



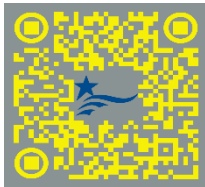
# PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Thursday, November 18, 2021 at 6:00 PM

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

## Agenda

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



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

### VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/85255159766>

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

Webinar ID: 852 5515 9766

### ROLL-CALL ATTENDANCE

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

### ADOPTION OF AGENDA

#### CONSENT AGENDA [Action Item]

1. [Findings of Fact, Conclusions of Law for Meridian Swim School \(H-2021-0069\) by CSHQA, Located at 2730 E. State Ave.](#)

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

#### ACTION ITEMS

2. [Public Hearing for Lennon Pointe Community \(H-2021-0071\) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.](#)  
[Project Requires Continuance to December 2, 2021 Due to Project Description Noticing Error](#)

- 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: A Preliminary Plat consisting of 43 building lots, 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.
3. **Public Hearing** for K1 Speed (H-2021-0077) by Josh Shiverick of Cushing Terrell, Located at 1075 N. Hickory Ave. on the northwest corner of E. State Ave. and H. Hickory Ave.
- A. Request: Conditional Use Permit for an approximate 50,000 square-foot indoor recreation facility for the purpose of an indoor electric go-kart track, concession area, meeting rooms, and associated spaces for K1 Speed on a portion of 9.88 acres of land in the I-L zoning district.
4. **Public Hearing** Continued from November 4, 2021 for Black Cat Industrial Project (H-2021-0064) by Will Goede of Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd. and Parcel S1216131860.
- A. Request: Annexation of 130.19 acres of land with R-15 and I-L zoning districts.
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.
6. **Public Hearing** for UDC Text Amendment - Collector Street Setbacks in Residential Districts and Landscape Buffers Along Streets (ZOA-2021-0003) by Brighton Development, Inc.
- A. Request: Request to Amend the text of the City's Unified Development Code (UDC) pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffer along Streets Standards in Chapter 3.

## ADJOURNMENT



## AGENDA ITEM

**ITEM TOPIC:** Findings of Fact, Conclusions of Law for Meridian Swim School (H-2021-0069) by CSHQA, Located at 2730 E. State Ave.

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



**In the Matter of the Request for Conditional Use Permit for an Indoor Recreation Facility on 1.1-Acres of Land in the I-L (Light Industrial) Zoning District for Meridian Swim School, Located at 2730 E. State Ave., by CSHQA.**

**Case No(s). H-2021-0069**

**For the Planning & Zoning Commission Hearing Date of: November 4, 2021 (Findings on November 18, 2021)**

**A. Findings of Fact**

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

**B. Conclusions of Law**

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

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

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of November 4, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

#### C. Decision and Order

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

1. The applicant's request for Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of November 4, 2021, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Two (2) Year Conditional Use Permit Duration

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

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

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

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

#### F. Attached: Staff report for the hearing date of November 4, 2021

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

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED\_\_\_\_\_

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED\_\_\_\_\_

COMMISSIONER NATE WHEELER VOTED\_\_\_\_\_

COMMISSIONER STEVEN YEARSLEY VOTED\_\_\_\_\_

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

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

COMMISSIONER MARIA LORCHER VOTED\_\_\_\_\_

\_\_\_\_\_  
Rhonda McCarvel, Chairman

Attest:

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

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

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

# EXHIBIT A

## STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



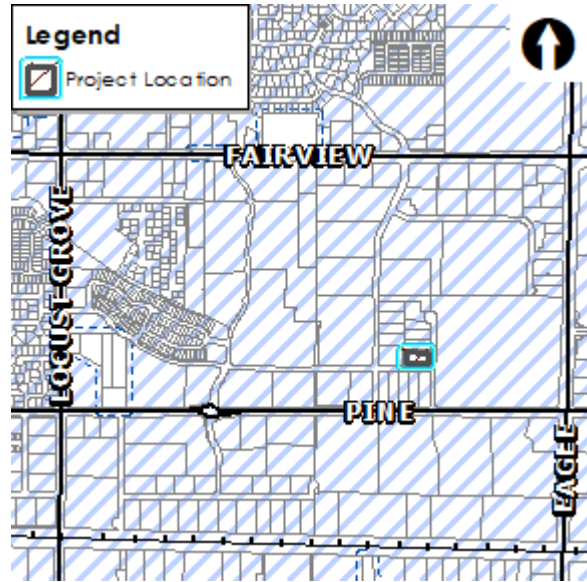
HEARING DATE: November 4, 2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0069  
Meridian Swim School

LOCATION: 2730 E. State Ave., in the NE ¼ of Section 8, T.3N., R.1E. (Parcel #R3073780100)



### I. PROJECT DESCRIPTION

Conditional use permit (CUP) for an indoor recreation facility on 1.1 acres of land in the I-L (Light Industrial) zoning district.

