece right there. As of today we have a written purchase agreement for that and so we will -- we will close that transaction and we will include it. I will note we are talking about 14 feet, so its sole purpose -- well, it's improved

purpose is a landscape buffer. Its use right now is -- are weeds, but we will make that part of the landscape buffer, so that's what we were doing. We will acquire that.

McCarvel: I think everybody just didn't want to see it become weeds permanently.

Wardle: Nor do we, because it will -- it will not show well for the entryway into the city.

Cassinelli: Madam Chair?

McCarvel: I'm leaving the parking question to somebody else.

Cassinelli: I was -- I'm going with -- I'm going with the Rolling Hills portion of it right now. Jon, there is going to be a turnaround there at the end of the road, if that's -- if that ultimately is the way it's going to be built out. Will that be -- are you going to set that back and put that on your property? How -- how will you accommodate that?

Wardle: Madam Chair, Commissioner Cassinelli, a couple options. We have been in conversations with the owner here on the east about acquiring property there so that turnaround could happen south of the boundary and so that there is a very clear delineation. There -- there is another option, which I think is a little less desirable, but we own this parcel right here, which is just under 180 feet from the terminus. That would give us an opportunity to do it there. But our -- our preference is to work with this owner here and provide the turnaround right at the boundary.

Cassinelli: Thank you.

Wardle: Thank you.

Cassinelli: Somebody else can ask -- talk about parking.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I just got a couple of questions. So, continuing on with that, the terminus there, is that going to be marked no parking?

Wardle: Madam Chair, Commissioner Seal, yes, it would be marked as no parking. That's -- that's actually a requirement. Many cul-de-sacs are not signed as no parking, but it's actually a requirement that they not be parked on and, yes, we would sign it at the time that we can -- that we construct it and the -- I guess the other kind of segue to that one is the importance of getting that turnaround in at the commencement of our construction, because there was question about construction traffic as well. So, those things would merge together. But, yes, we would get that in at the very beginning and it would be no parking.

Seal: Okay. So, you are trying to basically put that in as part of phase one?

Wardle: Yes.

Seal: Okay. I will ask the question about parking and there seems to be some discrepancy on that and -- I mean the staff has been pretty critical of the parking and, then, not only that, but the ACHD report is critical of basically the City of Meridian for their parking standards, so -- I mean what -- what do you propose, you know, be done about that? I mean I have got a couple of ideas floating through my mind. One of them is to just make the -- the private drive that you have there, make that go more straight, instead of coming down into the private drive and accommodate more parking that way. I mean it would take away from your parking lot, but is that something that's doable? Foreseeable?

Wardle: Madam Chair, Commissioner Seal, as we had noted before, we have been working on the overall site plan here for the office buildings to the north and to -- to merge that with the multi-family. We feel like we do have that balance for the parking. I do not have a -- an approval from our partners about, you know, moving parking to the north and moving that road to the north. Again, I -- we, too, are aware of the parking issue. I don't think I have come to any meetings thus far on multi-family where it has not been raised. We -- like I said, the deficit that we feel like we have here is related to the amenities and that -- again, that kind of caught us off guard, because it has not been a requirement or it's not been calculated before on our projects and so if it's a hard and fast rule and we can't move that road to the north and the city doesn't accept the guest parking along the road, then, there would -- you know, unfortunately, we would remove some units, which we don't want to do. But that's -- I think that's the only way that we would be able to accommodate that and I don't -- I don't feel like that's our best option. I will tell you that we did talk with staff and it's -- it's kind of -- maybe I can zoom in here a little bit. There -- there are some opportunities on site. If you can see that there is areas against the clubhouse amenity areas. There is some green space. We also have some other green space we could adjust. We did talk with staff about putting parallel parking in here and that would qualify as on site, but the concern -- and so I'm a little, you know, caught off guard by this, because this was a late request. The concern was, well, this is a drive aisle here internally and you have cars backing up and there might be some conflicts internally. So, we landed with staff a few weeks ago about bringing that parking -- the additional parking needed up here. So, we -- we have -- we felt like this was the best option by cleaning up the drive aisles. We could do it. We could shorten up or narrow up some landscaping and make some adjustments and parallel along here and meet the requirement on site, but felt like the flow of traffic through here and around that community center was better if we didn't do that. So, that's an option for us as well. We would have to work through that through the CZC process.

Seal: Okay. Thank you. And I appreciate the recognition of the parking issues that we do have and it's going -- probably will continue, so -- I mean more is always better for parking.

Wardle: I do still want to acknowledge that when we looked at this, the parking requirements for the units, I mean we -- we do meet those. The deficit is, in our opinion, related to the amenities and it was even brought up was, well, what happens if somebody is having an event there at the community center and they are bringing guests in? So, I mean that was kind of the feeling of how do we accommodate that. Staff has taken time on this issue. They have -- they have made some modifications as unit types change to how do we accommodate the correct amount of parking. I think that's also a topic that's on the planning staff's upcoming UDC amendments. That was one of the bullet items to look at that again. I think, you know, it's a topic to -- to continue to discuss and -- and address, so that we can all be good neighbors and come up with a provision that does work.

Seal: Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: So, has there been a thought of doing some -- an easement on -- to the parking lot to the north? Because I'm assuming that most of the time when you need more parking it's going to be off hours and, you know, potentially -- residents could potentially park in the evening or -- or on the weekends when they have events and -- and share some parking that way as an option and more than likely that's what's probably going to end up happening anyway if -- if they can't find parking for the subdivision -- or for the apartments.

Wardle: Madam Chair, Commissioner Yearsley, we haven't discussed specifically that easement. I do think that you are correct that naturally overflow parking in those off hours -- because when people leave the offices those lots empty and apartments and residents, they come home at night and weekends and there is -- there is usually not a conflict there. We can discuss that. I -- I don't know. I don't know that answer. But it's something we can discuss.

Yearsley: Okay.

McCarvel: Any other questions for the applicant?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: Jon, real quick. The 671 that you have here is that including -- was that 20 that's on the private drive?

Wardle: Madam Chair, Commissioner Grove, it is. I had a previous version that showed the calculation, but my formatting got messed up there, but it is -- we have 651, plus the

20.

Grove: I'm just curious, because in the staff report we have a whole bunch of numbers and so I'm just trying to wrap my head around where they are at, so --

Wardle: Madam Chair, Commissioner Grove, staff did -- there were some discrepancies in our report about, you know, how many stalls we actually did have. There was a little bit of confusion on our part as well, but we did go back through and calculate it again. So, 651 on site, plus the additional 20.

Grove: All right. Thank you.

McCarvel: Any other questions for the applicant? Okay. Thank you.

Wardle: Thank you very much.

McCarvel: And, Chris, do we have anybody signed up or -- oh.

Johnson: Yeah, Madam Chair, nobody signed up online. You might be receiving a paper right now.

McCarvel: Yeah. Okay. First on the list that wishes to testify is Alicia Eastman. Pull the mic real close to you.

Eastman: Because I'm still short. I live at 1485 Rolling Hill.

McCarvel: And, please, state your name as well.

Eastman: My name is Alicia Eastman and it -- my house is on Lot 3, Block 2. So, my biggest concern right now is that -- and while I appreciate everything that the developer is trying to do, that if you go with that second option to do the improvement to widen the road there at the end where we are at, we are just -- where View Circle is -- between View Circle and Overland. So, if you do that -- take that easement and that 24 feet, it's going to affect not just my well, across the street, three, four, five houses, plus mine, and so what do we do for water and -- if we don't want to annex or, you know, and hook up to city sewer, city water, what happens to our wells? I mean I'm just kind of -- I'm not clear on -- on that and I need water. So, that's really what my big concern is. And, then, I have the neighbor on -- Lori Beth Wilson that lives on View Circle, she doesn't have internet, she doesn't use e-mail, she doesn't do electronic things and so I -- you know, gotten a copy of the ACHD report and took it over to her, but -- and she said, well, are all of the houses going to be gone? What if somebody doesn't want to move in? And I said, well, I don't -- I don't know and so she said, well, do they -- are they just going to do eminent domain or something and I said I don't know, but, here, call -- you know, I -- call Meridian, call the city clerk and, you know, take it up with the City Council. So, thank you very much.

McCarvel: Okay. Thank you. We will have the applicant respond. That's all that has indicated on the sign-up list that they wished to testify. That being said, is there anybody else in the room or online that wishes to testify that did not sign up? Okay.

Johnson: Madam Chair, you do have one person.

McCarvel: Okay. We have somebody in the room first.

Johnson: Oh, good. Okay.

McCarvel: Yep. We will get to Zoom in a minute. Thanks.

Blowers: My name is Mike Blowers and I live at 1325 Rolling Hill. My question is in regards just to the cul-de-sac option. I didn't really plan on adding questions until that came up, but I guess first question is I'm -- I'm aware of a property that Brighton owns or BVA owns, but I believe what you pointed to on the map would be my next door neighbor, which would leave two homes past the cul-de-sac. So, I'm curious how that would work. The other option, which was purchasing part of the property at the very end of the street, I do know that would be an option for that person, but if that doesn't go through this cul-de-sac would go into the private drive of the plans that were shown above, so I don't -- I guess I'm just looking for clarification. What if neither one of those properties are able to be used for the cul-de-sac, where does that leave us? But since I'm already up here the other question that I was curious about and I haven't been able to get an answer to, was kind of like the last meeting, we were waiting on a report from ACHD. We were told, you know, no concerns around it. Well, the report comes back and it says we need to, you know, remove the homes on Rolling Hill and now we are being told that again. There is a report that's going to come out and it -- it will likely work and I hope it does work, but I'm just curious what if this report comes back and it says, well, you can't run all the traffic down Silverstone or -- or maybe I misunderstood and -- and it will work. So, that was -- I was seeking clarification there. Thank you.

McCarvel: Thank you. Okay. Chris, I think we are clear in the room. Do we have somebody online?

Johnson: We do. And I'm going to unmute you now. It's Chris Maiocca. Apologies if I mispronounced your -- you're able to speak now.

Maiocca: Thank you, Madam Chair and City Council. Can you hear me?

McCarvel: Yes. Please state your full name and address for the record.

Maiocca: Yes. My name is Chris Maiocca and I live at 4160 East View Circle. I just wanted to say just a couple of things. We have several members in our neighborhood unable to make it because of COVID, so we haven't lost interest in this project, we are just sick and quarantining. The other thing I did want to mention -- we have had a couple of Zoom meetings with the highway department and they have shown us how they have



gotten some of their numbers for Rolling Hill and I believe it was 6.3 car trips per unit and we did the math and -- and I -- it just seemed like all the parties on the call agreed that their numbers just weren't realistic and they were very low. So, it seems like -- and my notes -- my notes tell me that they -- they were estimating 200 trips a day up Rolling Hill currently, which seems very high and they were -- and we are estimating with the numbers they gave us, trips per cars per day about 2,500. So, our concern is is that if -- just with phase one and two, the numbers of cars would far exceed the -- whatever you want to use -- the legal limit for Rolling Hills and we are just afraid that retroactively there is nothing that we can -- can do about that. Having said that, we are certainly appreciative of Brighton and BVA for whatever their motives are -- it does seem like all parties really want to avoid using Rolling Hill as -- as a thoroughway for this project and I really do appreciate something a Council Member said, I forget who it was at last meeting, something to the effect: We haven't always done right by some of these rural properties and here is our chance to get it right and the one last thing that I remember a Council Member said and I really think they nailed it, this project was really done backwards. The property should have been attempted to have been purchased at Overland and, then, move up the road and, unfortunately, that -- that wasn't what happened, but I do give Brighton and BVA the credit for recognizing that and for whatever the motives are trying to do the right thing now. So, thank you, Council. Appreciate you.

McCarvel: Thank you. Anybody else in the room or online? Come forward.

Wattles: My name is Amy Wattles. My address is 1360 Rolling Hill Drive. I just wanted to add -- I was listening via phone at the beginning of the meeting. One part that stood out to me is we have -- you guys are faced with two decisions. You know, Option One, you are using Silverstone. Option Two that's still on the table is Rolling Hill Drive. I don't want to gloss over what ACHD had to say about Option Two with Rolling Hill Drive. What will happen at the intersection of Rolling Hill and Overland is it becomes a right turn in only and right turn out only. So, now the residents -- we are having to backtrack all the way through Silverstone just to be able to get back out to the left. That's a -- it's a concern. You know, it's not something I think any of our neighbors want to lose sight of, is that the Rolling Hills piece is still on the table. Last time we met there were a lot of concerns and we brought them forward and thankfully, you know, you guys were willing to wait for the report. There was discussion about waiting later in January for the ACHD report, but it got pushed to the 6th. Here we are again without the report trying to push it earlier. I'm just asking can we table this again until the report comes out? I know I have reached out to Planning and Zoning and haven't been able to get phone calls returned prior to meetings. We have met with ACHD and they have been wonderful. The last piece I heard from ACHD was there were still parking concerns. So, I just don't -- it just feels -- can we, please, reserve this for when the report is done? Anything at this point is just trusting that whatever figures or whatever stats they are proposing are accurate and I feel like the consequences are too big for the residents there to take that leap of faith. Thank you.

McCarvel: Thank you.

Seal: Madam Chair, I have a question for the --

McCarvel: Oh.

Seal: Ma'am.

McCarvel: Amy, he has a question for you. Commissioner Seal.

Seal: Do you know if they are going to have a hearing on this? ACHD?

Wattles: They said no. I think -- Mike, do you know better? There was a process.

McCarvel: We can't have the discussion in the room, because it doesn't show up on record.

Wattles: Sorry.

McCarvel: Sorry.

Seal: I was going to say if the answer is no without a request, I would definitely request one for sure, because -- I mean as the city we are a little bit tied at this point, because we don't own the roads and we are kind of a little bit in the middle here. So, I mean if -- if the concern really lies with the road and what they are going to do with that and the decision that's going to be made, then, definitely request a hearing with ACHD, so your voice can be heard.

Waddle: That decision would be predicated on you approving Option B first, though, so we could avoid that whole scenario and just wait for the report.

Seal: We don't approve Option B or A.

McCarvel: Yeah.

Seal: ACHD does. It's completely out of our purview.

Wattles: Okay.

McCarvel: Yeah.

Wattles: Because as far as what they are proposing that's the part I'm confused about.

McCarvel: Yeah. They are -- the Option A and Option B is -- Option A is what everybody wants to move forward with, but Option B is there in case the traffic study comes back and Silverstone is not adequate.

Wattles: Right. But in order for Option B to move forward you all would have to approve

that -- or whatever you are deciding tonight would decide Option A or B. Either are fair game.

McCarvel: Either would be fair game.

Wattles: And that's troublesome. That's all.

McCarvel: Yeah. It would -- that's why the options were both presented, because the traffic study isn't done right now, so it's -- this is what happens if the traffic study is okay and this is what happens if the traffic study does not support Silverstone only, so --

Wattles: Thank you.

Seal: Thank you.

Johnson: Madam Chair, you have one more person online.

McCarvel: Okay. Thank you.

Johnson: Pam Haynes and, Pam, you are unmuted now. Or you can unmute yourself.

Haynes: Sorry. Can you hear me now?

McCarvel: Yes. Please state your name and address for the record.

Haynes: Hi. My name is Pam Haynes. I live at 1235 Rolling Hill Drive. I just have a comment. It's more for the developer. I realize it's purely speculation at this point. But to me a third option for the cul-de-sac could be that it is placed on the northern line where it would be on their property instead of purchasing land from the landowner to the east. So, I'm just wondering if that is something that could be put on the table as an option and thank you.

McCarvel: Thank you. Okay. Anyone else online or in the room that wishes to testify? Okay. Would the applicant like to come back.

Wardle: Madam Chair, for the record again Jon Wardle with Brighton. As it relates to the project and to transportation, one thing that was really -- everybody was very clear from our last meeting was how do we not use Rolling Hill. Rolling Hill is a public road. There is no -- there is no disputing that. But Rolling Hills does have -- Rolling Hill does have a unique characteristic at this point in time, given the residences that are there. Can we predict when those changes will happen to that? No, but we feel like we came up -- we heard, we felt like we wanted to go back and check with both the Fire Department and with ACHD on -- on whether we could pursue emergency access only. I understand that, you know, there is still this element that's hanging out there regarding, you know, ACHD being able to review that traffic that would come off of Rolling Hill and move to Silverstone. My expectation is that that is the solution. Do -- do we want to be in an adversarial position

with our neighbors to the south through this project while residents are still there? No. We are really trying to come up with a solution. Regarding the location of those turnarounds, yes, there would be a third option, which would be go to the north. One of the problems about going to the north -- which we could pursue or look at as an option and we won't take it off the table, but there is -- there is circulation that would take all those trips over. So, if we bring that cul-de-sac up that lower road to the south of the property would be cut off. There wouldn't be a way to work around that. So, while not preferable, it's something that we could look at. The project is amenity rich. We have a lot of things here on site. We have an oversized amenity center. I know we are talking about 11 parking stalls. It's 7,000 square feet. That's where the deficit is. We really could reduce the size of that community center to something that would be more -- you see in the market of 3,000 square feet, but we feel like the amenities that are being offered here substantiate, you know, the need for those. Would we cut them out? I don't think we want to, but that's what we are talking about here is the -- the added parking stalls are based on a fitness facility and amenities that we are providing. I -- I hear the comment loud and clear regarding parking. I think one of the benefits here -- one of the things that, you know, I hope that we do discuss in upcoming UDC group is there are different parking loading needs when you get into three bedroom apartments. It -- they -- they often have a number of adults that are living there and so I don't know that it's just -- specifically can be addressed based on the unit's themselves, but I think you also need to look at the mix within an entire project, because that I know comes up quite a bit. With our partners we -- we have worked on this quite a bit. We feel like we have come up with a solution. We feel like there -- there are options and alternatives that Rolling Hill, like we mentioned, which is in the ACHD staff report, Option Two, about using Rolling Hill to the south. While not preferable and as -- as noted there would be some restrictions as well. We originally came in looking at this as a public road and trying to use that public road. I think we need to have additional conversations as those areas will transition on what that means and when they do transition how the connection should be made up to our property. That is a conversation that still needs -- that should be had at some point in the future, because these properties will convert -- you know, they will sell one by one over time and I think that's just something that, you know, ACHD and the City of Meridian need to look at long term. With that said we feel like Option One, which is that turnaround, that would stop the traffic, so that traffic on Rolling Hill is resident traffic of those themselves and their guests and we would limit it to emergency access only. Again, we -- we feel like this -- this does provide a place for -- for housing in a location where there will be offices that residents that potentially work there could also live there and we feel like this is the right place for this given the regional mixed use designation and the uses that are already proposed and will be proposed at Eagle View landing and surrounding. We do ask for your approval of the project. We know that there is still this thing hanging out there, but with that approval we also, like I mentioned earlier, request that the Commission strongly encourage ACHD to accept Option One and Silverstone be the place where the traffic could go. I think that would be a helpful piece of information that they could receive as well and I stand for any questions you might have.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Just -- one of the folks that came up had a question about the wells and if we are going to go with Option B and how those would be handled.

Wardle: Madam Chair. Appreciate you, Commissioner Seal, bringing that back up. If Option Two is pursued the requirement is that it would be -- we would need to add sidewalk and streetlights to one side of the road. Clearly we would have to look at that. But if there is an impact to a water source that would need to be provided and fixed prior to any of that work happening. Honestly, we haven't -- we haven't pursued any design for Option Two. We don't -- we don't want to pursue that. But if -- if that was where we had to go we would have to make sure that people have their services, including their wells.

McCarvel: Any other questions for the applicant?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: What is the timeline for the study as forthcoming?

Wardle: Pardon me. Madam Chair, Commissioner Grove, it's in process. Our consultant, who did the overall traffic study -- and I just want to be clear that ACHD has reviewed the overall traffic counts. They have accepted what the volume of traffic will be coming out of the project. So, at this point they are just asking our consultant to make that connection and go over and show what it would be. I would expect that that should be able to be transmitted to ACHD very soon. We are not talking months here, we are talking just a matter of, you know, at most weeks, if not sooner. But, you know, ACHD will still need to review that and work it through their -- their team to look at the numbers.

McCarvel: Any other questions for the applicant? Okay. Thank you.

Wardle: Thank you very much.

McCarvel: At this time could we get a motion to close the public hearing for H-2021-0075?

Seal: So moved.

Yearsley: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0075. All those in favor say aye. Opposed? Motion carries.

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

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I actually applaud Brighton for what they have done in looking at to try to help minimize the impact to the homeowners on Rolling Hills. I understand that it's not a done deal, but I think -- realistically I think even ACHD is going to try to push as hard as they can to make Rolling Hills emergency access only, just because I think everyone understands that that makes sense. So, I -- you know, I'm comfortable with -- with that moving forward. With regard to parking, I'm one to always want more parking, but given the location of this and the amount of parking to the -- to the north, I'm okay with the way they have got the parking proposed, because, ultimately, the overflow parking is going to go to the north, even if there isn't an easement, and so there is -- there is -- there is -- there is parking available that's not in the homeowners and especially if -- if Rolling Hills becomes emergency access only. So, to me it makes -- it's one -- one area that I'm not as concerned about, so -- as according to the applicant as well, they -- the -- their traffic engineer has actually done the analysis. My guess is they are just finishing up the report and -- and they are saying that the -- the -- making the access to Rolling Hills emergency only is more of a formality and, again, this has to go to City Council as well, so there is one more gatekeeper before us. So, with that I am comfortable moving this one forward.

McCarvel: Okay.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Yeah. There seems to be just two major issues here and the -- the parking, if -- if it's truly about the square footage of the amenities, the clubhouse, that's all going to be used strictly by the tenants of the apartments. So, I don't -- and I agree with Commissioner Yearsley, I think any -- you know, if it's guest parking or whatever will probably flow to the north. So, I'm -- I'm okay with that. It's not -- this isn't a development that's on a -- surrounded by residential areas that -- where the parking is going to overflow into -- into neighborhoods so much as many others do. So, that's my issue there. I'm not concerned about that, unless somebody sees differently. Personally, I'm looking back at the minutes from December 2nd and we continued this to wait for ACHD's report. We don't have that yet. That was -- I mean that was the whole -- that was one of the big reasons. I -- although Commissioner Yearsley did make the point that it's still got to go to Council, I wish we would have that, you know, for this -- for this meeting and we don't. I would like to know for certain before I would vote to approve, that, really, the only option is Option One. I don't want to send it to Council with -- with -- with both, depending on -- and leaving that in ACHD's hands. So, that's -- that's kind of where -- that's where I'm at right now, so --

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I agree. We did wait for -- we wanted to wait for the ACHD report, but we did get the ACHD report, now we are waiting for a confirmation of the applicant's study and not an applicant -- not a -- not the ACHD report. So, in that regard I feel comfortable moving forward. I would say in any condition of approval, though, that that study needs to be finalized and reviewed by ACHD prior to being heard by City Council as a condition, because that -- that would inform how Council can make a decision or not. I mean if -- if the study does come back and Option Two is the only option, Council is going to have to weigh in on that anyway, because it has an enormous impact. But I would -- I would feel comfortable moving it forward with that condition that the study has to be complete and reviewed by ACHD prior to City Council. Everything else I'm pretty comfortable with. You know, I would always like to see more parking, but I don't have huge concerns with it as presented. Yeah. I think that's pretty much all I have.

McCarvel: Yeah. I would tend to agree with the parking. I mean -- and whether we -- the -- the numbers and the requirements include the amenity. I mean it's always included. There has always been a calculation in there for the amenity. I'm not on staff, but even I know that. I remember lots of presentations where that -- that number -- or that calculation is included, because people naturally bring guests over and it is -- I mean some people live far enough away that they don't want to haul their stuff down there and they drive down there, so -- but, yeah, in this particular location I agree with having that huge parking lot that's going to be just on the north side of that road. It's much different than it butting up against another residential area or something that is already parking stressed and I would hate to see him take away from green open space to fit more in when there is going to be a huge parking lot there. As long as they don't end up putting signs up for towing that says you can't park here. So, I would encourage some cross-access there I guess. And I would agree with Commissioner Grove that before this goes to Council -- I think -- I mean I'm not a traffic engineer, so I'm not sure how long this takes and how accurate and how big of a percentage they feel that what they have -- what they are thinking is going to actually pan out, but from what I'm hearing here tonight I think it's well over 50-50 that it's going to be a go for Option A. But, on the other hand, I wouldn't want to lock that down not knowing. So, I would -- I would tend to agree and support Commissioner Grove's idea that that all be wrapped up before it's heard by Council, so they know for sure what they are dealing with and, then, if -- you know, if it needs more, then, they can remand it back or have further discussions there, instead of us twiddling our thumbs and wondering.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Yeah. I agree. The -- I'm comfortable moving it forward as -- as far as the use or not using Rolling Hill Drive, but I do think that that final report from ACHD does need to be in and finalized, so that the answer to that is -- is known. I mean as far as the applicant, I think they have done everything in their power to go through and make sure that it is

known that Option A is the option that they want to go towards. I think that works well for everybody involved. I do agree that if there is a way for the city to converse with ACHD about this that we should definitely let them know that that is -- that's the option that everybody would like to go towards. As much as I don't like Option B, I'm still okay with moving it forward. I mean, unfortunately, we don't own the roads, so -- ACHD does. Again, I would recommend very highly that you ask for hearing from ACHD so your voice is known there, because, really, the decision is in their hands, not ours. As far as the parking, I do agree that people are going to go into that parking lot. That's where the people are going to end up. So, for this one specifically it's not that big of an issue. However, it does set a precedence and we have been here when the applicant has used precedence in order to tell us what they have been able to do or not do in the past. So, when we are splitting hairs on it, this is a way to me that a precedent has been set that could be taken advantage of. So, I'm not a big fan of that. I think there is other ways to solve the parking issue. They are not inexpensive, but they are solutions, so -- and they will fit into code and, then, it satisfies everything without really taking away anything. So, I'm a little on the fence about that one. Like -- like I said, I would rather it all fit into the code and be by the book and be done the right way, so that there is no precedent set that anybody can take advantage of in the future, because people will do that for sure. That's about all I got on it.

Cassinelli: Madam Chair?

Allen: Madam Chair, may I clarify a couple things? In regard to the parking, the applicant did clarify that their parking calcs were a little bit off, so to my calculations I think we are only five short, somewhere in that number right now. If -- if the Commission is leaning towards allowing -- or they are okay with not -- the applicant not providing the minimum standards of on-site parking, there are alternatives in our city code to off-site parking through a shared use agreement. There are standards for that, that the applicant does have -- do have to comply with. So, it's -- it's not just a given and if that isn't an option, then, if the minimum standards aren't being complied with on the site, alternative compliance is another option, but we do have to go through those processes to approve the change, so --

Yearsley: Madam -- Madam Chair. Just -- just for -- for the reference on that if we make a motion, we have to -- they have to meet the requirement or provide alternative compliance for parking. Is that not my understanding?

Allen: Yes. There is a condition in the staff report right now that they provide the minimum parking spaces. If they go through the alternative -- parking standard alternatives in 11-3-C7, they can still comply with that condition. There is no need to amend it necessarily.

Yearsley: Okay.

Allen: Or they can apply for alternative compliance.

Yearsley: Okay.



Allen: But you can't -- I guess my point is is you can't just waive the minimum parking standards.

Cassinelli: Madam Chair? Sonya, on that would in -- in conditioning for a shared use agreement, is that what has kind of been talked about up here, is using the office parking to the north to -- to incorporate that as a shared use agreement? Is that what you are referring to?

Allen: Yeah. It is a possibility. I would want to know what the parking calcs are and what's required and what's provided on that site when there is more detail on that. I'm not sure if they are to that point yet. Also as a -- as a provision of approving the parking alternatives, typically you want uses that aren't sharing the parking at the same time. With residential that's -- that's a little more difficult, because the resident -- residents could be there at any time, same time as the office employees. So, I guess before approving an alternative I would want to know exactly how much they are over and what their need is for the future office uses. Having said that, they are only five spaces short, so I don't think it's a big deal, but those are things that we would consider in that.

Yearsley: So, I understand that we don't need to make a comment on that, because it's in the staff report that they meet the minimum requirements. We can't waive the minimum requirements and so they just either need to show that they meet those requirements or provide the alternative compliance. So, at that point we don't need to address that in the motion. Okay.

McCarvel: Would somebody like -- do we need more discussion or would somebody like to take a stab at a well-crafted motion?

Yearsley: Madam Chair, I will take a stab at this. Let me -- after considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2021-0075 as presented in the staff report -- staff report for the hearing date of January 6th, 2022, with the following modifications: To include a new condition requiring traffic -- construction traffic to access the site from West Silverstone -- or from Silverstone rather than from Rolling Hills Drive as committed by the applicant in the last hearing. Modification to condition number A-1.G pertaining to ACHD's required off-site improvements to Rolling Hills Drive to simply require compliance with ACHD's requirements. Then also that prior to City Council that the applicant has worked with ACHD to get the revised staff report back to how Rolling Hills Drive will be improved or will be emergency access and, then, also that staff's -- or planning's recommendation to go with Option One for the emergency access only as -- as a recommendation to ACHD.

Grove: Do we also need the easement to the north property?

Yearsley: As the applicant stated, he is -- they are in a purchase agreement, so I don't know if they can still provide that easement.

McCarvel: It think it needs to be added to the DA.

Yearsley: Okay.

McCarvel: Yeah.

Yearsley: That the applicant access -- needs to provide access easement to the out-parcel in the DA agreement?

McCarvel: No.

Yearsley: Or --

McCarvel: Provide the purchase agreement.

Yearsley: Provide the purchase agreement --

McCarvel: In the DA.

Yearsley: In the DA.

Seal: Second.

Allen: Madam Chair, may I clarify the motion, please?

McCarvel: Certainly.

Allen: Was the motion to -- as Commissioner Groves suggested earlier -- for the study to be completed and reviewed by ACHD before this goes to Council?

Yearsley: Yes.

Allen: Thank you. So, this could be a while, so the Clerk may not want to set it for -- we aren't setting a date for it tonight anyway.

McCarvel: Yeah. I think the applicant has suggested it might be for -- not months, but weeks, so I think that's -- yeah. It has been moved and seconded to recommend approval on H-2021-0075 with modifications. All those in favor say aye. Opposed nay?

Cassinelli: Nay.

McCarvel: Chris, do you need a roll call or did you get that?

Johnson: I just need the nay.

McCarvel: Commissioner Cassinelli.

Johnson: Thank you.

McCarvel: Okay. Then motion approved.

MOTION CARRIED: FOUR AYES. ONE NAY. TWO ABSENT.

**5. Public Hearing for 1160 W. Ustick Annexation (H-2021-0092) by The Housing Company, Located at 1160 W. Ustick Rd., on the north side of Ustick Rd. Between N. Linder Rd. and N. Venable Ave.**

- A. Request: Annexation and Zoning of 4.54 acres of land with a request for the R-15 zoning district for the future purpose of constructing an affordable housing, multi-family residential project.

McCarvel: Okay. Next on the agenda is H-2021-0092, 1160 West Ustick Annexation, and we will begin with the staff report.

Dodson: Thank you, Madam Chair. I will let anybody who is leaving just clear out for a couple of seconds. Okay. Thank you. As noted, the application -- the next application before you tonight is for 1160 West Ustick. The site consists of 3.81 acres of land, currently zoned RUT in the county and per the application name is located at 1160 West Ustick. It's near the quarter mile, but -- you know, the quarter mile and a half mile mark of -- on Ustick -- on the north side of Ustick, west of Venable, east of Linder. The applications before you tonight our annexation and zoning only. You are a recommending body on that of 4.54 acres of land, with a request for the R-15 zoning district for the future purpose of constructing an affordable housing multi-family residential project by The Housing Company. So, the discrepancy in the property size of 3.8 and 4.5 is to do -- is because of the right of way. Right of way has to go to the centerline of the road, so you have that extra area. So, again, the property is 3.8 acres. West Ustick Road abuts the site along the entire southern boundary and it is a relatively odd shaped parcel. It is widest at its west boundary and smallest at its east -- east boundary, approximately 390 feet for the west and 90 feet on the east. There are no public streets currently abutting the site, except for approximately 11 feet of right of way at the very northwest corner of the site. At the northeast corner of the site there is a relatively large residential lot -- I will go back to the maps. You can -- that's a lot and, then, you have just a corner of right of way there. The residential lot in the northeast is 3335 North Cooper Lane, that was annexed and zoned as part of the Woodburn Subdivision. That is directly north. That contains -- or sorry. That does not take access through that subdivision, but does have a stub road to their north property boundary. Instead, this property takes access via a private road easement through the subject site out to Ustick. Between this parcel and the Woodburn Subdivision and runs along the -- almost the entire northern property boundary is a common lot owned by the Woodburn HOA and contains an irrigation facility, the Lemp Canal, and is piped. It does not appear that this area is currently fenced off from this parcel. The majority of the adjacent parcels are single family residential, with the exception of the C-C property directly to the east, which, again, only share about 90 feet of frontage with shared boundary. That property, Settlers Square, recently received development agreement modification approval to include multi-family townhomes on the north half of their site, while keeping commercial pad sites along Ustick. Cross-access

was required of Settlers Square and staff is requiring this cross-access be reciprocated and the applicant does agree with this. In general, the property is a relatively odd shaped parcel with its own set of challenges derived from previous planning decisions, its dimensions and its general location. As noted -- well, I guess I didn't know note it, but the subject site does contain two future land use designations, mixed use community and medium density residential. Mixed use community is the brown. The yellow is the medium density. Staff finds the proposed use to be in alignment with the anticipated uses in both designations. Furthermore, future land use designations are not always parcel specific when more than one exist on the same project area. In short, the city has allowed applicants to utilize one or both of the designations for their project. However, in order for the proposed 52 affordable multi-family units to meet the gross density requirements, the project must be analyzed against the mixed use community designation, because it allows dwellings at a gross density of six to 15 units per acre. To note, the proposed use for this is multi-family, so it will require a future conditional use permit in the requested R-15 zoning district and will be subject to specific use standards in the UDC. The subject mixed use community area is located around a mid mile corridor and has minimal commercial uses currently developed. Previous applications in the area have allowed a reduction in commercial area due to the viability of commercial being -- or sorry. Lost my place. Due to the viability of commercial being lower in these mid mile locations than on the arterial intersections, like Linder and Ustick or Meridian and Ustick. Staff does anticipate that most of the remaining unannexed land to the east that is part of this mixed use community bubble will be commercial, because they directly abut Ustick Road, which the unannexed parcels are these ones here and I believe one right here. In addition, as seen on the future land use map, the area to the north of the subject parcel was specifically carved out of the MUC bubble to allow for more traditional residential uses. This choice, coupled with the existing stub street locations and the larger annexed, but not redeveloped parcels, one to the west and one to the northeast, they have created a site that cannot viably meet the fundamental goals and policies outlined in the comp plan for the previously envisioned mixed use designation. Minimal opportunities exist for shared spaces with other MUC parcels to the east and even cross-access to the C-C parcel is only attainable through 90 feet of shared property line. Because of these constraints to the site and nearby area, staff does not find it feasible for the applicant to meet all of the mixed use policies, provide additional commercial area, and should, instead, be an affordable multi-family housing project. Again, the proposed use is multi-family residential, but affordable housing. The applicant is proposing this project with a couple of notable differences from traditional multi-family seen elsewhere in the City of Meridian. First, the submitted concept plan and elevations show six-plexes and eight-plexes that are no more than two stories in height. They are accessed from one side of the building and look similar to a townhome, instead of a garden style apartment. Secondly, the applicant proposes this multi-family product to be affordable housing in the form of deed restriction rents -- deed restricted rents for the entire site. Staff finds that the specific use of affordable housing, no matter the type, is a greatly needed use within the city and is in itself its own residential use. Staff has worked with the city attorney's office to propose adequate development agreement provisions to ensure that the proposed use of affordable housing is maintained on site. Outside of the proposed use the concept plan itself should be analyzed against the Comprehensive Plan. The

submitted concept plan depicts six six-plex units and two eight-plex units. The eight-plex units are along Ustick, the rest of the buildings are six-plex buildings. They, again, are all two story in height. The site is shown with a looping drive aisle due to its relative odd shape of being wider at the west end and the drive aisle has parking on both sides, with the clubhouse and playground area in the center of the project for pretty equal access by all future residents. At least three of the homes closest to the subject site in the Woodburn Subdivision on the north are two story in height. I believe there is five properties that abut it. Three of those five are two stories, the other two are single story, but they do have the common lot of the Lemp Canal between them, so there is a pretty far physical separation between their back fence and the proposed project. In addition, the applicant is showing open space directly adjacent to the single family home in the northeast that takes access via the private drive. Along the west boundary the applicant is showing a 15 foot buffer that would be adjacent to a future road extension Northwest 11th for a majority of this shared property line. The existing single family home on this adjacent property, the one to the west, is located on the west side of their lot and is approximately one hundred feet from the shared property line. So, that's overall 115 from the proposed buildings. Therefore, staff finds that the applicant has provided appropriate building massing, open space locations, and buffer widths and appropriate transition of the residential use and density to the adjacent residential uses. I would like to go -- jump forward a little bit just to see the future right of way. As noted there is a small area of existing right-of-way in the northwest corner of the site -- or -- yes. Northwest corner of the site and it is for Northwest 11th Avenue. As you can tell there is a very small area that abuts the property. Obviously, extending it into this site would make the most sense, because of the existing right of way and a potential issues with the adjacent property owner. It is anticipated that this road would be extended wholly on the property to the west, except for this sliver of right-of-way, which is this exhibit that ACHD provided and the applicant has been -- is -- has agreed to with ACHD as well. The property to the west has an additional public street stub to their west boundary from Tetherow Crossing that is currently under development. Code does call for cross-access between parcels, but because of the proposed development and the site constraints staff does not find it necessary to require a stub to the west boundary for future connectivity. Further, staff finds if a connection were to be required it would promote cross-access through the drive aisle that is meant to serve future residents of this site and would, essentially, create a thoroughfare for residential traffic through the drive aisle, rather than through a public road. Commission and Council should determine if cross-access to the west is, in fact, needed in spite of these factors. There is one existing structure on the property that appears to be some kind of concrete structure -- I don't have any pictures of it, but it will be removed upon the project development. In addition, there is existing five foot wide detached sidewalk along Ustick Road that will be protected and maintained during construction and any driveway curb cuts will also be closed in lieu of the proposed access. Initial review of the conceptual elevations depicts a six-plex building with varying group profiles and varying -- and varying materials, including stone, fiber cement lap siding, and board and batten in different layouts. The elevations also depict the tallest portion of the buildings to face inwards towards the site and helps with building massing facing both Ustick, as well as the adjacent residential properties. Access is proposed to West Ustick, which is an arterial road, via construction of a new local street segment and this is a very short

segment. It aligns with North Blairmore on the south side of West Ustick Road, which is why ACHD wants it here. It extends from Ustick and, then, terminates at the north boundary for a total length of only about a hundred linear feet. Access to the multi-family is clearly off of this local road in the form of a driveway connection for the drive aisle. All parking and access to the proposed units are off of this drive aisle that loops through the site. As with other projects when there is a private easement that is shared on a property, that is a point of discussion and in my staff report I went into more detail, but in general the actual location does not depict it here, which is where it is. It actually is along these boundaries. So, all they are going to do is just maintain the existing easement, shift a portion of it, you know, on a private matter and, actually, pave a portion -- a portion of the dirt driveway for the existing residents. It's my understanding that this applicant and that resident have had multiple discussions and they are perfectly fine with the proposed layout for their private drive. In addition, there is a five foot wide detached sidewalk along Ustick as noted. The applicant is proposing attached sidewalks, another micro path throughout the site as seen on here with the light gray, both to the northwest, southwest and, then, along the east boundary to the future cross-access to the Settlers Square parcel for access to the future commercial uses. The -- sorry. Skipping around. In addition to the proposed sidewalks and micropaths shown on the concert plan, staff did recommend an additional pathway behind the buildings and along the north boundary to help activate the already existing open space from the Woodburn Subdivision that is the area of the piped Lemp Canal that is behind six -- or five or six existing homes over there. That area is not improved, but it is open and so staff does believe that a gravel pathway suitable for at least walking should be entered through this area on this site, so that this open space area is not walled off anymore than it already has been from the Woodburn Subdivision. The applicant has not agreed with this provision. Staff does feel like it would be an added amenity for this area, not both -- not just for this area -- this project, but also the Woodburn Subdivision that would allow them to have easier access from their subdivision down to Ustick and/or to the east. The applicant is in agreement with all other DA provisions, except -- so, again, the pathway is A-1.I and A-1.B is regarding the affordable housing component and there are some legalese type of information in that -- that DA provision and there is no need to go into too much detail at the hearing in that, but staff anticipates continuing to work with the applicant to make sure we have a shared language that we are all in agreement with as we move forward, but still allows the city to maintain that the future use will be affordable and not market rate apartments. With that staff does recommend approval of the subject annexation for an affordable housing project and after that I will stand for any questions.

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

Dodson: I believe she's online.

McCarvel: Oh.

Anderson: Yes. Hi. Let me get put up here. Hello. Greetings. I'm Erin Anderson. I live at 2238 North Astaire Way in Meridian and I am with The Housing Company and the applicant. We have a presentation that -- I'm not sure if it's automatically going to be

loaded or if I should load it.

Dodson: You can share your screen, Erin, if you would like.

Anderson: Okay. Again, I would thank you for your time, Madam Chair and Commissioners. This is a really exciting opportunity for us. As I mentioned, I do live in Meridian, but I -- I don't think that the City of Meridian is familiar with The Housing Company and since Mr. Dodson did such a thorough job of describing the nuts and bolts, really, from a planning and design standpoint of our project, I'm going to do a little bit of background on our company and also a little bit more information about affordable housing, because there seems to be a lot of interest in learning more about what we mean by that. So, The Housing Company is a nonprofit organization that started in 1990 with the mission to address the concern of inadequate supply of affordable decent rental housing within the state of Idaho and recently we are also developing in adjacent states. We play an active role in bringing affordable housing resources to the areas of the states that are not being adequately served. Through local public and private partnerships we have been able to bring creative housing solutions to areas struggling with insufficient housing. Our role is to partner with local government and other interested parties to solve local housing needs. We have developed more than 800 units in 2,000 affordable rental communities. The Housing Company provides professional on-site property management services for our affordable apartment communities serving low income families, seniors, and the disabled. We own our properties in the long term and take pride in building an asset for the community that will stand the test of time. We are able to put together complex financing in order to make these housing communities a reality. Our newest developments to the subject property are Moon Valley Apartments in Star, Nampa Duplexes and Hazel Park in Caldwell. We also have Canyon Terrace in Nampa and Sunset Landing in Caldwell currently under construction. A common question that I receive is what is affordable housing? What do you mean by that? There are a number of affordable housing programs. The most common one is utilized to pay for new construction, which is a surprise to many people is actually an IRS program, not a HUD program, and it's called Section 42 of the Housing Tax Credit. It's not the same as what people think of as subsidized housing or Section 8. With this program a private investor, such as a bank or insurance company, will actually become a partner in the project and provide equity to the project in return for ten years worth of federal tax credits and with -- with that equity we are able to keep the rents lower in perpetuity. Residents must be income and program eligible. The rent that a Section 42 resident pays is based on a fixed rental fee for the unit size that is lower than the average market rent in the area. So, it doesn't adjust with their income as their income goes up or down, they initially qualify and, then, once -- once they initially qualify they are set with that fixed rate. It is difficult to identify which rental properties participate in the Section 42 programs, because they look like just any other apartment building. We require income verifications, criminal background checks, credit checks, student verification and household composition verification. A common myth is that people who live in affordable housing won't fit in my neighborhood. But the fact is that people who need affordable housing already live and work in your community. In Meridian the average two bedroom rent costs 1,842 dollars, according to rent -- rent.com. This is a staggering 43 percent increase from last year.