### II. SUMMARY OF REPORT

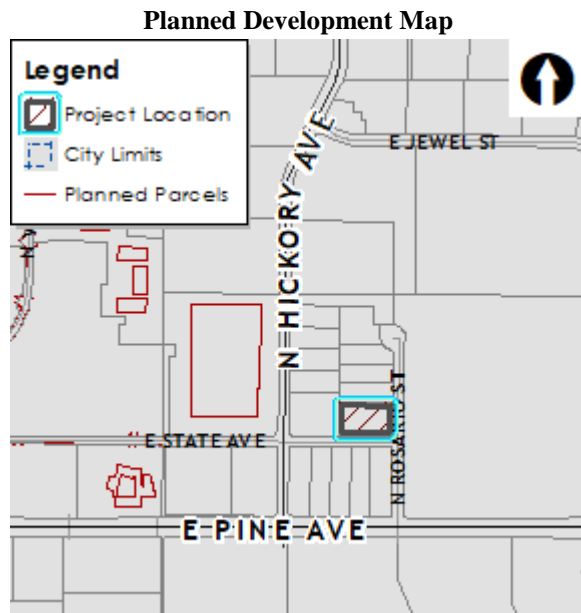
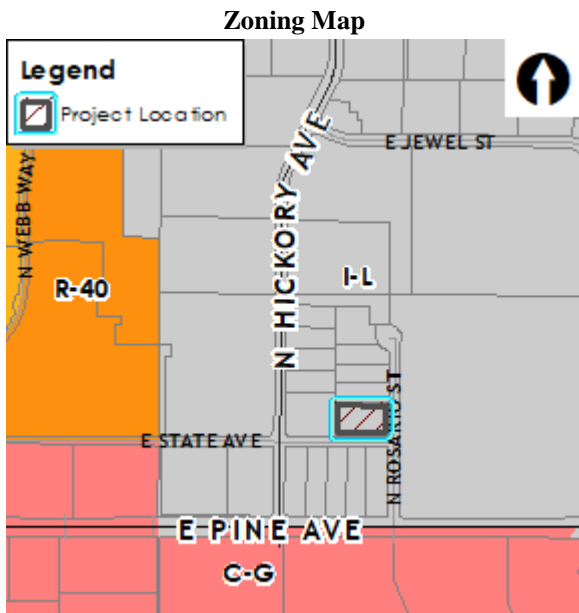
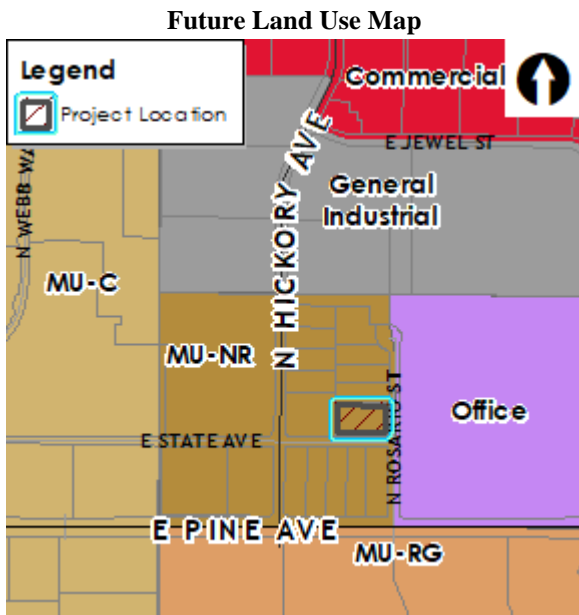
#### A. Project Summary

| Description                                | Details  | Page |
|--|--|------|
| Acreage                                    | 1.1-acres  |      |
| Future Land Use Designation                | Mixed Use – Non-Residential (MU-NR)  |      |
| Existing Land Use(s)                       | Vacant/undeveloped land  |      |
| Proposed Land Use(s)                       | Indoor recreation facility/swim school   |      |
| Neighborhood meeting date; # of attendees: | Sept. 7, 2021; one (1) attendee  |      |
| History (previous approvals)               | A CUP was approved in 1991 for a PUD – General (Gemtone Inc.). Platted as Lot 1, Block 2, Gemstone Center No. 2. |      |

B. Community Metrics

| Description   | Details   | Page |
|---|---|------|
| Ada County Highway District   |   |      |
| <ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> <li>• Requires ACHD Commission Action (yes/no)</li> </ul> | <p>Yes</p> <p>No</p>  |      |
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)   | One (1) access via E. State Ave. and one (1) access via N. Rosario St., both local streets. |      |
| Existing Road Network   | Yes   |      |

C. Project Area Maps





**III. APPLICANT INFORMATION**

A. Applicant:

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

B. Owner:

Brock & Sarah Ward, Adventures in Aquatics, LLC – 2730 E. State Ave., Meridian, ID 83646

C. Representative:

James Marsh – CSHQA – 200 Broad Street, Boise, ID 83702

**IV. NOTICING**

|  | <b>Planning &amp; Zoning Posting Date</b> | <b>City Council Posting Date</b> |
|--|---|----------------------------------|
| Newspaper Notification                                   | 10/19/2021                                |                                  |
| Radius notification mailed to properties within 300 feet | 10/12/2021                                |                                  |
| Site Posting Date  | 10/23/2021                                |                                  |
| NextDoor posting   | 10/15/2021                                |                                  |

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

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

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

The Applicant proposes to develop the site with an indoor recreation facility (i.e. swim school). Because the use is non-residential adjacent to office and flex space uses and is located approximately 570 feet from industrial uses to the north, it should be an appropriate use in the MU-NR FLUM designation.

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

- No new residential uses will be permitted (existing residential may remain). *No residential uses are proposed.*
- All developments should have a mix of at least two types of land uses. *At 1.1-acres, the size of the subject property is too small to allow the development of two land use types. The overall MU-NR designated area will have a mix of uses; offices, flex space and a church exist to the north and northwest of this site within the MU-NR area.*
- Development is not required to comply with the minimum number of uses in the general mixed-use standards. *Noted.*
- Street sections consistent with the Ada County Highway District Master Street Map are required within the Unified Development Code. *No new streets are proposed.*

- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, food service/restaurants, industry, or warehouse uses. *Noted.*
- A transitional use is encouraged on the perimeter of the MU-NR areas between any existing or planned residential development. *Although this site is on the east perimeter boundary of the MU-NR area, no residential uses exist or are planned to the east.*

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

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

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

The proposed use, an indoor recreation facility, is listed as a conditional use in the I-L (Light Industrial) zoning district per UDC Table [11-2C-2](#). Compliance with the dimensional standards listed in UDC Table [11-2C-3](#) is required.

## VII. STAFF ANALYSIS

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

The proposed building for the swim school will be one-story tall and approximately 8,788 square feet (s.f.). A covered patio with a seating area is proposed on the west side of the building.

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

### A. General Standards:

1. All outdoor recreation areas and structures that are not fully enclosed shall maintain a minimum setback of one hundred feet (100') from any abutting residential districts. The playing areas of golf courses, including golf tees, fairways, and greens, are an exception to this standard. (Ord. 07-1325, 7-10-2007). *No outdoor recreation areas are proposed; all activities will take place within the structure.*

2. No outdoor event or activity center shall be located within fifty feet (50') of any property line and shall operate only between the hours of six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. *No outdoor events or activities are proposed.*
  3. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only.
  4. Outdoor speaker systems shall comply with section 11-3A-13, "Outdoor Speaker Systems", of this title. *No outdoor speakers are proposed.*
- B. Additional Standards for Swimming Pools: Any outdoor swimming pool shall be completely enclosed within a six foot (6') non-scalable fence that meets the requirements of the building code in accord with title 10, chapter 1, of this code. *An indoor swimming pool is proposed; therefore, this standard is not applicable.*
- C. Additional Standards for Outdoor Stage or Musical Venue: Any use with a capacity of one hundred (100) seats or more or within one thousand feet (1,000') of a residence or a residential district shall be subject to approval of a conditional use permit. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005). *No outdoor stage or musical venue is proposed.*

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

Two (2) driveway accesses are depicted on the site plan – one (1) via E. State Ave. and one (1) via N. Rosario St., both existing local streets. ACHD has approved the location of both access driveways.

Because local street access is available to this site and adjoining properties and a cross-access easement was not provided to this property with development of the property to the west (A-2021-0021 Hickory Flex Building), Staff is not recommending cross-access easements are required to adjoining properties.

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

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

**A 5-foot wide continuous internal pedestrian walkway is required to be provided from the perimeter sidewalk to the main building entrance(s); the walkway should be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#). The plans should be revised to reflect compliance with this standard.**

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

Based on 8,788 s.f. of gross floor area, a minimum of 17 off-street parking spaces are required. A total of 48 parking spaces are proposed, exceeding UDC standards. Based on 48 parking spaces provided, a minimum of one (1) bicycle parking space is required to be provided. **Bicycle parking facilities should be designed in accord with the standards listed in UDC [11-3C-5C](#). A detail demonstrating compliance with these standards should be included on the plans.**

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

A 10-foot wide street buffer is required to be provided along E. State Ave. and N. Rosario St., both local streets, landscaped per the standards listed in UDC [11-3B-7C](#). **Shrubs should be added within the street buffers in accord with UDC 11-3B-7C.3a.**

There are no residential uses abutting this site that require buffering.

Parking lot landscaping is required per the standards listed in UDC [11-3B-8C](#). **Staff recommends adding a tree within the planter area where the two rows of parking converge at the southeast corner of the site.**

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

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

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

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

A privacy fence is depicted on the site plan along portions of the north and west property boundaries. A detail of the proposed fencing should be included on the plans that demonstrates compliance with the standards in UDC 11-3A-7.

**Building Elevations:**

Conceptual building elevations and perspectives were submitted for the proposed structure as shown in Section IX.C. Building materials consist primarily of EIFS and stone with glazing and wood accents/trim and metal roofing. The elevations appear to generally comply with the standards in the Architectural Standards Manual; however, a detailed review will take place with the administrative Design Review application.

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

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

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

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

**VIII. DECISION****A. Staff:**

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

**B. The Meridian Planning & Zoning Commission heard this item on Nov. 4<sup>th</sup>. At the public hearing, the Commission moved to approve the subject CUP request.****1. Summary of the Commission public hearing:**

- a. In favor: Mandie Brozo, CSHQA**
- b. In opposition: None**
- c. Commenting: None**
- d. Written testimony: Mandie Brozo, CSHQA**
- e. Staff presenting application: Sonya Allen**
- f. Other Staff commenting on application: None**

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

- a. None**

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

- a. In favor of the proposed indoor recreation facility/swim school.**

**4. Commission change(s) to Staff recommendation:**

- a. None**



Item 1.

14

B. Landscape Plan (date: 9/17/2021) - Updated

CSHQA

ADVENTURE IN AQUATICS | MERIDIAN SWIM SCHOOL | 17 SEPTEMBER, 2021

**CONTACT INFORMATION**  
 CLIENT: ADVENTURES IN AQUATICS LLC  
 2700 EAST STATE AVENUE  
 MERIDIAN, ID 83642  
 P: (208) 333-1000  
 ARCHITECT: JAMES MARRIN  
 CHQA  
 200 BIRCH ST.  
 BOISE, ID 83702  
 P: (208) 639-8888

**PLANT SCHEDULE**

| SYMBOL | COMMON NAME  | TECHNICAL NAME | PLANTING SIZE |
|--------|--------------|----------------|---------------|
|        | Juniper Tree | Flax Spire     | 6-12' high    |
|        | Shrub        | Shrub          | 2' caliper    |
|        | Shrub        | Shrub          | 2' caliper    |
|        | Shrub        | Shrub          | 2' caliper    |

| SYMBOL | COMMON NAME | TECHNICAL NAME | PLANTING SIZE |
|--------|-------------|----------------|---------------|
|        | Planting    | Planting       | 2 plants      |
|        | Planting    | Planting       | 2 plants      |
|        | Planting    | Planting       | 2 plants      |
|        | Planting    | Planting       | 2 plants      |
|        | Planting    | Planting       | 2 plants      |
|        | Planting    | Planting       | 2 plants      |
|        | Planting    | Planting       | 2 plants      |