The rent affordable at the median renter income, however, is around a thousand dollars. So, there is a very significant gap. Access to safe affordable homes builds a strong foundation for families and even hardworking Idahoans often lack good housing options. This is a chart that kind of just shows a potential resident profile, a few different scenarios, ranging from a single person in a customer service job who needs a one bedroom apartment at 741 dollars, to a single mother with two children that's a cashier that needs a two bedroom of 946 dollars, to a four person household that needs a three bedroom at 1,089 that might work in the food -- food service industry. These are a couple images of the quality level that I'm talking about when I say that people are surprised that it's affordable housing. This is The Springs Apartments in McCall, Idaho, and, then, this is a collage of photos of Moon Valley Apartments in Star and this is the elevations that were provided and the overall design concept is -- is based on this design and we are working with the same architect on this project that we did with Moon Valley. Mr. Dodson did a great job of going over a lot of the details as to the flow of the site and connectivity, but I think I just want to make it clear that with our neighborhood meeting and the comments that were received I think it was -- I would just want to stress the importance that we wanted this to really be a moderate -- moderate -- not a high density development. We wanted to keep it to two story buildings for two reasons. One, to fit in with the neighborhood and as well as really for fire access reasons two stories is much preferred. We provided the pedestrian connections along all corners of the site and we worked with -- in initially looking at this site, meaning that one of the most unique challenges of this site is that there is a single family residence with access through the site. The good news is that their existing easement does run where our proposed Cooper Lane is. In reviewing our title work we were pleasantly surprised to find that out, so -- so, essentially, we are just moving it to where it wasn't -- it was recorded ten years ago and so the site really -- you know, it does have -- it's an in-fill development. There are so many positive things about in-fill development, because the connectivity to the neighborhood, the access to Settlers Park, the fact that it's a walkable community, but, of course, you know, it's not ideal in terms of -- there is -- people who can't get -- it's in-fill, so we don't have the option to do everything on all sides of the property that -- that would be in an ideal planning situation and so what we have done is the very best we can with all the comments between ACHD and the fire department and city staff that we can do to make this a functional and comfortable housing community of 52 units that fits in with the neighborhood context and I think Mr. Dodson also went over kind of the importance of the exterior design appeal or the building height with various heights and fenestrations for interest and quality finishes. Our overall timeline involves this first step of zoning and annexation, which is required before we can even apply for any funding for the project. We also are going to be required to submit a CUP and a certificate of zoning appropriateness and I would anticipate that would run us through February and March and, then, we will have a variety of funding applications between January and August, depending on the final determination of sources available for this project. We plan on submitting a building permit application sometime this summer and, then, closing on financing and construction start between July and October of this year hopefully. If not then it might move into spring of next year, depending on funding availability. This really is the first step in the entitlement process. I think we have this -- these details about the affordable housing and the rent structuring typically don't come up this early, but we are



really excited to be able to share what we do. Very passionate about it personally and I'm happy to answer any questions. Thanks.

McCarvel: Do we have any questions for the applicant or staff?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Erin, thank you for all that and kind of interesting to -- to learn. You mentioned that there is on-site management. Is that -- can you --

Anderson: Yeah.

Cassinelli: Is that 24 hours?

Anderson: It would not be 24 hours necessarily. Sometimes we are able to have a resident manager, but I'm not sure if we will have that in this case. If it's not 24 hours as a resident manager there would be set office hours. The clubhouse has an office space for that manager and, then, there will also be on-call emergency maintenance phone number for people to call for situations that are after hours.

Cassinelli: So, they are there to kind of make sure that the property is maintained and --

Anderson: Exactly.

Cassinelli: Okay.

Anderson: Exactly. We would typically have about two part-time jobs with this size of project -- a part-time property manager and a part-time maintenance person.

Seal: Madam Chair? Excuse me. Madam Chair?

McCarvel: Commissioner Seal.

Seal: Quick question on the -- it looks -- looking at your website it looks like two of the three local developments that you have are age restricted. Would this fit into that as well or is there going to be no age restrictions on this as far as a senior living community?

Anderson: Currently I'm envisioning this not having age restrictions, mostly because I feel like there is a huge need -- a huge need in all ages and I think that we would really benefit by having an opportunity for both seniors and younger people alike to live in this housing community. I think there is -- there is a demand for both, frankly. It's just that I feel like there is a higher demand for non-age restricted affordable housing.

Seal: Okay. Thank you.

McCarvel: Thank you.

Anderson: Yep.

McCarvel: Commissioner Grove.

Grove: Madam Chair. Thanks. Erin, could you speak to the condition that Joe mentioned with the gravel pathway and your feelings towards that?

Anderson: Sure. I can pull up this site plan, but the main concern we have is how close that path is going to be to the building, to the -- you know, the residential building. It's I think seven feet away or -- or something is what we estimated. It's very close. So, it's going to feel -- especially since it's public pathway it's going to feel really really close to those residential buildings. That was the first issue. The other was a cost-related item. I -- I got an estimate of about 8,000 dollars for that gravel pathway, which isn't terrible, but everything that we are doing, you know, is trying to whittle down gaps, instead of the other direction, and so that's -- that's why we are asking for your consideration. But I think the main issue that I have with it primarily above cost is the proximity to the building.

McCarvel: Thank you. Any other questions?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: I have got one -- a couple here for -- for staff. Joe, can you -- it sounds like that you are making some -- or wanting to make some adjustments for the fact that this would -- for the proposed land use and that -- that being the affordable housing component there. So, what -- can you maybe give us an idea of what differences that that you are approving this under that -- under that observation versus if this were just a standard 52 unit in-fill project? And, then, also a couple other questions I have. What's -- can you go in a little bit more detail about Cooper Lane and is that going to go all the way -- all the way into the existing subdivision? And, then, also -- I don't know if we talked about parking in this.

Dodson: Great questions, Commissioner Cassinelli. I will hit the parking one first just because it's easier and you said it last. I believe it is -- let me share my screen, actually. What am I doing? Here we go. They actually do have it on their site plan, which I do appreciate. It would require one hundred spaces based on the unit count and the number of one bed, two bed, three bedrooms. They are proposing 115. So, that also -- they did this without doing the amended code that says one space for every ten units for guests. So, again, that would be 105.2. But 105. So, they are exceeding that. They are meeting their minimum covered parking. I imagined some of the parking issues would come up. I do see a couple spaces where they have some landscaping specifically here that they would probably fit two more spaces in there and maybe one more here that would still be able to meet there -- our code doesn't allow more than 12 in a row without a planter island.

So, they have some space to include a couple more if they need to. Again, maybe even another one or two here. Not overly concerned with the parking there, but they are -- that would be handled more specifically with the future CUP, which you guys would hear. But tentatively I think they are going to be fine. Cooper Lane is -- there is -- again, there is a stub street on the north side of that property. You can kind of see it here and this road would line up with -- their property boundary -- this house eventually -- or this road is going to have to meander around the house or the house is going to have to get demolished eventually, but, yeah, the reason why ACHD -- instead of just having a curb cut for a drive aisle for the multi-family is wanting this as a local road is so that the future extension would just go straight up to the north and there would be another avenue for those in Woodburn to exit out to Ustick, other than just Venable. So, that is, you know, future planning for the roads there. Back to your original question. To be clear, I'm -- the proposed project I did not analyze down to the tee about the amount of open space and the parking counts and all that, again, because we are just at annexation, but my preliminary stuff is that they meet all of their dimensional standards -- they are going to meet all their dimensional standards, so any discussion that I have had about affordable housing versus market rate, the two things that I kind of -- I don't want to say relaxed on or anything, but the two things that I am saying that affordable housing is better than requiring them would be probably cross-access along the west, you know, and extending a public road to the site. Even if it was market rate I don't necessarily know if I see a public benefit to that. It would just eat up so much of the site and is it necessary when that road is also going to connect up to the west when they have an access to Ustick there and the other people -- and, again, the only people that would be using it would be Woodburn Subdivision. They are going to have another one in the future to the east. Secondly would be the overall discussion of the Comprehensive Plan and that mixed use community area. Again not a major difference between looking at it affordable versus market, but I would probably be more inclined to -- to say there needs to be some kind of commercial component if it was market rate apartments. Again, I can definitely make the case either way. I think that there is a massive need for affordable housing and so that -- that outweighs the need for commercial space along Ustick. So, it's a give and take with that. It's not that I am in no way waving anything or saying they don't have to comply with anything, they are complying with everything in my opinion, it's just apples and oranges when it comes to meeting the comp plan in those terms.

Cassinelli: Madam Chair, I have got a follow-up question for him on that. Can you also address -- 11th Avenue to the west there, so in lieu of cross-access is that -- that will feed -- do you have a -- is there a larger map of -- similar where you could see -- is that -- is 11th going to be internal or is there -- is that going to open up to Ustick at all?

Dodson: There is a connection to Ustick Tetherow Crossing -- or will be once it's fully constructed. They have a stub street to their east boundary, which is this property boundary -- the west boundary of this site. So, the -- this is showing that they are going to dedicate right of way. This would continue down the shared property line here. Probably head west and have a nice L of sorts in the -- in that property. You can build homes on both sides and, then, that would connect out to Ustick, yes.

Cassinelli: Okay. So, from that standpoint there is -- there is access through the subdivision of the north and what's going in on the west to --

Dodson: Yes, sir.

Cassinelli: -- to Ustick. Ustick -- this isn't going to -- and this won't be landlocked or anything?

Dodson: Correct. No.

Cassinelli: Okay. Thank you.

Dodson: You are welcome.

McCarvel: Any other questions for staff or the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Question for staff. So, the applicant said that if they put in a ten foot gravel path that would make it to where it's about seven feet away from the backside of the complex there. Is that a true statement?

Dodson: It would be a five foot pathway, not a multi-use. So, just be a regular five foot pathway. Theoretically if they put it right up against -- yes, because they only are showing a 12 foot buffer. They technically have some physical room to shift everything south and create more space along the north boundary. I do understand that that would be in lieu of losing some of that open space and I don't -- I haven't seen a rear elevation of these, but I'm assuming there is probably some back patio space that might be technically reduced from the green space perspective if we shifted those units to the south, but, again, I -- I don't want to fight to the death over that pathway, but I do think it would be an overall good amenity, not just for this project, but also the Woodburn Subdivision on the -- in the north to be able to have another avenue of accessing Ustick that they currently don't have because of the existing development and future connectivity to the commercial to the east. Again, they do have some physical space to make some of that work and increase that separation of seven feet if they did it right along the north property boundary, but if Commission and -- and future Council it doesn't seem that that's a good idea in lieu of losing some of that green space along Ustick, then, I -- I understand that finding as well.

Seal: Okay. Thank you.

Dodson: You're welcome. I hope that wasn't too much of a political answer.

McCarvel: Any other questions for staff or the applicant? We will open up to public testimony and I understand the sign-up sheet is not in the back, so if there is anybody in

the room or online that wishes to testify on this application, please, raise your hand. Okay. All right.

Dodson: Madam Chair?

McCarvel: Yes.

Dodson: Sorry. Real quick. I did want to note. I didn't put it in my -- my staff report -- my presentation. It's been a long year already. The -- there was no written testimony as of about 6:00 p.m. So, I just wanted to note that. There is no for or against the project.

McCarvel: Does the applicant have any further comment?

Anderson: No, other than just to point out that we did contact the parks and rec department regarding that path and they felt that the pathways that we have internally through this site provided adequate pedestrian access across the site, But -- and, again, in the grand scheme of things that's probably a pretty minor -- minor issue. Just wanted to point that out and just wanted to thank Mr. Dodson for his help in this and the presentation and I wish I could be there in person. Just wrapping up the end of a COVID quarantine.

McCarvel: We appreciate you staying on Zoom then.

Anderson: Yeah.

McCarvel: Any other questions before we close the public hearing for H-2021-0092? Could I get a motion to closed the public hearing for H-2021-0092?

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to close the public hearing for H-2021-0092. All those in favor say aye. Opposed? Motion carries.

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

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I like everything about this, so I agree that there is a -- there is a need for this, so I like where it's at. I mean it's kind of a little off the beaten path. I would like to see the path go in. There is a piece of land that's on Linder that abuts the school and when they went in we did have them do a ten foot paved path that goes along the northern boundary of these properties, so in anticipation of connecting two properties all the way to follow

that canal down into Ustick Road, so in the grand scheme of things it would cost money to put it in, but it also costs less money to maintain it, since it's, essentially, gravel. It doesn't have to be mowed. And it would provide for, you know, better access I think for anybody that's on a bike or walking up to those schools. So, I would like to see that go in. I do agree with the staff report on that one. Everything else about it I really like. I like that they limited it to two stories, not three stories. I mean there is a -- there is a need. I mean if we are going to go through the three story or four story and almost be in a place like this, I would like to see it. That said I'm appreciative that they did go with the two story just to blend in a little bit better. It looks like parking is adequate. Amenities are adequate. And, you know, they -- they met everything that we were asking them to do here.

McCarvel: Yeah. I -- I like this project. I think going three and four stories, then, you start into parking issues and I think anytime you can have this where it feels and blends in more with the community and its surroundings, the better it is. I applaud the architecture and the surroundings on that. I'm -- I'm on the fence about the paths. I will give -- just because it does come so close to the back of those buildings and I hate to see them scrunch that in, because I think a little -- that little bit of openness in this community will be nice. But I can -- I can see the need. I will be with Joe and give the most political answer I can give and see both sides, but, yeah, I think being seven to ten feet away from the back of the buildings is a little tight, but other than that I like it.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I will -- I will go ahead and make a motion, unless other people wanted to weigh in, but I would just say I like that we are -- we have this product coming in. I think that it balances out some of the other things that have been going in. We definitely have a need. I personally don't -- don't think the pathway is needed, but if it stays I -- I wouldn't fight for it either way, I guess. But I -- I personally don't see a need for it as much. There is plenty of other options, either going through or around this, so I'm going to make a motion to remove that. But I did have a question before this. With the one that you said we didn't really need to talk about, but they brought up was the A-1.I Is there anything that we need to condition in regards to that condition?

Dodson: Commissioner Grove, A-1.I is the pathway one, but A-1.B is the affordable housing component. But, no, there is no need to make anything. Mr. Starman and I will continue working with the applicant to massage that language to make sure, you know, by the time we get to Council and after Council we have it all buttoned up and in agreement for everybody.

McCarvel: Yeah. I would agree that -- I mean I think it's the position of this Commission that we do like to see this stay classified as affordable housing, because this seems to be done right. Yeah.

Dodson: Agree. Yeah. There is just I think a few hiccups on some of the language in it and the way that they will do the -- the rents versus what we put in the original provision and, again, it's just a wording thing.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Before a motion is made I got another question for staff. Is -- is the path -- is that something that could be -- that they can work with the -- the HOA that -- was it Wood -- Wood something there to the north and -- and put that on the -- can it be even put on that -- the easement -- over the piped lateral there?

Dodson: Commissioner Cassinelli, I called that out in my staff report is I would love for them to work with that HOA and try to get that open space area more activated. So, yes, I mean you could modify the condition and say, you know, work with the adjacent HOA and, if not, keep it along the north boundary. Sure. Absolutely.

Cassinelli: Okay.

Grove: Making notes. You all good?

McCarvel: We are good, unless Mr. Yearsley raises his hand.

Yearsley: I have no comment.

Grove: All right. After considering all staff, applicant, and public testimony, I move to recommend to the City Council file number H-2021-0092 as presented in the staff report for the hearing date of January 6th, 2022, with the following modification: That condition A-1.I is modified to have the applicant work with the HOA to the north on relocating the pathway as listed to the lateral.

Johnson: Madam Chair, my apologies. Commissioner Grove, I think you left out the word approve or deny. We didn't get a verb there.

Grove: Oh. Approve. Do we have that in where ever I said it? Do you want me to do it again?

McCarvel: No. We can put it in there.

Grove: Thank you.

Johnson: That's perfect. Thank you.

Seal: I will second that.

McCarvel: It has been moved and seconded to recommend approval for H-2021-0092 with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Would the Commissioners like a five minute break?

(Recess: 7:58 p.m. to 8:06 p.m.)

**6. Public Hearing for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.**

- A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.

McCarvel: All right. We will resume with H-2021-0083 and we will begin -- Friendship Subdivision and we will begin with the staff report.

Tiefenbach: Good evening, Madam Chair, Members of the Commission. This is Alan Tiefenbach, associate planner, City of Meridian. Okay. This is an application for an annexation and zoning to R-8 and preliminary plat for 41 lots. The property is located south of Chinden and west of Locust Grove. The Brookdale Estates Subdivision is to the west, which is here. The High -- and that's zoned R-2. The Hightower Subdivision is to the east. That's here. That's zoned R-8. The Saguaro Canyon Subdivision, which is down here, is zoned R-4. There is an existing church that is located here. This property was proposed for annexation and zoning to R-8 in a plat for 48 lots. That was the Bull Ranch Subdivision. That was proposed in 2015. That was subsequently denied by the Council with density being cited as the primary concern. This property is recommended for medium dense -- or excuse me -- designated for medium density residential, which is eight to 12 dwelling units per acre. This application is for annexation of just a little over ten acres of land with the R-8 zone district and a preliminary plat, like I said, to allow 41 building lots and seven common lots. North Elk Ranch Road, if you can see my pointer, if I'm not doing it too quickly, this is a private road and it presently provides access from the subject property, which right now is a house, which is here, to Chinden Boulevard. This subdivision proposes to connect to three existing local streets, which already stub at the property. So, one of them will be East Lockhart Street to the west. That would be here and you can see it down here, but I will show you on the plat here. East Lockhart to the west, East Tallinn to the east. This is from here. And North Senita to the south, which is down here. They are also providing a stub to the church to the north, just in case that property develops in the future. The Uniform -- Uniform Development Code states that when a property has an existing access from a state highway and an applicant proposes a change or increase in intensity of use, the owner shall develop or otherwise require



access to a street other than the state highway. In this case they already are showing three existing accesses and one stub. As a condition of approval staff recommends the applicant vacate all the interest in North Elk Ranch Lane, which, again, would mean they could no longer use it for access, again, because the property already has three existing points of access and will have a fourth. The plat shows the North Slough is bisecting the property at approximately a 45 degree angle. That's what you see here. There were some discussions about how it was going to be rearranged, but we have worked it out and the owner will reconfigured this toward the northwest corner of the property. This will be coordinated with the irrigation district. The applicant has submitted elevations of the single family home for this project. These homes appear to meet design requirements for single family and they are consistent in general with the architecture of the existing surrounding residences. Staff has expressed several concerns in the staff report. Two of these included -- well, first one was including removing a lot at the south to be more consistent with the lots in the Saguaro Canyon Subdivision No. 2 to the south. The other concern was for the applicant to reconfigurable Lots 1 through 10, Block 1, along the eastern perimeter, so that the property lines will align with the lots in the subdivision to the east. The applicant submitted plans today which show a lot has been removed from the south and that's when I showed you the arrows, if this makes sense. So, this is what was -- this is what you saw on the staff report. There were four lots down here. This is what you see today. So, they have taken away one of those lots and they have moved that lot up to here, which was previously open space. When I go to here you will be able to see the difference with the open space exhibit. So, the one on the left where you see Block 3, that was the open space before. What you are seeing there on the right is now the second open space, because this new lot has been moved here. So, they did increase the lot sizes on the south to be more consistent with the adjacent subdivision, but it also decreases the open space from almost 15 percent to a little more than 12 percent. Now, the -- under the current code that's in effect now they would be required to provide 15 percent open space, but this came in at the time when only ten percent was required. So, they are still slightly over what they would have been required had they -- when they submitted under the previous code, but they are under what would be required under today's code. As of this morning staff has received one letter in opposition and this was from the property owner -- or from one of the developers of the property to the west. This was concern in regard to the amount of properties that are being zoned R-8. They were proposing that it would be more appropriate to be zoned to R-2. About the lots to the east. And I will back up so you can see these. One of our concerns were all of these lots onto the east, the way that they line up with the property here, they are slightly offset. It's not a deal killer, but staff's concern with that is that, first of all, the fence lines would be really kind of weird and it would also make the ownership kind of funky, because it wouldn't -- you wouldn't be able to just logically figure out where your property ownership is, so they are slightly offset. Staff has mentioned that was a concern to the applicant. The applicant is moving forward with the configuration as is. I will leave it to the Planning Commission to decide if that is an issue to them or not. But with that this plat does meet all the requirements of the UDC. It is consistent with the designation of the Comprehensive Plan. They have met the minimum requirements for the open space and the amenities. With that, then, staff recommends approval with the conditions that are in the staff report. We would support the site plan that they submitted today. But, again,

we think that the lots to the east should be configured with the lots next to them. With that I'm done and would stand for any questions or comments.

McCarvel: Thank you. Would the applicant like come forward.

Tiefenbach: Oh, sorry. I was just -- I was just corrected and sorry about that. I did make a typo. The density there is three to eight dwelling units per acre, not eight to 12. That was my bad. I just missed that in my presentation. So, they are still within their designation. It's a little on the high side, but three to eight is what they are allowed, not eight to 12. So, I stand corrected.

McCarvel: Thank you.

Canning: Madam Chair, Members of the Commission, my name is Joe Canning and I'm with Centurion Engineers in Boise, Idaho. 5505 West Franklin Road. And I am here tonight with the applicant Mike Homan and we may share part of this presentation if he thinks I missed something. So, we will see how that goes. So, Mike is here. I just wanted to briefly note the staff report. Thank Alan for his efforts on this. I must admit that in an effort to react to the staff's suggestions in the original staff report we have been pushing stuff around here the last couple of weeks and with the holidays it's been a little bit tough, but he did get the correct or current layout in the presentation tonight, so we appreciate that. And we have to apologize, it's been a little hectic here lately, so my apologies on that. And Alan did mention -- I think the two things that were in the staff report that were particular issues for us. Number one was delete the lot along that sound boundary in that southeast corner. However, we agree with that. The other issue was the lot lines along that east boundary, getting them to align with the lot lines to the project to the east and I will discuss that a little more later. I did want to comment on the comp plan designation. The comp plan designation is for medium density residential, which is three to eight -- eight units per acre. We are proposing 41 units at about 4.1 units per acre. So, we are actually at the low end of the comp plan designation for that medium density residential and I think it's worth a moment just to talk about the property to the north. The Friendship Celebration Lutheran Church is there. The comp plan has that designated as an MUC. It's currently in the county. If annexed and further developed the project will probably come forward as a mixed use of maybe R-15, R-40, and commercial. I think that's kind of key to the use in this project that we are proposing tonight and how we try to transition from the existing neighborhoods up to what could happen to the north and even if it doesn't develop there are some significant open areas to the north of this project that are the church's, of course, but certainly be a benefit to the Friendship Subdivision occupants. And the other important thing I think I need to note here is that there is a Settlers Irrigation District lateral through here. That slough. That has a notable impact to the site design. Actually, it's a quite large impact to the site design. There is approximately 1,200 feet of pipe necessary to relocate that lateral. That's 36 inch pipe. It's reinforced concrete. It's a considerable expense to the project. And it did lay out some of the goals of what we tried to do when we did the layout for the subdivision, such as -- some of those -- we wanted to place those in a minimum of 30 foot common areas, because Settlers has told us they want a minimum 30 foot easement for that pipeline. So, all of our goals -- we tried

to put that pipe in at least a 30 foot common area. We wanted to place it near the street. We have had issues in the past where laterals had to be torn up in backyards and neighborhoods. Rather large pipe. It's a heck of a mess. A war zone. If this pipe would ever have to be replaced its access from the public streets is, in my opinion, huge. It really helps the future use of that lateral maintenance by the crews of the Settlers Irrigation folks. It's a real asset to the operation of that lateral. And the goal was to minimize utility crossings. That's part of why we picked the common areas as we did. There is only one sewer crossing -- a private sewer service that has to go to that existing house that will cross that lateral. The main lines will cross under it and all the services are going to avoid it. That was a huge -- a huge part of the impact we had on the design to the project. The staff report issues, transitions of lots size, this is where I get back to the two comments in the staff report that we did -- we were concerned about. One was to remove one lot at the southeast corner of the project. We agree with that. We did that and that's the layout that Alan showed you tonight. However, we did move that lot to the interior of the project by that cul-de-sac at the southwest corner. The other issue was aligning the lot lines along the east side of the project with existing lot lines to the east. We were a little puzzled by that comment. The structures that are east of us are rather large. They take up almost all the width of the lots. Our first thought was, actually, an offset property line may be better, because at least the occupants of Friendship would have a little corridor that they can see down on the buildings from the east. However, the main driving factor was the Settlers Irrigation lateral. If we didn't line up those lot lines to the east, the common area that's to the east of us along that south road -- it's only -- it's less than 20 feet wide. One of our goals was to maintain a 30 foot easement minimum for the Settlers. That's why we have that large -- rather large common area on the south side of that road along the side of the project was to make for sure that that irrigation lateral relocation and would not interfere with any of the homes that could be built within Friendship. So, I think the real issue with the comp plan is compatibility of -- of neighborhoods and they have 9.5 lots adjoining our property. We have nine building lots. So, I think it -- I think it's quite compatible and I just wanted to mention that this is a little bit of a difficult site to develop. The cost of that irrigation lateral is signified and not that cost is a matter or an issue for approval of the subdivision, but it certainly is to make it possible to develop. That's one of the main reasons we opted just to move that one lot from that southeast corner back into that open space. There is more than adequate open space for the project to meet the code when it was submitted, so we are really trying to maintain those 41 building lots. It's quite important to the success of this -- of this project. Construction costs are through the roof. I can't even imagine right now what it's going to cost to put that 1,200 lineal feet of 36 inch pipe in, but it's going to be quite significant. A few other things. There is an existing pathway on the west boundary near the southwest corner. It comes over from the subdivision from the west. Of course, we are going to connect to that, bring it into where our cul-de-sac is. We are posing a new pathway to the church property at our northwest corner. To be honest, part of that is to cover the irrigation lateral -- the irrigation lateral runs in that area, but, once again, the goal is to make sure it was in a common area. Friendship Subdivision is surrounded by development. It's, essentially, an island in the city that could provide much needed housing to the area. We believe we have proposed a quality style of project that will help fill the need for housing. We respectfully hope that the Commission supports the annexation and zoning and preliminary plat and

with that I will end. I don't know if Mike wants to add anything. Apparently he is okay. So, I would stand for any questions of the Commission.

McCarvel: Any questions for staff or the applicant? Commissioner Seal?

Seal: Madam Chair, yeah. Just -- what are the amenities that are being provided with this?

Canning: Yes. Madam Chair, Commissioner Seal, I hadn't looked at the landscape plan for a while, but there are some -- I believe there is some picnic areas proposed. There are, of course, some pathways proposed that will be going in. Those are the primary amenities.

Tiefenbach: Mr. Seal, I believe that there is a -- there is a playground or like a tot lot, a picnic table, and a bench. That was my understanding.

Canning: Yeah. I think you are right, Alan. There is a tot lot with the -- with the -- with the picnic area. Correct.

Seal: Thank you.

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

Canning: Thank you.

McCarvel: Do we have anybody signed up to testify on this application? Chris, we have Caleb running to the back of the room, but do you have anybody online?

Johnson: Madam Chair, we had nobody sign up in advance. There are some people in Zoom that if they want to raise their hand if they wish to speak.

McCarvel: Okay. We have one person on the list here that's indicated a need to testify. It's Mike Homan. Okay. That being said -- so, we -- do you have some on Zoom that have raised their hand?

Johnson: Madam Chair, nobody's raised their hand, but there are people watching, so I just wanted to tell them if they do wish to speak they can raise their hand.

McCarvel: And is there anybody in the room that wishes to testify on this application? Okay. Come forward.

DeGrazia: Hi. I'm Karen DeGrazia. I live at 6297 North Rosa Springs Avenue in the Hightower development. I have a question. Why are they rezoning it from an R-4 to an R-8? That's my question. Thank you.

McCarvel: Any other questions -- any other -- anyone else wishing to testify online or in

the room? Okay. With that would the applicant like to come forward? Oh, Alan.

Tiefenbach: I was assuming that the Commission was quite versed to be able to answer that, but just to clarify, this is being annexed. The property is not in the city at present, so it's not being rezoned from R-4 to R-8, it's being annexed into the city from county zoned property and being zoned to R-8.

McCarvel: Okay. Does the applicant have anything to add or do we have questions for the applicant?

Canning: Madam Chair, I don't really have anything to add. I would be more than happy to answer any other questions.

McCarvel: Any other questions or do we have a motion to close the public hearing?

Seal: Madam Chair, just one question. I know you made the -- you're meeting the minimums for what used to be, but you are not there for what is now, so -- you know. And I'm not looking at anything extraordinary that I would give you a pass on for today's standards, so would you be willing to get rid of that -- that house that you moved in order to increase the common area and --

Canning: I think I would have to direct that to the applicant, rather than myself. Mike.

McCarvel: Yeah. I would pile on, since we are chatting about that. I mean at least some significant -- something other than a tot lot. I mean something significant in that open space, since it is minimal, if not removing that lot.

Homan: Mike Homan. 6820 West Randolph Drive, Boise, Idaho. 83709. What was your question, sir? I'm sorry.

Seal: My question was on the -- the common space and, basically, it meets the requirements of what was, not what is. So, if I was looking at something today that was, you know, essentially, on the requirements of today I wouldn't give this a pass, not meeting the 15 percent, much less we are down to 12 percent. So, instead of adding that lot back in that was moved over to Block 3, Lot 8, there, would you be willing to forego that, so that the common space meets the 15 percent requirement of today?

Homan: When we did that, you know, it was at ten percent. That's what we negotiated the property for. Then we got this huge ditch that we got a pipe -- concrete pipe and that. It's been a really challenging site to do for an in-fill and we were thinking we would be about right in the center half of -- you know, to what -- we are at about 12 -- between ten and 15 percent and, then, we were going to do a tot lot and, then, picnic tables and have some features in there and, then, again, to the north is that church. We even named the subdivision -- we had a really good meeting with them and we named our subdivision Friendship and stuff. So, it's a tight project to do and if I didn't have to do that big pipe I would just say, yeah, one lot is nothing, you know, to lose, but we are really tight on this.

I would like to keep it if I could, to answer your question.

Seal: Okay. Thank you.

McCarvel: Yeah. Would you have any thoughts on some other significant amenity, instead of just a picnic table or --

Homan: We would look at adding, you know, more to that, if it was something --

McCarvel: To make it substantial.

Homan: Yeah.

McCarvel: Any other --

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: And this is -- this is more for staff. Why -- since this project is -- is still at this stage, why -- first of all, when did it switch from 15 to ten? And why are we looking at the old requirements versus the current requirements when -- when we are not even approved yet?

Tiefenbach: Caleb would know the date that it actually was approved, because he's smarter than me and he was here and, secondly, generally when you make an application before the new code goes into effect we have to review it under the old standards, not the new standards. This was submitted before that happened. When the pre-app had started it was before the new -- the new code was in effect. Caleb, do you remember when it was passed? Was it July'ish? Time moves fast here.

Hood: Madam Chair, Members of the Commission, no, it wasn't that long ago. It was just this fall, so -- but, yeah, as Alan stated, you are vested with the laws that are in effect when you submit the application, not when you get to hearing. So, they have been in the queue and are reviewed against the plans -- laws in effect at the time of submittal. So, that's why the discrepancy there between the ten and 15 percent. I can find the -- the exact date that it went to effect, but, yeah, it was just this fall.

Cassinelli: Okay. Thank you.

McCarvel: Any other questions for the applicant or staff? Okay. Thank you. Can I get a motion to close the public hearing on H-2021-0083?

Cassinelli: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I will step up. I understand the applicant's plight of having to install the drain, but I still like the idea of having that 15 percent open space and losing that lot. I don't know, I just -- I -- it's for me it's still fairly dense and having that one lot and having that open space to me makes it more palatable.

McCarvel: Yeah. I guess I'm concerned a little bit more about the open space than I am about aligning those lots on the east. I think -- I mean those look fairly tight anyway from what's on the other side of it and I would -- I would hate to see them try to finagle those even tight -- the ones on -- on their side that tight.

Yearsley: Madam Chair, I agree. I think you would end up having to lose a lot there to make those line up and --

McCarvel: Uh-huh.

Yearsley: -- I would prefer to keep -- maximize my open space than to try to have the lots line up.

McCarvel: Yeah. I'm more appreciative of them losing the lot on the south side and making that fit in better with what's on the south.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I would like to see a little bit more in terms of how this lays out with where the amenities are going, what's going on, and I'm going to say something that I don't think I have ever said in the two plus years or whatever I have been on here. I -- I -- I think I would almost rather see this be R-4 than R-8 in -- in how it's laid out, just because it's landlocked, but --

McCarvel: All right. That's it. It's not a rally.

Grove: -- I don't know. I have some issues with the general layout and I don't know how to describe it quite yet.

McCarvel: Commissioner Cassinelli.

Cassinelli: I will go with the easy one. I don't have a problem with the east property lines lining up. I -- in my subdivision -- internally in my subdivision I don't line up and I actually like -- I can see between the houses when I look out my backyard. So, I think that's a -- that's a plus and I don't think it's a -- there is any negative to not lining up, other than if everybody chooses a different fence style it's a little weird, but that's the easy one. I understand that the -- the density wanting to transition into the mixed use community on the -- on the north and to the -- to the east. That entire -- with the exception of the R-2 there that's right next to it, everything else surrounding it is R-4. It almost makes sense to -- to maybe look at it as an R-4 for that reason, just because -- and -- and the other thing is I look at -- if Council -- and, granted, it was a different Council at the time, but if Council didn't like the -- the R-8 before -- I mean we are only -- we are talking seven lots in there, you know, would they -- would they like it at this. So, it's odd to me why maybe they didn't come back as an R-4, as opposed to that. And, then, with regards to the open space, I guess we can -- I guess, you know, it was ten percent, so that's -- that's I guess how we have to look at it. I would, however, want to see more when it comes to the amenities. I don't think a tot lot and a picnic table is -- and in a couple paths are enough, frankly. So, I would want to see more there. I would like to see that -- that one lot -- I -- personally I would like to see some of the lots on -- I'm not looking at the layout of it right now, but I would like to see the -- the -- maybe the lots on the -- on the north -- maybe some open space up there, because those are pretty tight up there. That's how I would look at it.

McCarvel: I know that they are trying to get the open space to -- you know, where that pipe is running, but it seems like the open space is real close to all the bigger lots and it would probably be more useful --

Cassinelli: Well, if they kept that one that they have moved over there and, then, opened up something along the -- it looks like it's Block 5 up there. I'm not sure. But one of those -- you know, those lots up there, if they open up one of those for some more common space up there or I would be willing to trade -- trade that -- again, I would like to see a little bit lower density in there, but I would trade off better amenities for the same open space. I just -- I don't -- I don't think the amenities are -- are strong enough. I don't know what that looks like, but I would want to see an improvement there. Oh. And I did have a question for staff. The house -- the existing house that's there -- is Elk Road -- Elk Ranch Road is gone all together? Is that house not going to take access off the -- off Lockhart?

Tiefenbach: Correct. Conditional approval of this is that they vacate the entrance, so the house -- the existing house would no longer be able to take access from Chinden.

Cassinelli: Okay.

Tiefenbach: They would have to -- they would have to vacate their interest in that easement.

Cassinelli: Okay. Thank you.



Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: This is one of those -- I like to call this a have your cake and eat it, too, because it seems like the house -- the remaining house that there is kind of selling the land around it. I don't know if that's the case here, but it seems that way. So, you know, trying to have your cake and eat it, too, here, so -- the layout is -- to me it looks like they are taking all available land and trying to put everything that they can on it and the open space is just an afterthought. So, I think it's unfair to the people that are going to have to live there. I know they put some thought into where the sewers are going to run and I understand there is a huge expanse in -- in piping that ditch, but at the same time it just -- you know, it's unflattering, basically. It just looks like it is done to maximize the return on investment and there is just not a lot going for it after that. I mean it's basically just going to be a place for people to park their cars and, you know, more garage farms. So, I don't know if it's appropriate at this time for where we are at. I know -- you know, I mean compared to 2015 I know we have a lot higher tolerance for a lot more density, just because the way the city is growing and so I mean it's not multi-family, you know, or we would probably have a fleet of people in here arguing this. So, I just don't think that it's -- you know, it's -- I don't think it's maintaining that kind of premier atmosphere that we are trying to do -- you know, get for Meridian, so -- you know, Meridian in and of itself is landlocked. There is no more land out there that we are going to accommodate. So, what we have we have to do it and we have to do it right and I just don't think this is -- this is it.

McCarvel: Comments? Motion?

Yearsley: I'm just amazed that my fellow Commissioners -- I'm always up for R-4. Yeah. Over R-8. So, I'm just kind of amazed that my fellow Commissioners have made that comment, so I'm very supportive of an R-4.

Cassinelli: So, do we continue this and --

McCarvel: If you are going to -- we have to reopen --

Cassinelli: We would have to reopen --

McCarvel: Yeah. Let's reopen. Need a motion to open H-2021-0083.

Cassinelli: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to open H-2021-00083. All in favor say aye. Opposed? Motion carries.

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

McCarvel: Would the applicant like to come forward.

Homan: Mike Homan. 6820 West Randolph Drive. Mike Homan. I would -- would agree to lose one lot. You guys could decide where it was best to lose the lot. Your idea to the north was -- you know, kind of had more -- some space over there.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I would prefer not to redesign this here --

McCarvel: On the fly. Yeah.

Grove: I would say we either continue or deny, but trying to sit up here and design and figure out which lot to remove doesn't make sense to me.

McCarvel: I -- yeah. I would say probably have it come back with a little more -- some thought on making it usable open space and not just open space as a buffer to the existing home. I think that's what we are seeing. And I think that's where the hang up is. If you are going to have the subdivision, you know, built out it needs -- the amenities need to benefit this subdivision, not just be a buffer to the existing house. Yeah.

Homan: What about if it was approval subject to -- you know, where I agreed to lose one building lot and leave it up to City Council?

McCarvel: Yeah. I just -- I'm guessing -- I don't -- not thinking you're understanding. It's not just about losing one lot, it's about making this open space functional and usable to the subdivision. Am I -- am I saying that -- I don't want to put words in my fellow commissioners' mouths, but --

Seal: I think you have said it eloquently.

McCarvel: Okay.

Homan: With that extra lot that I would take out, remove, I would be in compliance, I believe, with your 15 percent. Yeah. So, what I'm saying is with agreeing to drop another lot for common space, I should be in compliance with your new ordinance, with the 15 percent, and with an in-fill piece -- this is a challenging site. It had that ditch going through there. We had an existing house. It's a pretty nice home, it's not a scraper house, or -- and we are just trying to work with what we can work with and I think if we left it up to City Council to -- you know, we will agree to drop a lot and, then, submit to Alan some plans with a -- you would have a chance to review them and so this wouldn't be the final say. City Council would have a chance to review it and Alan would again and -- we are just really tight on time as -- on our purchase agreement. So, we would like to keep it, you know, moving forward, but agree to make a concession and lose another lot if -- it's

financially tight, but as -- anyway, I will agree to that if that helps at all.

Seal: Madam Chair, it sounds to me like -- I mean I think we are kind of all on the same page, so if the applicant wants to gamble with City Council I think we can move it forward with a denial and he can take his chances with City Council.

Homan: It would be nice to have an approval. There -- you know, a recommendation. I would -- maybe can we leave it up to City Council has another say so on it and staff -- Alan's going to be there for the City Council thing saying that we have, you know, worked out it.

McCarvel: Yeah. You know, we are -- just we are the recommending body and we are kind of here to have staff and the applicant and the public and everybody's opinions kind of come together and we try to clean it up real nice, so it goes to City Council with everything worked out, but I'm thinking we are kind of not on the same page here about what we are asking for as far as the open space and not just being one less lot. It's about being functional open space and so if -- you know, if you are not wanting a continuance to bring it back to us, we can recommend denial and the reason for our denial and, then, you can take that information and move forward to City Council and, you know, if you have changed a few things that you think meet what our denial reason was, then, City Council may take a look at that and -- and say, okay, yeah, they -- he met the spirit of what Planning and Zoning was thinking or they may have their own -- I mean, yeah, we are just -- it's a recommending and so if we deny it we will give a reason why and so if you fix that reason by the time you get to Council, if you are on a tight time frame, then, that's -- that's kind of where we are at. Otherwise, we can recommend a continuance if you want to bring back a different design, but I think if your thought is you are just going to lose a lot somewhere, I think that's really not what we are asking for.

Homan: What would meet your new ordinance, you know, with the 15 percent and we can put some thought to work with Alan where is the best place, because we don't really -- we want to do the best thing for the subdivision and get some input and so we are agreeing to do what you guys want, we would just like the opportunity to work it out with Alan before our City Council thing and not have a denial on our thing and that's -- and try to do the best we can with the circumstances on the property that we are working with and sometimes it's challenging with ditches and other stuff. But I would be willing to really work with you guys if you give me a chance to.

McCarvel: Yeah. And a denial doesn't mean that we are not -- you know, that you don't have the chance to work with it. It certainly gives you -- it gives City Council our thoughts and definitely you would have a chance to fix it and move on.

Homan: Okay. Thank you.

McCarvel: Uh-huh. Do we have any other questions for Alan?

Tiefenbach: Hi. Ms. Chair, but not for long, and Members of the Commission, even though she is tenured and she will be here forever. Just a quick note for the applicant,

probably, is if this does get continued we are talking -- and I will have to defer to Chris, but the second -- the next one in January is totally full --

McCarvel: Yeah.

Tiefenbach: -- and February I think is filling up. So, we are talking about, you know, at best the first week in February and I will defer to Chris Johnson if we can even make that hearing.

McCarvel: Right. I mean --

Tiefenbach: Because it has 15 days in advance to get the plans to you. So, you know, it's not going to be quick. More than a month.

McCarvel: Yeah. I think at this point, then, based on the applicant's preference to keep moving forward in his timeline, I would think it would be best to move forward with a denial and recommendations on why we are denying -- why we are recommending denial and that would give him the opportunity to fix it and let City Council go on from there.

Seal: Agreed.

McCarvel: Okay. So, at this point, if we have no more questions for staff or the applicant, we need to close the public hearing on H-2021-0083.

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to close public hearing on H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend denial of the City Council file H-2021-0083 as presented during -- during the hearing on January 6th, 2022, for the following reasons: So, that they can provide more open space and more functional open space that is integral to the subdivision and, then, is better suited for R-4 and not R-8.

Yearsley: Second.

McCarvel: It has been moved and seconded to recommended denial of H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**7. Election of 2022 Planning and Zoning Commission Chairperson and Vice-Chairperson**

McCarvel: Okay. We have one more item on the agenda. No, we are not done. We will address this one. I would love to nominate Commissioner Seal as president for the 2022 --

Cassinelli: I will second that nomination.

McCarvel: -- Chairman.

Cassinelli: I will second that.

Yearsley: I know -- I think you have done a great job in filling in, Commissioner Seal, and I think you would be a great Commissioner --

Seal: Thank you. Appreciate that.

McCarvel: It has been moved and seconded to recommend Commissioner Seal as our new chair. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I don't get a vote?

McCarvel: Nope.

Yearsley: Well, you can, but --

McCarvel: You can, but you have been outvoted.

Johnson: Madam Chair, can you repeat who made the motion? I put down Commissioner Seal made the motion and I'm sure that's not correct. I want to get that correct on the record.

McCarvel: Former Chair McCarvel made the motion.

Johnson: Thanks.

McCarvel: Former Chair McCarvel would also like to move that Commissioner Grove be the new vice-chair.

Seal: Second.

Cassinelli: Third.

McCarvel: And Commissioner Grove does not get a vote.

Yearsley: Man, this is awesome. This went very fast. I'm -- I'm -- I'm excited about it.

McCarvel: It has been moved and seconded to vote Commissioner Grove as Vice-Chair for 2022. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Yes, Commissioner Yearsley.

Yearsley: I move we adjourn.

Cassinelli: Second.

McCarvel: And third. It has been moved and seconded to adjourn. Everybody say aye. Opposed. Motion carries.

MEETING ADJOURNED AT 8:51 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
RHONDA MCCARVEL - CHAIRMAN

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

ATTEST:

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



## AGENDA ITEM

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

*Applicant Requests Continuance to February 3, 2022*

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

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



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** January 20, 2022

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

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

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**Information Resources:**

[Click Here for Application Materials](#)

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





## AGENDA ITEM

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

*Application Requires Continuance*

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



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** January 20, 2022

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

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

## Information Resources:

[Click Here for Application Materials](#)

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

# STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT



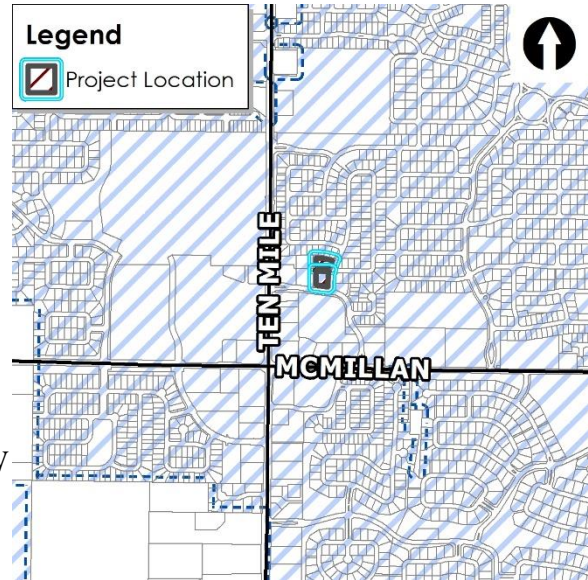
HEARING DATE: December 16, 2021

TO: Planning & Zoning Commission

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

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

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



### I. PROJECT DESCRIPTION

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

### II. SUMMARY OF REPORT

#### A. Project Summary

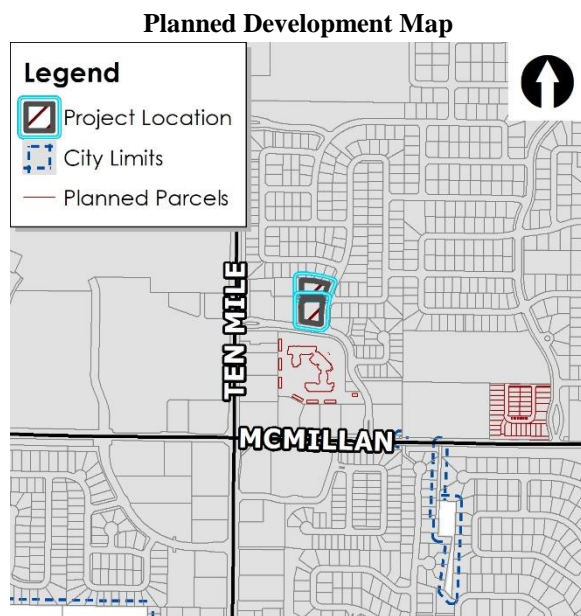
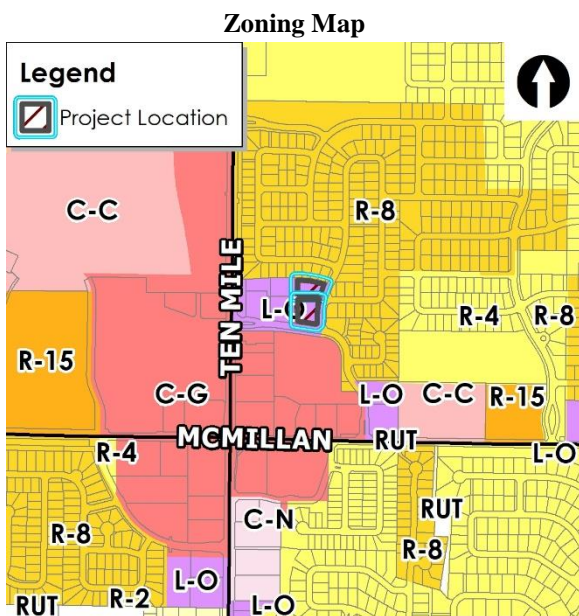
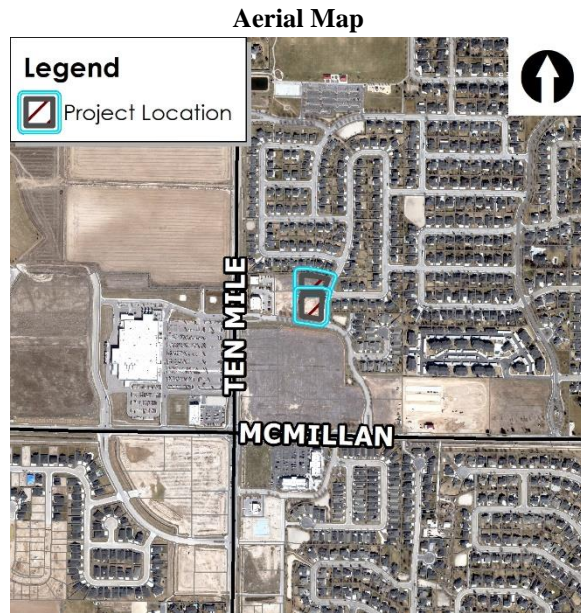
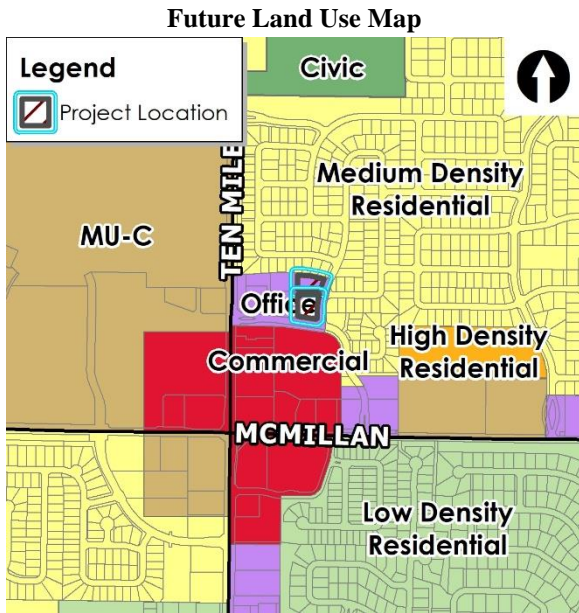
Description	Details	Page
Acreage	1.75 acres	
Future Land Use Designation	Office	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Vertically Integrated Residential Project	
Neighborhood meeting date; # of attendees:	September 9, 2021; at least four (4) attendees	
History (previous approvals)	Verona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

#### B. Community Metrics

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

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

C. Project Area Maps



**III. APPLICANT INFORMATION**

A. Applicant:

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

B. Owner:

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

C. Representative:

Same as Applicant

**IV. NOTICING**

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

**V. COMPREHENSIVE PLAN** (*Comp. Plan*)

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

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

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

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

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

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

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

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

The following goals and policies in the Comprehensive Plan are applicable to the proposed development:

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)

*The proposed use will contribute to the mix of uses in this area and should add to the livability and economic vitality of the community by providing the opportunity for residents to live and work in close proximity to the same physical space.*

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

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

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

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

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

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

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

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

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

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

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

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

## VII. STAFF ANALYSIS

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

A 10-foot wide street buffer is required to be provided along N. Cortona Way to the east, a local street, and a 20-foot wide street buffer is required along W. Milano Drive, a collector street, landscaped per the standards listed in UDC [11-3B-7C](#). Parking lot landscaping is required per the

standards listed in UDC [11-3B-8C](#). A 20-foot landscape use buffer to the existing single-family residential to the north is also required.

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

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

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

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

**Building Elevations:**

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

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

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

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

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

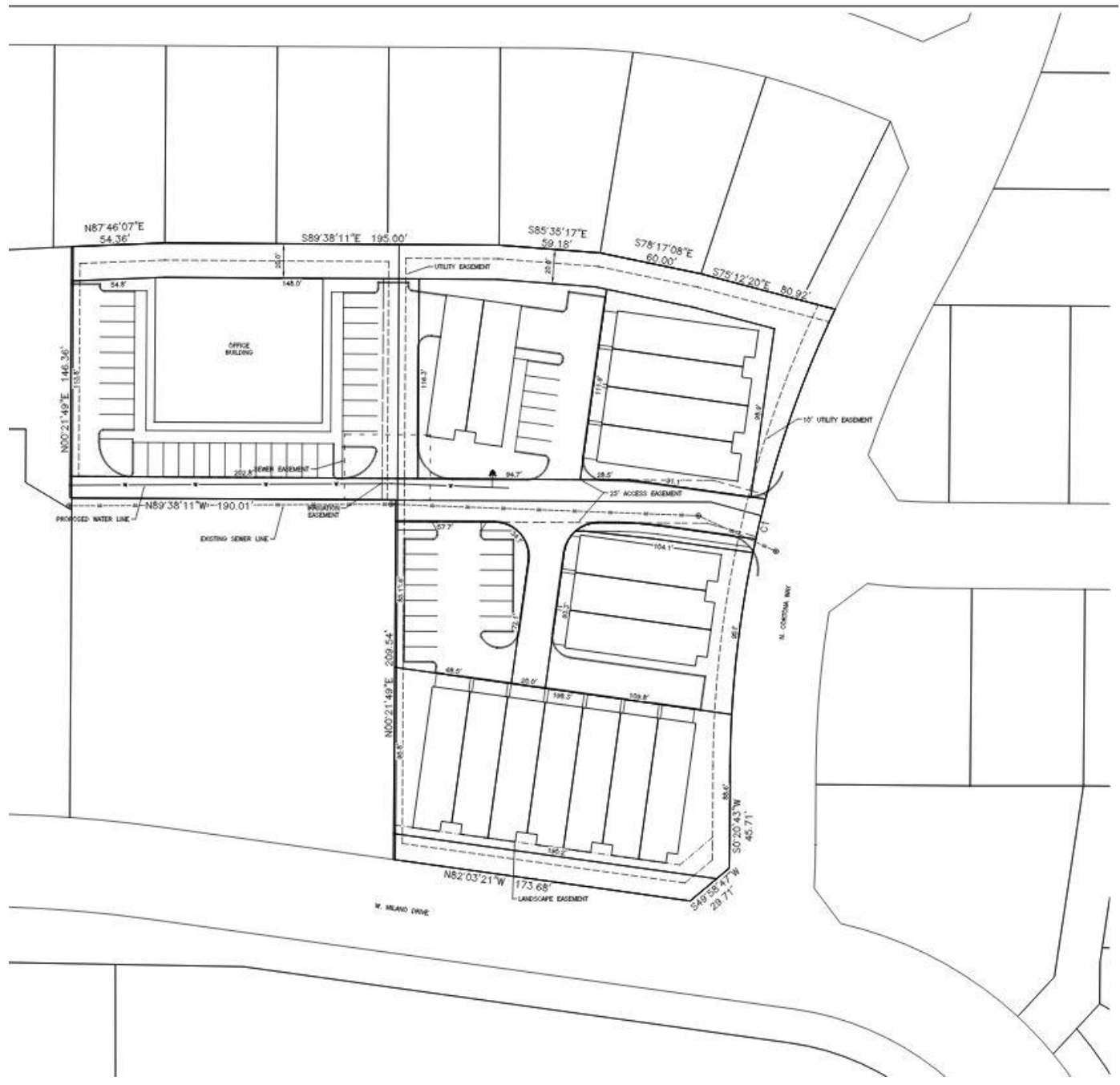
### VIII. DECISION

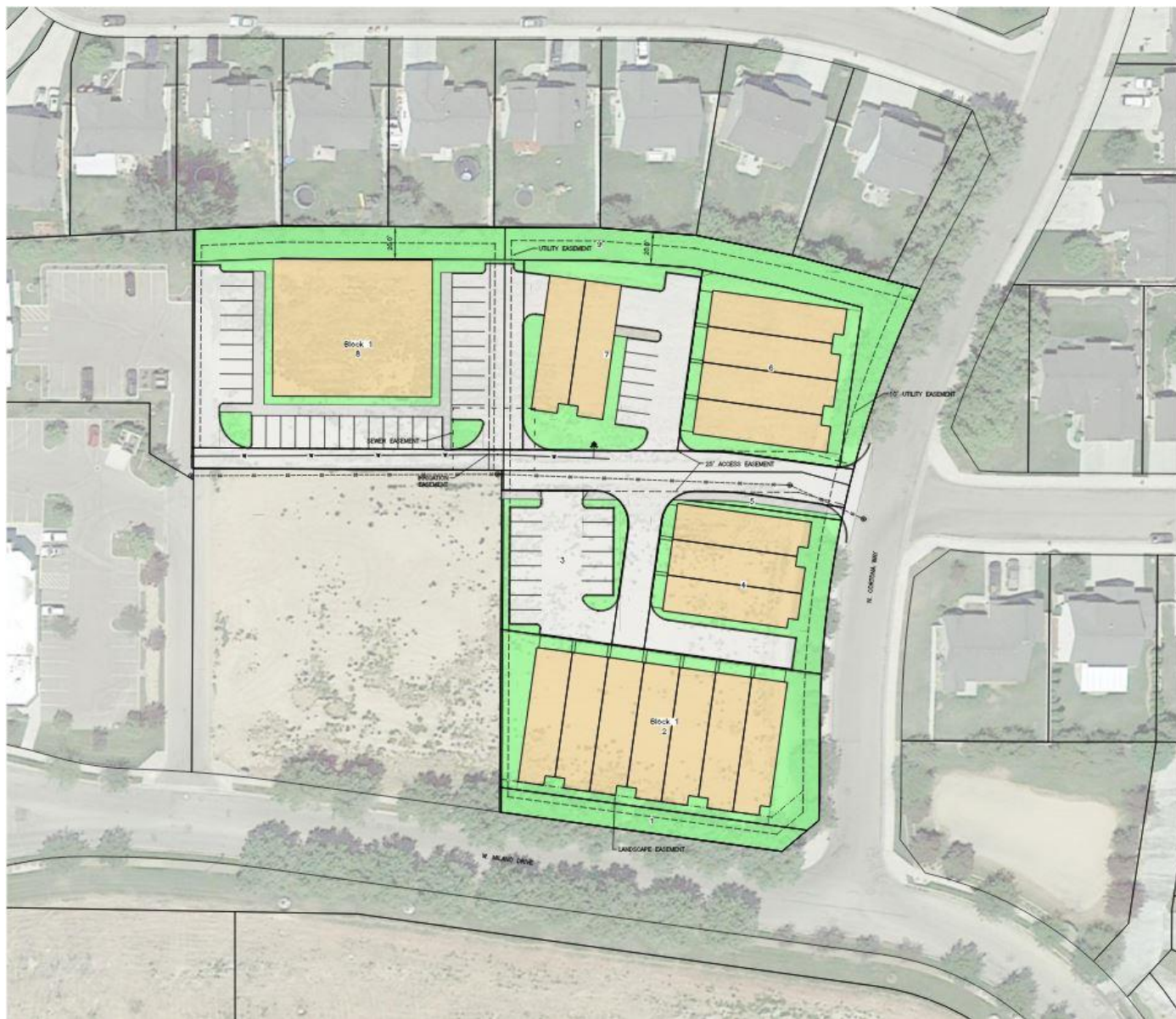
#### A. Staff:

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

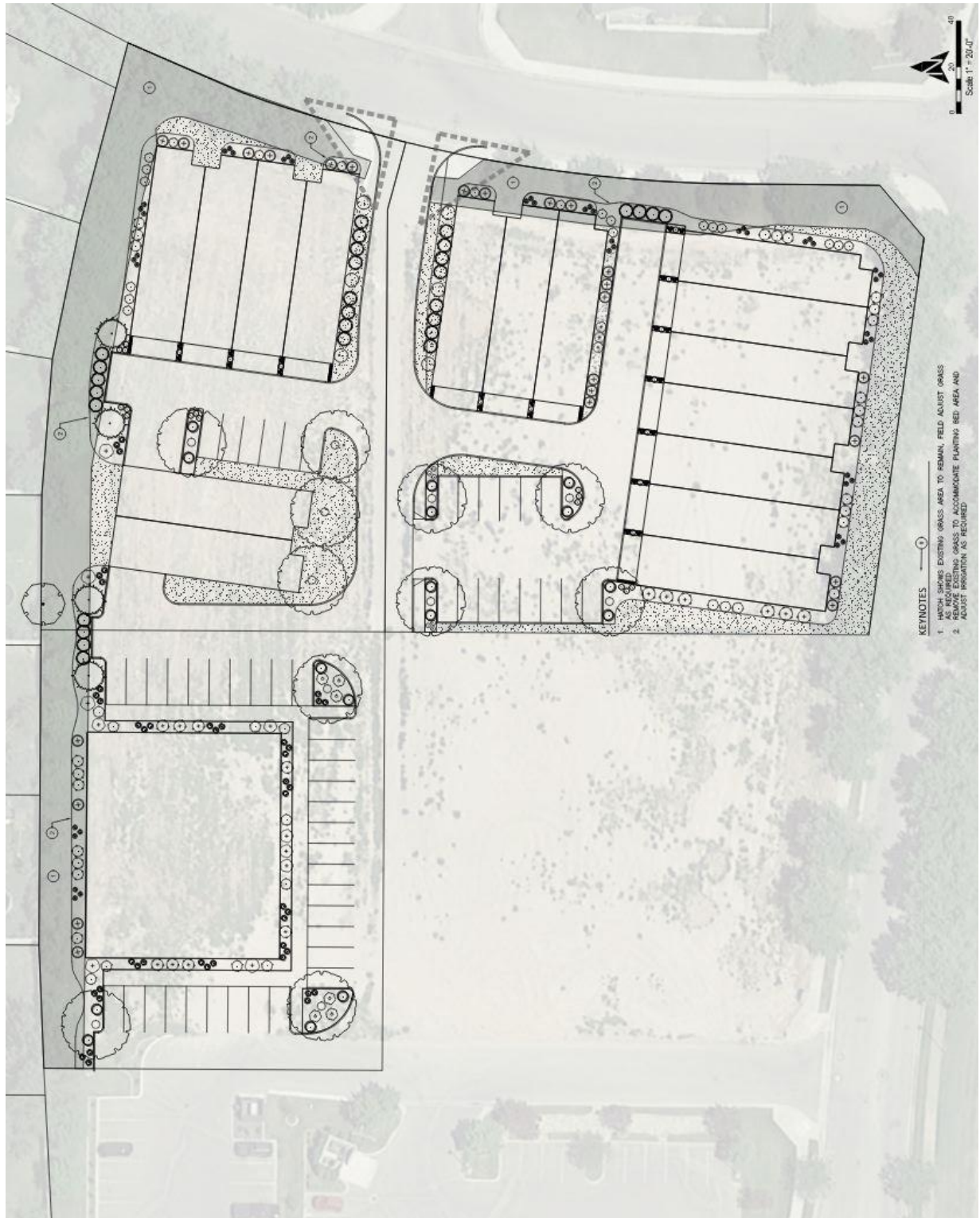
### IX. EXHIBITS

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





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



Item 3.

71

C. Conceptual Floor Plan

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

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

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

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

LIVE WORK

1/4" = 1'-0"

ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE CITY OF HAMMETT'S ZONING ORDINANCE AND THE CITY ENGINEER'S APPROVAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT.

**PRELIMINARY**

NOT FOR CONSTRUCTION PURPOSES

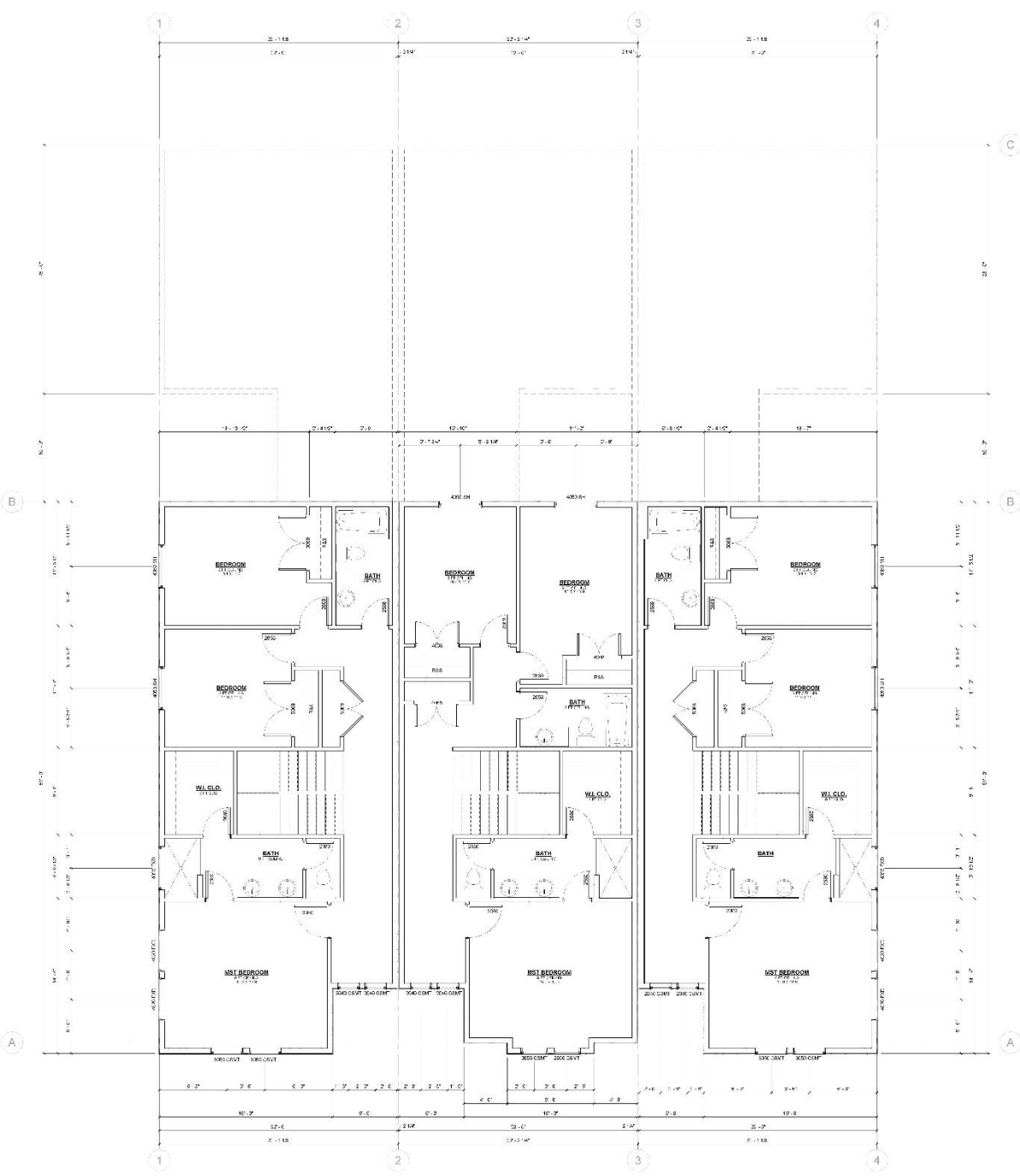
LOT BLOCK

**ENCOMPASS**  
DESIGNS, LLC  
11111 15TH AVENUE, SUITE 100  
DUBLIN, CA 94568  
(925) 835-1111

**H** **HAMMETT - HOMES**

SCALE: 1/4" = 1'-0"  
JOB #: 210408  
PLOT DATE: 01/02/2021 11:16:46 AM  
FLOOR PLAN - MAIN LEVEL  
**A2.0**

Page 13



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

LIVE-WORK	
LOT	BLOCK
<p>ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE BEST PRACTICES OF THE TRADE AND SHALL BE SUBJECT TO THE BEST PRACTICES OF THE TRADE AND SHALL BE SUBJECT TO THE BEST PRACTICES OF THE TRADE.</p>	
<p>PRELIMINARY</p> <p>NOT FOR CONSTRUCTION PURPOSES</p>	
<p>LOT BLOCK</p>	
<p>HAMMETT HOMES</p>	
<p>SCALE: 1/4" = 1' 0"</p>	
<p>DATE: 06/20/2021 11:16:46 AM</p>	
<p>FLOOR PLAN - SECOND LEVEL</p>	
<p><b>A2.1</b></p>	



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



## X. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning

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

8. Prior to the Planning and Zoning Commission hearing, the conceptual floor plans shall be revised as follows:
  - a. Expand the commercial areas of at least some of the units to help the viability of the commercial component of this project.
  - b. Remove the first exterior door to help delineate the commercial and residential areas of the units by creating two exterior facing doors; one for the residential, and one for the commercial suite.
9. The east-west drive aisle depicted on the site plan(s) that connects from N. Cortona Way, to the existing north-south drive aisle on parcels R9010670065 & R9010670015 shall be constructed with the first phase of this project to ensure adequate traffic flow for the site.
10. Protect the existing landscaping on the site during construction, per UDC 11-3B-10.
11. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. Ada County Highway District (ACHD)

*No staff report has been submitted at this time.*

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

C. West Ada School District (WASD)

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

D. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244941&dbid=0&repo=MeridianCity>

## XI. FINDINGS

A. Conditional Use Permit

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

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

*With Staff's recommended revisions, the site meets all the dimensional and development regulations of the L-O zoning district and the proposed use of Vertically Integrated Residential Project. Therefore, Staff finds the site is large enough to accommodate the proposed use.*

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

*Staff finds the proposed use will be harmonious with the Comprehensive Plan per the analysis and applicable policies noted in Section V of this report.*

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

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

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

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

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

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

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

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

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

*Staff finds the proposed use should not involve activities that would be detrimental to any persons, property or the general welfare.*

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

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



## AGENDA ITEM

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

*Applicant Requests Withdrawal of Application*

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



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** January 20, 2022

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

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

## Information Resources:

[Click Here for Application Materials](#)

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



## AGENDA ITEM

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

A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.

B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** January 20, 2021

**Topic:**

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

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

**Information Resources:**

[Click Here for Application Materials](#)

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



January 18, 2022

**MEMORANDUM**

TO: Planning Commission

FROM: Alan Tiefenbach, Associate City Planner

RE: Jamestown Ranch - AZ, PP - H-2021-0074

At the November 18, 2021 Planning Commission meeting, the Planning Commission continued this application for the applicant to consider the following:

1. Consider reducing the number of common driveways;
2. Cooperate with ACHD in aligning the collector street with N. Joy St on the north side of W. McMillan Rd;
3. Receive the final ACHD staff report
4. Consider realignment of micro-pathways for easier resident access to the central amenities not in the gated portion.

The applicant has provided revised plans. The applicant outlines the following changes:

1. Addition of 5 knuckles to eliminate common drive lots where possible (reduced the common driveways by 5).
2. Addition of pedestrian pathways to common drive lots and associated easements (see pre-plat note 9).
3. Road alignments adjusted (the collector still does not align with Joy St).
4. 1 residential lot removed and 2 common lots added.
5. Additional pedestrian access added, i.e. Lot 21, Block 2

Please note staff did not receive ACHD's staff report or updated documents from the applicant until late morning January 18, 2022. Staff has had limited time to review the changes. The Planning Commission should determine whether they have had adequate time to ascertain if all their concerns have been met.

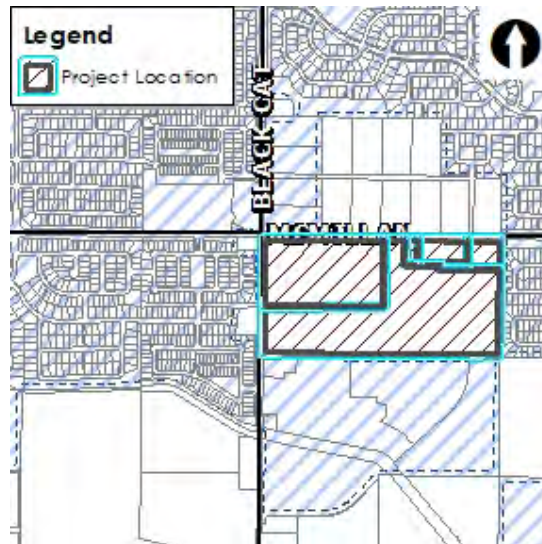
# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 11/18/2021  
 TO: Mayor & City Council  
 FROM: Alan Tiefenbach  
 208-884-5533

SUBJECT: AZ, PP - H-2021-0074  
 Jamestown Ranch Subdivision

LOCATION: Parcels S0434223150, S0434212970, S0434212965, S0434212920, and 4023 W. McMillian Rd, located at the southeast corner of the N. Black Cat / W. McMillian Rd intersection.



## I. PROJECT DESCRIPTION

Annexation with the R-8 zoning district, and preliminary plat to allow 294 building lots and 25 common lots on 80.3 acres of land.

## II. SUMMARY OF REPORT

### A. Project Summary

Description	Details
Acreage	80.3
Future Land Use Designation	Medium Density Residential 8-12 du/acre
Existing Land Use(s)	Vacant and 2 single family residences
Proposed Land Use(s)	Single Family Residential
Lots (# and type; bldg./common)	294 building lots, 25 open space lots, 15 access lots
Phasing Plan (# of phases)	2 phases
Number of Residential Units (type of units)	294
Density (gross & net)	3.66 du / ac gross, 6.17 du / ac net
Open Space (acres, total [%]/buffer/qualified)	11.63 acres of qualified open space (14.5%)
Amenities	Two large parks, each with a swimming pool and clubhouse, a pickleball court, several pocket parks and internal landscaped trail connections.
Physical Features (waterways, hazards, flood plain, hillside)	Lemp and Creason Lateral run along the western property line, Lemp Lateral also runs along the northern property line.
Neighborhood meeting date; # of attendees:	July 21, 2021 – 5 attendees

Description	Details
History (previous approvals)	None
B. Community Metrics	

Description	Details
Ada County Highway District	Report Pending, preliminary comments submitted
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> </ul>	Yes
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) Stub Street/Interconnectivity/Cross Access	N. Black Cat Rd and W. McMillian Rd  Three internal connections – two aligning with N. Bartok St. and N. Grand Lake Wy. at the Quartet Northeast No 2 subdivision to the south, and one aligning with W. Viso St. from the east through the Volterra Heights subdivision.
Existing Road Network	N. Black Cat Rd. and W. McMillian Rd
Existing Arterial Sidewalks / Buffers	None along the subject property. There is a 25 ft. wide buffer and 5 ft. wide sidewalk on the west side of N. Black Cat Rd installed with the Oak Creek No 3 Subdivision.
Proposed Road Improvements	No right-of-way dedication is required along W. McMillian Rd as it will be offset to the north when widened in the future. ROW dedication of 50' from centerline will be required from N. Black Cat Rd. The applicant will be required to construct westbound turn lane on McMillian at the collector.

Fire Service	
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> <li>Fire Response Time</li> <li>Resource Reliability</li> <li>Risk Identification</li> <li>Accessibility</li> <li>Special/resource needs</li> <li>Water Supply</li> <li>Other Resources</li> </ul>	2.7 miles to Fire Station 5 > 5 minutes > 80% 2, resources are not adequate Yes Aerial device will be required 1,000 gpm required None

Police Service		
<ul style="list-style-type: none"> <li>Distance to Police Station</li> </ul>	7.4 Miles	
<ul style="list-style-type: none"> <li>Police Response Time</li> </ul>	P3 4:11 P2 8:16 P1 12:57	
<ul style="list-style-type: none"> <li>Calls for Service</li> </ul>	792	
<ul style="list-style-type: none"> <li>% of calls for service split by priority</li> </ul>	% of P3 CFS % of P2 CFS % of P1 CFS % of P0 CFS	1.4% 72.2% 25.5% .9%
<ul style="list-style-type: none"> <li>Crimes</li> </ul>	59	
<ul style="list-style-type: none"> <li>Crashes</li> </ul>	27	

Wastewater	
• Distance to Sewer Services	Directly Adjacent
• Sewer Shed	North Black Cat Trunkshed
• WRRF Declining Balance	14.22
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Comments	<ul style="list-style-type: none"> <li>• Flow is committed</li> <li>• Do not have mains in common driveways. There are multiple common driveways for 2 or 3 lots. These should all have sewer services run from the main in the street.</li> <li>• Do not extend sewer main outside of Right-of-Way. Instead run services from main that reside in the road to each lot.</li> <li>• Sheet PP2.3 at the bottom left corner has a sewer line running through a common lot and part of a residential lot. The City does not want sewer in common lots or residential lots. Reconfigure so sewer is in Right-of-Way.</li> <li>• Angle of pipe going into/out of manhole in the direction of flow needs to be a minimum of 90 degrees. This is not the case for manhole at intersection of Doctor Brunn Ln and Cattleman Way.</li> <li>• Applicant to ensure that no sewer services cross infiltration trenches.</li> </ul>
Water	
• Distance to Water Services	Directly Adjacent
• Pressure Zone	1
• Water Quality	No concerns
• Project Consistent with Water Master Plan	Yes
• Comments	<ul style="list-style-type: none"> <li>• Remove water mains in common driveways and run services to the lots, place meters in Right-of-Way.</li> <li>• There are no water main sizes listed on the plans. Make sure that the water main in N Grand Lakes Way is 12”.</li> <li>• Remove the water main in the alley in Sunday Loop. Place water meters at the Right-of-Way and then run water services to houses in the alley. Each phase will need to be modeled to make sure minimum pressure is met at each phase</li> </ul>

Project Area Maps

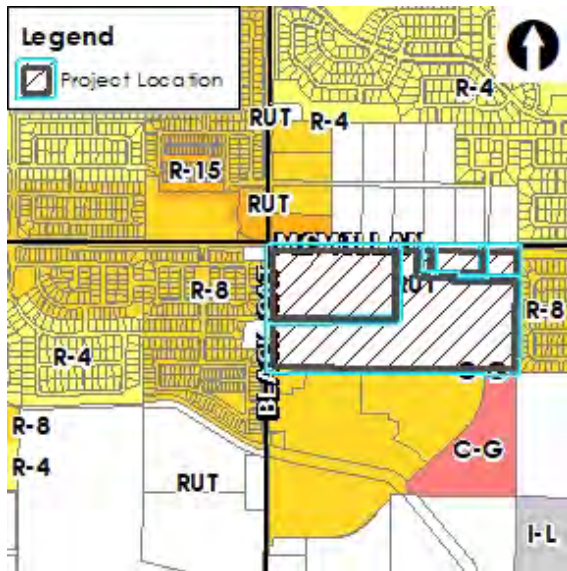
Future Land Use Map



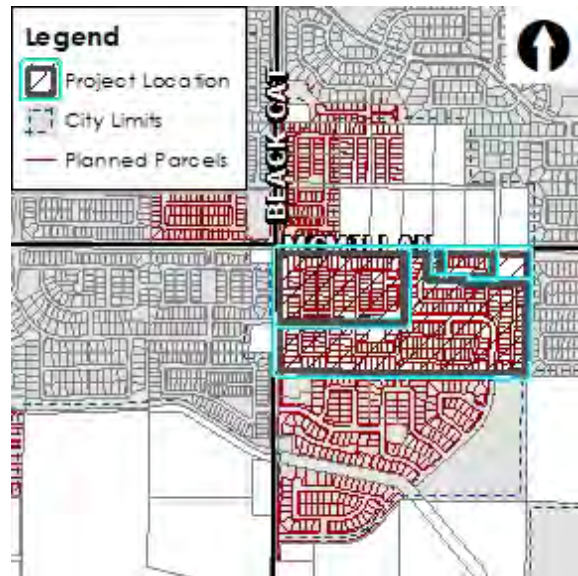
Aerial Map



Zoning Map



Planned Development Map



Applicant Information

A. Applicant Representative:

Stephanie Hopkins, KM Engineering LLP – 5725 N. Discovery Way, Boise, ID 83713

B. Owner:

Walsh Group – PO 1207, Eagle, ID 83616

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	11/2/2021	
Radius notification mailed to properties within 300 feet	10/27/2021	
Nextdoor posting	11/28/2021	
Sign Posting	10/29/2021	

IV. STAFF ANALYSIS

A. Annexation:

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. To ensure the site develops as proposed by the applicant, staff is recommending a development agreement as part of the annexation approval.

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

This property is designated Medium Density Residential on the City’s Future Land Use Map (FLUM) contained in the Comprehensive Plan. This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

*The annexation area is near existing public services and is surrounded on three sides by the City limits. The proposed land use of single-family residential is consistent with the recommended uses in the FLUM designation. The proposed project has a gross density of 3.66 du/ac, meeting the required density range listed above. Therefore, Staff finds the proposed preliminary plat and requested R-8 zoning district to be generally consistent with the Future Land Use Map designation of Medium Density Residential.*

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

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

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

*The proposed traditional single-family detached and alley-loaded homes will contribute to the variety of residential categories in the City; however, there is no variety in housing types proposed within the development. Daphne Square Subdivision (zoned R-15) and single-family homes in the County (zoned RUT) are across W. McMillan Rd. to the north. To the south is the Quartet Subdivision (zoned R-8). To the east is the single family detached Volterra Heights Subdivision (zoned R-8) and across N. Black Cat Rd. to the west is the Oakcreek Subdivision (zoned R-8). Given the property is completely surrounded by single-family detached, single family detached with comparable lot sizes is appropriate for the subject property.*

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

*The proposed plat depicts 5 ft. wide detached sidewalks on both sides of roads internal to the subdivision. There are also 5 ft. wide detached sidewalks along N. Black Cat Rd.*

*This is the same width provided along N. Black Cat Rd. by the Quartet Northeast No 1 Subdivision to the south and the Daphne Square Subdivision to the north. 10 ft. wide pathways are provided along W. McMillian Rd, which is consistent with the pathway alignment shown on the Pathways Master Plan, and along one side of N. Grand Lakes Wy (the internal collector).*

*Staff does believe there are portions of the development where there could be more direct non-motorized connectivity to the amenities and common open space within the development as well as to the detached sidewalk along N. Black Cat Rd. Staff has red-marked these recommended connections on the landscape plan below.*

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

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

*As mentioned above, 5-ft. wide detached sidewalks are provided along all internal roadways, along N. Black Cat Rd, and 10 ft. wide pathways are provided along W. McMillian Rd and N. Grand Lakes Way. Staff is recommending several additional micro-pathway connections as a condition of approval.*

“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)

*The development can be adequately served by critical public facilities and urban services. Water and sewer will be extended along W. McMillan Rd. to the south.*

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

*Daphne Square Subdivision (zoned R-15) and single-family homes in the County (zoned RUT) are across W. McMillan Rd. to the north. To the south is the Quartet Subdivision (zoned R-8). To the east is the single family detached Volterra Heights Subdivision (zoned R-8) and across N. Black Cat Rd. to the west is the Oakcreek Subdivision (zoned R-8). These subdivisions have comparable densities to what is being proposed.*

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

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

*There are presently 3 accesses off of W. McMillian Rd., two of which are being used by existing single-family residences. There is one access on N. Black Cat Road at the south property line.*

*This proposal would remove two of the W. McMillian Rd. accesses and provide a new collector access approximately halfway between the east and west property lines. The N. Black Cat Rd access would be shifted to the north to align with W. Quintale St. in the Oak Creek Subdivision. There are three internal accesses – two aligning with N. Bartok St. and N. Grand Lake Way. from the Quartet Northeast No 2 to the south, and one aligning with W. Viso St. from the east through the Volterra Heights Subdivision.*

D. Existing Structures/Site Improvements:

There are two existing single-family residences on the subject properties. One residence (4023 W. McMillan Rd.) is proposed to remain on a 76,888 sq. ft. lot.

E. Proposed Use Analysis:

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning districts in UDC Table 11-2A-2.

F. Dimensional Standards (UDC 11-2):

The preliminary plat and future development is required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 district. All proposed lots and public streets appear to meet UDC dimensional standards per the submitted preliminary plat. This includes minimum lot size of 4,000 sq. ft., and required street frontages of at least 40 ft. Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

UDC 11-6C-3- regulates block lengths for residential subdivisions. Staff has reviewed the submitted plat for conformance with these regulations. The intent of this section of code is to ensure block lengths do not exceed 750 ft, although there is the allowance of an increase in block length to 1,000 feet if a pedestrian connection is provided. No block length exceeds 750 ft.

Eleven common driveways are proposed with this subdivision. The applicant has provided common drive exhibits which demonstrate no more than 3 units are served whereas a maximum of 4 units are allowed. The common driveway meets the minimum width of 20' and does not exceed the maximum length of 150'. Solid fencing adjacent to common driveways is prohibited, unless separated by a minimum five-foot wide landscaped buffer.

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

W. McMillian Rd along the property frontage is 2 lanes with no curb, gutter or sidewalk. N. Black Cat Rd is 2 lanes with a 5' detached pathway on the western side (Oak Creek Subdivision).

This development proposes five points of access. The primary access will be a collector street off W. McMillian Rd. (N. Grand Lakes Wy.) approximately midway between the east and west property lines, making an "S" curve through the property and connecting into Quartet Northeast No 2 at the southeast corner of the property. The other three accesses would be local streets - one is a western access to N. Black Cat Rd. which aligns to W. Quintale St., an eastern access which



connects to W. Viso St. from the Volterra Heights Subdivision, and an additional southern access which connects to Sunnyside Ave., also in the Quartet Northeast No 2.

N. Grand Lakes Way (the collector) does not align with N. Joy St. to the north as is shown on the ACHD Master Street Map. Instead, it is offset approximately 985 feet to the west. This offset occurs because there are existing utility poles obstructing the ACHD-preferred alignment with N. Joy St. During preliminary discussions ACHD has responded that they support this proposed alignment.

Although ACHD is still working on a staff report, staff has been in communication with them regarding this project. All roads in this development are proposed to be built to ACHD standards. ACHD will not be requiring any additional dedication along W. McMillian Rd. because it will be shifted to the north during a future widening project. ACHD is requesting ROW dedication along N. Black Cat Rd. of 50 ft. from centerline. The applicant will be required to construct a westbound turn line at the intersection of the collector with W. McMillian Rd. Staff is recommending as a condition of approval that required frontage improvements along N. Black Cat Rd and W. McMillian Rd including pathways, landscape buffers, detached sidewalk and left turn lane shall be constructed with the first phase of development.

The applicant proposes pavers on the local roads instead of standard pavement. The applicant states pavers will not only help to alleviate some of the challenges associated with the high groundwater present in the area, but will foster an exclusive and high-quality charm for future residents. ACHD is still discussing whether they will support this alternative.

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

Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards.

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

A 10 ft. wide detached pathway is reflected along W. McMillian Rd. which is consistent with the alignment shown on the Pathways Master Plan. There is also a 10 ft. wide detached pathway along one side of N. Grand Lakes Way. (the internal collector) which connects to the W. McMillian Rd. pathway. Several micro-pathways are reflected providing connectivity to internal portions of the development. As mentioned in the Comprehensive Plan analysis above, to improve more direct pedestrian connectivity, staff is recommending additional micro-pathway connections (red-marked on the landscape plan below).

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

Five-foot detached sidewalks are proposed along internal streets in accord with the standards listed in UDC 11-3A-17 (except for a 10 ft. wide pathway along one side of N. Grand Lakes Way). There is also a 5 ft. wide detached sidewalk provided along N. Black Cat Rd. This 5 ft. width is consistent with the width of the sidewalk along N. Black Cat Rd. provided by Quartet Northeast No 2 to the south as well as the Daphne Square Subdivision to the north.

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

Parkways are provided between the detached sidewalks and road on both sides of all local roads except for Sunday Loop (Lot 1-27, Block 5). All parkways meet the requirements of 11-3A-17 and 11-3B-7 including at least 8 ft. in width and landscaped with at least 1 tree per 35 feet.

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

UDC 11-2A-6 requires 25 ft. wide buffers along arterial roads (N. Black Cat Rd. and W. McMillian Rd.) and 20 ft. wide buffers required along collector roads (N. Grand Lakes Way). The landscape plan reflects a buffer from the N. Black Cat Rd. edge of pavement ranging in width from between 70 ft. from the at the south to 120 ft. wide at the north. The Creason Lateral and the Lemp Lateral as well as a maintenance road are both located within this buffer, although there is an additional landscape strip width of 25 ft. wide between the laterals and the exterior property fences. Along W. McMillian Rd. to the north, there is a buffer ranging in width from between 64 ft. and 80 ft. in width. The Creason Lateral is also located in this buffer; there are landscape strips of at least 25 ft. in width between this lateral and the exterior property fences. Both arterial buffers meet the minimum requirement for at least one tree per 35 ft. in width; the areas containing laterals are shown to be sod. Buffers of at least 30 ft. in width are provided along N. Grand Lakes Way (20 ft. is required). 8 ft wide landscaped parkways are provided along most of the internal local streets with the exception of the Sunday Loop at the NE portion of the site. The landscape plan includes 11.63 acres of qualified open space (14.5%) as will be discussed in the Qualified Open Space and Amenities sections below.

The landscape plan indicates there are no healthy existing trees meeting the preservation requirements on the property.

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

14.5% (11.63 acres) of qualified open space is shown. This includes 1.19 and 2.42-acre neighborhood parks, several smaller pocket parks, landscaped pathways, 8 ft. parkways and 100% of the collector buffers.