**GENERAL NOTES**

ALL PLANTING BEDS SHALL RECEIVE A 2" DEPTH OF ORGANIC MULCH.  
 THE SITE WILL BE MAINTAINED THROUGHOUT THE YEAR BY PROFESSIONAL LANDSCAPE MAINTENANCE (LMA). SUCH MAINTENANCE SHALL INCLUDE BUT NOT BE LIMITED TO WEED CONTROL AND FERTILIZATION OF THE "TOP" TO MAINTAIN PROPER COLOR, TEXTURE AND OTHER PHYSICAL, CHEMICAL AND TISSUE OR DISEASE RESISTANCE.  
 FINISH GRADES FOR LANDSCAPE AREAS TO BE SMOOTH AND EVEN GRADIENTS WITH POSITIVE DRAINAGE IN ACCORDANCE WITH CITY GRADING PLANS. SLOPES FOR TURF AREAS SHALL NOT EXCEED 3:1.  
 ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN STANDARD PRACTICES FOR TYPE AND SIZE SHOWN. PLANTS WILL BE RECEIVED IN A SOUND AND HEALTHY CONDITION.  
 PROTECT LANDSCAPE WORK AND MATERIALS FROM DAMAGE DUE TO LANDSCAPE OPERATIONS, OPERATIONS BY OTHER CONTRACTORS AND TRUCKS AND TRAILERS. MAXIMIZE PROTECTION DURING INSTALLATION AND MAINTENANCE PHASES. TRUCKS, TRAILERS, OR REPAIRS DURING LANDSCAPE WORK IS PROHIBITED.  
 CONTRACTOR IS RESPONSIBLE TO VERIFY ALL QUANTITIES PROVIDED ON ALL PLANS. IF QUANTITIES LISTED DO NOT CORRELATE WITH WHAT IS SHOWN ON THE PLAN, THE QUANTITIES SHOWN ON THE PLAN SHALL CONTROL. THIS INCLUDES BUT IS NOT LIMITED TO TREES, SHRUBS, ROSES, TOPICALS, PALMS, GRASSES OR SOIL, ROCKS, AND GRIP LANE QUANTITIES.  
 IRRIGATION SYSTEMS  
 THE DESIGN AS SHOWN IS INTENDED TO BE PERMANENTLY IRRIGATED BY MEANS OF AN AUTOMATIC IRRIGATION SYSTEM CONSISTING OF COURSE OR SPRAY AND ROTOR SPRINKLER HEADS UNDER LOW-VOLUME DRIP LINES. THE SYSTEM SHALL BE CONTROLLED WITH AN PROGRAMMABLE IRRIGATION CONTROLLER, CAPABLE OF ADJUSTING FOR CLIMATIC VARIANCES.

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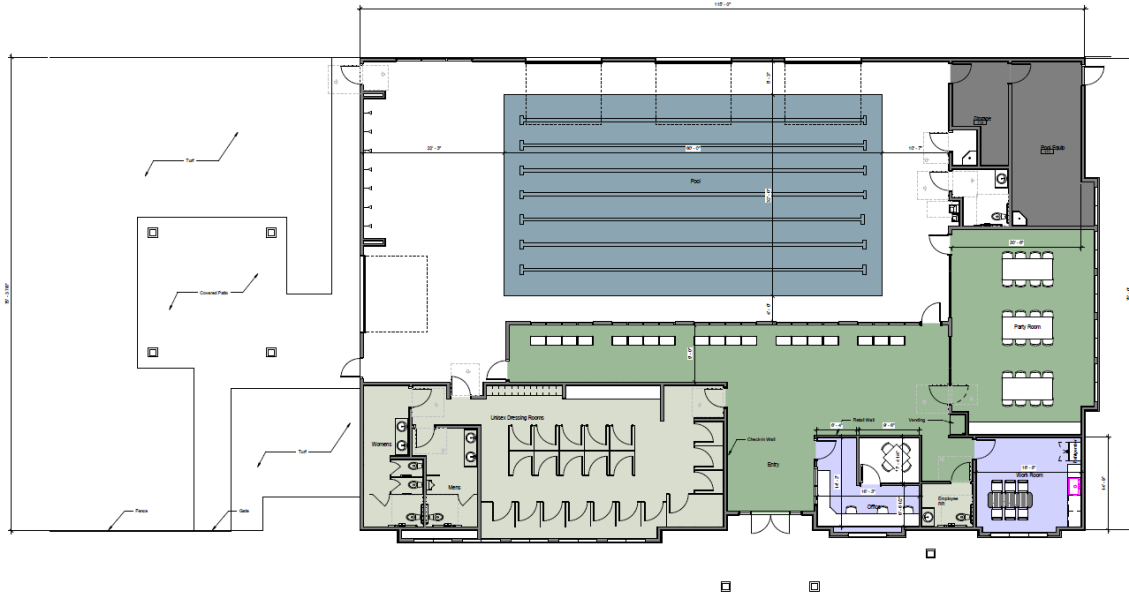
LANDSCAPE PLAN  
 SCHEMATIC DESIGN | pg. 1

Page 8

### C. Floor Plan & Building Elevations (dated: 8/31/21)



MERIDIAN SWIM SCHOOL | 31 AUGUST, 2021



Scale: 3/16" = 1'-0"  
21161

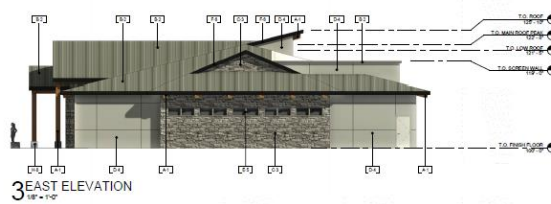
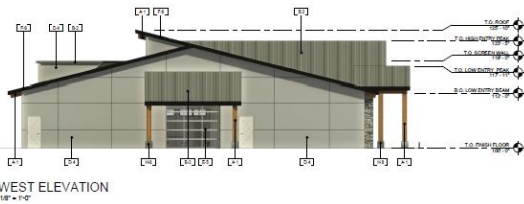
FLOOR PLAN  
DRAWN BY: CHEEK/ROCK  
SCHEMATIC DESIGN | pg. SD51



MERIDIAN SWIM SCHOOL | 31 AUGUST, 2021



| MATERIALS & FINISH SCHEDULE:      |  |
|-----------------------------------|--|
| MATERIAL                          | FINISH/COLOR                                   |
| [Symbol] WOOD                     | HEAVY TIMBER STONES - STAINED                  |
| [Symbol] METAL - ROOF             | BERNARDI STANDING SEAM METAL ROOF - COLOR: 700 |
| [Symbol] STONE                    | FLOOR-HOOD STONE - SILVER LINING               |
| [Symbol] PAINT DRIFT OUTFALLATION | PAINT - INTERIORS: PURE WHITE                  |
| [Symbol] ALUMINUM EXTRUSION       | CLEAR-ANODIZED ALUMINUM                        |
| [Symbol] PAINT                    | PAINT - EXTERIORS: BLACK                       |
| [Symbol] WOOD                     | CERAM - CLEAR SEALER                           |
| [Symbol] CONCRETE                 | CERT-PAINT: LIGHT GRAY                         |