The common open space exhibit indicates the arterial buffers as “non-qualified open space” whereas ½ of this area can be counted as qualified open space per UDC 11-3G-3.

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

Based on the area of the proposed plat (80.3 acres), 4 amenities are required (one for the first 5 acres, one for each additional 20 acres). The subdivision provides two large parks, each with a pool and clubhouse (counting as six amenities because the parks are at least 20,000 sq. ft. in excess of the minimum 5,000 sq. ft. requirement). A pickleball court is provided within one of these parks (Lot 7, Block 5). There are two pocket parks (Lot 6, Block 9 and Lot 46, Block 2). There is also an additional 4% of open space beyond the required 10% and internal pedestrian and bicycle pathways bisecting several of the blocks which are not required pathways. The proposed development exceeds the minimum requirements.

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

The Creason Lateral runs along the western property line paralleling W. McMillan Rd. and connecting through the Quartet Subdivision to the south. The Lemp Canal adjoins with the Creason Lateral along the property’s frontage adjacent to McMillan and continues to travel south along Black Cat Road. Both laterals will be piped per UDC 11-3A-6. Maintenance roads are indicated along both laterals. Coordination will be ongoing with the irrigation districts managing the waterways to meet their requirements.

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

The landscape plan includes a fencing plan. 6 ft. high solid vinyl fencing is provided along the entire perimeter of the property and along the sides of most residential lots that are adjacent to detached sidewalks (with visibility from the road maintained). 5 ft. high open vision fencing is provided around the open spaces, a 6 ft. high open style fence is provided around both pools, and

there a 4 ft. high open style fence is provided around the pickleball court. The fencing appears to meet the requirements of 11-3A-6 and 11-3A-7.

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

Public services are available to accommodate the proposed development. Water and sewer will be extended along W. McMillan Rd to the south. There appears to be an Idaho Power utility easement indicated on the public utility plan that is not shown on the plat. All easements should be shown on the preliminary plat and only Class I trees may be planted within these areas per UDC 11-3B-5.

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

The Applicant has submitted a large number of elevations of the single-family homes for this project as well as the clubhouses (see Section VI.F below).

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

As noted in the Comprehensive Plan section, a large number of the houses will be very visible from W. McMillian Rd. N. Black Cat Rd. and N. Grand Lakes Wy. Therefore, staff recommends a condition that the rear and/or sides of 2-story structures that face W. McMillian Rd. and N. Black Cat Rd. incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.

## V. DECISION

A. Staff:

Staff recommends approval of the requested annexation, zoning and preliminary plat with the conditions noted in Section IV. per the Findings in Section VIII.

**VI. EXHIBITS**

A. Annexation and Rezoning Exhibit (date: 9/17/2021)

September 17, 2021  
Project No. 21-048  
Jamestown Ranch Subdivision

**Exhibit A**  
**City of Meridian Annexation Legal Description**

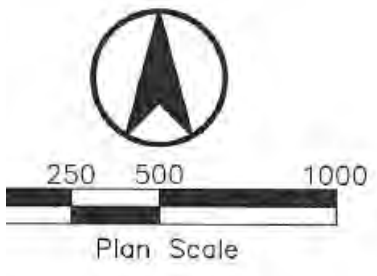
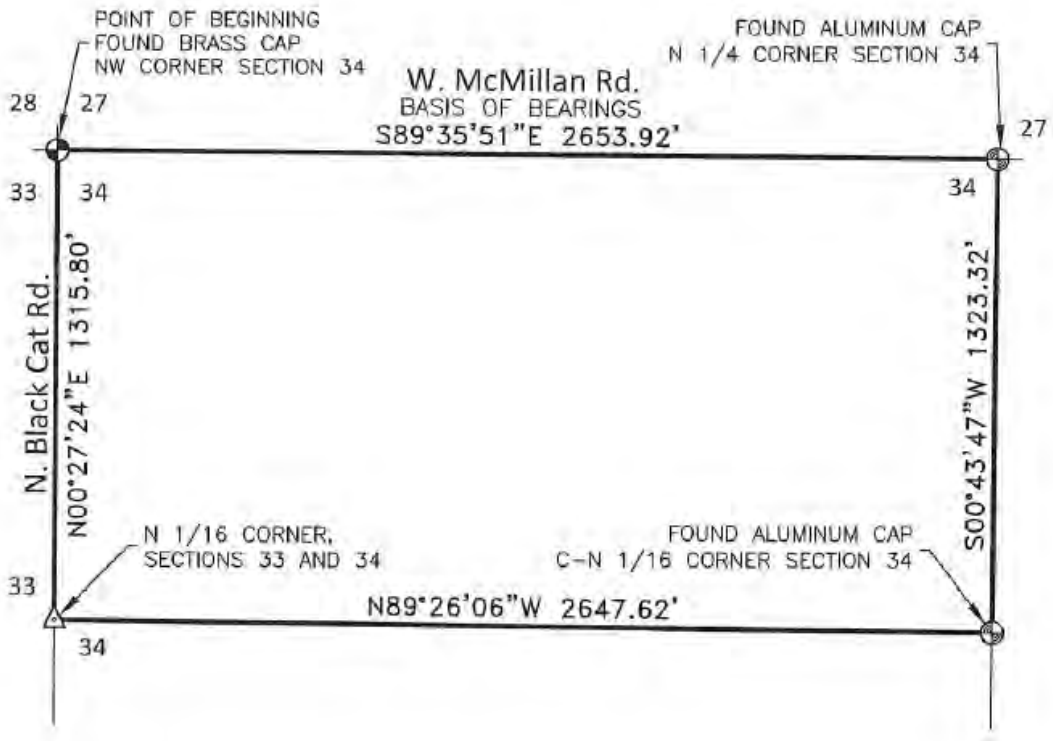
A parcel of land being all of the North 1/2 of the Northwest 1/4 of Section 34, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

**BEGINNING** at a found brass cap marking the Northwest corner of said Section 34, thence following the northerly line of said Northwest 1/4, S89°35'51"E a distance of 2,653.92 feet to a found aluminum cap marking the North 1/4 corner of said Section 34;  
Thence leaving said northerly line and following the easterly line of said Northwest 1/4, S00°43'47"W a distance of 1,323.32 feet to the Center North 1/16 corner of said Section 34;  
Thence leaving said easterly line and following the southerly line of said North 1/2 of the Northwest 1/4, N89°26'06"W a distance of 2,647.62 feet to the North 1/16 corner of Section 33 and said Section 34;  
Thence leaving said southerly line and following the westerly line of said Northwest 1/4, N00°27'24"E a distance of 1,315.80 feet to the **POINT OF BEGINNING**.







Said parcel contains 80.299 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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

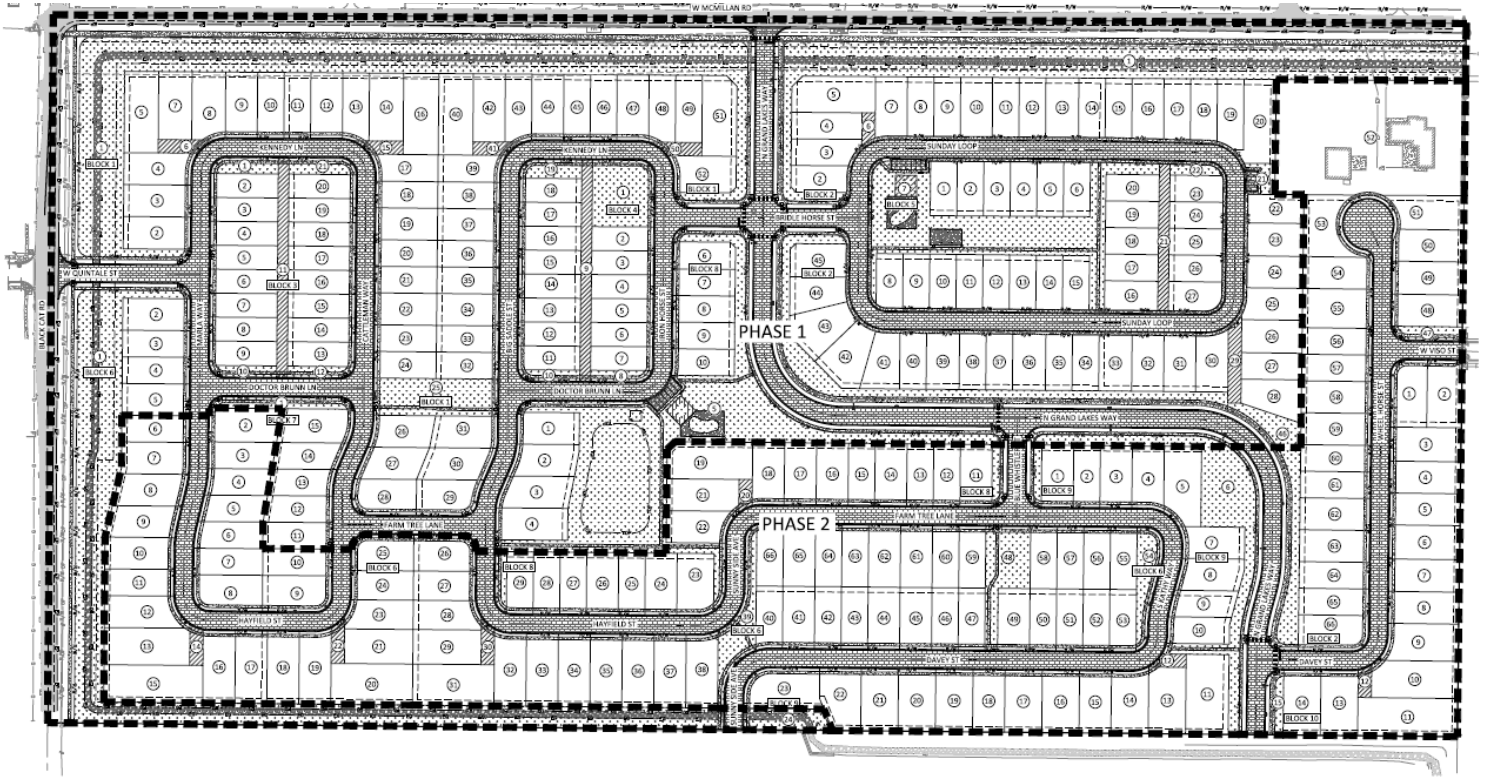




**LEGEND**

-  FOUND ALUMINUM CAP
-  FOUND BRASS CAP
-  CALCULATED POINT
-  SECTION LINE
-  ANNEXATION BOUNDARY
-  SURVEY TIE LINE

B. Preliminary Plat (date: 9/9/2021)



C. Color Landscape Plan with Recommended Pathway Connections (date: 9/9/2021)



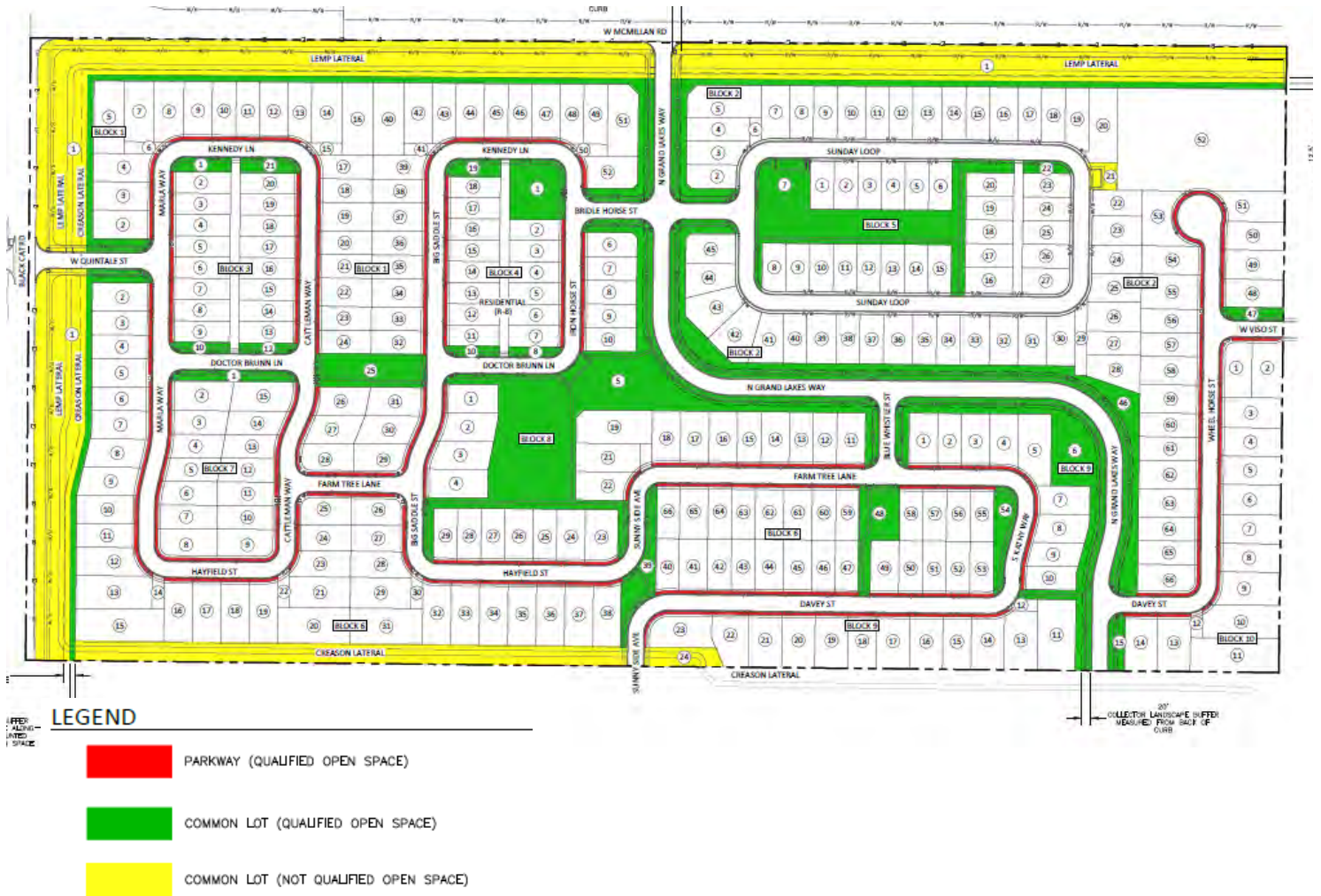
D. Landscape Plan Marked Up with Recommended Pathway Connections (date: 9/9/2021)



E. Fence Exhibit (date: 9/9/2021)

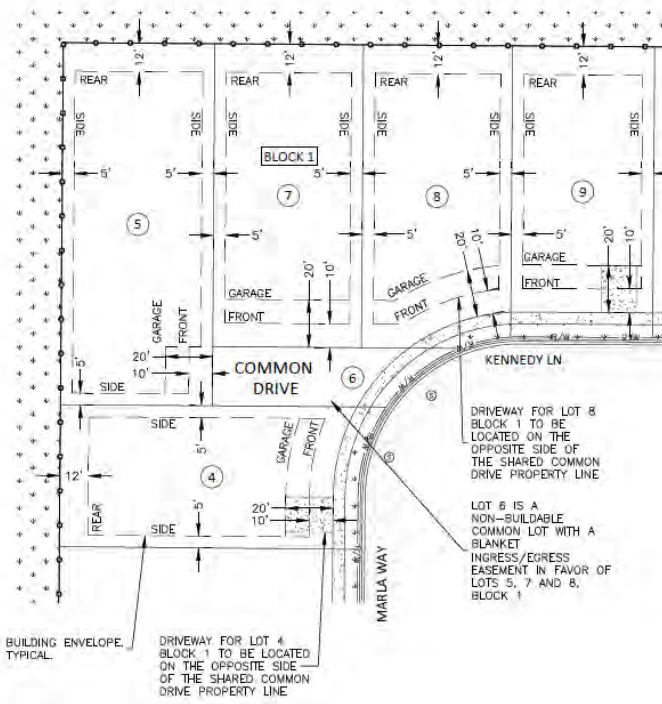


F. Common Open Space Exhibit (date: 9/9/2021)



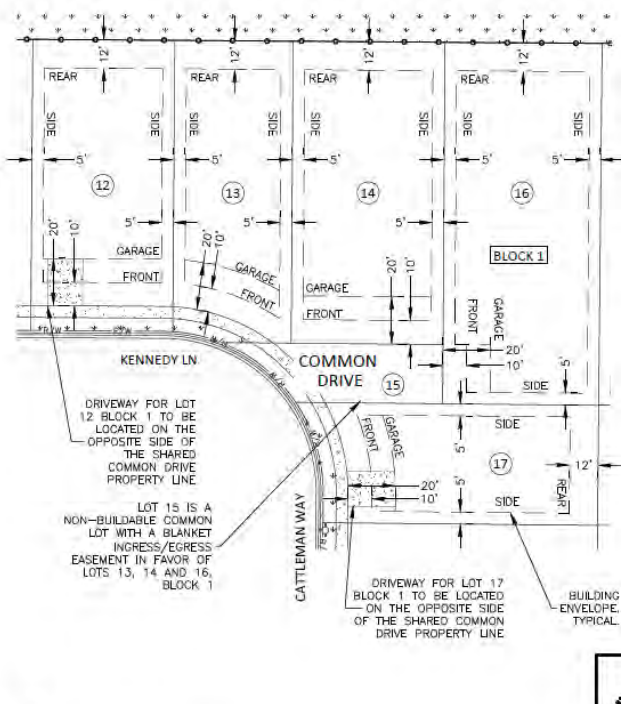


### G. Common Drive Exhibits



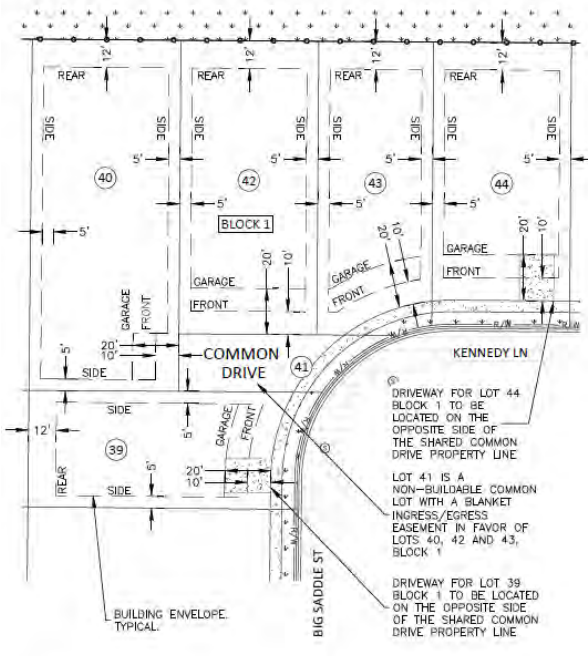
**LOTS 4-9, BLOCK 1**

0 40 80 120  
Plan Scale: 1" = 40'



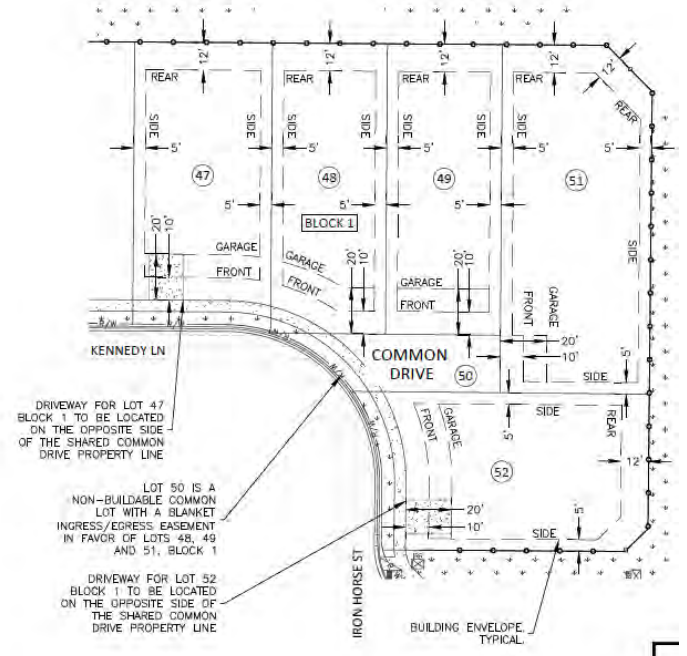
**LOTS 12-17, BLOCK 1**

0 40 80 120  
Plan Scale: 1" = 40'



**LOTS 39-44, BLOCK 1**

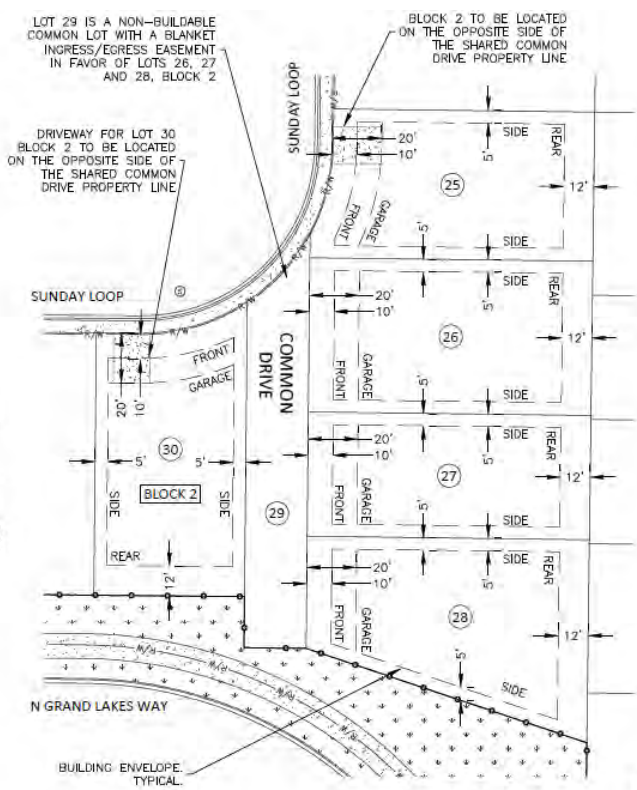
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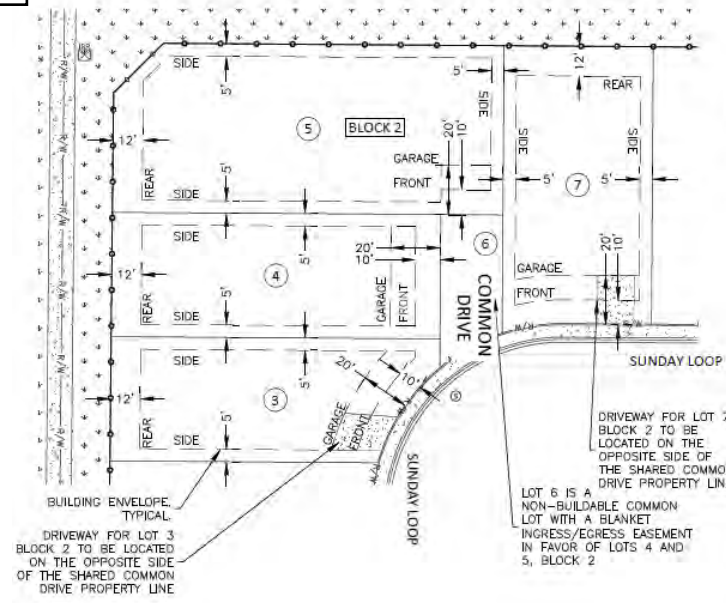
**LOTS 47-52, BLOCK 1**

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Plan Scale: 1" = 40'

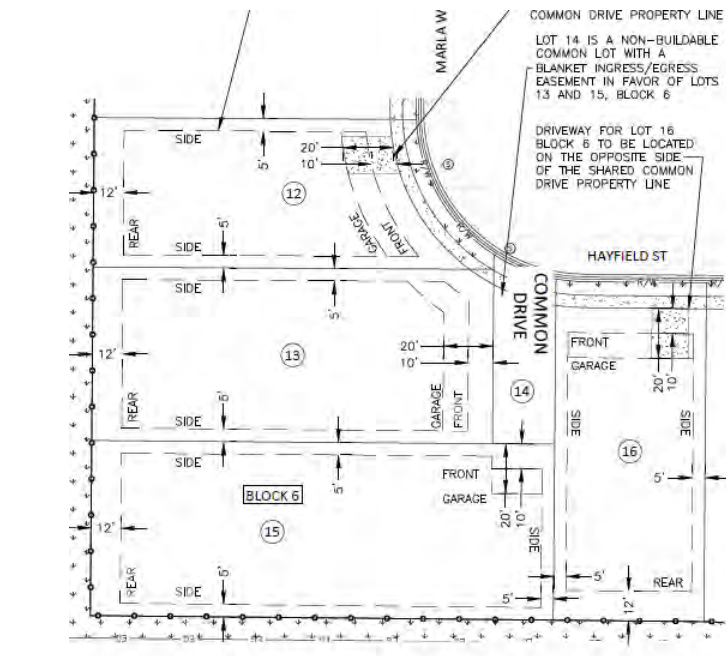
Item 5.



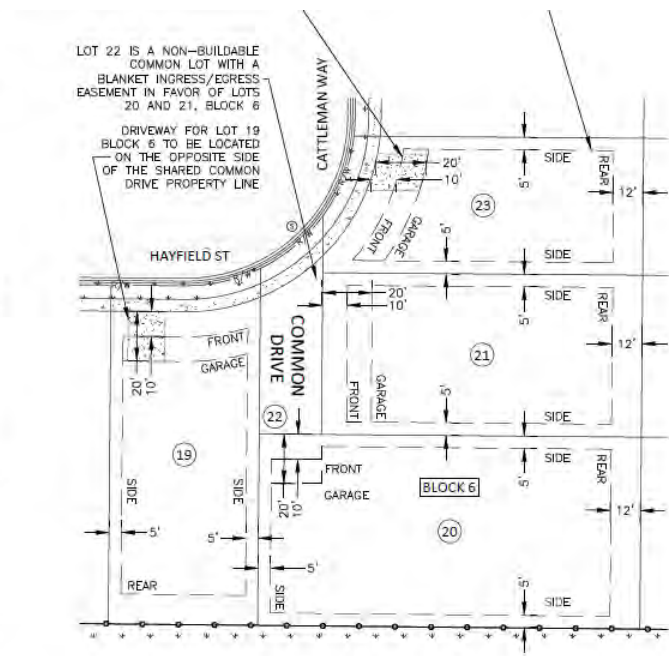
LOTS 25-30, BLOCK 2  
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 Plan Scale: 1" = 40'



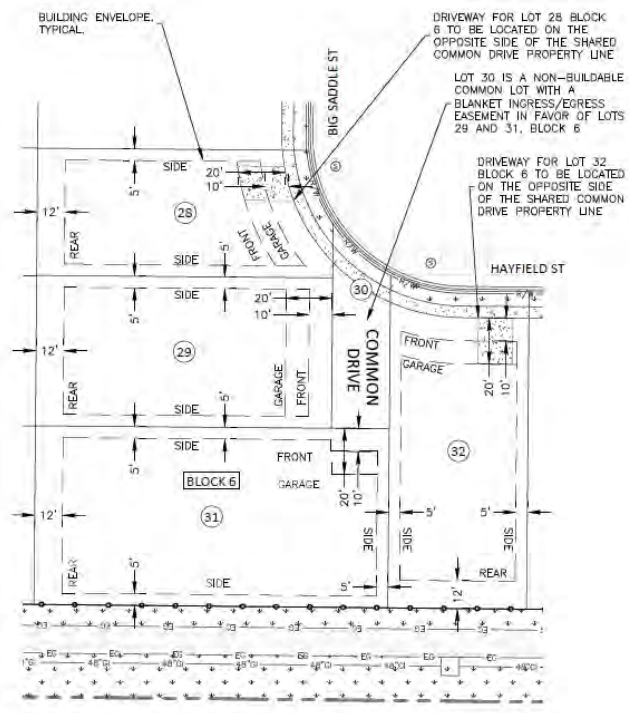
LOTS 3-7, BLOCK 2  
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 Plan Scale: 1" = 40'



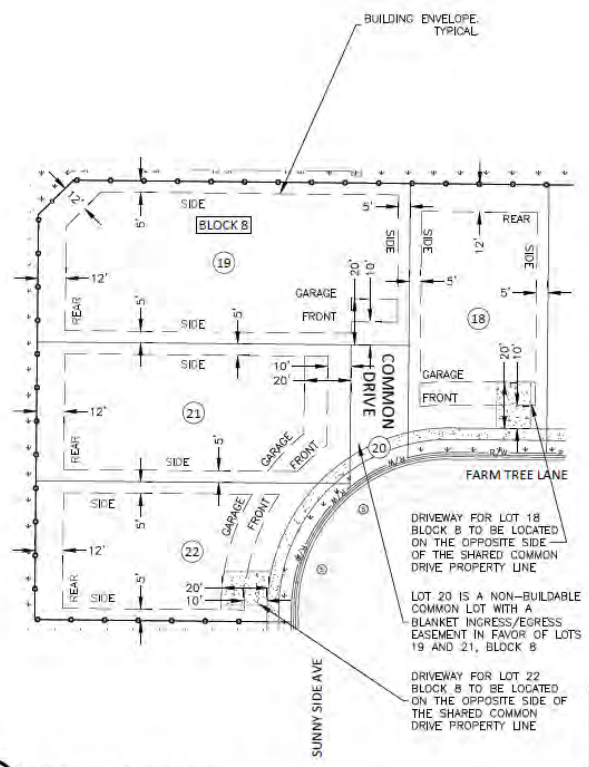
LOTS 12-16, BLOCK 6  
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 Plan Scale: 1" = 40'



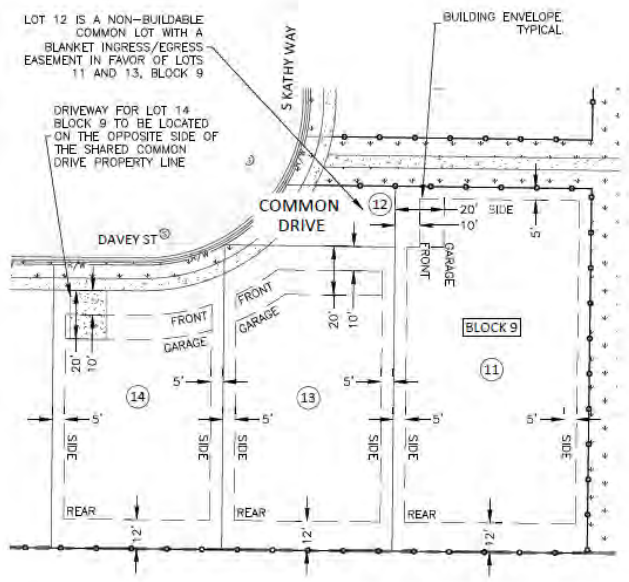
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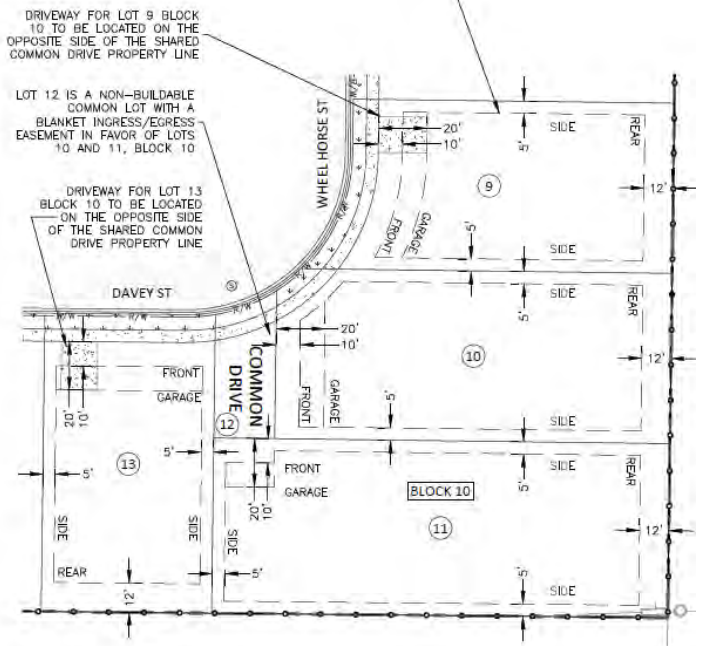
**LOTS 28-32, BLOCK 6**  
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 Plan Scale: 1" = 40'



**LOTS 18-22, BLOCK 8**  
 0 40 80 120  
 Plan Scale: 1" = 40'



**LOTS 11-14, BLOCK 9**  
 0 40 80 120  
 Plan Scale: 1" = 40'



**LOTS 9-13, BLOCK 10**  
 0 40 80 120  
 Plan Scale: 1" = 40'



H. Conceptual Elevations







H. Clubhouse Elevation



## VII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations for the single-family dwellings included in Section VI and the provisions contained herein.
  - b. The rear and/or sides of 2-story structures that face N. Black Cat Rd. , W. McMillian Rd and N. Grand Lakes Wy shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.
  - c. Required frontage improvements along N. Black Cat Rd and W. McMillian Rd including pathways, detached sidewalk, landscape buffers and left turn lane shall be constructed with the first phase of development.
2. The Preliminary Plat included in Section VI, dated 9/9/21, is approved with the following revisions:
    - a. All utility easements reflected on the utility plan shall be included on the plat.
    - b. All pathways and micropathways shall be within a separate common lot or easement as required per UDC 11-3A-8.
  3. Prior to final plat, the Landscape Plan included in Section VI, dated 9/9//21, shall be revised to reflect the red-marked pathway connections as illustrated in Exhibit D.
  4. Prior to issuance of Certificate of Occupancy/signature on the final plat by the City Engineer, the applicant shall submit a public access easement for the multi-use pathway along W. McMillian Rd and N. Grand Lakes Wy. to the Planning Division for approval by City Council and subsequent recordation.
  5. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
  6. The existing residences being retained will be required to abandon well and septic systems and connect to City water and sewer with development of the property.



7. The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.
8. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
9. The ditches to the west, south and north shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6.
10. Pathway and adjoining fencings and landscaping shall be constructed consistent with the standards as set forth in UDC 11-3A-7A7, 11-3A-8 and 11-3B-12C.
11. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.
12. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit.
13. All common driveways shall meet the requirements of 11-6C-2-D including a perpetual ingress/egress easement being filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.
14. The Applicant shall have a maximum of two (2) years to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.
15. The Applicant shall comply with all conditions of ACHD.

## **B. PUBLIC WORKS DEPARTMENT**

### **Site Specific Conditions of Approval**

1. Sewer mains should not be run in common driveways or out of Right-of-Way to serve building lots. Mains should be constructed in Right-of-Way and service lines extended within common drives or through Right-of-Way to serve each lot.
2. Sheet PP2.3 shows a sewer main being extended through a common lot and part of a residential building lot. Sewer mains should not be extended through these areas. Reconfigure so sewer mains are located in Right-of-Way.
3. Angle of pipe going into/out of manholes, in the direction of flow, need to be a minimum of 90 degrees. The manhole at the intersection of Doctor Brunn Lane and Cattleman Way currently does not meet this requirement.
4. Sewer service lines should not run through infiltration trenches.
5. Water mains should not be run in common driveways to serve building lots. Mains should be constructed in Right-of-Way and service lines extended within common drives or through Right-of-Way to serve each lot.
6. Water main sizes are not listed on the plans. The water main in North Grand Lakes Way should be 12'' diameter.
7. Remove water main in Sunday Loop (alley). Place water mains in the Right-of-Way and run service lines to each house in the alley.

8. Each phase will need to have water modeling completed to verify minimum pressure is met for each phase.

### **General Conditions of Approval**

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. 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.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
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.
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.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are

- any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
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.
  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.
  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.
  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.
  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.
  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.
  14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
  15. Developer shall coordinate mailbox locations with the Meridian Post Office.
  16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
  17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
  18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
  19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
  20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A

copy of the standards can be found at  
[http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).

21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

#### **C. MERIDIAN FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239381&dbid=0&repo=MeridianCity>

#### **D. MERIDIAN POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239381&dbid=0&repo=MeridianCity>

#### **E. SETTLERS IRRIGATION**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239143&dbid=0&repo=MeridianCity>

#### **F. NAMPA & MERIDIAN IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240462&dbid=0&repo=MeridianCity>

#### **G. COMPASS**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240472&dbid=0&repo=MeridianCity>

#### **H. DEPARTMENT OF ENVIRONMENTAL QUALITY**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239400&dbid=0&repo=MeridianCity>

## VIII. FINDINGS

### A. ANNEXATION AND / OR REZONE (UDC 11-5B-3E)

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

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

*Staff finds annexation of the subject site with an R-8 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.*

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

*Staff finds the lot sizes and layout proposed will be consistent with the purpose statement of the residential districts in that housing opportunities will be provided consistent with the Comprehensive Plan.*

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

*Commission finds that the proposed zoning map amendment should not be detrimental to the public health, safety, or welfare. Staff recommends the Commission consider any oral or written testimony that may be provided when determining this finding.*

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

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

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

*Staff finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section VII.*

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

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

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

*Staff finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the conditions of approval in Section VII.*

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

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

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

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

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

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

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

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

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

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

said, I mean when I'm highly in doubt or conflicted on something I generally tend to back staff. I mean they do this -- you know, this is their job, this is what they are paid to do, and I think they do a pretty good job of it. It would be nice if we could control the roads, we could control the infrastructure, things would probably be a lot different, but we don't. So, with that, after considering all staff, applicant, and public testimony, I move to recommend denial to City Council a file number H-2021-0064 as presented during the hearing on November 18th, 2021, for the following reasons: That mixed employment is a better use than the light industrial that the applicant is asking for. The jobs -- the amount of jobs that this will generate will likely not meet what COMPASS is looking for. The COMPASS study is looking for. The Black Cat Road is likely not going to be able to support the uses that are defined in here and we won't know that, because there is no traffic -- traffic study at this point.

Grove: Second.

McCarvel: It has been moved and seconded to recommend denial of H-2021-0064. All those in favor of denial say aye. Opposed?

Yearsley: Nay.

McCarvel: Recommendation of denial passes.

MOTION CARRIED: FOUR AYES. ONE NAY. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: Before we start the next one can we do a little bathroom break?

McCarvel: Absolutely.

Yearsley: Thank you.

(Recess: 7:30 p.m. to 7:37 p.m.)

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

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

McCarvel: Okay. All right. Next item on the agenda is H-2021-0074, Jamestown Ranch Subdivision and we will begin with the staff report.

Tiefenbach: Alan Tiefenbach, associate planner with City of Meridian. I'm rifling through my work here. Be right with you. Okay. This is a proposal to annex proximately eight acres with the R-8 zoning district and this would include a preliminary plat for 294 building lots. So, the property, again, is 80 acres. It's zoned RUT presently in the county. It's located at the southeast corner of North Black cat and West McMillan. So, the Comprehensive Plan recommends medium density residential for this property, which is eight to 12 dwelling units per acre. This would, again, allow 295 building lots, which would be -- this was just a tweak more than three dwelling units per acre. So, on the low side of this. There are presently two single family residences on the property. Both of those are going to go. The proposed project density, like I said, has about three and a half dwelling units per acre, which would meet the requirements. Minimum lot size -- the smallest ones would be 4,900 square feet. These are comparable sizes to the adjacent subdivisions. This development proposes five points of access. So, there would be one on McMillan here. There would be one here off a Black Cat. There is two stubs here to the south and, then, there is one stub there to the east. The primary access would be a collector off of West McMillan, which is what you can see here. It's got this strange little S curve here. This is about midway and, like I said, there is an S curve here, which I will talk about just in a second. The other three accesses would be local streets. So, this would be a local -- all of these would be local streets. This would be the collector running through the property. One thing to note -- and this has really been the only issue, if you want to call it, that we have worked through with this one, would be North Grand Lakes Way and that, again, is this main collector. The -- the ACHD master street map actually shows this collector aligning with Joy Street, which is here. It's actually over here. The -- the applicant proposes to shift this whole access about 900 feet to the west, so it doesn't actually align with Joy Street. According to the applicant -- they can probably go into more detail about this -- this is because there is existing utility poles obstructing the -- the alignment. We talked to ACHD -- we haven't gotten a traffic study from them yet, but we have had a lot of correspondence with ACHD sort of informally in e-mail and they have already told me what the -- what the issue is, if any, are going to be, so there aren't any surprises, but ACHD does support the shifting of this alignment. There was some discussion from Brighton, who is the one that's developing the property to the south. Originally they weren't sure if they were in favor of this. After talking to the applicant and ACHD they are now in favor of this. The only other comment I have heard is the property owners that live directly here to the north, they will have that access directly in front of their house, so they are not in favor of that, they would have preferred it to shift to the east. This proposes ten foot wide pathways along the north, which would be along here. Sorry. Along the top here. And along this collector. This would actually be a five foot wide sidewalk and that's because all the rest of the subdivisions to the south also have five foot sidewalks, so they would tie into the same size. This came in before our new regulatory changes and based on that they were still required to only provide ten percent open space. In this particular case they are proposing 14.5. It's actually a little more than that. This is the open space exhibit that they provided to us. One thing to note is what you see in yellow there, the collect -- or, excuse me, are the arterioles and based on our



regulations they can actually credit one half of the arterial buffers for qualified open space. They did not do that in their calculations here. So, based on the calculations that they gave us, which, again, come out slightly less, they are at about 14 and a half percent. There are required for this development are four amenities and what the applicant proposes are two large parks -- so, park number one and park number two, and each park has a clubhouse and a pool. These parks exceed the additional 20,000 square foot that is required for -- to be called an amenity. So, these parks and those club houses, those would count as four and, then, the additional land would actually count as two more amenities. So, that's six. In addition to that they have got a pickleball court that is shown here, which is what you see here. There are additional pocket parks shown here. There is a pocket park here. There is another one, but not -- I can't do it on the fly. There is also additional pathways that were not required and the way that the code reads you can count a pathway as an amenity if it is not a required pathway. So, in this particular case they are showing additional pathways. So, there is significantly more amenities than are required and they are providing quite a bit more open space than they would be required. Again, the only thing I have had comments about was about that alignment of the collector. With that staff recommends approval and would stand for any questions or comments.