Scale: As indicated  
21161

ELEVATIONS  
SCHEMATIC DESIGN | pg. SD53



Scale:  
21161

PERSEPECTIVES  
SCHEMATIC DESIGN | pg. SD54



## X. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning

1. Future development shall substantially comply with the site plan, landscape plan and building elevations in Section IX.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-2 – Arts, Entertainment or Recreation Facility, Indoors and Outdoors, including but not limited to the following:
  - a. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only, and not the general public.
3. Outdoor lighting shall comply with the standards listed in UDC [11-3A-11](#). Lighting details shall be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with these standards.
4. The ~~site~~/landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
  - a. A detail of the proposed fencing shall be included on the plan that demonstrates compliance with the standards listed in UDC [11-3A-7](#).
  - ~~b. A detail of the bicycle rack that demonstrates compliance with the standards listed in UDC [11-3C-5C](#) shall be depicted on the plan. *Depicted on revised plan.*~~
  - ~~c. Depict a 5 foot wide continuous internal pedestrian walkway from the perimeter sidewalk to the main building entrance(s); the walkway shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#). *Depicted on revised plan.*~~
  - ~~d. Shrubs should be added within the street buffers in accord with UDC [11-3B-7C.3a](#). *Depicted on revised plan.*~~
  - ~~e. Add a tree within the planter area where the two rows of parking converge at the southeast corner of the site in accord with UDC [11-3B-8C.2d](#). *Depicted on revised plan.*~~
- ~~5. Submit a detail of the trash enclosure that complies with the standards listed in UDC [11-3A-12](#). *Depicted on revised plan.*~~
6. A Certificate of Zoning Compliance and administrative Design Review application is required to be submitted to the Planning Division and approved prior to submittal of a building permit application.

### B. Public Works

1. Site Specific Conditions of Approval
  - 1.1 A geotechnical report must be submitted and reviewed with the building permit application.
  - 1.2 Utility plans must be submitted and reviewed by Public Works prior to building permit approval.
  - 1.3 The proposed pool must not be connected to the sewer system for drainage.
  - 1.4 Any existing water or sewer services or mains that will be unused must be abandoned back to the main that is to remain in service.

## 2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. 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.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
- 2.10 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.11 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.

- 2.12 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.13 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.14 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.15 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.16 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.17 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.18 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.19 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. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239067&dbid=0&repo=MeridianCity>

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

D. Nampa & Meridian Irrigation District (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239641&dbid=0&repo=MeridianCity>

E. Settler's Irrigation District (SID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=238539&dbid=0&repo=MeridianCity>

## XI. FINDINGS

### A. Conditional Use Permit

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

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

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

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

*The Commission finds the proposed use will be harmonious with the Comprehensive Plan in that it will provide an indoor recreation use which will contribute to the mix of uses desired in the MU-NR designation.*

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

*The Commission finds the design, construction, operation and maintenance of the proposed use 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, the Commission finds the proposed use should not adversely affect other properties in the vicinity.*

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

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

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

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

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

*Although traffic will increase in this area due to the proposed use, it shouldn't be excessive. The Commission finds the proposed use shouldn't involve any other activities that would be detrimental to any persons, property or the general welfare.*

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

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



## AGENDA ITEM

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

*Project Requires Continuance to December 2, 2021 Due to Project Description Noticing Error*

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: A Preliminary Plat consisting of 43 building lots, 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:** November 18, 2021

**Topic:** **Public Hearing** for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.

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- 

**Information Resources:**

[Click Here for Application Materials](#)



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for K1 Speed (H-2021-0077) by Josh Shiverick of Cushing Terrell, Located at 1075 N. Hickory Ave. on the northwest corner of E. State Ave. and H. Hickory Ave.

A. Request: Conditional Use Permit for an approximate 50,000 square-foot indoor recreation facility for the purpose of an indoor electric go-kart track, concession area, meeting rooms, and associated spaces for K1 Speed on a portion of 9.88 acres of land in the I-L zoning district.





## PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** November 18, 2021

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- A. Request: Conditional Use Permit for an approximate 50,000 square-foot indoor recreation facility for the purpose of an indoor electric go-kart track, concession area, meeting rooms, and associated spaces for K1 Speed on a portion of 9.88 acres of land in the I-L 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



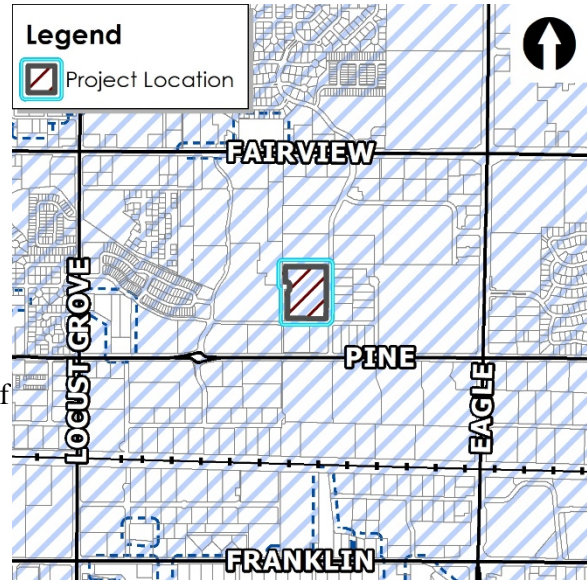
HEARING DATE: November 18, 2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0077  
K1 Speed – CUP

LOCATION: 1075 N. Hickory Avenue, in the SW ¼ of the NE ¼ of Section 8, T.3N., R.1E. (Parcel # R3073790250)