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

Jantz: Good evening, Madam Chair, Commissioners. My name is Josh Jantz with KM Engineering 5725 North Discovery Way, Boise. I'm here on behalf of the Walsh Group. We are pleased to present the Jamestown Ranch Subdivision, a single family residential community, with an age restricted component at the southeast corner of Black Cat and McMillan. The approximately 80 acre site is near existing and planned single family residential subdivisions and commercial uses. Consistent with the City of Meridian's Comprehensive Plan, Jameson Ranch proposes single family residential housing styles, including traditional detached and alley loaded homes and an age restricted component. Jamestown Ranch features enhance walkability and pedestrian connectivity throughout and the surrounding subdivisions and services in the area and desired amenities for residential residents, including two clubhouses, pickleball court, and a pond. Applications for this project include annexation and rezoning -- or zoning to the R-8 zoning district with a preliminary plat. We have held one neighborhood meeting, participants in various discussions with city staff -- participated in various discussions with city staff and ACHD and have researched adjacent properties and recent approvals. Approximately five neighbors attended the neighborhood meeting and discussion centered on the number and the density of homes, proposed amenities and open space, proposed access points, McMillan and Black Cat, and other subdivisions being constructed in the area and the rate of growth and the area in general. The property is approximately 80 acres. It is located at the southeast corner of McMillan and Black Cat Roads and it's currently zoned RUT, rural -- rural urban transition in Ada county. Jamestown Ranch is compatible with existing and planned land uses surrounding the property. The property is bounded by north -- to the north by McMillan Road, an arterial roadway, and Daphne Square Subdivision, zoned R-15 and single family homes in the county zoned RUT to the west, by Black Cat Road, an arterial roadway, and Oak Creek Subdivision, zoned R-8, and to

the east by Volterra Heights Subdivision, aka also known as Bridgewater or Bridgetower, zoned R-8, and to the south by the Quartet Subdivision, zoned R-8. Jameson Ranch will connect with several stub streets provided by adjacent subdivisions to the east and south and will complete vehicular and pedestrian connectivity planned in the area. Jamestown Ranch aligns with the intent of the Meridian Comprehensive Plan future land use designation of medium density residential by providing a premier community at a gross density at the low end of the three to eight target density range. As this community proposes to provide age restricted component, as well as traditional market rate residential lots for various kinds of families, objective 2.01.01 is fulfilled by offering housing options suitable for different household sizes and lifestyle preferences. Goal 2.02.00 supported through the community with the provision of various open space areas and amenities that will support varied lifestyle choices. We propose to annex and zone the approximately 80 acre property to the R-8 medium density residential district to accommodate a mixed -- a mix of single family detached homes, including an alley loaded product within the west part of the site, and an age restricted component within the east part of the site. Although R-8 zoning district is requested for the entire project, the differing housing products proposed will support goals 2.01.00 in the Comprehensive Plan, while avoiding the concentration of one housing type in the area. This community will provide the opportunity for residents to age in place as they transition from standard single family residential lots to smaller footprints with less ground to maintain in the age restricted portions. The preliminary plat encompasses approximately 3.3 acres and consists of 294 single family detached residential lots, 25 common open space lots and 15 common access lots, totaling 334 lots overall. The age restricted component of the project will consist of 65 buildable lots, where -- whereas the market driven standard single family lots will consist of 229 buildable lots. An existing home adjacent to McMillan Road at the northeast part of this site is proposed to remain. The home's existing access point to McMillan will be eliminated and access to the home will be provided via an internal connection within the subdivision. The property has been included within the preliminary plat and will connect to city services, along with the Jamestown Ranch Subdivision, upon annexation. Residential lot sizes range from approximately 4,952 square feet to about 10,500 square feet to provide a variety of housing types within the development consistent with the Comprehensive Plan. The average lot size, excluding the existing home, was approximately 7,064 square feet. The existing home will remain on approximately 76,888 square feet or 1.77 acres. In alignment with the Comprehensive Plan future land use map designation, the gross density of James -- Jamestown Ranch is 3.66 units the acre. The Creason Lateral is located along the northwest frontage of the property adjacent to McMillan and bisects the site. Traveling to the southeast and through the Quartet Subdivision. The Lemp Canal adjoins with the Creason Lateral along the property's frontage adjacent to McMillan and continues to travel south along Black Cat Road. We would like to request an exemption of Section 4 of the staff staff analysis, Item O of the staff report, from tiling the Lemp Canal along McMillan Road due to the size of the facility. The Lemp Canal would require at least a six -- excuse me -- a 60 inch pipe to contain it. City Council has regularly -- regularly granted -- granted waivers of this requirement to tile the Lemp Canal, which is consistent with the neighboring Bridgetower West Subdivision. In addition, ACHD has confirmed that we will not be required to relocate the Lemp Lateral from within their right of way and the Lemp Canal will remain

in its current position. We have coordinated with city staff and they are okay with this request. For these reasons we are requesting that the Lemp Canal remain open along McMillan Road. In accord with city code, Jamestown Ranch will utilize city services upon annexation. Water and sewer will be extended from McMillan Road south via the proposed main entrance of the development. We will coordinate with the Public Works Department to ensure that adequate public facilities are available to accommodate future development of the property. The property is within walking distance to the area's commercial center, including a Walmart, various restaurants, a hair salon -- hair and nail salon, a future convenience store, a preschool, bank, and professional offices, among other uses. The future Owyhee High School is located a little over a mile and a half to the west and Ponderosa Elementary School is about a mile to the south and Sawtooth Middle School is under two miles to the east. Recently the City of Meridian City Council adopted a 2022 fiscal year proposed budget, which included funds for the construction of Fire Station No. 8 to serve the northwest Meridian. The fire station will be built near a Owyhee high School and will provide another point in which emergency services will be sourced for the area. Exact timing of the design and construction of the fire station is to be determined, but should coincide with the proposed construction timeline of Jamestown Ranch. Currently Fire Station No. 2 is approximately one and a half miles to the southeast off Ten Mile between Ustick and Cherry Lane. With two potential fire stations available to serve the area, Jamestown Ranch Subdivision will appropriately -- will be appropriately situated should emergency services be required. The primary entrance road for the subdivision will be Grand Lakes Way, a collector roadway that will connect with the Quartet Subdivision to the south. The alignment and design of Grand Lakes Way has been coordinated and approved by ACHD in its current location. A second access point to Black Cat Road will align with an access point to Oak Creek Subdivision to the west. Three stub streets will be connected from adjacent subdivisions, two to the south and one to the east. Grand Lakes will connect with the collector proposed through the Quartet Subdivision, while Sunnyside will connect through the center of the subdivision. This street will be connected from the east to connect to Wheel Horse Street. We are proposing permeable pavers on the interior streets, except for the two collectors, West Grand Lakes and Quintel Street. Pavers will not only help to alleviate some of the challenges associated with the high ground groundwater present in the area, but will foster an exclusive high quality charm for the future residents. Local streets are proposed throughout the subdivision and will be improved to City of Meridian and ACHD standards. We would like -- we would also like to note that Item G under section four of the staff analysis, which states: ACHD is still -- is still discussing whether they will support this alternative. Since this application has been filed we have been coordinating with and are expecting approval on this proposal from ACHD shortly and we actually got that approval this afternoon. Jamestown Ranch will connect existing neighborhoods with planned transit corridors and will aid in increasing and safety and efficiency of pedestrian and vehicular traffic in the area. The project includes multiple pedestrian connectivity connections and pathways with the community and enhanced walkability residents. The city's ten foot wide multi-use path will be constructed along the project's frontage on McMillan Road and will continue to the subdivision adjacent to Grand Lakes Way. Jamestown Ranch offers an opportunity to connect adjacent existing neighborhoods to the east-west and pedestrian walkways and will connect north and south to planned and

currently developed subdivisions. Pedestrian connections will enhance walkability in the entire area and will contribute -- contribute toward fulfilling Meridian Comprehensive Plan Objective 2.02.01 by enhancing the quality of the connectivity by -- of residential planning in the area by linking subdivisions together and promoting -- promoting neighborhood connectivity. A traffic study -- or a traffic impact study has been submitted to Ada County Highway District and is currently under their review. Jamestown Ranch will be constructed in two phases as depicted on this exhibit here. The first phase will include the construction of a portion -- of a portion of the market rate standard residential lots and the entirety of the age restricted lots. An open space lot with age restricted portion, including clubhouse -- excuse me -- pool and pickleball court, a market rate open space lot, including clubhouse, pool, and a play area, access points to McMillan and Black Cat Road and a portion of Grand Lakes Way. The second phase will connect Grand Lakes Way and another stub street to Quartet Subdivision to the south, will connect a stub street to Bridgetower Subdivision to the east and will include the remaining market rate standard residential lots. development will be market driven. However, we anticipate construction to commence in 2022 and be completed in 2024. As mentioned, Jamestown Ranch will include an age restricted housing style community in the northeast part of the site and market rate standard residential lots for the remainder of the community. The age restricted portion of the community has been designed to cater a smaller house footprint with communal open space and a loop road to facilitate -- facilitate walkability and pedestrian scale. This part of the community includes five -- or, excuse me, ten alley loaded homes that will front on green space and we have opted to develop an age restricted portion of the community without a gate to integrate this area with the -- with the Jamestown Ranch community to ensure easy access for residents and visitors. The market rate standard residential lots vary in size and style throughout the remainder of the development. The majority of the standard residential lots are located on the west or south side of Grand Lakes Way, which creates a natural buffer between the age restricted community and the standard lots without any physical barriers. This will allow both sections to interact with one another, while maintaining an individual sense of place. Lots within Jamestown Ranch have been designed to complement the transition well to abutting homes and adjacent neighborhoods to ensure a cohesive community overall. As mentioned, connectivity will be continued through the subdivision with the completion of transportation networks as pedestrian pathways -- and pedestrian pathways. Jamestown Ranch will be an asset to the northwest Meridian by completing this undeveloped section with a consistent product type and neighborhood that will meld well with existing homes. Overall Jamestown Ranch contains 11.63 acres or 14 and a half percent of qualified open space as shown here. Each of the proposed areas within the development are detailed in our open space exhibit and demonstrate compliance with the city code. Two central parks have been included as focal points, gathering places for residents within the age restricted parts of the community and the standard residential lots. Both open space lots will include pools, clubhouse, seating areas and age restricted space will include pickleball courts. Pedestrian walkways are included within the central open space and throughout the development to allow for interconnectivity and easy access to amenities. Several pocket parks are included throughout the development in different phases to provide a variety of places for residents to re -- excuse me -- recreate or gather. All common space will be owned and maintained by the homeowners association. These

next few slides here are just typical elevations for your single family residential traditional type homes. There is a couple of the contemporary style, some farmhouse. The market rate standard residence lots within Jamestown Ranch will incorporate a variety of building materials and architectural styles. Homes will be complementary to the age restricted homes proposed in the northeast portion of the site and those can be shown here. the Walsh Group has -- excuse me. The Walsh Group -- I'm almost there. The Walsh Group will be designing and building homes in age restricted portion of Jamestown Ranch. The Walsh Group's flagship 55 plus active adult subdivision, the Village at Bungalows is located in Meridian with 74 single family homes on 12 acres. Luxury homes are mostly single level craftsman style homes with front porches, extra wide hallways, nine to ten foot ceilings, roll in showers, fireplaces, and a butler's pantry. The community features a clubhouse with a full kitchen, fitness center, and a yoga room. A central park and walkway path. The Walsh Group designed this neighborhood with community connections in mind and had a focus on maintenance free lifestyle with all yard, snow removal, sprinkler maintenance covered by the HOA. So, in conclusion we believe that the proposed zoning, preliminary plat -- annexation, preliminary plat, and zoning as conditioned with the exceptions previously -- previously mentioned, Items G and O under Section 4 of the staff analysis, will complement surrounding uses, fulfill the intent of the Comprehensive -- Comprehensive Plan and provide a unique combination of housing opportunities in northwest Meridian. We appreciate the time Alan and staff members have spent with us to help understand the steps needed to accomplish this project. Thank you for your time. I will stand for any questions. We also have members from the Walsh Group here that may help answer any that I'm not able to.

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

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: So, I may have missed it and I apologize if I did. How many homes are in the age restricted area do you know off the top of your head?

Jantz: Not off the top of my head.

Yearsley: Sixty-five? Okay. So, will the nonrestricted people -- homes be allowed to play in the pickleball and the pool area of the age restricted homes?

Jantz: That I'm not sure, but, like I said, I have the Walsh Group here that can probably help out with that question.

Yearsley: Okay. I would be interested to find that out.

Jantz: Yeah.

McCarvel: Do you have somebody here that --

Jantz: Yes.

Walsh: Madam Chair, Members of the Commission, my name is Ron Walsh. I live at 1485 North Eagle Creek Way in Eagle, Idaho. My son Nick and I comprise the Walsh Group. We will have a clubhouse and possibly a pool in the non-age restricted area, but our clubhouse, pool, and pickleball court will be limited just to the age restricted residents.

Yearsley: Okay. Thank you.

Walsh: As long as I'm up here, if you don't mind, I will give you a little pitch. We appreciate all the work that staff and all the city agencies have done in the -- certainly appreciate their approval of our plat. This is our second age restricted project and we will -- my son and I will do that, build those and market those and I wanted to tell you that through working through our -- our Village Bungalows on Ustick Road near Eagle we learned a lot of lessons with the help of Bill and staff and the city building department and we made a lot of changes in this -- this plat to accommodate those things. We learned side yard setbacks are wider. Lot widths are wider. Lot depths are deeper. Street widths are wider. We limited our alley load lots down and we built in the pickleball court. One thing Josh mentioned that I just wanted to clear up was the open ditch where Josh asked for a waiver, but we -- at the time that the staff report was done -- since, then, we have got word from ACHD that the ditches do not need to be moved and, then, we got a memo from -- staff city staff that they were in support of us not being required to tile those, because there is -- no one's tiled them all the way along here, we would be the first, and, then, the other one is the staff would recommend after the -- the report that we participate in micro paths throughout the plat and we have no problem with that. It was a great idea. We kind of had it implemented into our plat, but not to the degree staff would like to see. And the final thing is that roadway arterial with the S curve, that was a -- kind of a concept that we wanted to stick with, because coming out of Quartet is a much larger subdivision than ours, but coming out of there and going straight through us to -- up to McMillan we felt like it would just be a race track and probably not be healthy for our residents in there. So, I just want to thank you guys and appreciate staff's support. Any questions?

McCarvel: Any other questions for staff or the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: The groundwater issues were one of the things that were mentioned in there and it looks like there is a pretty large collection area in the middle. Is that something that -- is that something that's going to be full year around or -- my concern here is if there is groundwater issues that's going to be stagnant water and we are going to have --

Walsh: Yeah. That's actually a -- there will be some overflow in that, but that's predominantly to fill out for pressurized irrigation, the pond, and all the groundwater is stored in -- under the pavers in the streets. So, it's just similar to Bridgetower to our east

and ACHD supported that and I think we actually have more capacity for groundwater than -- or for surface retention than we needed, because we went back and took the arterial out at the request of ACHD.

Seal: Okay. Thank you.

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

Walsh: Thanks.

McCarvel: Madam Clerk, do we have anyone signed up to testify on this application?

Weatherly: We do not, Madam Chair.

McCarvel: That being said, is there anyone in the room or online who wishes to testify in this, but did not sign up? Come forward.

Watts: Yes. My name is Rachelle Watts and address is 4676 West McMillan Road and we are directly across the street from this development. I don't have problems with the zoning. What we have problems with is where the collector road is coming out. There have been several comments made about why that is. One of them said that the -- the resident preferred -- which is -- if you will notice up in the right-hand corner, the yellow there, that preferred to keep that property, if that connected through it would come very close to the shop that is located there, but it would connect. Another thing that was said was that they were conferring and asked the Ada County Highway District to ask for a variance, so that the collector road could be moved down further, because of multiple power and utility lines. There is one large power pole that is located there and I did submit -- I don't know if you guys can see it, but I submitted a written letter, along with some pictures. I don't know if you loaded that or -- no? But those pictures I took were from Google and it clearly shows the one power pole that is there. It does come very close to the edge of what the road would be to connect. The other thing they mentioned was the calming of the traffic. There are other ways I think that that could be done to curve through there, as far as the calming, and I know when the Quartet Subdivision was looked at it was specific that that Joy Street would go through and connect up with the collector on North Joy Street, which would be directly -- I wish I had a picture of it. But it would run very close behind that shop that's right there in the yellow. Okay? And it would connect through. And when I look at it, that does not totally obstruct Joy Street. It would be -- that one power pole would be on the edge of that road, but all the way down McMillan, when they put in those power poles, which we were living there when they put that in. We have been there 30 years. They have maneuvered around those. There are ways to do that to connect. Now as that growth continues, which if you look at, there is Daphne, there is Brody Square, there is now Pera Place -- those are all the ones that are surrounding us. Bridgetower West. I think It's Sunset connected in with that. That now flows on to the corner of Daphne and Joy Street and runs out to there. That traffic has increased. At some point that traffic will probably increase dramatically, particularly when you are talking about that many homes coming out onto the road. That is directly across the street

from our house and I have some real safety concerns with even getting out of our driveway where that subdivision is the only -- that -- that was the one entrance onto McMillan where they could go. They are not going to go down -- they could go up Black Cat, but they are not going to go down -- all the way down to connect into Bridgetower West, because that's the far distance. The majority of these are going to funnel out directly in front of our house onto that road. Now, also, I noticed in the information that was on the the public -- on your -- on the website for this hearing that there are things that are missing. I didn't see a traffic study. I didn't see the report from Ada County Highway District, stating that there was multiple, in their words, at least as far as the e-mails, that were between Alan and Bill that I saw in regards to the gal at the Ada County Highway District. I know I'm running out of time. So, that's why I knew it would take some more to do that. But those pictures to me convey that there -- that that connect collector street can be extended to Joy into the correct -- into the Joy that exists now on North Joy and eventually there is probably going to have to be a light there, you know. There is directly across from that home -- I think the reason that they want to keep this is they want to keep that home, they want -- that the main reason for this is they do not want that collector street running directly behind that property. Now, that property was owned by the James family and he passed away. It is unoccupied. It was stated that he wanted to -- Mr. James wanted to keep the son, who inherited, wanted to keep that as his residence. He does not live there. Nobody has occupied that since August of 2020 when Mr. James passed away. Now, he may intend to live there or one of his kids, which is probably why they want to keep that. I understand that. But, again, when we look at the growth all around us and what is happening, I didn't -- I think that that collector street where it comes out is not appropriate and I know that they are talking -- there is going to be a roundabout at the corner of Black Cat and McMillan, that that will -- and I will also tell you -- I know if traffic studies have been done, but as soon as Owyhee school opens -- massive increase in traffic. And Cole Valley Christian School is supposed to be going in down on the north side of McMillan also on the other side of McDermott. So, there will be increased traffic there. I just would like you to take into consideration what the Ada County Highway master plan states in regards to -- and not deviate from that. That I believe that that collector road for Joy Street can be maintained to connect with the other North Joy Street on the north side of McMillan. Okay?

Watts: Thank you.

McCarvel: Thank you. Anyone else in the room or online that wishes to testify?

Pachner: My name is Joe Pachner. I'm an engineer with KM Engineering. Sorry, I was a little bit late to the meeting. Highway 55 just got closed down. My address is 5725 North Discovery Way. I might be able to shed a little bit more light on the -- this road alignment. The first initial one was -- we have -- we have met with ACHD on numerous occasions to discuss their master plan, which shows a dashed line going up to Joy. One of the things that we are looking at with that is what's Joy's future development, because it kind of veers off. One of the biggest things that they came back with is when -- it's not a power pole, it is one of the power towers. It's one of the monster towers going up through there. Then we started looking at the separation between Black Cat, this



proposed collector, San Vito and the separations and what we are looking to do is get a more even distribution through there, so that we didn't -- if we moved it over to Joy the separation between San Vito and Joy is not that significant and it's -- you know, you get more -- you are -- what ACHD came back with is, you know, we are looking at about a thousand feet in between each one of these collectors, so it better fits the traffic movements and the traffic study proves that up. I just wanted to bring that to your attention and -- anything else?

McCarvel: Okay. Thank you. Anyone else in the room or online that wishes to testify? Okay. Would the applicant like to come back? No comments on anything? In that case can I get a motion to close the public hearing on H-2021-0074.

Lorcher: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to close the public testimony on H-2021-0074. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Thoughts? Concerns?

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I think McMillan has some challenges because of those large power towers and being able to work around them. I understand the homeowner's concern for things kind of connecting perfectly aligned, but I mean without -- we don't have a picture of -- we just had a picture of the Jamestown Subdivision, so it's hard to see what's going on across the street. Like she had said, we just approved Pera Subdivision. I think Brody is going in there. It's going to be just more of the same. ACHD is going to have to do something in regard to traffic, because McMillan is still only, what, two lanes each way and you are introducing 294 new homes on top of for other subdivisions that are all going in at the same time.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: While I'm looking at the two areas and knowing that the age -- age restriction area has basically exclusive rights to the -- to that area and they there was a clubhouse and pool that's good -- that makes more sense as to why there is two of them. One of the things the applicant might want to consider is putting in a water park or a water feature, instead of a pool. I know there is mixed feelings on pools out there. So, they tend to be

good for some things, bad for others, and I think long term, you know, something of a water park, water feature, is going to last a lot better than a pool. One of the things I will say about the application is I think you have won the contest if you were trying to have one for common driveways. I think there is 12 of them in here. So, just for your information it's something that most people up here don't like to see in there and -- or to have it minimized. So, I would love to see this, if you go forward into City Council, it would be nice to see if you could get a little more creative and eliminate some of those, especially in that age restricted area. That's a smaller street, you got quite a few of them hanging off the end of that thing and, you know, we see the service trucks and anything that's going through those -- or trying to navigate those common driveways, it becomes a big hassle and kind of a pain to deal with for anybody trying to navigate those, much less with a service vehicle. On the canal, hopefully, with the -- I mean it sounds like the staff is in agreement with not tiling the canal. Hopefully you will take care to make sure that that -- since you didn't have to tile it maybe spend a little bit of that money that would have went towards that to beautify it, make it more of a walking path, more of something, you know, that people are going to be happy to be living out and, you know, that little bit of nature that's left out there. Other than that I mean it looks like a whole lot of houses in a little tiny area on some of the maps, but looking at the density and how it's just barely above the three per acre, I mean it is what it is, so -- but I think it's pretty well planned out. I wish the infrastructure was more built out to handle it, but, again, we don't control that. As far as the -- the intersection right there being moved on McMillan Road, you know, looked at some of the -- the frontage property there for the -- the residence that's to the -- to the south of this where the road will be coming out and I guess if the house was right on the road or something like that or there wasn't a lot of vegetation in there to mitigate, my main thing would be noise and lights especially. You wouldn't want light shining in your living room all day and night from coming in and out of here and it looks like there is a lot of vegetation in there that's going to mitigate that on its own.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I'm pretty in favor of this project. I think the -- the issue with the collector actually might -- might help a little bit just in terms of offsetting where those congestion points are along McMillan, especially with it not being, you know, all the way built out perhaps. One of the things looking at -- from a usability standpoint for residents on the far east side is looking at possibly putting in a pathway -- micro pathway to be able to get to the amenities a little bit easier than having to walk to the south piece of -- you know, if you are in that cul-de-sac up by the yellow area and you have to walk all the way down and around, especially since the age restricted as its own, you are going quite a ways away to get to the amenity. So, if you can find a better cut path through there that would probably be something to look at doing. I think overall, you know, having as many amenities as you have and lining things up with the -- the other subdivisions that are going in and being able to work through that with them versus against them, it sounds like you all have worked through whatever issues needed to be done. So, I appreciate that and I would be okay with moving this forward.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: All I can say is I'm sure glad I don't live in that area and I -- it's not -- not you guys. I think ACHD kind of really messed up with that area. You have got four collector -- or are going to end up with four collector streets hitting McMillan and none of them are in the right location for a roundabout or some sort of a signal, so it's going to be a disaster through there, especially with the canal right next against the road. I just -- yeah. I would prefer to see Joy -- the collector tie into Joy and make that an area for a roundabout. I think that's -- you know, yes, you have to add in probably two extra towers to make that fit, but I think long term I think that would be a better fit. You are starting to see development hit Daphne Street, which is the one just above it and so you are going to have people wanting to dump out there to get to McMillan. So, I see Joy getting busier, because we just approved a subdivision just to the north of there that's dumping traffic out onto Daphne, so -- and, then, the other concern that I have is -- I actually feel that the nonrestricted age area is being underserved with open space. Yes, you are showing one subdivision, but you have got -- are you one pool -- but you have got one pool and a pickleball court for 65 homes, but yet you have got one pool and an open area for 229 homes. I think that's -- you are favoring the age restricted homes for -- over the others and so I think we should -- I think we should -- there should be more open space or more amenities on the 229 home spots. So, as Commissioner Seal mentioned, it's a lot of homes and a little space and so I would be in favor of adding a little bit more open space to the non-age restricted area.

McCarvel: I guess my -- that was the first thing I noticed about it, Commissioners, was the amount of common driveways and I know it takes out a lot, but I mean charge more for -- it makes a couple of nice big corner lots in there somewhere. I mean it -- that's a lot of backing up for the service vehicles and trash day, it's just on every corner -- it's just -- common driveways I thought were originally allowed to be more the exception than the rule. It just I just don't see how it creates for good neighbors. So, I just -- I -- I think that would be my biggest suggestion and I do agree, I mean with as many amenities that are here it is underserved a little in the nonrestricted and I'm not a traffic expert, but I will yield to those on the panel that are and I guess it would make more sense and more connectivity later on to be able to have that intersection line up with Joy. I'm not sure where that really leaves us for --

Lorcher: I know. Madam Chair. So, if truly a roundabout is going to be planned for Black Cat and McMillan -- I'm assuming ACHD approved your -- your collector streets off of McMillan already, knowing that that was going to happen, so they have -- they have to know that there is enough room to be able to make it there; right? Unless they think that's just a problem for another day.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: Kind of to answer some of that question, so, you know, right now I think McMillan and Black Cat is supposed to be a roundabout, but if you go just a half a mile to the west of there at the midblock they actually have a roundabout there already built and I think what they are trying to do is do roundabouts at the main, but also have a mid -- midblock round about and I think with moving the collector road over and not tying it into Joy, which one of those four collector roads that tie into McMillan do you put a roundabout and, you know, I just -- because I think -- I think Joy is going to end up being a collector street, as all that land gets pressured to redevelop. I mean you have got a lot of five acre parcels there that are going to redevelop because the development pressure is going to be big enough they would be stupid not to sell, you know. So, that's my only concern is -- is which one of those do you put a -- does ACHD put a roundabout on. So, that's why I like having to tie into Joy Street and -- and having that be a roundabout, so you actually have some decent access out on the McMillan.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I hadn't considered the roundabout aspect and the -- the way the traffic patterns are tied in there and Commissioner Yearsley brings up some good points, because we did just approve, you know, subdivisions that we will be using that as they spill out on onto there and I live very close to this myself, so I don't -- I don't kid myself in any way to think that Black Cat or McMillan are ready to handle anything along these lines of -- of the amount of traffic that's coming their way before they are even slated to be improved. I think probably taking into consideration anything we can do to improve that when they get developed is something that we should probably take serious consideration of. So, I would be more inclined to either continue it or deny it based on trying to get that Joy to line up the way that it, you know, honestly should, as well as some of the age restricted area. Like I said, the common driveway and there is just -- the instant I saw that it just looks like trouble. I mean there could be some creative ways to provide the micro path through -- like Commissioner Grove had brought up by eliminating that common drive -- the lot at the end of that driveway or eliminating that all together, shifting the whole thing over, whatever you would want to do in order to provide for Joy Street to line up with that subdivision. So, with that I'm -- I'm at a point of either supporting a denial or a continuance.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: Well, one of the reasons why we denied one of the first ones we did today was because of the lack of infrastructure before, you know, more goes in. I think I would be interested in hearing more what ACHD has -- I mean if the street of McMillan and Black Cat aren't going to be approved for, you know, five or ten years, then, putting 294 houses, even with age restrictions in, and along with the four or five other subdivisions at Brighton already is working on in that same area, it's just -- I mean McMillan is going to be a parking

lot, whether you go to a school or or any other businesses going on there. I don't know anything about -- what did you call them? Common driveways? I don't think I have ever seen one, so maybe I need to get out a little bit more, but --

Grove: Madam Chair?

Lorcher: -- I have no comment on that.

McCarvel: Commissioner Grove.

Grove: I understand what Commissioner Lorcher is saying. I think the infrastructure piece for me is kind of apples and oranges on this one compared to the other one, just in terms of how much has already been approved in what's being planned and how it's being planned and what -- you know, where it's at in its lifecycle with -- in terms of development. I think we are -- we are completely different places. I would be probably in favor of doing a continuance and -- and having it conditioned around the redevelopment of being able to connect to Joy and I think as a few of you have pointed out, the amenities are great overall, but when we are looking at them for who they are intended for and where they are at, I think there is some room for improvement and I think if we are talking about realignment of the street that it's going to have to be addressed anyway, so kind of making sure that it is understood what we are looking for, so that we -- we give some direction on that.

McCarvel: And I guess I would add fewer -- way fewer common driveways.

Grove: Yes. Always.

Seal: Madam Chair, quick -- quick question for -- quick question --

McCarvel: I -- it sounded like your voice, but it sounds like it's coming from --

Seal: It's my ventriloquist act. Question for staff on the ACHD report that we are waiting on, is that a two-way communication that we can have with them as far as the concerns that we have as a the city, you know, looking at that intersection and how it aligns with Joy, so that they can take that into consideration into their report?

Tiefenbach: I can certainly e-mail Paige, who is the one that's working on this, and tell them what your concerns are?

Seal: Okay. I think that would be -- I mean if we do a continuation here I think that would be probably relevant to the report, because, again, I think Commissioner Yearsley brings up a really good point, so if they can speak to that in their report that's going to make, you know, a continuance worthwhile I think.

Parsons: Yeah. Madam Chair, Members of the Commission, more than likely won't get a roundabout. There is not one showing on the master street map that I have in front of

me. But alignment is always the preferred route for -- for staff and ACHD when it makes sense. So, certainly whatever you do this evening, Alan and I just request that whatever changes you want made to the -- to the plat make sure the applicant knows what those are and, then, brings back what you want to see.

McCarvel: You seem to have a line on --

Yearsley: So, I guess the big question is when do we want to have this date continued to I think is going to be the big question, because what we are asking is has all significant change and -- you know, I don't want to push it to next week or two weeks and not have enough time to at least address the issues in a perfect manner. Will we need to open it back up?

McCarvel: Alan?

Tiefenbach: Alan Tiefenbach, associate planner. Yeah. I agree. I mean we are talking about having to get a -- some pretty big design changes and having achd weigh in on them, so, you know, the next Planning Commission meeting isn't going to work. We are talking month or six weeks. I can't control -- and I can't control how quickly ACHD turns around the traffic part, especially based on some changes. So, it won't be -- it won't be quick.

McCarvel: I would say January 6th or 20th then.

Tiefenbach: January 20 would definitely give us enough time.

Yearsley: With the holidays in the middle of all that I -- I would almost recommend January 20th.

Tiefenbach: Yeah. We are going to lose -- we are going to lose a lot of time because of people being out and everything else, including staff, so --

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move to continue file number 2021-0074 to the hearing date of January 20th, 2022, for the following reasons: So, that we can get a final ACHD report and that the city has time to communicate our concerns to ACHD and that we -- and that the alignment of the collector to Joy Street be something that can -- that they look out for -- yeah -- future growth and that we want to see a reduction or even possibly an elimination of the common driveways.

Yearsley: Madam Chair? Point of order. Can we -- do we need to reopen the public hearing first?

Seal: Oh, you're right.

McCarvel: Oh, yeah.

Yearsley: I apologize. It was a great motion, by the way.

Seal: Thank you. I will just rewind. Good point.

McCarvel: Do you want the motion to open as well or do we want --

Yearsley: I will motion to open the public hearing on this application.

Grove: Second.

McCarvel: It has been moved and seconded to reopen the public hearing on H-2021-0074. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Commissioner Seal.

Seal: Okay. I move to continue file number H-2021-0074 to the hearing date of January 20th, 2022, for the following reasons: So, that they can get the final ACHD report and they have a chance to hear our input from the city planning staff. The alignment of the collector to Joy be strongly considered for the reasons presented in the Commission hearing this evening and that we see a reduction or possible elimination of the common driveways.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: Could we add in a condition for the open space and amenities to be better distributed through the non-age restricted areas?

Seal: And what Commissioner Grove said.

Yearsley: I will second that.

McCarvel: It has been moved and seconded to continue H-2021-0074 to the hearing date of January 20th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**6. Public Hearing for UDC Text Amendment - Collector Street Setbacks in Residential Districts and Landscape Buffers Along Streets (ZOA-**



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from December 2, 2021 for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.

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

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

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





# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** January 20, 2022

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

**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

January 14, 2022

### MEMORANDUM

TO: Planning and Zoning Commission

CC: Andrew Wheeler, DG Group Architecture

FROM: Joseph Dodson, Current Associate Planner

RE: Lennon Pointe Community AZ, PP, CUP (H-2021-0071)

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Dear Commissioners,

Lennon Pointe Community AZ, PP, CUP (H-2021-0071) was heard by Planning and Zoning Commission on December 2, 2021. At that hearing the Commission continued the project to the January 20, 2022 hearing date for the following reasons outlined in their motion: create a better solution to the transition between the proposed multi-family building and the neighborhood to the east; modify the attached units on the east side of the site to be front-loaded; revise the plat to match any changes to the overall conceptual site plan.

Since the hearing, the Applicant has submitted revised plans to Planning Staff as of January 14<sup>th</sup>. The revised plans have resulted in a number of recommended changes to the conditions of approval and development agreement provisions. The revisions made by the Applicant are noticeable but do not affect much of the overall development data but the Applicant has proposed a loss of one residential unit throughout the development to total 60 units (42 single-family and 18 multi-family). Any updated numbers will be added to the staff report following the Commission's final recommendation to City Council to ensure transparency. Please refer to the attachments and subsequent bullet points below regarding the specific changes since the Commission hearing.

The revised plans show the following changes made by the applicant based on the Commission's discussion:

- **Reduction in height and size of apartment buildings** – the Applicant has revised the proposed apartment buildings along Ustick to be 3-story buildings instead of 4-stories. This has resulted in a slight height reduction of the buildings (37' at its highest point of the sloped roof) and an overall reduction of building massing. In addition, the Applicant removed the easternmost end-unit altogether which has resulted in further separation

from the existing single-family home to the east. According to the revised site plan, the proposed building is at least 44' from the east property line.

- By removing the apartment end-unit, the Applicant has now proposed an additional plaza area with pedestrian access to the sidewalk along Ustick.
- Applicant removed the cross-access point between the multi-family drive aisle and the commercial property to the west in order to reduce any cut-through traffic.
- Applicant converted the attached units along the east boundary to be front-loaded (facing west) and removed the walking path along the east boundary per Staff and Commission comments.
- Applicant moved the location of the proposed dog park as discussed at the hearing. It is now located within the larger open space lot in the southwest corner of the site.
- Applicant revised the lot sizes of the 3-unit townhome unit near the southwest corner of the site to meet the minimum lot size requirements in accord with Staff's condition of approval.
- Applicant added a segment of 10' multi-use pathway within the required landscape buffer along Linder Road.
- The Applicant also removed one unit from the 6-unit townhome building to move it out of the floodway and include a new drive aisle connection on the north end of this building. This new drive aisle offers additional separation between the commercial lot and the residential building but is not a required connection. Staff understands the benefit of this connection but could also envision additional open space in this area in lieu of more asphalt. Staff is recommending an additional condition of approval relating to this connection should Commission determine it should remain to ensure perpetual cross access.

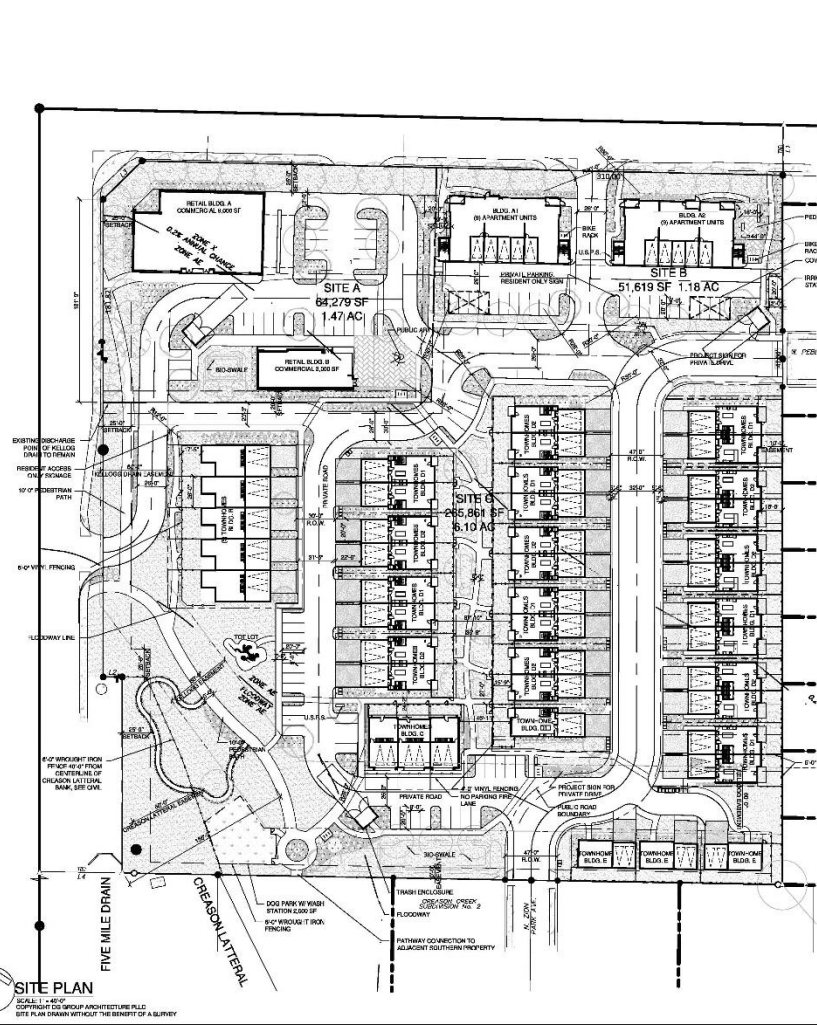
The parameters of the Commission motion to continue and the revised plans have resulted in Staff modifying certain conditions, striking others, and adding an additional DA Provision. Staff recommends the following changes be made to the staff report by the Planning and Zoning Commission, noted with strikeout and underline changes below:

- Modify A.1f. – No more than ~~16~~18 multi-family units are approved with the Lennon Pointe Community development—~~the first two units closest to the east property boundary and Creason Creek Subdivision are limited to two-story units in height.~~
- Add Provision – If cross-access is proposed between the commercial lot and the 5-unit townhomes, the Applicant shall submit a recorded cross-access agreement to the Planning Division at the time of Final Plat Signature to ensure perpetual cross-access between the private street in the residential portion of the project and the commercial lot.
- Strike A.2a – ~~Correct the size of Lot 9, Block 1 to meet the 2,000 square foot minimum lot size requirement of the R-15 zoning district.~~
- Strike A.4a & 4.b – a. ~~Shift the 6-unit townhome building to the north to move as much of Lot 2, Block 1 out of the floodway zone;~~ b. ~~Move the detached sidewalk adjacent to the east side of the 6-unit townhome building to the east to be an attached sidewalk to the private street.~~
- Strike A.5 altogether.

Exhibits:

- A. Revised Site Plan
- B. Revised Site Plan with Markups
- C. Revised Multi-family Conceptual Elevations

# A. Revised Site Plan



**LOT COVERAGE CALCULATIONS**

BUILDING FOOTPRINT	= 19,437 SF	35.2%
ASPHALT	= 88,545 SF	15.2%
CONCRETE WALKS	= 45,967 SF	8.2%
AMBITES	= 4,153 SF	0.8%
PATIO/SCREEN LEVEL	= 3,395 SF	0.6%
LANDSCAPE	= 19,418 SF	35.2%
<b>TOTAL SITE</b>	<b>= 200,915 SF</b>	<b>100%</b>

TOTAL BUILDING AREA	= 126,422 SF
LOT COVERAGE AT 1:10 ADDITION	= 33.2%
MAXIMUM LOT COVERAGE	= 38%

**APPLICANT**

DEVELOPER/ARCHITECTURE	DOUGLAS BISHOP - CDR792
ARCHITECT	4825 S. BUCKLEY BLVD
DATE: 12/15/2011	LAGUNA, CA 92653
PROJECT NO:	DDG141002-EST.1201

**EXISTING PARCELS**

SITE A	PARCEL #5 2012231-5
SITE B	PARCEL #6 2012231-5
SITE C	PARCEL #7 2012231-5

**UNIT MIX TOTALS:**

SITES A-D-C	COMMERCIAL - RETAIL = 11,600 SF
SITES A-D-C	APARTMENT UNITS = 174 UNITS
SITES A-D-C	TOWNHOMES = 120 UNITS
<b>TOTAL</b>	<b>= 305 UNITS</b>

**SITE A**

(1) LOT	12 BUILDINGS
(2) BUILDINGS	PROPOSED 20,000 - COMMUNITY COMMERCIAL
<b>BUILDING FOOTPRINT TOTAL:</b>	<b>12,000 SF</b>

**SITE B**

(1) LOT	12 BUILDINGS
(2) BUILDINGS	PROPOSED 20,000 - R-F-15
(3) BUILDINGS	PROPOSED 20,000 - R-F-15
(4) BUILDINGS	PROPOSED 20,000 - R-F-15
(5) BUILDINGS	PROPOSED 20,000 - R-F-15
(6) BUILDINGS	PROPOSED 20,000 - R-F-15
(7) BUILDINGS	PROPOSED 20,000 - R-F-15
(8) BUILDINGS	PROPOSED 20,000 - R-F-15
(9) BUILDINGS	PROPOSED 20,000 - R-F-15
(10) BUILDINGS	PROPOSED 20,000 - R-F-15
(11) BUILDINGS	PROPOSED 20,000 - R-F-15
(12) BUILDINGS	PROPOSED 20,000 - R-F-15
(13) BUILDINGS	PROPOSED 20,000 - R-F-15
(14) BUILDINGS	PROPOSED 20,000 - R-F-15
(15) BUILDINGS	PROPOSED 20,000 - R-F-15
(16) BUILDINGS	PROPOSED 20,000 - R-F-15
(17) BUILDINGS	PROPOSED 20,000 - R-F-15
(18) BUILDINGS	PROPOSED 20,000 - R-F-15
(19) BUILDINGS	PROPOSED 20,000 - R-F-15
(20) BUILDINGS	PROPOSED 20,000 - R-F-15
(21) BUILDINGS	PROPOSED 20,000 - R-F-15
(22) BUILDINGS	PROPOSED 20,000 - R-F-15
(23) BUILDINGS	PROPOSED 20,000 - R-F-15
(24) BUILDINGS	PROPOSED 20,000 - R-F-15
(25) BUILDINGS	PROPOSED 20,000 - R-F-15
(26) BUILDINGS	PROPOSED 20,000 - R-F-15
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(31) BUILDINGS	PROPOSED 20,000 - R-F-15
(32) BUILDINGS	PROPOSED 20,000 - R-F-15
(33) BUILDINGS	PROPOSED 20,000 - R-F-15
(34) BUILDINGS	PROPOSED 20,000 - R-F-15
(35) BUILDINGS	PROPOSED 20,000 - R-F-15
(36) BUILDINGS	PROPOSED 20,000 - R-F-15
(37) BUILDINGS	PROPOSED 20,000 - R-F-15
(38) BUILDINGS	PROPOSED 20,000 - R-F-15
(39) BUILDINGS	PROPOSED 20,000 - R-F-15
(40) BUILDINGS	PROPOSED 20,000 - R-F-15
(41) BUILDINGS	PROPOSED 20,000 - R-F-15
(42) BUILDINGS	PROPOSED 20,000 - R-F-15
(43) BUILDINGS	PROPOSED 20,000 - R-F-15
(44) BUILDINGS	PROPOSED 20,000 - R-F-15
(45) BUILDINGS	PROPOSED 20,000 - R-F-15
(46) BUILDINGS	PROPOSED 20,000 - R-F-15
(47) BUILDINGS	PROPOSED 20,000 - R-F-15
(48) BUILDINGS	PROPOSED 20,000 - R-F-15
(49) BUILDINGS	PROPOSED 20,000 - R-F-15
(50) BUILDINGS	PROPOSED 20,000 - R-F-15

**SITE C**

(1) LOT	12 BUILDINGS
(2) BUILDINGS	PROPOSED 20,000 - R-F-15
(3) BUILDINGS	PROPOSED 20,000 - R-F-15
(4) BUILDINGS	PROPOSED 20,000 - R-F-15
(5) BUILDINGS	PROPOSED 20,000 - R-F-15
(6) BUILDINGS	PROPOSED 20,000 - R-F-15
(7) BUILDINGS	PROPOSED 20,000 - R-F-15
(8) BUILDINGS	PROPOSED 20,000 - R-F-15
(9) BUILDINGS	PROPOSED 20,000 - R-F-15
(10) BUILDINGS	PROPOSED 20,000 - R-F-15
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(31) BUILDINGS	PROPOSED 20,000 - R-F-15
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(46) BUILDINGS	PROPOSED 20,000 - R-F-15
(47) BUILDINGS	PROPOSED 20,000 - R-F-15
(48) BUILDINGS	PROPOSED 20,000 - R-F-15
(49) BUILDINGS	PROPOSED 20,000 - R-F-15
(50) BUILDINGS	PROPOSED 20,000 - R-F-15

**PARKING**

**SITE A:**

PARKING REQUIRED:	= 500 SF / STALL
500 STALLS REQUIRED	
PARKING PROVIDED:	= 250 PROVIDED

**SITE B:**

APARTMENT UNITS:	180 UNITS
PARKING REQUIRED:	= 18 STALLS PER UNIT
3,240 STALLS REQUIRED	
PARKING PROVIDED:	= 150 PROVIDED

**SITE C:**

TOWNHOMES:	40 UNITS
PARKING REQUIRED:	= 4 STALLS PER UNIT
160 STALLS REQUIRED	
PARKING PROVIDED:	= 160 PROVIDED



**REVISIONS**

NO.	DESCRIPTION	DATE
01	ISSUED FOR PERMIT	12/15/2011

**APPLICANT**

DOUGLAS BISHOP - CDR792  
4825 S. BUCKLEY BLVD  
LAGUNA, CA 92653  
DDG141002-EST.1201

**PROJECT**

300' X 300'  
R-F-15  
TRACT: 17  
TAB: 7

**DG GROUP ARCHITECTURE PLLC**

10000 S. HAYWARD BLVD, SUITE 100  
DUBLIN, CA 94568  
TEL: 925-835-7000  
WWW.DGARCHITECTURE.COM

**PROJECT LOCATION**

Ustick Rd  
Linder Rd  
Tumble Creek

**VICINITY MAP**

N. S.

**LENNON POINTE**

**A1.1**

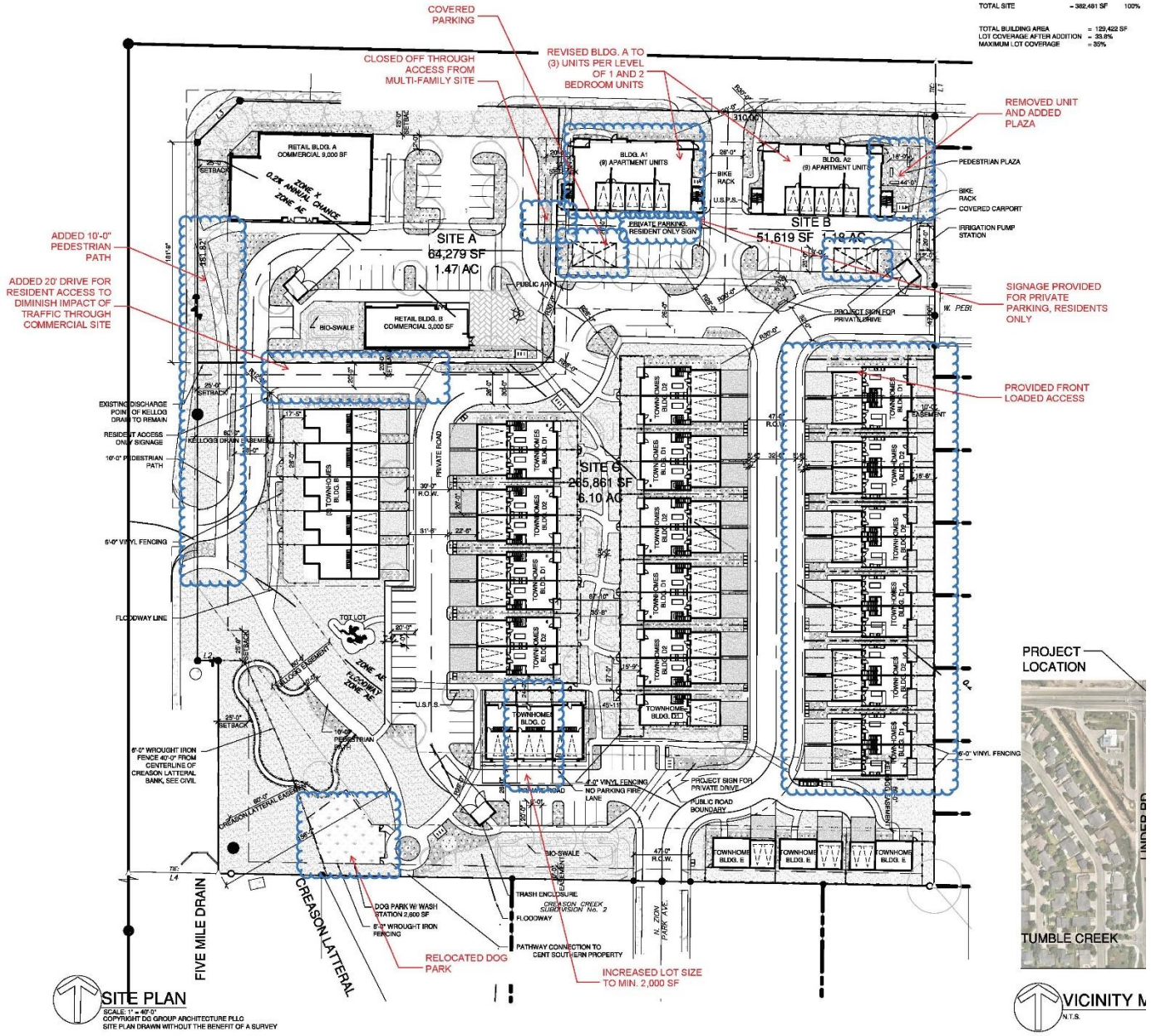
**SITE PLAN**  
SCALE: 1"=40'  
COPYRIGHT © 2011 DG GROUP ARCHITECTURE PLLC  
SITE PLAN DRAWN WITHOUT THE BENEFIT OF A SURVEY

B. Revised Site Plan with Markups

LOT COVERAGE CALCULATIONS

BUILDING FOOTPRINT	= 129,422 SF	33.8%
ASPHALT	= 98,546 SF	25.2%
CONCRETE WALKS	= 45,458 SF	12.1%
AMBITIES	= 4,123 SF	1.06%
PATIO GRADE LEVEL	= 3,680 SF	0.9%
LANDSCAPE	= 104,948 SF	27.2%
<b>TOTAL SITE</b>	<b>= 382,491 SF</b>	<b>100%</b>

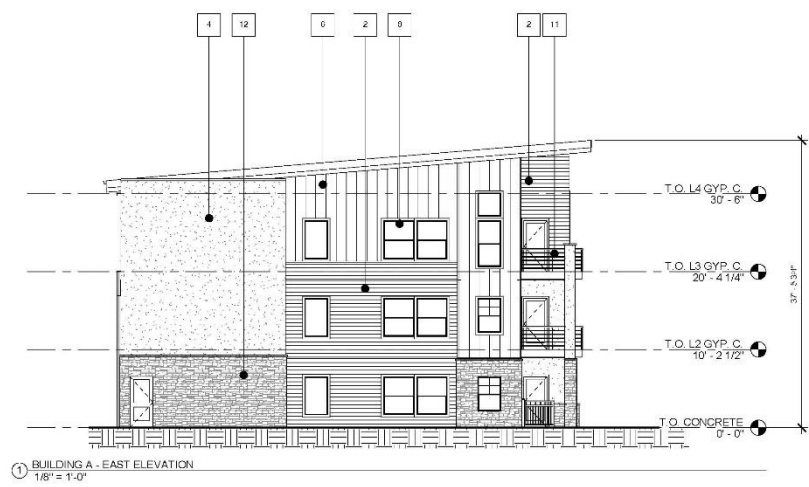
TOTAL BUILDING AREA = 129,422 SF  
 LOT COVERAGE AFTER ADDITION = 33.8%  
 MAXIMUM LOT COVERAGE = 35%



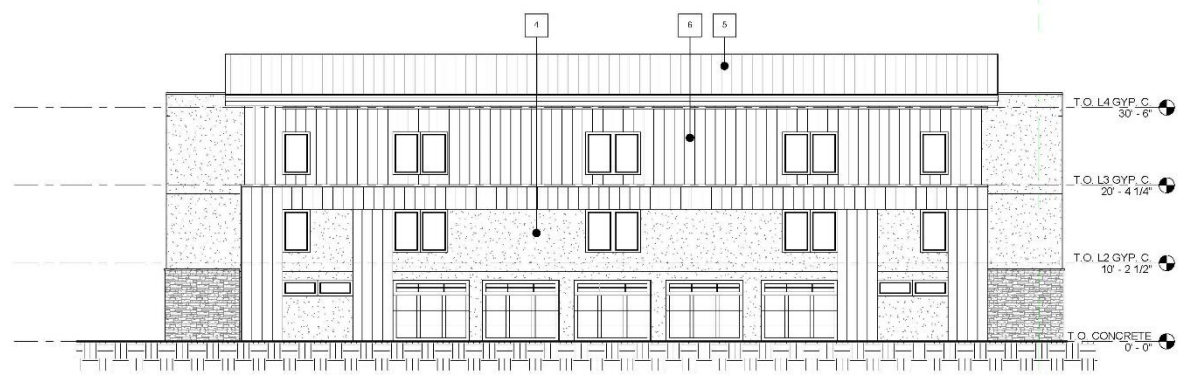
**SITE PLAN**  
 SCALE: 1" = 40'  
 COPYRIGHT © GROUP ARCHITECTURE PLLC  
 SITE PLAN DRAWN WITHOUT THE BENEFIT OF A SURVEY



### C. Revised Multi-family Conceptual Elevations



1 BUILDING A - EAST ELEVATION  
1/8" = 1'-0"



3 BUILDING A - SOUTH ELEVATION  
1/8" = 1'-0"



2 BUILDING A - NORTH ELEVATION  
1/8" = 1'-0"

# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



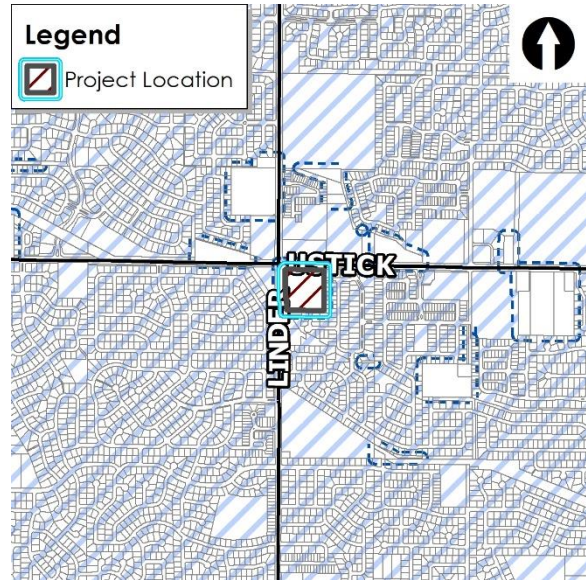
HEARING DATE: 12/2/2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0071  
Lennon Pointe Community

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



## I. PROJECT DESCRIPTION

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

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

## II. SUMMARY OF REPORT

### A. Project Summary

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

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

B. Community Metrics

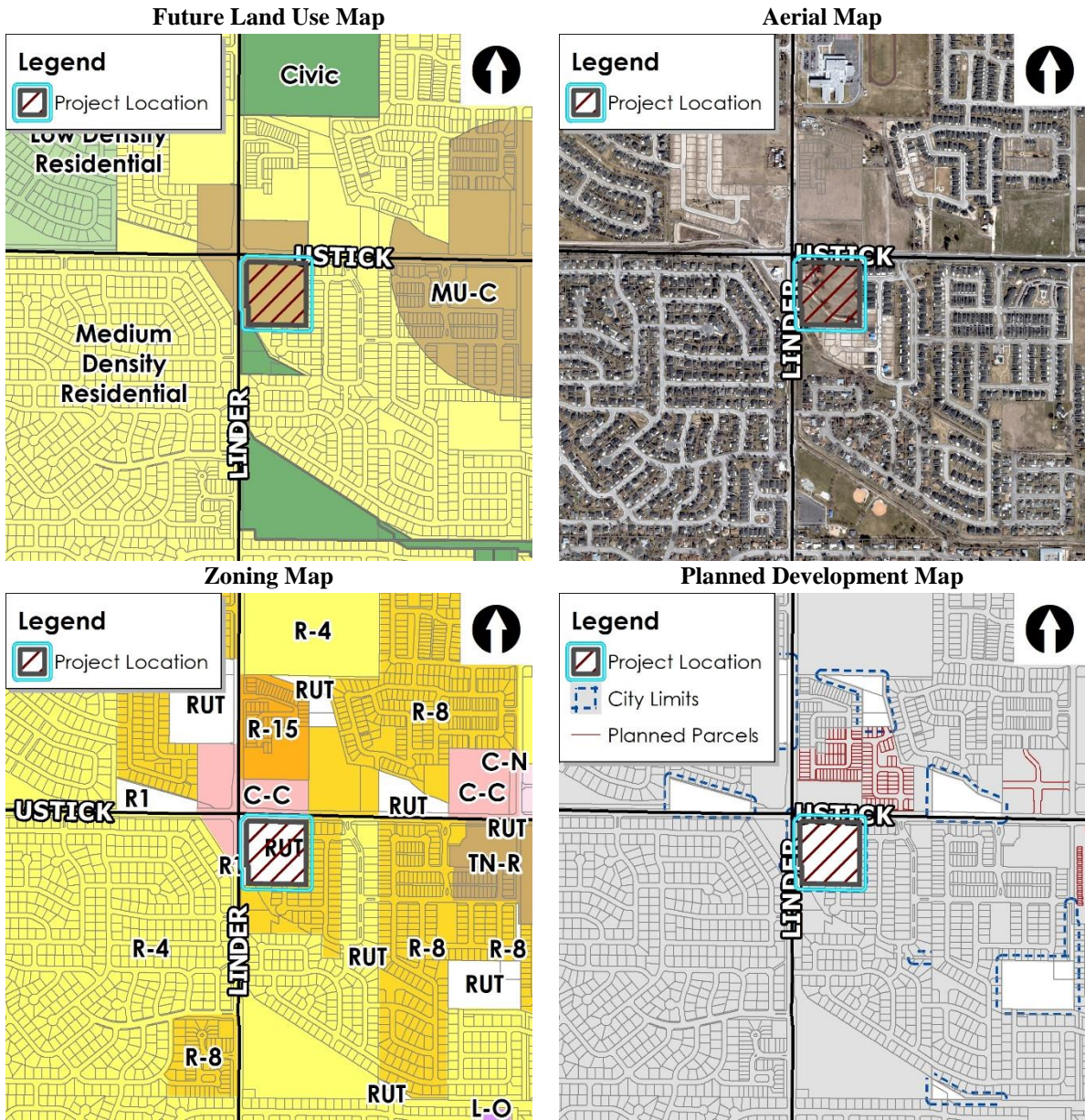
Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>No</p>
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access to the adjacent arterials (Ustick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



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

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

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Same as Representative

B. Owner:

Jeff Sindon – PO Box 383, McCall, ID 83638

C. Representative:

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

IV. NOTICING

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

V. STAFF ANALYSIS

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

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

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

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

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

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

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

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

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

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

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

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

*“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). Lennon Pointe Community is proposing a project with a combination of land uses in the form of single-family attached, townhomes, multi-family, and commercial within one development. A vast majority of the housing that exists around this development are traditional detached single-family homes. The Applicant hopes to add additional housing types in this geographic area and within this MU-C area that will delineate a unique living opportunity in the City and add to the housing diversity available while being within safe walking distance to future commercial uses.*

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

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

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

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

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

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

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

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

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

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

C. Existing Structures/Site Improvements:

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

D. Proposed Use Analysis:

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

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

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

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

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

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

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

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

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

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

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

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

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

A. Purpose:

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

B. Site Design:

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



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

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

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

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

C. Common Open Space Design Requirements:

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

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

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

#### D. Site Development Amenities:

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

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

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

E. Landscaping Requirements:

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

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

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

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

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

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

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

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

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

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for multi-family and single-family dwellings based on the number of bedrooms per unit. Based on the proposal of 18 3-bedroom apartment units, 36 parking spaces total are required to be provided—one space per unit must be covered, per UDC standards. The submitted site plan shows 44 total parking spaces for the multi-family portion of the site. *Each 2-story unit that enters on the first level is proposed with a two-car garage. The 2-story units that enter on the third level appear utilize the surface spaces but none of these spaces are shown to be covered. Therefore, the submitted site plan does not show compliance with code requirements. The Applicant should revise the site plan to show at least nine (9) covered spaces for the upper level units to satisfy this requirement. If this is not desired, the Applicant can provide a single-car garage space on the first level for each proposed unit.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## VI. DECISION

A. Staff:

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

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

**B. Commission:**

Enter Summary of Commission Decision.

**C. City Council:**

To be heard at future date.



**VII. EXHIBITS**

**A. Annexation and Zoning Legal Descriptions and Exhibit Maps**



**Lennon Pointe  
Annexation  
Legal Description**

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

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

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

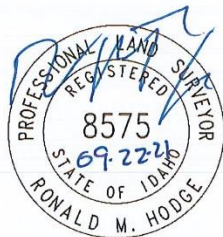
Thence along said northerly boundary, North 88°59'01" West, 664.76 feet to westerly line of Government Lot 4;

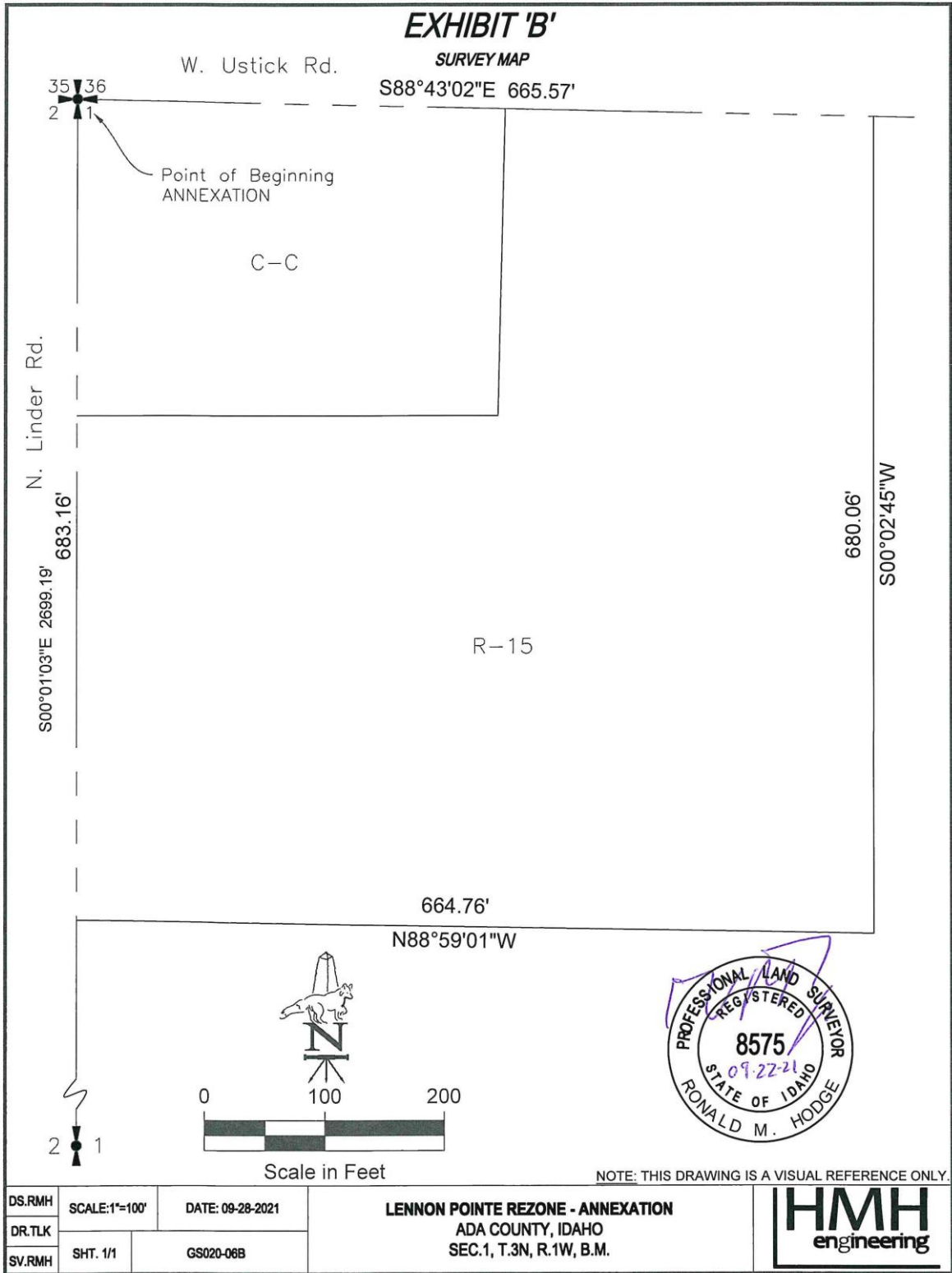
Thence North 00°01'03" West, 683.16 feet to the **POINT OF BEGINNING**.

Containing 10.41 acres, more or less  
END OF DESCRIPTION

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

RMH:tk







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

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

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

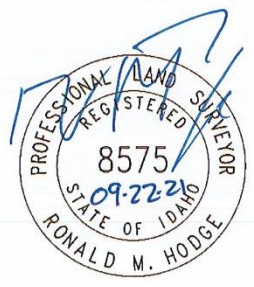
Thence South 01°16'58" West, 255.14 feet;

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

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

Containing 2.10 acres, more or less  
END OF DESCRIPTION

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



RMH:tk



### Lennon Pointe R-15 Rezone Legal Description

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

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

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

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

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

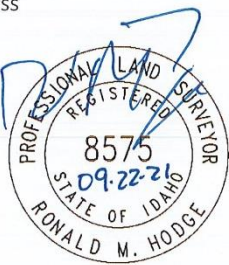
Thence along said westerly line, North 00°01'03" West, 420.00 feet;

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

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

Containing 8.30 acres, more or less  
END OF DESCRIPTION

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

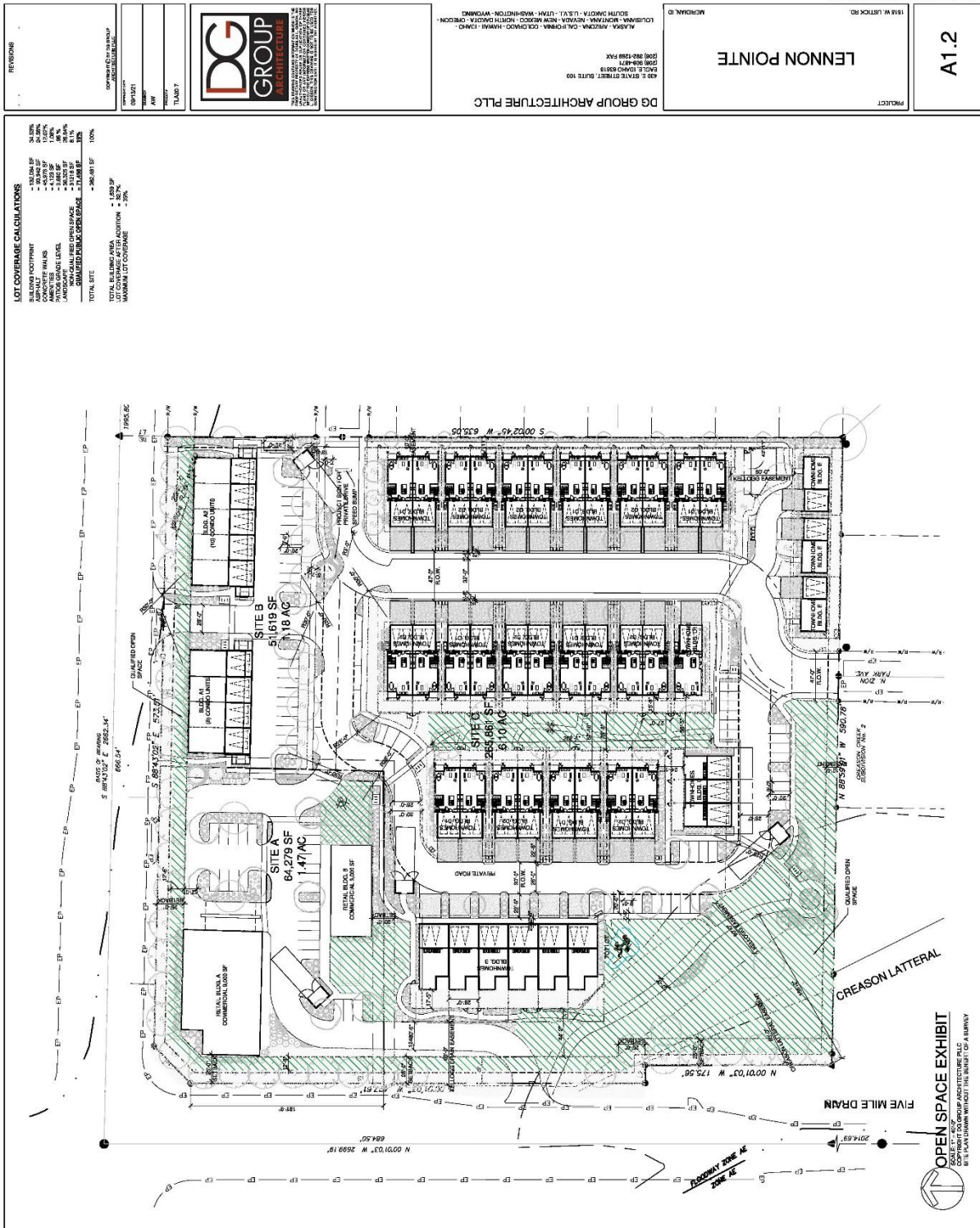


RMH:tk



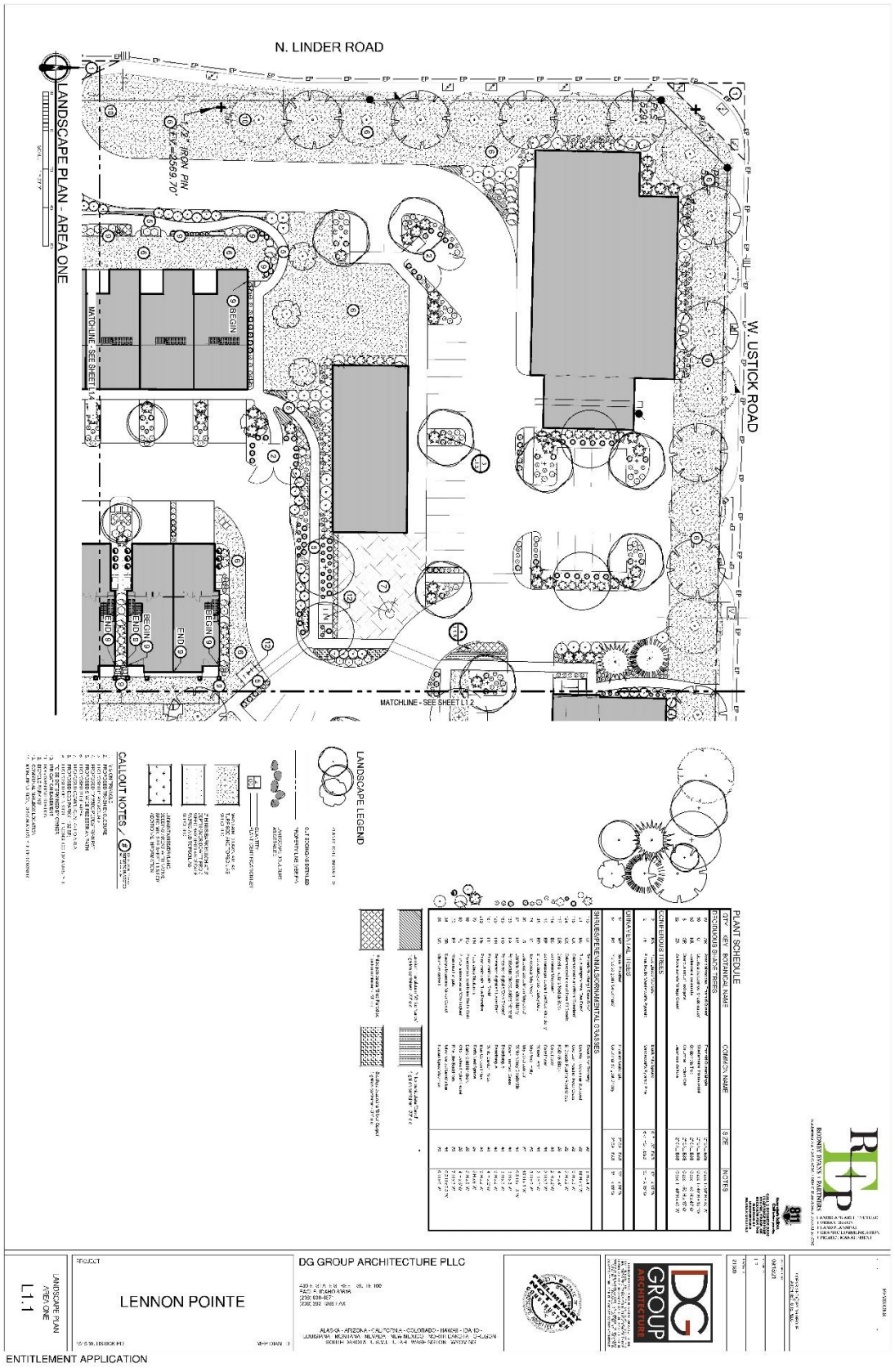


C. Open Space Exhibit (date: 9/13/2021)

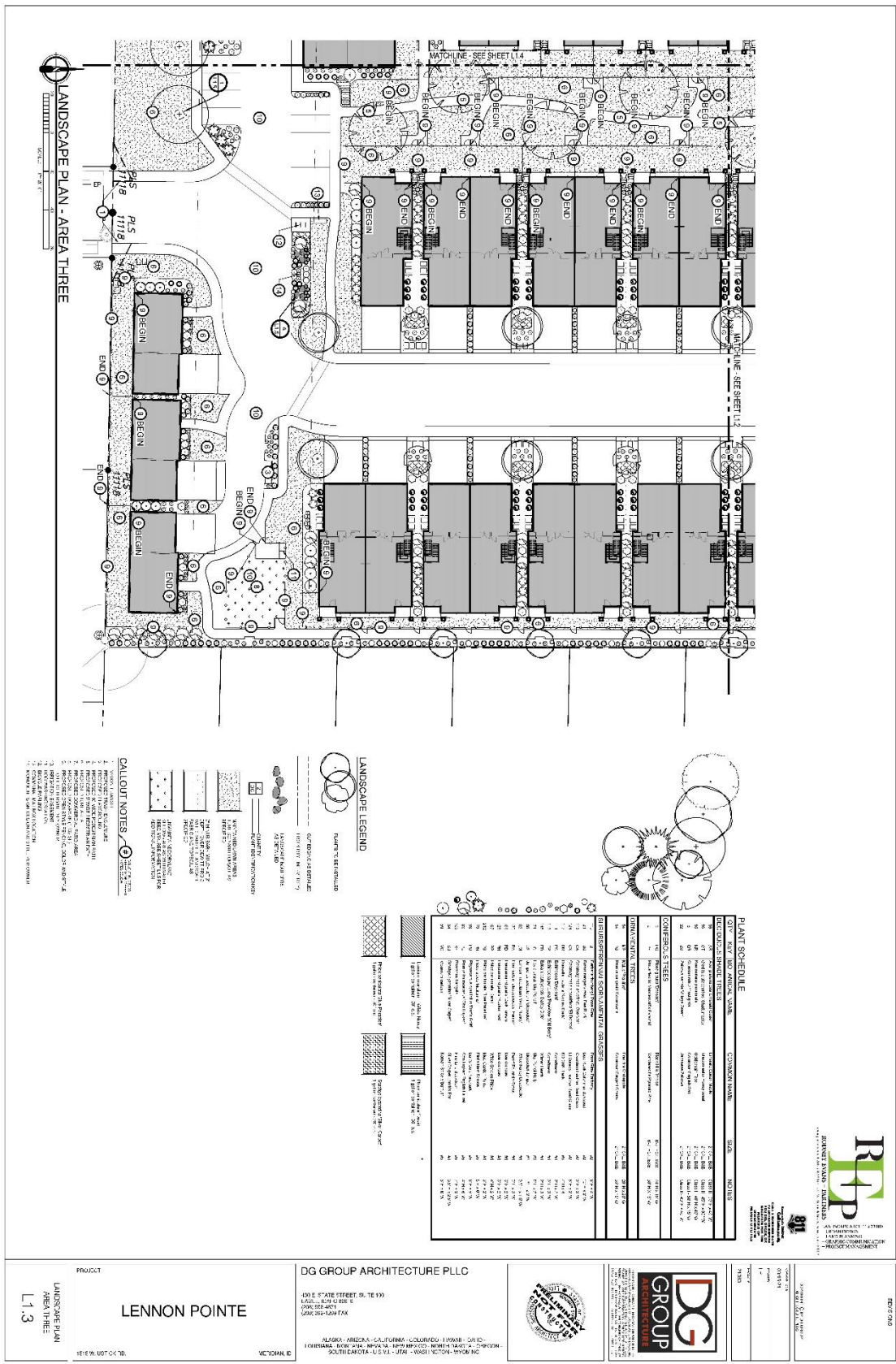












LANDSCAPE PLAN - AREA THREE  
SCALE: 1/8" = 1'-0"

**LANDSCAPE LEGEND**

PLANT SCHEDULES

CONCRETE FINISHES

GRASS

LANDSCAPE NOTES

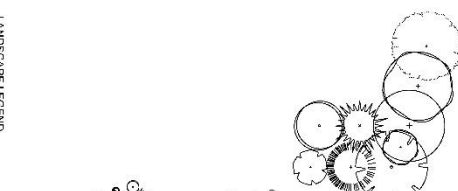
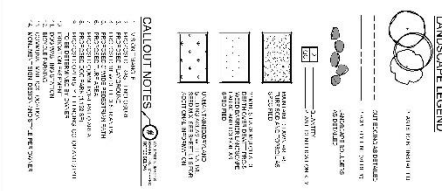
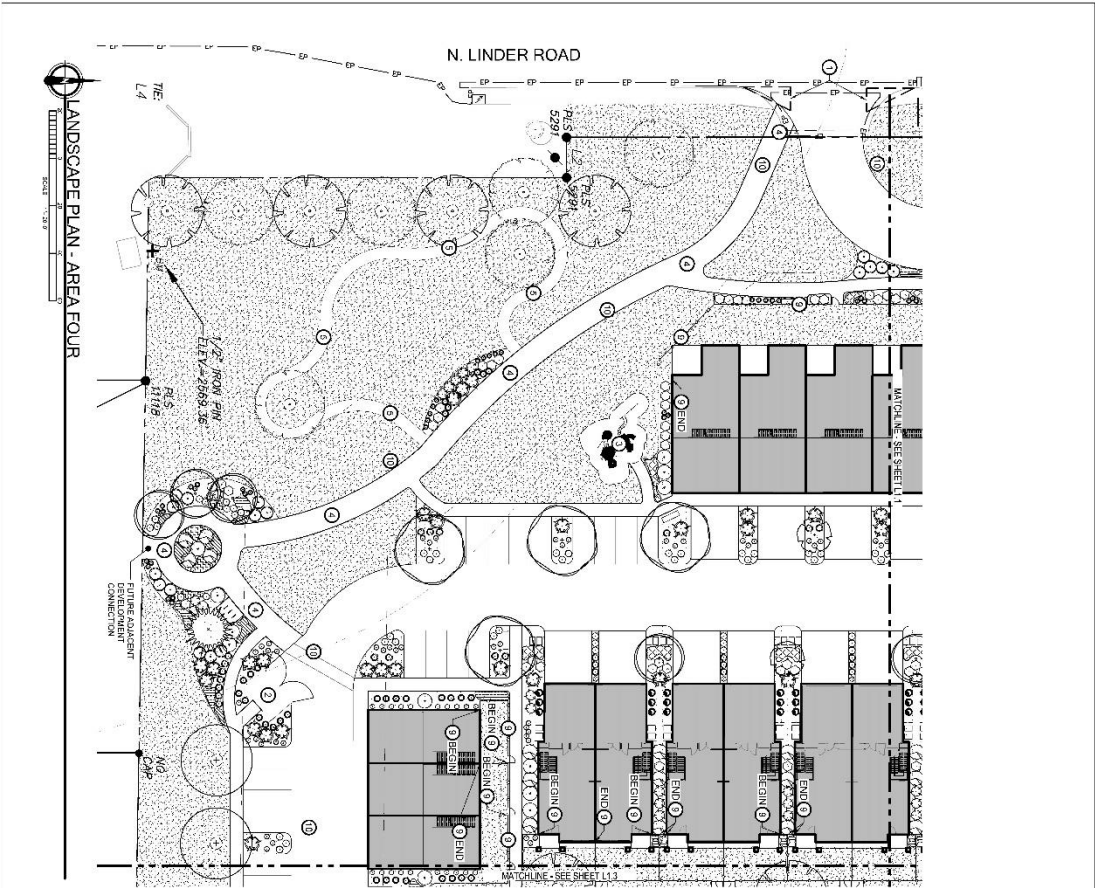
1. ALL PLANTINGS SHALL BE INSTALLED AS SHOWN.
2. ALL PLANTINGS SHALL BE INSTALLED AS SHOWN.
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9. ALL PLANTINGS SHALL BE INSTALLED AS SHOWN.
10. ALL PLANTINGS SHALL BE INSTALLED AS SHOWN.

**PLANT SCHEDULE**

SYM	KEY	SYM	COMMON NAME	SIZE	NOTES
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<p>PROJECT</p> <p><b>LENNON POINTE</b></p> <p>LANDSCAPE PLAN</p> <p>AREA THREE</p> <p>L1.3</p>	<p>DG GROUP ARCHITECTURE PLLC</p> <p>490 E STATE STREET SU. 1000</p> <p>SALT LAKE CITY, UT 84111</p> <p>TEL: 801.466.2000</p> <p>FAX: 801.466.2000</p>	<p>DG GROUP</p>	<p>DATE: 11/11/11</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT: L1.3</p>
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PROJECT: **LENNON POINTE**

ARCHITECT: **DG GROUP ARCHITECTURE PLLC**

DATE: 10/20/2015

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

PROJECT: **LENNON POINTE**

ARCHITECT: **DG GROUP ARCHITECTURE PLLC**

DATE: 10/20/2015

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

PROJECT: **LENNON POINTE**

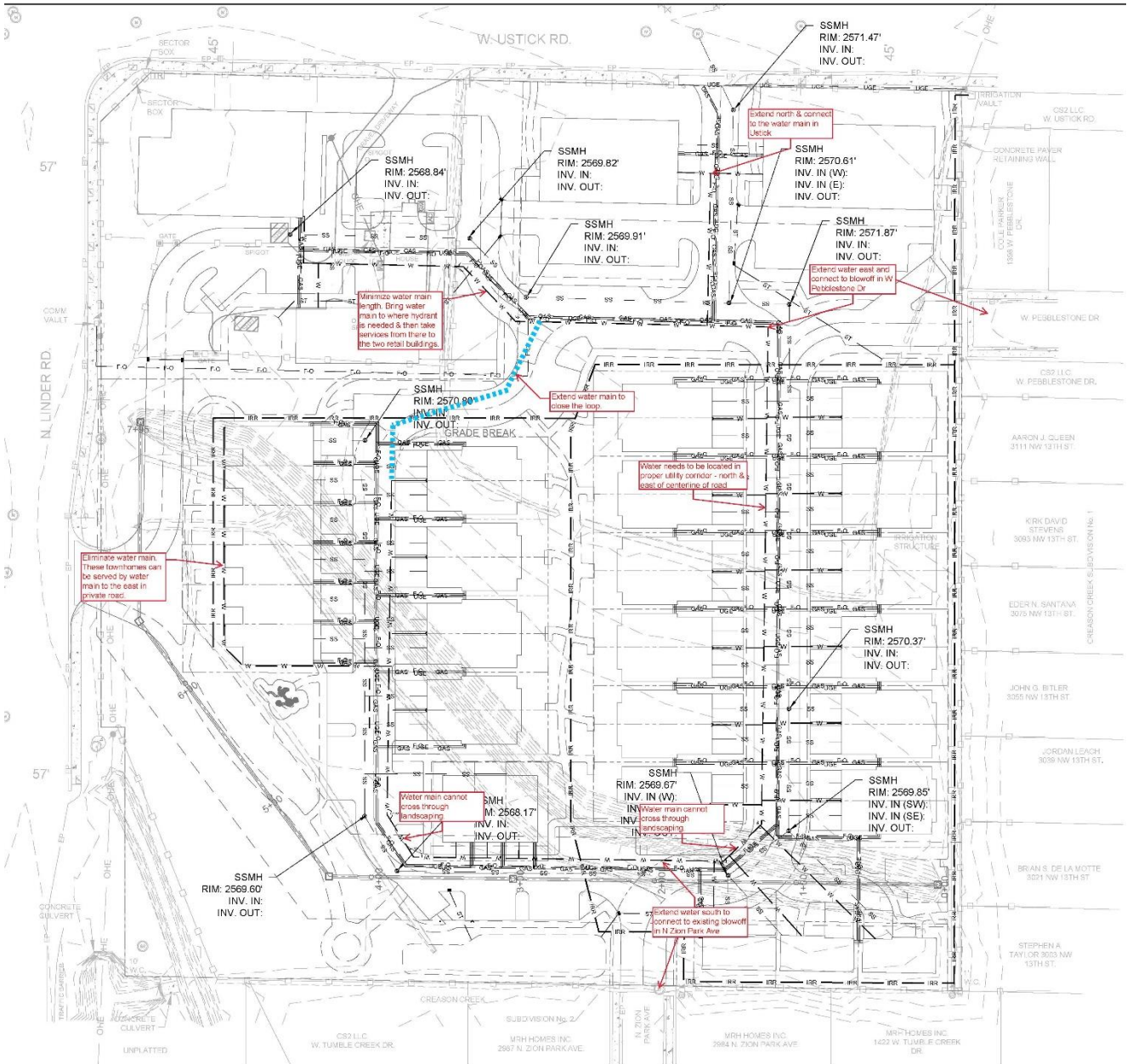
ARCHITECT: **DG GROUP ARCHITECTURE PLLC**

DATE: 10/20/2015

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



### F. Public Works – Water Markup



UTILITY PLAN  
SCALE: 1" = 40'  
0 40 80 Feet

Item 6.