### I. PROJECT DESCRIPTION

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

### II. SUMMARY OF REPORT

#### A. Project Summary

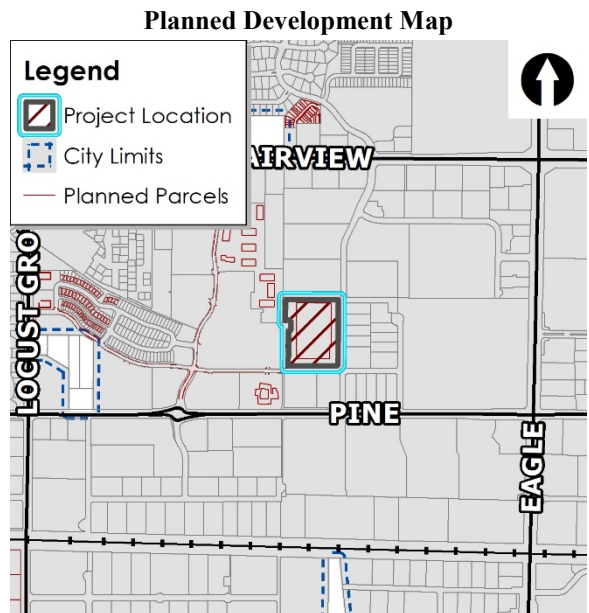
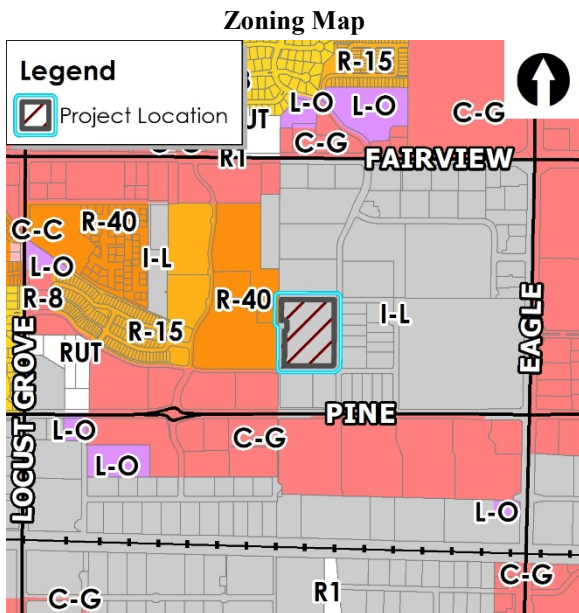
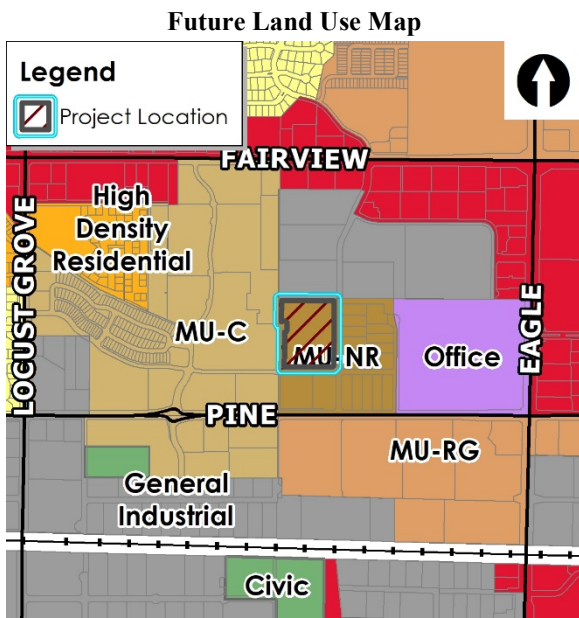
| Description                                | Details   | Page |
|--|---|------|
| Acreage                                    | 9.88 acre site  |      |
| Future Land Use Designation                | Mixed Use – Non-Residential (MU-NR)   |      |
| Existing Land Use(s)                       | 204,000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

#### B. Community Metrics

| Description                 | Details | Page |
|-----------------------------|---------|------|
| Ada County Highway District |         |      |

| Description   | Details  | Page |
|---|--|------|
| <ul style="list-style-type: none"> <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)   | Two (2) accesses via E. State Avenue (local street) and two (2) accesses via N. Hickory Avenue (industrial collector). All access points are existing and approved from previous approvals (A-2020-0165) for the overall warehouse building. |      |
| Existing Road Network   | Yes  |      |

C. Project Area Maps



**III. APPLICANT INFORMATION**

A. Applicant:

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

B. Owner:

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

C. Representative:

Same as Applicant

**IV. NOTICING**

|  | <b>Planning &amp; Zoning<br/>Posting Date</b> |
|--|---|
| Newspaper Notification                                   | 11/2/2021                                     |
| Radius notification mailed to properties within 300 feet | 10/27/2021                                    |
| Site Posting Date  | 11/3/2021                                     |
| NextDoor posting   | 10/28/2021                                    |