167

### G. Conceptual Building Elevations and Site Renderings

**KEY NOTES**

1. FINISH WALL SURFACE TO BE STUCCO
2. FINISH FLOOR TO BE POLISHED CONCRETE
3. FINISH CEILING TO BE GYPSONUM BOARD
4. FINISH ROOF TO BE BURR
5. FINISH EXTERIOR WALL SURFACE TO BE STUCCO
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19. FINISH EXTERIOR WALL SURFACE TO BE STUCCO
20. FINISH EXTERIOR WALL SURFACE TO BE STUCCO

**REVISIONS**

NO.	DESCRIPTION
1	ISSUED FOR PERMIT

**PROJECT INFORMATION**

PROJECT: LENNON POINTE  
 SHEET: A3.2A  
 DATE: 08/14/2018  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

**DG GROUP ARCHITECTURE PLLC**  
 1000 N. GARDEN AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1100  
 WWW.DGGROUP.COM

**LENNON POINTE**  
 RESIDENTIAL  
 ENTITLEMENT APPLICATION

**KEY NOTES**

1. FINISH WALL SURFACE TO BE STUCCO
2. FINISH FLOOR TO BE POLISHED CONCRETE
3. FINISH CEILING TO BE GYPSONUM BOARD
4. FINISH ROOF TO BE BURR
5. FINISH EXTERIOR WALL SURFACE TO BE STUCCO
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19. FINISH EXTERIOR WALL SURFACE TO BE STUCCO
20. FINISH EXTERIOR WALL SURFACE TO BE STUCCO

**REVISIONS**

NO.	DESCRIPTION
1	ISSUED FOR PERMIT

**PROJECT INFORMATION**

PROJECT: LENNON POINTE  
 SHEET: A4.2  
 DATE: 08/14/2018  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

**DG GROUP ARCHITECTURE PLLC**  
 1000 N. GARDEN AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1100  
 WWW.DGGROUP.COM

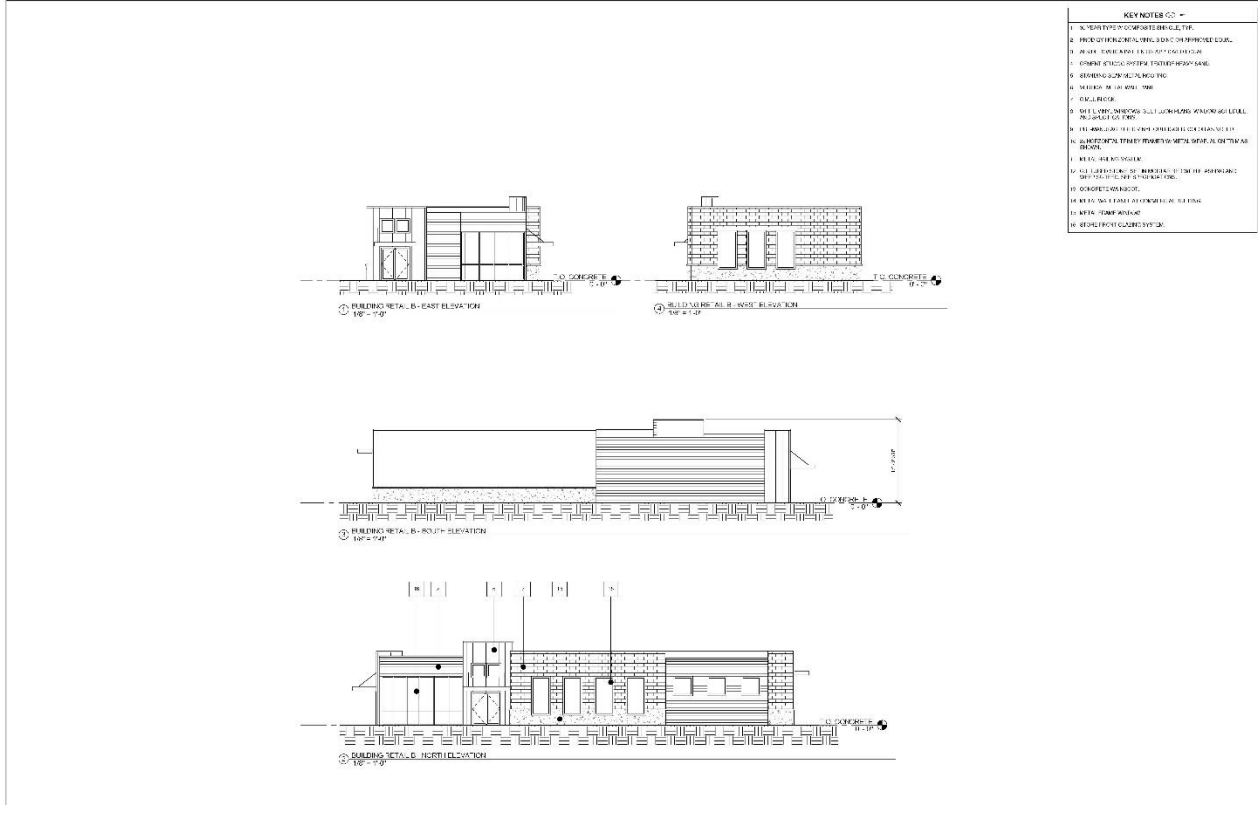
**LENNON POINTE**  
 RESIDENTIAL  
 ENTITLEMENT APPLICATION

Page 33









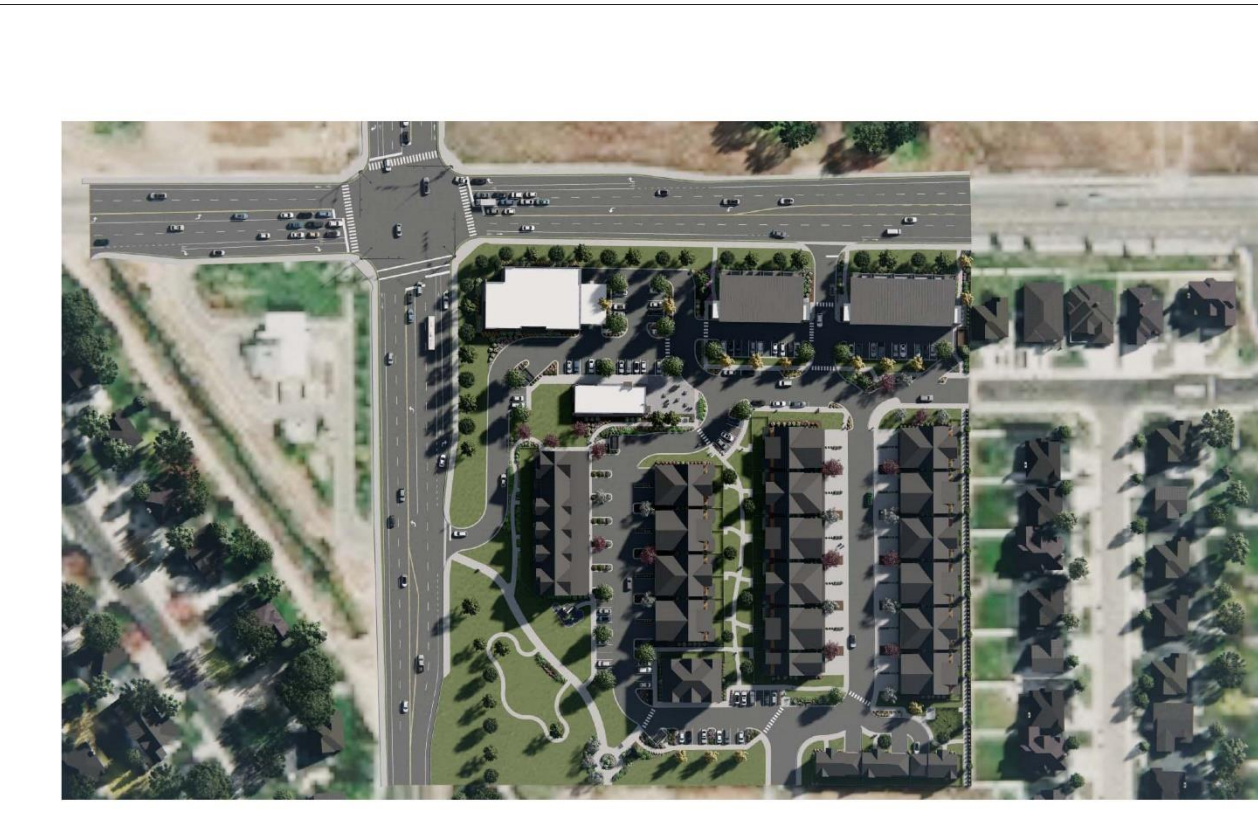
- REVISIONS**
- 1. REVISED TO CORRECT ELEVATION
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  - 19. REVISED TO CORRECT ELEVATION
  - 20. REVISED TO CORRECT ELEVATION

**REVISIONS**

DATE: 10/15/2024  
 BY: JH/MS  
 CHECKED: AW  
 TITLE: 07

**DG GROUP ARCHITECTURE PLLC**  
 10000 W. CENTRAL EXPRESSWAY, SUITE 100  
 DALLAS, TEXAS 75243  
 TEL: 214.416.1000  
 FAX: 214.416.1001  
 WWW.DGGROUP.COM

**LENNON POINTE**  
 METZ AND C  
 APPLICATION



**REVISIONS**

DATE: 10/15/2024  
 BY: JH/MS  
 CHECKED: AW  
 TITLE: 07

**DG GROUP ARCHITECTURE PLLC**  
 10000 W. CENTRAL EXPRESSWAY, SUITE 100  
 DALLAS, TEXAS 75243  
 TEL: 214.416.1000  
 FAX: 214.416.1001  
 WWW.DGGROUP.COM

**LENNON POINTE**  
 METZ AND C  
 APPLICATION

PL/1021-12  
 SHEET NO.  
 SHEET TITLE  
 DATE  
 DRAWN BY  
 CHECKED BY  
 APPROVED BY  
 DG GROUP ARCHITECTURE PLLC  
 13500 W. WASHINGTON AVE., SUITE 200  
 OVERLAND PARK, KS 66204  
 TEL: 913.241.1000  
 FAX: 913.241.1001  
 WWW.DGGROUP.COM

PROJECT  
**LENNON POINTE**  
 13500 W. WASHINGTON AVE., SUITE 200  
 OVERLAND PARK, KS 66204  
 TEL: 913.241.1000  
 FAX: 913.241.1001  
 WWW.DGGROUP.COM

SHEET NO. **A10.2**  
 SHEET TITLE  
 DATE  
 DRAWN BY  
 CHECKED BY  
 APPROVED BY  
 ENTITLEMENT APPLICATION

PL/1021-12  
 SHEET NO.  
 SHEET TITLE  
 DATE  
 DRAWN BY  
 CHECKED BY  
 APPROVED BY  
 DG GROUP ARCHITECTURE PLLC  
 13500 W. WASHINGTON AVE., SUITE 200  
 OVERLAND PARK, KS 66204  
 TEL: 913.241.1000  
 FAX: 913.241.1001  
 WWW.DGGROUP.COM

PROJECT  
**LENNON POINTE**  
 13500 W. WASHINGTON AVE., SUITE 200  
 OVERLAND PARK, KS 66204  
 TEL: 913.241.1000  
 FAX: 913.241.1001  
 WWW.DGGROUP.COM

SHEET NO. **A10.3**  
 SHEET TITLE  
 DATE  
 DRAWN BY  
 CHECKED BY  
 APPROVED BY  
 ENTITLEMENT APPLICATION



HLV8 0742

0075921

0075921

0075921

**DG GROUP**

11/14/17

DO GROUP ARCHITECTURE PLLC  
 11111 W. WASHINGTON AVE. SUITE 100  
 WESTMINSTER, CO 80057  
 303.535.0425

LENNON POINTE

11/14/17

**A10.4**

ENTITLEMENT APPLICATION



HLV8 0742

0075921

0075921

0075921

**DG GROUP**

11/14/17

DO GROUP ARCHITECTURE PLLC  
 11111 W. WASHINGTON AVE. SUITE 100  
 WESTMINSTER, CO 80057  
 303.535.0425

LENNON POINTE

11/14/17

**A10.5**

ENTITLEMENT APPLICATION



HILLSIDE  
 0075921  
 0075921  
 0075921  
**DG GROUP**  
 11800 N. WINDY HOLLOW, SUITE 100, DALLAS, TEXAS 75243  
 972.382.1000  
 WWW.DGGROUP.COM

DG GROUP ARCHITECTURE PLLC  
 11800 N. WINDY HOLLOW, SUITE 100, DALLAS, TEXAS 75243  
 972.382.1000  
 WWW.DGGROUP.COM

TRACT 1  
**LENNON POINTE**  
 11800 N. WINDY HOLLOW, SUITE 100, DALLAS, TEXAS 75243  
 972.382.1000  
 WWW.DGGROUP.COM

**A10.6**  
 ENTITLEMENT APPLICATION



HILLSIDE  
 0075921  
 0075921  
 0075921  
**DG GROUP**  
 11800 N. WINDY HOLLOW, SUITE 100, DALLAS, TEXAS 75243  
 972.382.1000  
 WWW.DGGROUP.COM

DG GROUP ARCHITECTURE PLLC  
 11800 N. WINDY HOLLOW, SUITE 100, DALLAS, TEXAS 75243  
 972.382.1000  
 WWW.DGGROUP.COM

TRACT 1  
**LENNON POINTE**  
 11800 N. WINDY HOLLOW, SUITE 100, DALLAS, TEXAS 75243  
 972.382.1000  
 WWW.DGGROUP.COM

**A10.7**  
 ENTITLEMENT APPLICATION

## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

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

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

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

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

13. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
14. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
15. The applicant and/or assigns shall comply with the private street standards as set forth in UDC 11-3F-3 and 11-3F-4.
16. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.
17. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
18. Prior to City Engineer signature on the plat, the applicant shall submit a public access easement for the multi-use pathway along the southern boundary of the site to the Planning Division for approval by City Council and subsequent recordation.
19. Prior to issuance of Certificate of Occupancy on any building, the Applicant shall provide proof of the required maintenance agreement to the Planning Division in accord with UDC 11-4-3-27 – all multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features.
20. Business hours of operation within the C-C zoning district shall be limited from 6 am to 11 pm as set forth in UDC 11-2B-3A.4.
21. Any drive-thru establishment use shall require Conditional Use Permit approval in accord with UDC 11-4-3-11.

## **B. Public Works**

### **Site Specific Conditions of Approval**

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



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

#### **General Conditions of Approval**

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

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

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

**C. FIRE DEPARTMENT**

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

**D. POLICE DEPARTMENT**

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

**E. PARK'S DEPARTMENT – PATHWAY COMMENTS**

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

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

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

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

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

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

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

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

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

**J. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)**

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

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

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

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

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

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

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

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

*Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.*

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

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

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

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

B. Preliminary Plat Findings:

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

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

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

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

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

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

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

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

*Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VII for more information.)*

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

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

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

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

C. Conditional Use Permit Findings:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. Private Street Findings:

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

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

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

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

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

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

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

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

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

Seal: Second.

Grove: Second.

McCarvel: It's been moved and seconded to recommend approval for H-2021-0078 with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

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

McCarvel: Next item on the agenda is an item continued from November 18th, H-2021-0071, Lennon Pointe Community and we will begin with the staff report.

Dodson: Thank you, Madam Chair. Appreciate the time tonight and mine will be a little longer than the previous. I apologize. But that's just my luck here. As noted this was continued from two weeks ago, because I apparently can't count lots anymore. I just missed one. So, I do apologize for that, but we are here tonight and we will be getting this forward -- moving forward here. As noted, this is for Lennon Pointe Community. The request before you tonight are annexation and zoning, preliminary plat, and a conditional use permit. A private street application was also submitted, but that is an administrative approval. The site consists of 8.8 acres of land currently zoned RUT, located at the southeast corner of Linder and Ustick Roads. There is no permit history or hearing level history with the city at this time. The future land use map designates this property as mixed use community, which allows residential dwellings at the density of six to 15 units per acre. The annexation and zoning of this property is requested for 10.41 acres, which as you can tell is quite larger than 8.8, but that's because we require zoning to go to the centerline and when we have two arterial streets abutting your site you tend to add quite a bit of area of zoning that doesn't match the plat. So, just to let you guys know that's where the discrepancy is. It has a request for C-C zoning and that's two acres and a request for R-15, which is 8.3 acres. The preliminary plat consists of 44 residential building lots, 43 single family and one multi-family lot. One commercial lot and two



common lots on 8.8 acres of land within those proposed zoning districts. The conditional use permit for multi-family development consists of a total of 18 units on 1.18 acres in the proposed R-15 zoning district. Again, the applicant did request private street approval. The director slash staff gave approval of this application, so there is no need for Commission to act on that. The subject site does have existing -- existing City of Meridian zoning in all directions as you can see on the map on the left-hand side here. The site is directly bordered to its north and west by arterial streets, Ustick and Linder to be specific. Development of the surrounding areas are still ongoing with detached single family to the east and south, which is part of the Creason Creek Subdivision. Multiple office buildings are being constructed to the north and the C-C parcel north of Ustick and there is existing C-C zoning and an ambulance service in the C-C zoning directly to the west and across Linder Road. In addition to the existing land uses around the property, the subject site contains two major waterways, which you can see a little better on this right-hand side map. We got this Kellogg Drain here and, then, I believe this is the Creason Lateral here. The -- almost the entire site is within some form of a floodplain. Flood way, floodplain, and flood zone. There is different ones. So, it is important that the applicant deal with the waterways on the site. The applicant is proposing to pipe the Kellogg Drain and reroute it along the south boundary or near the south boundary in order to make more area of the site usable, as well as provide adequate open space and pathways in the southwest corner of the site. The proposed land uses are attached single family, townhomes, multi-family residential, and commercial. So, you have attached single family, which is here. You have the multi-family and, then, you have townhomes, which are going to be three or more, which is these here and these here and, then, you also have -- I can't count again. I said three detached single family in my staff report, but I forgot that there is a fourth detached right here. It actually has multiple residential land uses on the proposed project. These land uses are consistent with those outlined in the mixed use community future land use designation definitions when they are properly integrated, both internally and externally to the site. Overall staff does find that the proposed site integrates with -- integrates the proposed uses in appropriate manners. Specifically, the applicant has proposed multi-family residential along Ustick, as well as the commercial buildings at the hard corner at Ustick and Linder. This, therefore, places the most intense uses closest to the arterial, which the comp plan talks about in multiple ways. Therefore, the single family uses are proposed on the remaining area of the site and makes up approximately 70 percent of the site area. The applicant is proposing the single family portion of the site as all two story, except for the six unit townhomes here and here. So, nine units of the 43 are three story, the others are all proposed as two story. In addition to the site design and proposed uses, a certain density is required to be met for the residential projects within the future land use designation and, again, that is six to 15 dwelling units per acre. The proposed project is shown -- or -- with the total units as proposed originally is shown as approximately 7.35 units per acre. So, it's a very low end of the MUC designation. Therefore, it meets this requirement. Overall staff does find the project is consistent with the comp plan and the future land use designation of mixed use community. However, staff does find that some revisions to the site plan should occur to offer a better transition from the existing single family to the east into the site. Specifically the height disparity between the proposed four story multi-family along Ustick and the proposal to have alley loaded homes along the east boundary. The

existing detached single family home in Creason Creek directly adjacent to the multi-family units is a single story home with a bonus room. Obviously, that next to four stories is a big disparity. Staff has called this out. Despite the separation and has proposed that the applicant basically take the top two units off directly adjacent to Creason Creek. Therefore, there would be -- it would be two story here and two story here and, then, jump up to four story for these. In response the applicant provided revised elevations that showed the loss of one unit adjacent to the east boundary, which makes between the four story and the property line approximately 46 feet of separation between the fence line and four stories. I will leave it to the Commission to determine if they want to stick with staff's recommendation and request that they take another unit or if they are okay with that or whatever you need to do with the multi-family. Staff does recommend that the units along the east boundary -- I guess my next point these units here, staff does recommend that these become front loaded, rather than alley loaded. Staff recommends -- I did not call this out in my staff report specifically in a condition, I called it out saying that I did not think they were going to meet the setbacks and they don't currently for an alley loaded property. They are not getting the, quote, unquote, front setback on the east side of the lots. I have discussed it with the applicant and we are in agreement that we should change these two front loaded and, then, move the property lines, because they technically are ending right up along the sidewalk back here. We would remove the sidewalk and extend the property lines to this boundary and this would become the rear yard and they have the front doors on the front side as normal, which would actually -- you know, they don't have to move the homes. They can if they need to, but they will be able to maintain the rear setback of R-15, which is 12 feet. Staff made this recommendation -- or is making this recommendation, because I believe that having it front loaded will have less of a nuisance and less noise than what is being proposed currently. Having that additional foot traffic on the east boundary I think would be more of an issue for existing residents to the east than having rear yards of single family homes. And, again, to note the applicant and I are in agreement with that change. At least we were yesterday, so -- the proposed residential uses are allowed uses within the R-15 zoning district. So, again, that's -- all of the different proposed uses for residential are allowed. The caveat to that is the multi-family, which is a conditional use, which is why we have a conditional use permit before you tonight. Future commercial uses will be analyzed with future applications submitted for that area. In regards to dimensional standards, the commercial lot meets all the required dimensional standards. But, again, when we get a certificate of zoning compliance and design review in at a later date staff will analyze that in more detail. Multi-family buildings meet all of these standards, except for the height. At least originally. The applicant did revise the elevations of these buildings and they now show compliance with the 40 foot height limit of the R-15 zoning district. The single family area of the site meets all dimensional standards, except for as I noted the east setback for those homes, as well as the center lot and the three-plex is not the minimum 2,000 square foot lot. I do have a condition of approval to correct that prior to Council in my staff report already. Multi-family conditional use is -- has specific use standards that they must comply with. Each multi-family unit is proposed as a two story, with the units on levels one and two differing from those on levels three and four. So, again, it's kind of a stacked product. That's why they are four stories. The lower units provide at least 132 square feet of private open space in the form of patios and the upper

units provide at least 251 square feet of private open space per unit in the form of private patios. This vastly exceeds the requirement in code for 80 square feet per unit of private open space. Each unit is proposed as being greater than 1,200 square feet. So, per the specific use standards 350 square feet per unit of common open space is also required to be provided. Based on the original number of 18 units that equates to 6,300 square feet of common open space that should be provided to meet the specific use standards for the multi-family product. Open space for the project overall is being shared and with that -- I will discuss that very shortly, but overall the proposed open space is in excess of code requirements for both portions of the project. Staff does not have any concern with that. For 18 units a minimum of two amenities from two categories within specific standards are required as well. That applicant is proposing a shared plaza here that has some public art, which meets both amenity requirements from the quality of life and open space categories. Therefore, staff does find that the proposed multi-family project meets the specific use standards outlined in the UDC. Now, to the open space for the project. A minimum of ten percent qualified open space meeting the standards in UDC 11-3G-3 is required for the -- for the single family and the multi-family at this point. Based on the proposed plat area of 8.75 acres, a minimum of .88 acres of qualified open space should be provided. According to the applicant the revised open space exhibit, approximately 1.64 acres of qualified open space is proposed, which is approximately 18.7 percent. The majority of this open space -- this qualified open space consists of this large open space area here, as well as the large MEW in the center of the development and half of the arterial street buffer, which is allowed to count per code. Staff finds that the proposed open space is adequate, both in the amounts and its placement to satisfy all code requirements. Based on the area of the plat a minimum of one qualified amenity is also required to be provided. The applicant has proposed three qualified amenities, which I would like to note is -- the applicant corrected being they were right. I stated in my staff report that the dog park is not qualifying, but it is, in fact, qualifying. I read code wrong and they are providing waste disposal stations, so they are allowed to have that qualify as an amenity. So, the three amenities that are being proposed are the dog park area, which is located here, a ten foot multi-use pathway segment and a children's play structure, which is shown here, and those are all qualifying amenities and exceed the minimum amount. The applicant is proposing pedestrian facilities throughout the entire site that include attached sidewalks along the public road here, micro paths and the multi-use pathway segment as discussed. All these facilities connect and integrate throughout the site as seen through the landscape plan here and going through the MEW along all the private streets, which are not required per the privacy standards. It will connect to the sidewalk along Linder and Ustick, which is existing, and, again, throughout the entire site. Overall staff is very appreciative of the proposed pedestrian circulation system within the site. The project also meets all off-street parking requirements per the submitted plans. However, future building permits for the single family will verify compliance with off-street parking standards based on the number of bedrooms per unit. So, each of those single family is shown with a two car garage and a parking pad, which will meet the parking requirements if they are four bedrooms or less. So, it is assumed that that's what they will have to do. Access for the site is a little complicated, so bear with me here. There is -- again there are arterial streets adjacent to the site. So, Linder Road on the west, Ustick Road in the north. Access from those sites are proposed via two driveway connections,

one to each. They have a driveway connection here and drive a connection here. The Ustick Road driveway connection will be limited to a right-in, right-out for ACHD. This one will be a full access as I -- the staff report notes a temporary full access because the access on the west side is a full access and if ACHD limits one they have to limit the other, so they have decided to leave this as a full access at this time. Sorry. ACHD did approve both of these access points through a review of a driveway analysis made by the applicant's traffic engineer. A TIS was not required because less than one hundred units were proposed with the project. The other public access points to the site are proposed at the -- this is a little easier -- at the northeast corner and the south, because they are extending the existing public roads. You have North Zion Park Avenue, I believe, from the south, which will, then, connect to West Pebblestone, if I'm not mistaken here. And this is a public road through the site. The applicant is proposing a private street through the west portion of the site, as noted, and has received administrative approval for that, so that starts here, winds around and goes here. So, this is also private, because it's -- technically a driveway access with the drive aisle for the multi-family and drive aisle for the commercial. This is all private slash commercial or multi-family drive aisle. But the official private street, which will be an easement, is -- starts here, winds through, and ends here. That -- the private street is proposed to be at least 26 feet wide, which exceeds minimum UDC requirements and it will be within a 30 foot easement on the plat. They -- the private street and the local street are acting as alleys for a majority of the units to make them a majority of alley loaded, which presents a new product type in the area of the city. Again, the private street meets all UDC requirements. The three detached homes in the southeast corner of the site are proposed with -- I'm sorry. The detached single family are proposed off of a common drive -- or at least two of them are and per code you cannot have more than four, so this, therefore, meets UDC standards as well. There was two at least as of probably 2:00 p.m. this afternoon there were a couple pieces of public testimony. One from John and Caryn Bitler. There is concerns of the type of residential units being proposed and the fact that they differ from Creason Creek to the east. Concerns over the inclusion of multi-family, especially considering the height, and overall just the high disparity of the proposed units proposed with those to the east and as usual development there was some concern with the increase of noise and traffic with additional units in the area. Olena and Eder Santana also stated very similar concerns regarding the proposed project. I will note there was also some discussion in the public comments about what was discussed by staff a few months ago and what was discussed at the neighborhood meeting does not align with what's being proposed and that does tend to happen. Some of the discussions I had with the applicant -- I have been working with the applicant on this probably all of 2021. I can't remember at this point. We had five pre-apps on this. We have worked very diligently on this project. So, the plan has definitely changed over the last ten months or so. So, it does happen. I just don't want the Commission or the public to think that there is any kind of bait and switch or anything changing, but those kinds of things do happen. But staff does recommend approval of the subject application per the conditions in my staff report and, again, I would like to ask that the Commission add one -- one more -- recommend one more recommendation, which would be for the -- to change the units on the east boundary. I noted it right before my bullet points on my outline. It should read similar to the applicant shall revise the site plan to show those units along the east boundary, Lots 1 through 12, Block 2, to be front

loaded units and remove the shared pedestrian access along the east boundary and revise the plat to show the property lines of these lots going and touching the east boundary of the site for the rear yards of the zone. So, along that I can make it prettier for the staff, but I need -- that would have to be part of the motion if you guys would like that and agree with staff, because I did not have a condition. After that I will stand for any questions.

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

Wheeler: Madam Chair, Members of the Commission, I will just upload my presentation here.

Dodson: I got it.

Wheeler: Oh, you got it?

Dodson: Yeah. You can't -- you can't do that. Just use the arrows. The mouse is real finicky, so I would just use the --

Wheeler: Got it.

Dodson: -- the arrow buttons.

Wheeler: Andrew Wheeler. 2923 North Arthur Circle, Boise, Idaho. 83702. Representing DG Group Architecture. And first I would like to thank staff for their diligence and efforts over the last year and a half. As Joe said, we have had five pre-apps and this has been a pretty complicated project and site to come to quality design solution and thank you all for your time and attention here to review the proposal. The site currently, as Joe mentioned, is a mixed use community zone, which is the -- which has the purpose of allocating areas where community serving uses and dwellings are seamlessly integrated into the urban fabric. As noted in the staff report comments, this site is proposed as a transitional density from the existing single family to the main arterial streets. It's a -- it's a prime opportunity to have that transition that culminates at that hard corner, which is surrounded by commercial currently. Is this picking up? Am I loud enough here?

McCarvel: Yeah. You got to get real close to it.

Wheeler: Okay. There we go. Over the past year and a half we have worked closely with staff to come up with a quality solution to the many development problems that this site has and we are excited to present with you -- to you Lennon Pointe, a mixed use community. This image is a site entrance. This would be coming into the site from West Pebblestone. This is the demarcation between the public road and the private. So, existing conditions. So, looking at the site overall at an aerial view of the site from the southeast corner at Linder and Ustick and this shows the network of local streets that connect to the site. You can see there is two connections to Ustick through this local

street network, as well as one in -- on Claire Street in the south there to Linder. So, there are other opportunities for traffic to reach those arterials, other than the ones directly adjacent to the site. North Zion to the south intersects the site and, then, West Pebblestone to the east. So, here is a survey of the site and this kind of shows the -- the challenges that Joe mentioned. So, the one main challenge is the Kellogg Drain. It really limited the development potential of this site. The site's sat there for a long time because no one's wanted to take on the challenge of how to figure it out. So, we were up for that. It also has the floodway on the southwest corner, which eats up a big portion of the site and, then, as well as the flood zone, which is about half to three-quarters of the site, so we plan on raising those pads to one foot above base flood elevation. Access to the site, as Joe went through with -- on Linder and Ustick is a little complicated to make sure that, you know, we were in compliance with ACHD. We are utilizing the existing curb cuts to provide that access and as well as bringing through that local road, which was a big design factor. The single family to the east is a critical part of this project and so we took steps to mitigate that and provide a lifetime product adjacent to the current two story and one story plus bonus on that eastern side. There is some imagery -- imagery of the existing site. This is the existing curb cut on Linder looking north. The site is to the right. Here is the connection from the Creason Lateral to the Five Mile Drain and another vision of that. That's the Creason Lateral. So, this is looking southeast. This is the Five Mile Drain culvert. This is looking south and that's the existing single family in the far distance and this is on North Zion Park Avenue looking north and, then, looking -- looking east and you can see there are two story and one and bonus room single family and also to note - - we will get into this -- the grade elevation is three foot higher on the existing single family than our proposed pads. Here is what that community current look -- currently looks like on Tumble Creek and Northwest 13th Street and this is West Pebblestone looking west that dead ends into the site currently. Here is a vision -- or an image showing that discrepancy of grade elevation of three feet higher. This is the existing single family on the northeast corner adjacent to that multi-family project and, then, this is the curb cut on Ustick looking east as well. So, site design. So, to dive into this, you know, the requirement for mixed use community and three product types, so we are proposing -- proposing the community commercial on the upper left, the multi-family upper right and the single family in the -- the main part of the site. A lot of the challenges that really drove the site -- one was extending the public road and, you know, that dictated where our driveways needed to be in and part and parcel to, you know, where the homes would be and how much distance we had between lots, as well as the floodway and flood zone areas. So, the floodway in the southwest -- so, you can see that area marked there and, then, the Kellogg Drain. So, the red is showing where we would reroute that drain underneath the hard pipe with the same outlet discharge location that it currently is at. So, we are utilizing the nonbuildable land to move that -- that drain and provide a pedestrian amenity in that same location. Arterial street access utilizing the existing curb cuts as mentioned earlier on Ustick and Linder. And let me go back into this. So, the community building -- or the commercial, excuse me, is, you know, pushing that building to the hard corner to buffer the views of the parking, as well as provide two driveways -- drive-throughs for that future use and, then, the other commercial building is adjacent to the hardscape and public art to provide that additional revenue for a commercial use and residents. The amenities, as Joe mentioned, are the public plaza and the art and, then,

that ten foot pathway in the lower left and the tot lot, as well as the dog park. The MEW throughout the center was critical to -- and we went through alley -- two alley load designs to have, you know, porches on the front, eyes on the street, have that community feel and be able to not just have -- be driveways and cars, you know, all throughout the whole site. It's unavoidable to have a complete -- it's unavoidable to have it completely throughout the site, but we did our best to, you know, try to provide that front porch feel. This shows the public -- shows the public road. Everything else would be private. And, then, the pathway plan -- this shows it a little clearer without the Kellogg Drain, the pathways throughout the entire site, so there is great connectivity through the hardscape plaza to the lower southwest path -- ten foot pathway required by the Parks Department that would connect to the existing Creason Creek pathway of Creason Creek Subdivision Two to the south. That needs to shift over west a little bit, which is a detail that we are working out. Here is the open space exhibit that highlights what we are counting as open space. 44,415 square feet required and we are providing 71,458. Here is a parking plan. This shows that in the upper left, the commercial, there is -- for 500 square foot per stall. Requires 24 stalls. We are providing 25. In the upper right on site B the orange would be surface parking, as well as three on-street parking stalls and, then, the blue is two car garages. Required are 30 -- 36 required and we are -- we are providing 44. In the single family there is 177 required and we are providing 201 and the yellow is on-street guest parking with -- the driveways that are in dark grey would be two car driveways and, then, two car garages. So, four cars per lot. This is a rendered vision of the top down view of that. So, building design, the commercial -- commercial buildings are modern in nature. We don't have a tenant for those yet, but the intent is that they have a modern aesthetic, CMU block, metal panel, concrete. This would be building the larger one on the corner and, then, this is the smaller one, which possibly a sandwich shop, something that's going to serve a use adjacent to that hardscape plaza. Similar materials. And you can see those on the right here with the TPO roofs and, then, again, a view here and there is a few other views. So, this is showing that plaza with the public art and a future commercial use and, then, that MEW to the left. Building A, the multi-family building, so this would be -- this is level one and two. This would be one unit. Stairs are not shown in here. They should be. But it would be accessed from the garage direct into the unit and, then, this would be levels three and four and due to the height limit we have more of a loft situation to that fourth level and, then, you can see on the right we are dropping -- we are losing a unit to address the single family to the east. Here are a couple of elevations of those. On that bottom left image you can see that step. And here is a section kind of showing the design of that and those stacked units and as well as -- you know, it opened up an opportunity to bring in daylight to that upper unit, provide higher ceilings, more robust unit, and a quality of space and that -- those upper units. So, here is showing an example of the two story versus the four story. You can see that it's about 43, 44 feet from the property line to the four story is what we are proposing. The 22 foot -- the small portion of the stair tower is 22 foot tall. But, again, the grade is three foot taller on the residential side existing, so that's actual 19 feet from relative to the adjacent single family and, then, we are 19 foot four to the two story from the property line of a majority part of that -- our eastern unit. So, here is the -- that shows those grades. We are 2,572 for our finished floor and the existing of that homes at 2,575. And that's what that looks like currently -- in the current design. The same -- same look and feel, just stepping it down to address

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that two story unit to the east. Here is another view. This is heading into -- in -- heading west on Pebblestone -- West Pebblestone. That was Building A to your right. And, then, another view looking at that right-in, right-out on Ustick. This building is Building B on the site, which is located facing outward onto Linder facing west. Again, we wanted porches and front doors to face Linder, rather than having garages face Linder and having that aesthetic as you are driving down there. It is a three story product, level -- one story is the garage level adjacent to the street and, then, stepping up with board batten, traditional gable and horizontal siding and stone. That's what that looks like there facing Linder. This is the other three story product of a three unit building. Same materials, same design aesthetic, and this is looking at that pedestrian path connection and that's the Building C to the right and you can see it -- kind of the right middle there as well. Yeah. So, the main majority of the two unit single families -- we wanted to have some variety, so we did a D-1 and a D-2. This is calling it Building D. The main differences in those -- and you can look at the top two images. We have a shed dormer on the -- this thing skipped over. So, the D-1 we have a gable on the -- the main center portion and, then, a hip roof on the garage portion and, then, that flips to a shed dormer and a gable. So, what that ends up looking like is a variety of housing types through the area and this is that -- a view through the MEW and this is a view at that ground level with four foot vinyl fences, wrought iron gates to kind of provide privacy, but keep eyes over the fence and provide connection with neighbors and people living in the area. Here is a view looking at the hip roof of the garages versus the gable. That, again, provides a differentiation between that street. So, they are all -- they are all not the same and, then, we have a single family product, the three units to the southeast corner, which is there on the right and that's the dog park straight ahead. So, there would be the dog park stepping out of one of those single family units and that shows the single family units to the left. At the neighborhood meeting a couple concerns that were brought up that Joe mentioned. Mostly it's the four story unit at the -- four story Building A and, then, the two story adjacent townhomes and, you know, when you -- we have a similar issue here as we do on Building A with the grade differential. There is 2,575 at the grade and that's not even at the building pad of the existing home. So, likely the pad is another foot higher or a little bit higher, about 2,575. Our finished floor pads are 2,572. So, when you look at that in section -- this is a section through one of the dormer -- shed dormer models, the grade raises at the -- the right side and -- so, the overall height is of, you know, 19 feet to the -- the eave would actually be 16 feet relative to the eastern homes. So, that's what that looks like in the east side of the property and this is a view on the south looking north. This is the west side looking east. And, finally, the north side looking south. And with that I will open it for questions.

McCarvel: Okay. Thank you. Do you have any questions for staff or the applicant?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Is the -- Andrew, the commercial, is that all single level?

Wheeler: Yeah. Ten, 12 foot. I mean it's going to be -- you know, depending on the user



that goes in there, but, you know, possibly 15 feet. No more than -- not -- not a two story.

Cassinelli: Did you -- and another question is did you look at putting similar three story product on the north side there against -- against Ustick that's over to Linder?

Wheeler: We did. The original intent was to have a larger two -- two story and, then, a step back fourth story and have a larger patio, you know, enhanced views of the mountains out there and, then, having a nice community area or private open space. With the 40 foot height limit that became a challenge to be able to make that work and so we ended up going with the -- with the square footage of the units needing to be at a certain mark. That's why we have the two stacked. So, if we do two stacked and two stacked you get to the fourth. We didn't explore a three story option in detail.

Cassinelli: So, you didn't look at putting a similar -- similar units that are on the -- that are fronting Linder to the north side?

Wheeler: We did not. You know, in the -- in the spirit of mixed use community and density, being that this is the arterial of Ustick and close to Linder, the whole area being community commercial zoned, we felt it was appropriate to have a different aesthetic that kind of matches the modern aesthetic of the commercial that transitions into the residential.

Cassinelli: Okay. Thank you.

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 had one person sign in, but not indicating a wish to testify.

McCarvel: And with that I'm assuming the applicant has no further comments, since there is -- oh, sorry. Forgot about that. Anybody in the room that wishes to testify that did not sign up? Come forward. Pardon me? That's fine. You are here. Come on up. Okay. Please state your name and address for the record and you have -- the timer is on the screen there. You have three minutes.

Bitler: My name is Caryn Bitler. My address is 3055 Northwest 13th Street, Meridian, Idaho. 83646.

Yearsley: Can you pull the mic -- there you go.

Bitler: I don't know why I thought I should do that. Okay. So, to keep me focused and centered, I'm just going to read my e-mail, because I can go off on tangents and I don't want to do that. Okay? So, what I wrote to you guys was: Dear Planning Commission and city staff. We are concerned with the proposed development at 1515 West Ustick Road in Meridian. We understand the land consisting of eight acres has been slated for multi-use development since 2005 with designated commercial area, road entrances and

exits, having already been discussed with Fire and Police Departments for their use. We ask that you consider multi-use development in the form of designating single family detached homes for the housing portion of the development, which will best blend with our Creason Creek and surrounding communities. We are California transplants -- from New York originally, so don't hold it against me. So, we followed our family members that moved up here and they are longtime residents of the area to Boise and Meridian. Decide -- we decided to invest our hard earned money for a very nice, comfortable home in the community of Creason Creek. We were very involved with politics in California and now we are proudly registered voters with our new community of Meridian. We are very concerned about the property along Ustick Road being transferred into multi-family dwellings that will decrease our home values, thus impacting our family wealth and retirement. We request that you consider your decision to support the housing portion of this development for construction of only single family detached homes. This provides a more unified, seamless corridor and environment consistent with our community and the surrounding communities. Even as you consider density requirements for this development, it could be achieved with a proposal of six detached single family homes per acre. There is 43 by 60 square feet in an acre. So, you figure if you have six that's a little over 7,000 square foot lots for the homes. This compromise seems reasonably doable for our community. We request -- as we discuss with our community this pending development several families have decided to sell their homes instead of fight and we believe this will change our community forever. We are losing good neighbors. The proposed units we were told were ten feet from our backyard with the front doors facing us. That's not good. The builder said they would plant numerous trees -- my only question is how many acres are they building on? I know that's like an eight and a half to ten foot acre, because when I figured out what townhomes are going for now, new ones, they are going maybe in the high three hundreds and that's an overestimate. So, if you do 43 townhomes and also the apartments, the condos that they are proposing -- so, it would be more and times -- times 400,000 that's 17.2 million. If you are going to do houses -- our house is -- I mean houses are going for like 700,000 now and so if they do like 25, 30 houses instead, they are going to make more money. Thank you.

McCarvel: Thank you. Anyone else wish to testify? Certainly. Please state your name and address for the record.

Stinette: Pamela Stinette and it's 3036 Northwest 13th Street. Meridian.

McCarvel: Okay. You need to step close to the mic. You can push it up.

Stinette: Oh, I can. Okay. I'm taller than she is. It's Pamela Stinette and my address is 3036 Northwest 13th Street, Meridian, Idaho. 83646. And along with their concerns, I'm not directly impacted by neighbors looking into my backyard, so I don't have that same issue personally, although I understand for all the people that live across the street from me they are having -- going to have to deal with the same thing and I think that's a horrible thing for them. But my issues are not only is this development going in, but on the other side of Linder there is another development going in and so the traffic is going to be horrible. People trying to get out of the new neighborhood that you proposed, one of the

problems is that there is going to be a lot of people -- fast food and everything that's going in there, too, and also people trying to get out of that little development coming out on Pebblestone, driving 55 miles an hour to get to work. Already it takes me often where I -- where I use to be able to get out on the street right away, I have to sit there and so it slows me down, so I have to leave 15 minutes earlier every day. So, I'm just worried about the amount of traffic. Also the houses that are on Pebblestone have a lot of little children and so if people are hurrying trying to get to work, trying to compete with our traffic already, that is going to be dangerous. So, at least they should have speed bumps, if nothing else. If -- you know, overall I think there is way too much of a population going into that small segment, because it really isn't that big of a space and I think it's going to impact us terribly traffic wise, people walking to the park in larger numbers because of that many people there and so it's really going to impact us as far as getting in and out of the community. Also as Caryn mentioned, it really will also impact our home pricing. Even the construction of it, because nobody's going to be able to really sell their house for what it's worth during the construction phase with the trucks and everything and, you know, knowing it's going to be a combination of housing that -- you know, it's -- it's a mixed use you have different levels of housing and I think that's really going to impact the sales anyway. But even from the time of the -- you know, the -- the building portion is -- because that doesn't happen very quickly either. So, I'm concerned about the value of our homes, the quality of our lives, and the amount of people driving fast in the whole area, making it more difficult for us to go use the parks or for us to drive to go to work or for us to pick up our children easily from the schools and the impact it's going to have on the schools, too, because there is going to be a lot of children that they are going to need to put into the schools that they can't seem to build the schools fast enough to accommodate everybody. So, that's basically the main points that I have.

McCarvel: Okay. Thank you.

Stinette: Thank you.

McCarvel: Anyone else wish to testify?

Santana: Hello.

McCarvel: Hi.

Santana: My name is Olena Santana and my address is 3075 Northwest 13th Street. My concerns is -- actually is the biggest question even for you. Would you -- would like to lose the privacy of your backyard and somebody -- it's like that when we bought that property we were told never going to be developed to anything from a backyard. We have right now a beautiful view and our trees are basically our privacy. So, my concern is, you know, the amount of people in that corner and you just basically never will have your little oasis. So, that's the biggest concern I have and the traffic is going to be out of control, because development is across the street, down the street, and, you know, if we have a single family development there it will be maybe more manageable, but multi-family it's really a huge concern for me. Thank you.

McCarvel: Thank you.

Shanaberger: Hi. I'm Shelby Shanaberger. The address 3072 Northwest 13th Street. I guess the -- going last is going to sound kind of like an echo, but, basically, our concern was the same as everybody else's is. We are just worried about the traffic. I have my little one there and we see the speeders and we see the people coming through and I see the construction and it's just concerning to us. Getting out on Ustick alone right now is horrible. So, I was just wondering if there is going to be consideration of a light going in there at all just to get out. Also if they punch through there it's just going to be -- the people that live there, people are going to be driving through there -- basically for driveways, just -- and for my neighbors across the street, just having people constantly looking in their backyard. I think that the -- the proposed single family to be a better option and I just would be concerned about the traffic very much for the kids, because we already are dealing with speeders. So, if there is a way to get around that I think that that should be considered for the safety of our neighborhood, as well that we came into and proposed as someone else's oasis and someone else's neighborhood. Well, this is ours that we live in now and we don't really want people looking in on our backyards and looking in and having their wonderful views and ours is taken away from us. Thank you.

Simison: Thank you.

J.Bitler: Good evening. My name is John Bitler. I live at 3055 Northwest 13th Street. As a homeowner that has a backyard directly facing the proposed townhomes, we are concerned that the townhomes are going to be right on top of us with a setback of only 12 feet. That's from here -- from me to you. They are going to be right on top of our backyards. It's going to affect our privacy, view, and property value. We just landscaped our backyard and I don't want to go outside and sit outside and have somebody, you know, look into our yard. I propose for the townhomes facing all the homes on 13th Street west, maybe do a one story townhome. A lot of people don't want to have a two story townhome, they just want single family -- or single floor living. So, maybe that can be taken into consideration. With the traffic, just with our four homes on our side there is ten children living there. They are always playing in the street, riding bikes. You know, just don't want to see anyone get hit. We just urge you to consider maybe putting some single family homes in there just to go with the neighborhood. I know they have done a lot of work to add townhomes, but as a citizen -- sorry. It's just -- it's a lot. At least -- if you are proposing townhomes at least on our side of 13th Street just maybe make them single family -- or single level townhomes and that won't impact the homeowners on 13th Street as much. So, thank you.