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

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

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

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

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

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

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

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

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

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

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

**VI. UNIFIED DEVELOPMENT CODE (UDC)**

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

**VII. STAFF ANALYSIS**

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

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

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

**A. General Standards:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Building Elevations:**

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

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

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

## VIII. DECISION

A. Staff:

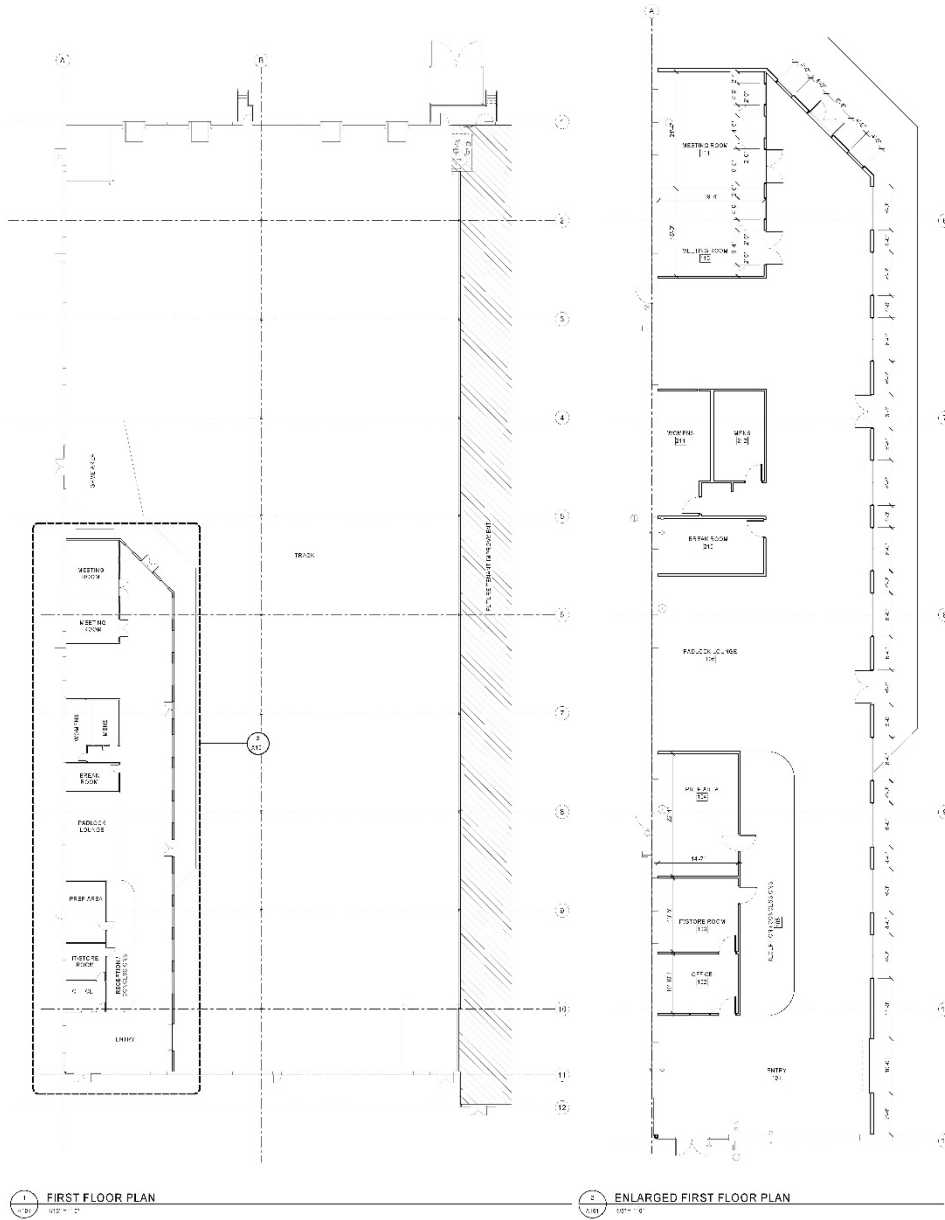
Staff recommends approval of the proposed conditional use permit with the conditions in Section X per the Findings in Section XI.







C. Conceptual Floor Plan (dated: October 2021)



**Cushing Terrell.**  
 cush@terrell.com  
 603.301.6677

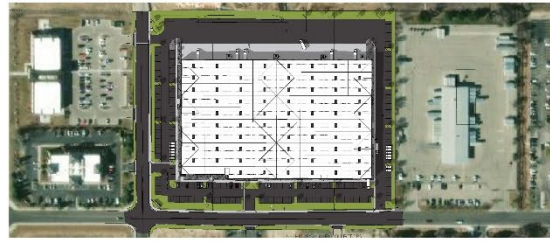
NOT FOR CONSTRUCTION - PRELIMINARY DESIGN  
 K1 SPEED  
**TENANT IMPROVEMENT**  
 NOT FOR CONSTRUCTION  
 22.02.2008  
 PROJECT: 001-100-100-00  
 SEE ALSO: 001-100-100-00  
 001-100-100-00  
 001-100-100-00  
 001-100-100-00  
 FLOOR PLAN  
**A101**

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

# HICKORY WAREHOUSE



SOUTH EAST AERIAL



CONTEXT SITE PLAN



NORTH EAST AERIAL



NORTH WEST AERIAL



SOUTH WEST AERIAL



SOUTH EAST AERIAL

Cushing Terrell

CUSHING TERRELL  
ARCHITECTS

CLIENT  
HOLLAND

DATE  
8/7/2020

PROJECT NO.  
500-0000

PROJECT  
INDUSTRIAL

DRAWN BY  
JL

DESCRIPTION  
ARCHITECTURE

A  
03

## X. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning

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

### B. Ada County Highway District (ACHD)

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

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

### C. Nampa & Meridian Irrigation District (NMID)

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

### D. Department of Environmental Quality (DEQ)

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

## XI. FINDINGS

### A. Conditional Use Permit

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

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

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

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

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

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

*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.

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

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

*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 November 4, 2021 for Black Cat Industrial Project (H-2021-0064) by Will Goede of Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd. and Parcel S1216131860.

A. Request: Annexation of 130.19 acres of land with R-15 and I-L zoning districts.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** November 18, 2021

**Topic:** **Public Hearing** Continued from November 4, 2021 for Black Cat Industrial Project (H-2021-0064) by Will Goede of Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd. and Parcel S1216131860.

A. Request: Annexation of 130.19 acres of land with R-15 and I-L zoning districts.

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## Information Resources:

[Click Here for Application Materials](#)

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



# STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 11/18/2021

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach  
208-884-5533

SUBJECT: H-2021-0064  
Black Cat Industrial

LOCATION: The site is located at 350, 745, 935, and 955 S. Black Cat Road and Parcel S1216131860



### I. PROJECT DESCRIPTION

Annexation of 129.21 acres of land with the I-L zoning districts to allow industrial development. This application also includes a proposal to annex a 0.98-acre property with the R-15 zone district to provide the required annexation path.