McCarvel: Thank you. Anyone else in the room that would like to --

Reams: My name is Patrick Reams. 11844 Chinden Ridge Drive, Boise, Idaho. These are tough projects. I understand the position that you guys are in, especially what we just heard and I'm -- I'm for the applicant. I represent descendants of the landowners. I just want you to see a different perspective and maybe others. The descendants have had this property in their family for quite some time. They came to us about three or four years

ago with a challenge that nothing can get done. They have just been working with developers, it's fell out of contract multiple times since the last downturn. It's been going on for about 12 years. So, it's been a rough -- this gentleman over here has been working with the planner Andrew and the builder that's putting, you know, his interest on this thing and trying to get it to where -- something that would fit. It's -- I have seen multi-family lock up. I have seen all kinds of different mixed use, which has been a lot of ideas. I will have to tell you that -- that drain, that open -- you know, the Creason Lateral, all that, is a big problem. They resolved it. We are happy about that. It seems like ACHD is, you know, behind the traffic situation. I think the setbacks are -- I heard 15 feet. I think it's actually 18 to the building, but with two story and three story across the street. That's all been discussed. But if there is something that we can compromise, I think that there is some -- there is some areas that could still be worked out, but it -- the biggest issue for the seller and for the -- the developer that's moving in is to make it fit and that's the challenge and I have -- I have seen a lot of guys walk from this project. I just want to see something happen and I think the Simmons deserve that and it's a long time coming. So, with that, you know, I hope you guys make the decision here.

McCarvel: Thank you. Anybody else wish to testify?

Leach: Hi. I'm Jordan Leach. I live at 3039 Northwest 13th. I do think it's sad that we have to feel like we have to develop all of our rural farming areas just because they are there, but some of my concerns -- the traffic studies are from 2018, which doesn't reflect the amount of traffic that we have now, because there has been a lot of development since then and the other traffic study was done during 2020, which we know people were commuting less, not -- we don't have the school traffic as much during that time. The two roads going out of the community onto Ustick Road are already used by many houses. I don't know how many rental -- residential houses there, but it's kind of a mix of like three or four different neighborhoods already using those roads. Also I think that the idea that a three bedroom apartment only needs two parking spaces and one guest spot for every ten apartments just isn't realistic with our current rental market. I think the way that rental prices are compared to wages -- a lot of people have multiple families living in one apartment, maybe three or four adults. So, I think that's something that needs to be taken into account and that's it. Thanks so much.

McCarvel: Anybody else? Would the applicant like to come back?

Wheeler: Well, thank you for all -- everyone speaking. It's good to hear everyone's perspective and, you know, it is a challenging situation and so -- and we are very mindful, hence, why we have gone through five pre-apps to find a solution that fits -- that fits this site. To kind of piggyback off of what Pat was saying, you know, we did look at three story walk up and multiple different iterations, locations. The City of Meridian was opposed to that for -- out -- out of the gate and wanted to see a lower dense product, which is what we provide and also mentioned the density at 7.15, I believe between a range of six and eight, so we are -- we are not pushing the density of the site. A lot of that, obviously, has to do with the Kellogg Drain, the floodway, and those kind of requirements. Now, to mention a couple things that were talked about and kind of dive

into those. There was a lot of talk of existing single family and this only being single family one level, there is existing two story that we saw in those images that are in that Creason Creek Subdivision and plus single story plus a bonus room. So, it's -- we are not building up against a bunch of existing single family one story homes, there is two story homes already there. In the request for a single family detached, our community -- our community needs housing. In the last -- first that we heard providing detached single family everywhere -- I mean this is where development should go. It's where the services are. I mean if we put detached single family and spread it all over that's a burden on the city, it's a burden on police, it's a burden on fire. I mean development needs to go somewhere and on the hard corner that's already zoned community commercial all around it, to me as an urban planner and an urban plan designer, it makes sense that this is where that goes. On -- as far as losing good neighbors, well, there is also a lot more great neighbors that could come in. So, I would like to just make that point. In regards to the 17 million in profit and, you know, some of the numbers that were spoken about, I mean we -- there -- that doesn't even take into consideration any cost of the land, any cost of the construction. That's not -- this isn't a money grab. I mean, yes, people are in this industry to make a living and we are not hiding that, but it's not to just pack as many units and I hope that the Commission can see that by the efforts and the year and a half we have taken to plan a quality project. It was also mentioned out of state. I, myself, am a local here in Boise and, you know, my personal mission is to design quality spaces, to make sure that land like this gets developed in a proper way and talking on the traffic increase -- and I can pull up my slide if I need to, but I showed that slide that had the interconnected local streets. There are two access points onto Ustick and there is one access on McClaire Avenue onto Linder, so it's not that every car in this development is going to be coming out onto the nearest Northwest 12th onto Ustick. There is multiple ways to get around that. Not to mention the private drive by the multi-family directly right-in, right-out onto Ustick, as well as the access point that we are providing onto Linder. School capacity. I would like to note that in the school's staff report they approved this project. They said that they -- while it is tight there is capacity at some of the middle schools and elementary schools. I believe the middle school was at capacity, but they are -- they approved that knowing that they can meet the demand of -- I believe it was 32 students is what that staff report said. Privacy on the eastern backyards. That's certainly a big issue and one that most people here are concerned about. We do provide currently a 40 foot minimum height shade -- shade with Honeylocust. That was something that's in the landscape plan now. Originally in the current design we had that pathway with a ten foot wide utility easement that has an irrigation line to provide adequate maintenance for the -- for that landscaping for that purpose. We are open to doing an HOA requirement or something to have minimum amount of landscaping or a type of landscaping to provide additional trees and buffers on that eastern side, which I think could be a good solution to -- to make sure that people are protected and they are screening there, because I -- and I also agree with that. I also note, too, in the design there is -- it's got patios on each side and, then, there is a gable roof in the middle. So, the corners of those buildings are at a two story deck. There is not a roof or windows, you know, over there, so the overall mass is reduced and that was one of the reasons why it's designed that way. Setbacks that were mentioned. They were 12 feet. That would be the actual setback to an invisible line that doesn't mean anything, other than to the plat and planners, but the actual building

is 18 feet setback. So, that is much greater than 12 feet and, again, just to reiterate the developing rural areas. I mean development is coming and we need to provide housing and I think we all know that and can appreciate that and we are trying to put that in a quality area that's going to put the least amount of burden on the city and provide the most interactive community that we can that supports the City of Meridian planning goals and provides a quality design. That's all I got.

McCarvel: Okay. Any questions for the applicant?

Seal: Madam Chair?

McCarvel: Oh, sir. Come back. Commissioner Seal.

Seal: Yeah. Just -- so, multi-family there is -- you have garages at the lower level; is that correct?

Wheeler: Correct.

Seal: That -- we seem to be having issues with that and especially as it pertains to parking, so we ask this question to everybody that has multi-family with garages is how are you going to ensure that people are parking their cars in there and not using it for storage and parking elsewhere?

Wheeler: Yeah. And that has certainly come up on other projects I have worked on. One, having windows in the garages for one, so there can be a maintenance officer on the site that can inspect those garages and make sure that there aren't -- you know, looking in there to make sure there aren't just, you know, boxes, that people are actually parking there that is part of the HOA. You know, not an invasion of privacy, but, you know, a maintenance to have the site function as its intended to function.

Seal: Okay. Next question is the -- the ten foot path that you have running up by the lateral there, would -- would you be amenable to extending that up to the corner of Linder and Ustick to kind of match up what's on the -- kind of kitty corner from that? There is a really nice bike path that runs through there and, then, that can be crossed and provide really good access to the park without having to hit a roadway, other than going across the sidewalks.

Wheeler: Yeah. Can we pull up that presentation again, Joe? We need to look at a visual here to better understand. Okay. So, we are looking at the ten foot path and you are -- you are asking if we could extend it on the west side of that private drive parallel with Linder?

Seal: Correct. It would just basically follow Linder up to the corner, because, again, on a -- I mean on the opposite corner Linder and Ustick there is a pathway that starts there, a ten foot pathway that carries you through and it's really a nice amenity and to have it extend over here would, basically, allow people to drop right down into the park and stay

off the roads.

Wheeler: Separate from the sidewalks existing --

Seal: Correct.

Wheeler: Yeah. I don't see an issue with that. I mean currently that's the Kellogg Drain easement as it is. That would impact a little bit the landscape buffer there, but a good tradeoff I would say.

Seal: On the -- sorry. I got a lot of questions.

Wheeler: That's why I walked away so soon.

Seal: That's okay. The -- the dog park I noticed that's on the common drive right in front of one of the properties that's on that common drive. You might want to consider moving that somewhere. Even with clean -- clean-up facilities and things like that it still smells like a dog park, so I think the -- the resident that's going to be in that place off the common drive right by the dog park is -- unless they are really really dog people are probably not going to be very happy with having that right in front of them and I'm not against dog parks, I love dogs, but just might want to consider putting that somewhere where it's not as close to a residence, especially one that's kind of boxed in right there on that common drive.

Wheeler: Yeah. And we are working with Nampa-Meridian Irrigation District on, you know, their approvals and they are on board with this plan. They had a couple comments about moving landscaping that was in some of their easements, so possibly we could put that into that -- those easements and make that a part -- because we need to fence off that Creason Lateral with a wrought iron fence anyways and so if we could incorporate that somehow and I think that could be a good solution to move it to the southwest.

Seal: Okay. Last question is just on the four story, especially where it's right up against that house. I mean for good or bad just it -- that part just doesn't mesh very well where you have the -- the four story up there against it in my mind anyway. I mean have you looked into -- I think Commissioner Cassinelli asked early on if there is -- like a three story option or an option to basically drop that down over there, because it's -- to me four stories seems too high in general, especially when we are right up against that house over there. I mean if this were positioned somewhere else, you know, even over off of Linder or something like that, I think it would be less of an issue, but that's a -- that's a pretty hard transition right there. I mean as a for instance, if you flip that sideways, run it north to south, basically, we would be saying that's not a good transition, but the fact that there is only one house there is probably why staff, I would imagine, is even willing to work with it.

Wheeler: Yeah. It -- actually that neighbor came out to the neighborhood meeting and he wasn't as opposed as I assumed he would be. He wanted larger trees and there is an



existing willow that he wanted to maintain. I talked with our landscape architect on that is -- is that the right, you know, type of tree for screening and longevity, but -- so, he -- he just wants to be screened, you know, from it and to me this solves his problem and where -- with the three foot grade differential and we are at 22 feet, so we are really at 19 feet when -- you know, his roof is higher than that. Also mentioned that windows could be removed on that taller four story unit, those two windows, to provide no windows on that side if that would be a -- help to -- from a visual privacy perspective. We can certainly explore other options. I do believe that an urban core wants more density and wants to feel more urban, which is, again, kind of why we went with this design aesthetic and going with the four stories, but we are open to exploring options.

Seal: Okay. Thank you.

McCarvel: Any other questions for the applicant?

Dodson: Madam Chair?

McCarvel: Yes, Joe.

Dodson: I just did -- I want to note about the -- Commissioner Seal, your question about the pathway. There is existing sidewalk, which is shown on the master pathways plan as a -- what do they call it -- an alternative -- like -- it's in purple. I can't remember what the pathways coordinator calls it, but it's -- it's -- it's an on-street, you know, pathway technically. I don't know how ACHD and the pathways coordinator would feel about extending the ten foot in addition to it? I don't know how they would feel about that. So, if you make a motion to do that, to have that revision, just, please, give us some flexibility to work with ACHD and our pathways coordinator to work that out.

Seal: Appreciate that. And it's more of a suggestion and in -- I don't think it's anything that I would put in a motion, it's just something that I know of the area, I live in that area, I ride that bike path all the time. I go to the park there. So, to me that's just a -- you know, would be a good transition if that was something that could happen and there is kind of a template for it right on the other side of the road, because they provide the sidewalk and the ten foot path already.

Dodson: Understood.

Seal: More of a suggestion.

Wheeler: Yeah. I would agree.

Dodson: Thank you.

McCarvel: Any other questions?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: With the commercial that's in the northwest corner, what is the primary purpose of that in terms of what type of commercial are you going to be targeting for that space?

Wheeler: For a while, you know, in the pre-app meeting, one through three, it was a gas station is what we were looking at putting in there, but that idea has been revoked for floodplain issues and also something that is a little more community based. So, possibly could be providing two drive-through lanes. I mean it could be a pharmacy, it could be a bank, it could be, you know, ICC credit union. I'm not going to name -- we are not -- yeah. It could be anything of that nature, I guess, that -- that has the drive-through requirement and then -- which is why the 9,000 square foot building has that and, then, the 3,000 square foot, you know, we vision more of a Jimmy John's, a sandwich shop, I mean it could be any kind of -- something that's -- an ice cream parlor or -- or that could also be to 1,500 square foot units that's, you know, tenant improvements and adjacent to that plaza.

Grove: Okay. Thanks. I was just curious if it was going to end up leaning more like office or retail and that answered my question, so thank you.

McCarvel: Okay. And I have a question while this picture is up here. This is the -- the sidewalk there that's going between -- right by the fence and that row of trees there, that's the sidewalk that you are thinking about losing -- no?

Wheeler: Oh, yeah. Yeah. To the left. Yeah. Yes.

McCarvel: Yeah. That -- right along there. So, that sidewalk will no longer be there and, then, those townhomes are going to be loaded the other way; right?

Wheeler: Right. So, the design of those will change to provide more of an entry point. You know, as they are now there is not really a front door that kind of shows front door. I mean you are still going to have a garage and, then, a front door around -- around the garage.

McCarvel: Right.

Wheeler: But there will be some design changes. That was done in order to provide a little bit -- that same community feel and having people -- a feeling of walking up to your front door --

McCarvel: Right.

Wheeler: -- and connected throughout -- that path connected to the dog park and throughout the whole site, but I --

McCarvel: It would be more backdoor kind of atmosphere now.

Wheeler: It would be private backyard.

McCarvel: Right.

Wheeler: Yeah.

McCarvel: Backyards meeting up to backyards for the single family homes.

Wheeler: Correct.

McCarvel: Okay.

Wheeler: With the building staying in the same location, so that it provides that --

McCarvel: Okay.

Wheeler: If I could go to that section real quick just to verify the distances there. Yeah. So, if the -- you know, we are at 17 foot ten to the front wall and, then, the patio is inset over 20 foot to that deck. So, you are 20 foot ten inches -- almost 21 feet if you are standing on that level two deck from the property line.

McCarvel: Okay. And I think -- one other question -- I think staff had recommended on that multi-family unit doing two units, instead of the one, as a -- as a transition, losing that second -- the third and fourth story on more than just the one unit; correct?

Wheeler: Yeah. That was a great recommendation as we were -- originally it was, you know -- yeah, we lost the one unit. They are recommending two. In conversation with Joe, their recommendation was to lose the other four story units. So, you would have two two stories. I would almost advocate for losing the ground floor unit here and putting in some type of additional community amenity or a public open space plaza type areas, some benches, that type of thing. I think from -- rather than having two flats -- and I think just aesthetically the backs of the building would -- would be better and provide a -- a community asset, rather than looking over TPO roof or, you know, that kind of thing when you are in that other unit that pops up to the fourth floor. Oh. Sorry. Yeah. So, rather than looking at TPO roofing, if you are in that unit that pops up to the fourth floor and, you know, you have 50 feet of roofing that you are -- it's not that aesthetically pleasing.

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

Cassinelli: Madam Chair?

McCarvel: Oh. Commissioner Seal -- or, sorry, Commissioner Cassinelli.

Cassinelli: Either Andrew or -- or Joe, if you can take a crack at this one. On the -- the commercial -- if we can -- I don't know if we can get a slide up of the -- just that commercial.

Wheeler: The site plan?

Cassinelli: The -- so, right now the -- the entry off of Linder is open right now, but in the future that will be right-in, right-out; is that correct?

Dodson: Per ACHD it is a temporary full access, so I think -- because of the use on the west side I don't think there is a timeline for ACHD to restrict it, but, yes, eventually, it probably will be limited to right-in, right-out.

Cassinelli: So, I'm -- my question, concern is -- is having that -- you know, from -- with regards to the commercial up there, in looking at the traffic flow that's going to -- that's going to force -- I guess that's going to force things through that other private drive into that commercial. It's going to -- it's going to impact that commercial -- not positively down the road when that is -- you know, looking at that, did you look at the potential impacts to that commercial when that -- and that may not happen for ten years, 15 years, who knows when ACHD does that, but at some point in time they will do that and what is that going to do to the commercial, is that going to wind up being -- nobody's going to want that and it's going to be vacant forever, because you just can't access it?

Dodson: Commissioner Cassinelli, that's a great question and, unfortunately, that is driven vastly more by ACHD and part of why we and ACHD especially said no to a gas station and convenience store was access -- is the -- the requirement to have access points closer to that busy intersection and it's already fully improved to its width was just a no go. It just is not going to happen. The existing curb cut on Linder is 360 feet from that intersection already, so they are meeting all the requirements that they can meet. I don't think ACHD will allow anything closer, to be honest. Maybe the one on Linder a little closer, but I believe there is a right-hand turn lane pretty soon you can see kind of on here. You have the edge of pavement. I think that's because there is a right-hand turn lane here. I -- I would hope it wouldn't limit the viability. I think that that's why they have proposed the uses -- or the building types that they have. You know, if you put a bank on the corner it would be nice to hold the corner and generally you don't need a ton of in and out traffic for that, you know, you use it when you need it and, then, they propose the smaller commercial building to have more of a presence for the existing residences. So, hopefully, it will pick up trips from internal to this community, as well as Creason Creek and those others to the east, which I didn't discuss that as much in my staff report, but that is something I do really appreciate, because it really meets a lot of the mixed use points. I know it's a long winded answer there, but I -- I'm not too concerned with it, because you have that access off of Ustick and you have the access off of Linder both with pretty straight access into those commercial areas and I just don't see ACHD allowing anything else. If we remove the commercial altogether, which I do not recommend, I think you are going to get more residential, which, technically, has usually more trips than commercial and for most uses and, then, it's going to be harder for them to meet their mixed use policies, because you only have office across the street and ambulance to the west and the northwest corner is residential, so --

Cassinelli: Again, my concern is -- is -- when I'm looking at this layout is the access to that commercial coming in off of -- coming in off of Ustick. You have either got to go

through -- you are accessing it through a private drive or through the -- basically, the -- the driveway parking lot of -- as it stands now those apartments there.

Dodson: Right. I see what you are saying.

Cassinelli: And I -- I get the issues, I just don't know how you could replace one of the apartment units with more commercial and, then, you have less of the residential commercial flow, you know, discrepancy there. I understand that. I don't -- from a planning perspective that would be very difficult to mitigate, but I do understand the concern. I don't know if Andrew has any potential answers. You could do vertically integrated on that building. But, again, you are going to have a mix of residential and commercial traffic through there. I do know that ACHD is not allowing that curb cut on Ustick to be moved. That -- that was -- that was a hard line that they draw.

Cassinelli: On Ustick?

Dodson: Correct.

Wheeler: Yeah. I don't have anything additional to add. I think you covered it pretty well.

McCarvel: Any other questions? Okay. Thank you.

Wheeler: Thank you.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Move we close the public hearing on H-2021-0071.

Cassinelli: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0071. All those in favor say aye. Opposed? Motion carries.

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

McCarvel: Further thoughts? Discussion?

Grove: Madam Chair?

McCarvel: Yes.

Grove: I will jump in if you want. I think this is always going to be -- it's always difficult when you do in-fill. I remember not too long ago we were doing the other side of Ustick and Linder and the challenges that we ran into with -- with that parcel, just -- this is an

area that has been ready to be developed for a long time and there is going to be challenges when you have in-fill. You have limitations on access. You have limitations on just how you can orient different things. I like the different housing types that they have included. It matches what we were looking for in the Comprehensive Plan for the mixed use aspect and being able to integrate multiple housing types along with the commercial. I think this is a good fit in terms of helping the overall area have different options. We don't want a sea of the exact same house throughout a single area and that's one of the big reasons for a mixed use designation. I think that they have done a good job of, you know, adding in the amenities and I think the -- the challenges that, you know, were discussed in terms of multi-family, I think I would be open to the suggestions that I'm sure a few of you are going to bring up, but I'm pretty okay with whatever direction the rest of the Commission thinks on going with that. I think changing the back yard from a sidewalk and an alley load product to a front load product will improve that -- the -- those eastern boundary units overall. Maybe not a perfect application to meet all of, you know, the neighbors' concerns, but overall I'm -- I'm in favor with how this has been laid out and presented.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I feel like we are trying to shoehorn something in here to meet a designation that we have set back in 2005. I personally am not sure if I'm in agreement with the plan using the -- the -- oh, what am I looking for -- the mixed use code in this area. I think the -- the commercial -- I think you are going to struggle to have anybody want to go in on that corner. As Commissioner Cassinelli said, you have no access and the access that's there is horrible. So, I think that corner is going to be a dead corner, because no one is going to want to build there. The other concern that I have is I don't like the transition from the single family to -- to this. It just seemed like it's just like, you know, a single family to a larger development. I would prefer to see on the eastern boundary single family development and, then, go to attached unit. I would almost just nuke the -- my recommendation would be to nuke the commercial, move the apartments to the corner and put some attached townhomes on that one corner next to the house. I think that gives it a better transition to the single family. I understand your -- your -- your concern and your loss of your views. That's a sad thing to lose. However, you know, it's -- it's -- it's unfortunate that -- you know, I do believe in property rights and that this developer -- this farmer at the time has the opportunity to develop this property and so seeing that go away is sad, but yet it's -- it's understandable, but I think there is things that we can do to help mitigate the property owners next door to it and actually make it a better development. So, those are my comments.

McCarvel: Okay.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Yeah. The property owners to the east there, you know, I understand you -- you want to be able to look out your -- you know, your backyard and see something other than a house. I have lost that view myself. So, it's the reason I'm in the house that we are in, because I don't have to worry about losing that view. That said I mean property rights are property rights. This is well within what's going to be developed and, unfortunately, this is the way things line up. So, the transition -- especially with moving things -- I mean they have conceded to make these front load. So, now you are going to be backyard to backyard, which is, you know, 90 percent of the developments that we have out there. So, hopefully, you will get good neighbors. So, yeah, the other part of it is -- I mean overall things seem tall in here. Even the three story stuff on the Linder side, it just seems like it's -- it's pretty tall for this area. It hasn't developed widely yet. It's definitely coming. This will help fill that in. I look at this kind of as -- it's a hard corner and an in-fill because of everything that's going on with the waterways that are in there. You know, I would hate to give up the commercial just because I hate to give up commercial anywhere. I think it's going to be difficult to get a business in there. I don't think it's going to be impossible and I think when the right business comes in it will -- it will be okay. I mean I would love to see a little -- something go in like the -- like what they have up in Eagle Crossing up there where they have multiple businesses that share one space. Boise Fry Company, Waffle Love is the first one that comes to my mind. You walk into one space and you can get either one of them. Something like that that's -- you know, kind of depends more on -- on foot traffic and -- and local folks coming than it does on anything else would be probably a pretty good fit in there. It would be nice to see something like that down a little closer to the park system that we have there. The -- I like the amenities, the walkways and the way that all that stuff fits in. Again, even without a ten foot pathway that goes up to the corner it's going to be a really good way to get to the park system without having to stay completely on the road, especially on the bridge on Linder Road there. But this, basically, intersects in there. That's a really dangerous place to cross, unless you are on the other side of the road. When it gets to the multi-family part of this I think four stories is probably too tall in my mind and it seems to blend well with the exception of, you know, that one house that's on the corner there, right on the eastern side of the property next to it. I kind of agree with the applicant, if they do something with it it would almost be nicer to see them remove that whole -- instead of going over another unit, just completely eliminate that and make it into a -- you know, some kind of residential use or even more parking, to be honest. Just provide a little bit more privacy for the -- for the homeowner there. I mean the fact that that homeowner isn't here to testify and has had conversations with the applicant is good. So, that's kind of where I'm at on stuff. I mean there is a whole bunch of things going on with access and everything, but, again, I look at it -- this is kind of in-fill and it's a hard corner, which are tough anyway. So, I'm -- you know, I just hate to give up that commercial to do something else with it. Without doing that you really can't move the multi-family. So, I'm a little bit stuck on that. But as far as the project, I think it's viable and something that we can take forward.

Cassinelli: Is it my turn?

McCarvel: Commissioner Cassinelli.

Cassinelli: I have got -- I have got several challenges, issues with it, and I know it's tough -- you know, I mean if they -- if the developer had 40 acres to work with on this corner, you know, we -- I don't know how many iterations we -- we went through on that property to the -- to the north. Four or five at least. And, unfortunately, I wasn't here when we finally approved that, but -- so, it's tough. And this one is even -- even harder with the laterals there and so what's happening that I'm seeing, because of that is everything is getting pushed to the -- it's like shoved up into the -- to the northeast and because I don't know how many acres are down at that -- down the southwest corner -- a couple almost. At least one and a half. So, it really limits what can be done on this -- on this property. I like the idea of having commercial, but I think it's -- it's tough to do on this. I would -- I -- I would maybe like to see it moved around a little bit. The four story unit I'm -- I can't get behind those at all. We went through mid -- mid mile down across from the Chevron station down on Ustick, what's going in there now. We had discussed -- I think the -- I can't remember exactly if we eliminated all -- the four stories in there and went all to three, but that was a big issue down there and there was more space to work with. Sightlines weren't as bad and just the fact that there is only a small handful of units there -- these will be the only four story units all along Ustick there. You are going to have a few three story apartment buildings down there across from the Chevron and, then, you have got some two stories and you get single family, one and two story all along Ustick and, then, all of a sudden you have got -- you got ten four story units and, then, back down to single story commercial. It's just -- it's out of place. That's why I asked about three story. You have got -- there is -- there is more distance, more setback off of Ustick because of the -- of the -- the -- the laterals over there. I would like to see maybe the -- more of that higher density moved over to there to where it's set back a little bit and it's -- it's not up against the -- the single family directly to the east and, then, my other comment there -- what seems really really out of place are those three three story units up against the -- the two story ones. So, I'm -- that are down in the -- at the bottom on the south end of that. So, to me it just seems like -- when I look at this -- there is a lot of aspects I like about it and don't get me wrong, I like the MEWs, I like -- you know, they have -- they have answered the requirement of having three different product types in the mixed use community and I think for the most part they have done a good job. The restrictions on this property -- I drive by there all the time and I have always wondered what is somebody going to be able to do with this, because it's -- it's -- it's a difficult -- it's really limited what can be done with it. So, you know, I -- I applaud them for the attempt, but it's just -- it's pushing everything up and -- and there is not that -- there is not a good transition and I would like to see -- not necessarily just because of having lower density, but I think it needs to be brought down a little bit, so it -- it fits a little bit better. You can still have the different property types in there, but it -- it would be a better transition to -- to what's to the east. Those are my comments. I just -- right now I'm -- I'm not -- I am not in favor of it. The four story ones that's -- that's a killer for me. I think we have got to -- we have got to eliminate those and I don't know if -- maybe it's -- that becomes the commercial on Ustick, move some of that over. Commissioner Yearsley suggested moving -- moving some of those apartments over to the corner. If it can move around I think they can keep a lot of what's in there and just move it around somehow. It may -- it may require moving some, but right now with where it's at I can't get behind the project as it sits.



McCarvel: Okay. Yeah. I appreciated the -- the sidewalk not being on that east side and being at least -- front load those instead -- instead of rear, so it was more backyard to backyard. But I hadn't thought about Commissioner Yearsley's point of just making those single family homes. But I would be willing to -- I think leave those as townhomes, but more address -- I agree that four story up there is a lot. Even though I -- I love the design and the thought of having those units on the top have more light and that -- that's attractive, just four story next to the residential is a problem and that commercial -- I know it's rough access, but there is -- I'm on the fence on that. I kind of agree with Commissioner Seal, I think there is something that will come in there that doesn't have to have tons of trips and that would be okay. I know -- I mean there is a lot of businesses that I go to that, yes, I can't take a left out of, but I go anyway and I figured out -- I mean it just takes a little longer getting around. But I think it would end up being something useful to the neighborhood. On the other hand, moving the condos over would maybe makes sense as well. I think the biggest point of contention for me is the four stories.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I understand the comments about access for the commercial, but I -- I don't think we can -- I wouldn't be in favor of losing that at all. I think people will figure out access just fine. I live next to a place -- my house is, you know, two doors down from a commercial spot that has right-in, right-out access and there is no problems there. It's constantly busy. And I think, you know, there is other types of options that they are going to probably be able to look at, you know. Daycares, for example. Huge on my mind these days, but, you know, those are things that don't take up as much constant traffic and you also help serve a community that's nearby. So I think there is lots of options that the -- the apartments maybe -- maybe we look at it, you know, suggesting that one of those becomes commercial. Maybe that helps with that cross-access piece across the top there. I don't know. I'm just kind of throwing that out there. But I would -- I would hate to lose any commercial.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I think they are close on this and I appreciate the work that's went into it and I think they have answered some of the concerns, you know, by -- by making these front load homes over on the east property, but I agree that -- I mean the -- the commercial and the multi-family almost need to swap and I would hate to lose a hard corner, you know. Advertising is easy that way, you don't have to put a lot of signs out when everybody drives right by you. That said it almost seems like that would be a better fit for the residents there. You are still on Ustick Road. You are going to get a lot of road traffic in there. But I mean I'm -- I'm kind of -- of the opinion of let's maybe continue this and have them work a little bit more with city staff, try to come up with a little bit better plan and even in swapping the commercial and residential you could actually bring the -- that multi-

family in in such a way that -- on that corner -- I mean nobody's necessarily going to care on the corner if there -- you see a -- I would say a three story building there, because I think the four stories is still too tall. But, then, if you put the commercial in on the other side with the road that comes in there you could actually bring that commercial back into the property and have it -- you know, more parking towards the Ustick Road or something along those lines, so people could get in there and you could actually expand it if you wanted to. You could actually have more commercial in that area instead of less. I don't know. It's close, it's just not there yet, and I would rather give them a continuance than recommended a denial, because I think they are close, but I would love to hear what anybody else thinks about that.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: My -- my initial thought was the same thing is to swap the resident -- the apartments and the commercial. I think it provides better access for the commercial and can get -- I don't -- I don't ever expect to have a high use, but I think it gives it better access to that -- that site and at that point I don't know if I have an issue with the four story on the corner, you know, because it's far enough away from the rest of the -- the single family, it actually ties well into the three story next to it to kind of show some drops. I still like the idea of the detached along that east side, though, but I will -- I will concede that one.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: On the east side what I would even support -- maybe not necessarily detached, but a -- a -- more of a patio home feel if -- and even single story patio homes, because, then, you might get some retired folks in there that -- that don't want -- you know, don't want any two stories. You can get -- really get that good mix. I do -- I'm in big supportive of moving that commercial up along Ustick. I would still be highly opposed to four story if they are going to redraw that out, especially right on the corner. One of the things that -- that -- if you go to the intersection of Linder and McMillan, the buildings up there to me -- they are there two story -- I think they are just two story commercial, but right there on -- right there on the street they just -- it's overwhelming. When everything else around there is set back -- you got single story across the street with Fancy Freeze, you have got -- you have got Walgreens -- everything is single story and, then, all of a sudden you get these huge buildings that sort of just kind of take over things. So, it's not -- it's not a good feeling to me from the -- from the street and everything around it. So, I'm still -- I would still be really leery even if you put the apartments in a corner of going that -- it's the same height, we are talking 40 feet, but it's a -- you know, it's a -- it's a peaked roof versus windows are up top. I like the design of those, I just -- I think they would be cool in a lot of different places, especially The Lofts. That's -- that's my thought. I would still want to go -- I would still want to see max three story, but, again, I would want

to see some more rearranging in this to better transition on the east side and -- and better movements -- I don't want to lose the commercial either, but -- but better -- better access through there. I like Commissioner Grove's idea, I mean I think a -- I think this area is -- is definitely in need of -- of daycare and whatnot, so that would -- that would certainly work in there, but those are some of my thoughts. And I would -- I would be in full supportive continuing this as well.

McCarvel: Okay. It sounds like we are headed to the direction of continuance. Does anyone want to take a stab at the motion with the proper guidance?

Cassinelli: Dates?

McCarvel: Come back with some -- and a date.

Dodson: Dates. Date. Dates. Well, I'm busy all the time, so I don't know if I care. January 6th I think is pretty full already. Might be able to squeeze it on the 6th. If not, then, January 20th. That's pretty far out. We have a 5th Thursday this month, so, you know, it bumps everything another week.

McCarvel: Yeah. And I get we have been working on -- you guys have been working on it for a long time, I just think -- I mean and -- I think we all feel like it's close, it's just like --

Dodson: Yeah. But I'm sure the applicant prefers a continuance versus denial.

McCarvel: Yeah.

Dodson: It's -- I think any -- either of the dates in January probably work. Just with any continuance motion just, please, try to be as clear as you can on what you are wanting to be revised or looked at, so that Andrew and I can -- can exchange e-mails or have a meeting or something and figure it out.

McCarvel: Okay.

Starman: Madam Chair, if you are going in that direction --

McCarvel: Yeah. Reopen.

Starman: Reopen.

McCarvel: Yeah. Okay.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I think January 20th is probably a more adequate date. You know, with Christmas in the middle of all that I think giving them a little bit more time to -- to take a look at that and -- because that's -- that's a fairly significant configuration change, so --

McCarvel: Okay.

Grove: Madam Chair?

McCarvel: Could I get a motion to reopen the public hearing first before we --

Grove: Before we do that I have a question, just kind of -- in terms of what we are wanting to have them look at. I guess do we want to just specify the areas and -- where -- because I'm not on the same page as everyone, I guess, in terms of what to do on the -- the east lot, so I -- I don't know if I would be behind say like have to be this product type. So, I would be more in favor letting them make some of those -- having a little bit of leeway in how they decide -- decide some of that stuff.

McCarvel: I -- I agree, because I -- I think that's the lesser point for some of us is that -- so, some flexibility on just taking a look at those east sides -- I think it -- the fact that they are going to be front loaded, instead of rear, and that sidewalk is going away is a big step in the right direction. So, that may be it, but, yeah, definitely to -- at least that's what I'm kind of hearing here consensus wise, so -- so, before we reopen the public hearing does -- anymore discussion on -- did somebody have the points down for the motion for the continuance? Okay.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I make a motion we open the public hearing on file number H-2021-0071.

Seal: Second.

McCarvel: It has been moved and seconded to reopen the public hearing on H-2021-0071. All those in favor say aye. Opposed? Motion carries.

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

Yearsley: Commissioner Seal, I will let you make that motion, because you may not like the one I make, so --

Seal: I always love motions that other people make. Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move to continue File No. H-2021-0071 to the hearing date of January --

McCarvel: 20th.

Seal: -- 20th, 2022. That seems strange to say. For the following reasons. So, that the applicant and staff can work towards a better solution to the transitions between the multi-family and neighborhood to the east, including rearrangement of the commercial property and the multi-family property. That they also solidify the east side -- the east side properties to be front loaded to meet the setbacks and eliminate the walking path behind. That the plat is revised accordingly and that any work that they do together on those to revise the housing types is also included.

Yearsley: Do you want to limit it to three stories or are you okay with four?

Grove: They understand our concerns.

Seal: And to provide a different -- I can't say minimum height. I would say to provide something different than four stories for the multi-family.

Grove: Does that -- does that include if they -- no matter where they moved it?

Seal: Yes. Including where they are at.

Yearsley: I will second that one.

McCarvel: It has been moved and seconded to continue H-2021-00 -- oops. Seven one. I moved my page too quick. Sorry. With modifications. All those in favor -- so, January -- continue it to January 20th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: And I'm guessing before we start the next one we will take a five minute break.

(Recess: 8:05 p.m. to 8:13 p.m.)

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

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

McCarvel: Okay. We are ready to resume and we will open Item No. H-2021-0073, Inglewood Coffee Shop Drive-Through.

Allen: Thank you, Madam Chair, Members of the Commission. The application before you is a request for a conditional use permit. This site consists of .83 of an acre of land. It's zoned C-C, located at 3330 East Victory Road. A development agreement exists for this property. The Comprehensive Plan future land use map designation is mixed use



## AGENDA ITEM

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

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



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** January 20, 2022

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

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

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**Information Resources:**

[Click Here for Application Materials](#)

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



# STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT

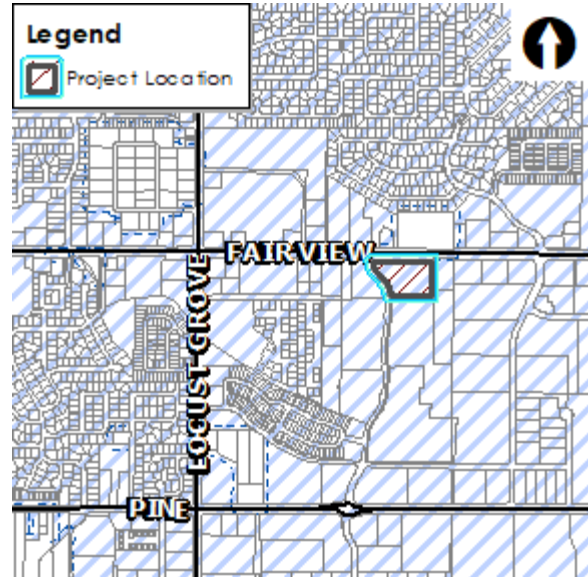
HEARING DATE: 1/20/2022

TO: Planning & Zoning Commission

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

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

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



### I. PROJECT DESCRIPTION

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

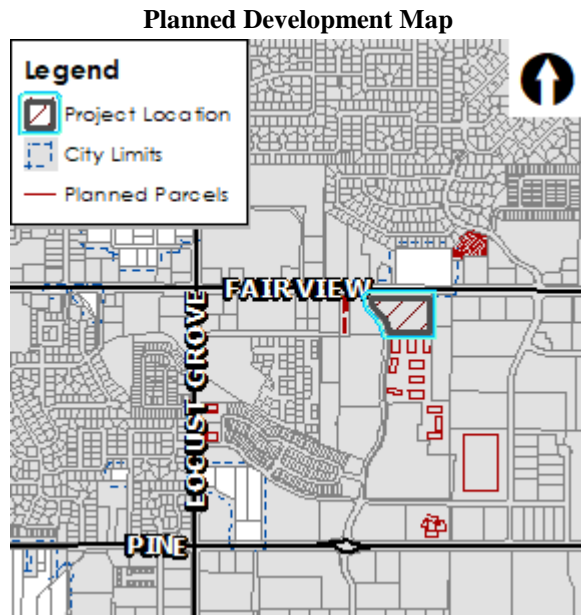
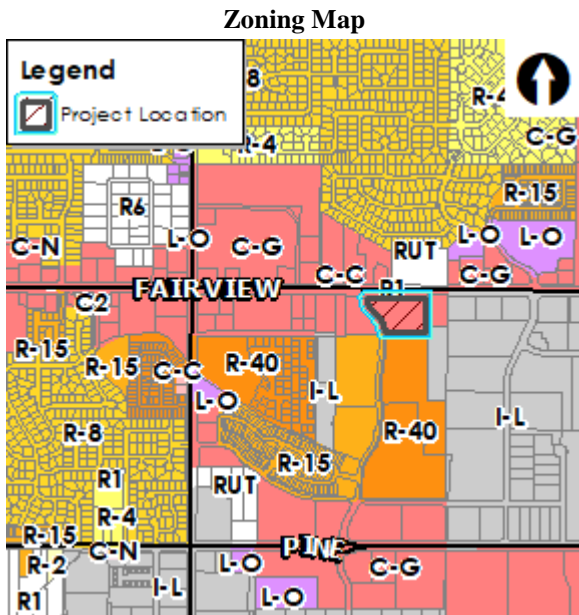
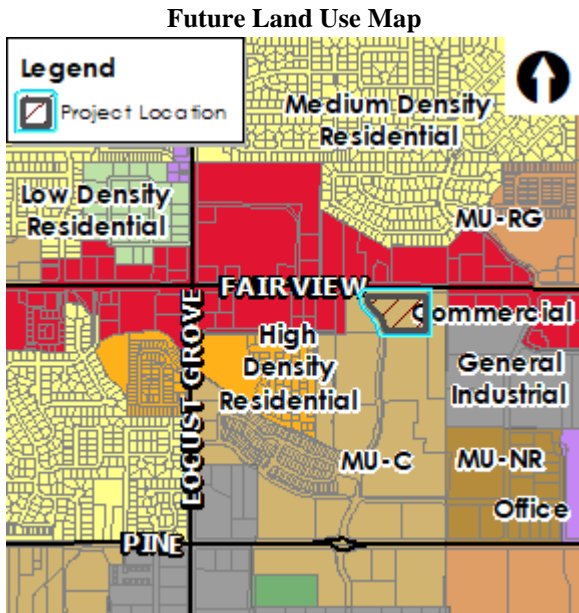
### II. SUMMARY OF REPORT

#### A. Project Summary

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



A. Project Area Maps



**III. APPLICANT INFORMATION**

A. Applicant:

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

B. Owner:

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

C. Representative:  
Same as Applicant

IV. NOTICING

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

V. STAFF ANALYSIS

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

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

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

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

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

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

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

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

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

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

*The stacking lane meets this requirement.*

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

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

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

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

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

*The drive-through window is visible from N. Webb Way, a collector street adjacent to the west boundary of the site.*

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

**The site plan submitted with the Certificate of Zoning Compliance application should identify the menu and speaker location (if applicable), and window location as set forth in UDC 11-4-3-11B.**

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

The proposed restaurant is subject to the specific use standards listed in UDC [11-4-3-49](#) Restaurant, which requires at a minimum, one (1) parking space to be provided for every 250 square feet of gross floor area. **The site plan depicts a total of 48 off-street parking spaces in accord with and exceeding this standard; however, most of the parking is depicted outside the boundary of this site. The boundary of the site/future lot should be expanded so that all of the required parking is on this site.**

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

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

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

A minimum one (1) bicycle parking space is required to be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). Parking for five (5) bicycles is depicted on the site plan in front of the building. **A detail of the bicycle rack should be depicted on a revised site plan submitted with the Certificate of Zoning Compliance application meeting the aforementioned standards.**

**Landscaping:** Street buffer landscaping is required as noted above.

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

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

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

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

**The proposed elevations are not approved with this application; final design shall be consistent with the design standards listed in the [Architectural Standards Manual](#) and with the Development Agreement.**

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

**VI. DECISION**

A. Staff:

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









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



MATERIAL LEGEND	
A. WOOD	1. LONGBOARD SIDING #1
B. METAL	2. CORRUGATED METAL SIDING
C. CORRUGATED METAL SIDING	3. POLYON SANDY COUSLING 20' COUSLING SIDING
D. CONCRETE	4. COUNTRY LINGESTONE
E. STONE	5. NATURAL COLOR
F. STUDIO DRIFTWOOD	6. BERRIDGE WOOD COLOR: DARK GRAY
G. STUDIO DRIFTWOOD	7. BERRIDGE WOOD COLOR: DARK GRAY
H. STUDIO DRIFTWOOD	8. BERRIDGE WOOD COLOR: CHARCOAL GRAY
I. STUDIO DRIFTWOOD	9. BERRIDGE WOOD COLOR: CHARCOAL GRAY



ELEVATIONS  
DESIGN REVIEW | SD51

21285.00

## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING

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

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

- 8. The hours of operation for the proposed use shall be limited to 6:00 am to 11:00 pm because the property abuts a future residential use to the south as set forth in UDC 11-2B-3B.
- 9. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC 11-3A-19; the design standards listed in the Architectural Standards Manual and with the Development Agreement.
- 10. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC 11-5B-6. A time extension may be requested as set forth in UDC 11-5B-6F.

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250045&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

Conditional Use (UDC 11-5B-6)

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

- 1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.  
*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.*
- 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 drive-through establishment will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.*
- 3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.  
*Staff finds the design, construction, operation and maintenance of the proposed use will be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential character of the area.*
- 4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.  
*Staff finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section VIII of this report.*

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

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

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

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

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

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

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

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

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

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

*This finding is not applicable.*

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

*This finding is not applicable.*