*NOTE: Staff has met with the applicant numerous times to discuss this project. Staff has expressed many concerns including the lack of compliance with the Ten Mile Interchange Specific Area Plan (TMISAP) in both use and design, potential traffic impacts, probability of low job generation, and whether the timing is right for a development of this magnitude in this location when other properties on the east side of N. Black Cat Road have not fully built out as approved.*

### II. SUMMARY OF REPORT

#### A. Project Summary

| Description                                 | Details  | Page |
|---|--|------|
| Acreage                                     | 130.2 acres  |      |
| Future Land Use Designation                 | Medium High Density Residential for the 0.98-acre parcel to the east, Mixed Employment and Low-Density Employment for the 129 acres to the west. |      |
| Existing Land Use(s)                        | Vacant and Single Family Residential   |      |
| Proposed Land Use(s)                        | Industrial business complex  |      |
| Lots (# and type; bldg./common)             | 5 existing lots, no platting proposed with this application  |      |
| Phasing Plan (# of phases)                  | Phase Plan indicates 3 phases  |      |
| Number of Residential Units (type of units) | One single family residence being retained.  |      |

| Description   | Details  | Page |
|---|--|------|
| Density (gross & net)   | N/A  |      |
| Physical Features (waterways, hazards, flood plain, hillside) | The Rosenlof Drain is indicated along the northern property line, but not on the subject property. |      |
| Neighborhood meeting date; # of attendees:                    | August, 9, 2021, 22 attendees including the applicants   |      |

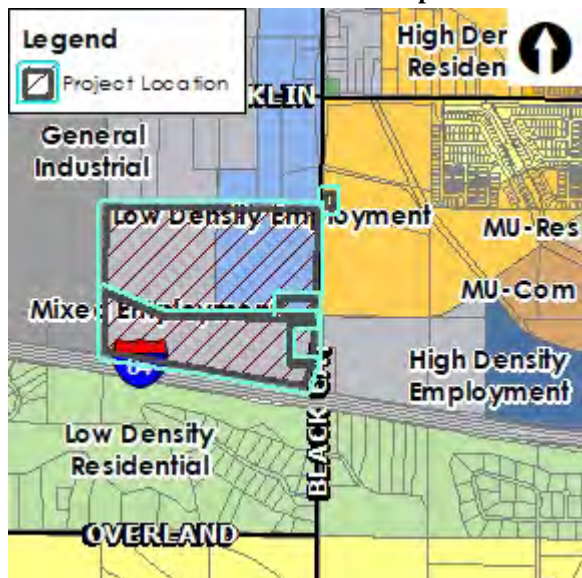
B. Community Metrics

| Description   | Details  | Page |
|---|--|------|
| Ada County Highway District   |  |      |
| <ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>   | <p>Yes</p> <p>No</p>   |      |
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)   | S. Black Cat Rd. is existing, concept plan indicates east-west collector through the middle of the site, and new north-south collector at west property line.  |      |
| Traffic Level of Service  | Better than "E".   |      |
| Stub Street/Interconnectivity/Cross Access  | East west collector bisecting the property, and a north-south collector running along western property line proposed.  |      |
| Existing Road Network   | S. Black Cat Rd and W. Franklin Rd   |      |
| Existing Arterial Sidewalks / Buffers   | There are no existing buffers or sidewalks along S. Black Cat Rd.  |      |
| Proposed Road Improvements  | Applicant would be required to improve S. Black Cat Rd with 17 feet of pavement and curb, gutter and sidewalk. Applicant would also be required to construct two east-west collectors (one through the middle of the site, one along the northern property line, and one north-south collector along the western property line.  |      |
| <b>Fire Service</b>   |  |      |
| <ul style="list-style-type: none"> <li>Fire Response Time</li> <li>Comments</li> </ul>  | <ul style="list-style-type: none"> <li>Project can be served, but will be out of 5-minute response time.</li> <li>Station 6 is closest at about 6 to 7 minutes away. All buildings will be sprinklered and may need fire pumps to meet fire flow. The entire project will require secondary access that meets the 2018 IFC.</li> <li>The proposed fire station property is in a good location for the MFD future station areas, but at this time there is no avenue to trade the property for impact fees. The city would need to purchase the property outright.</li> </ul> |      |
| <b>Police Service</b>   |  |      |
|   | No comments  |      |
| <b>Wastewater</b>   |  |      |
| <ul style="list-style-type: none"> <li>Distance to Sewer Services</li> <li>Sewer Shed</li> <li>WRRF Declining Balance</li> <li>Project Consistent with WW Master Plan/Facility Plan</li> <li>Issues / Comments</li> </ul> | <p>Directly Adjacent</p> <p>South Black Cat Trunkshed</p> <p>14.21</p> <p>Yes</p> <ul style="list-style-type: none"> <li>Flow is committed.</li> </ul>   |      |

| Description   | Details   | Page |
|---|---|------|
|   | <p>Public works is okay with the building up of the site to accommodate sewer as long as surface slopes are no more than 3:1<br/>           All drainage is retained onsite.</p> <ul style="list-style-type: none"> <li>• There are multiple 8" lines without easements. Easements must be provided for 8" mains, however, based off flows these could be decreased to 6" service lines.</li> <li>• Ensure no sewer services pass through infiltration trenches.</li> </ul>   |      |
| <b>Water</b>  |   |      |
| <ul style="list-style-type: none"> <li>• Distance to Water Services</li> </ul>                | 340 ft.   |      |
| <ul style="list-style-type: none"> <li>• Pressure Zone</li> </ul>                             | 1   |      |
| <ul style="list-style-type: none"> <li>• Water Quality</li> </ul>                             | No concerns   |      |
| <ul style="list-style-type: none"> <li>• Project Consistent with Water Master Plan</li> </ul> | Yes   |      |
| <ul style="list-style-type: none"> <li>• Impacts/Concerns</li> </ul>                          | <ul style="list-style-type: none"> <li>• Water will be provided initially from pressure zone 1, but will be from pressure zone 2 when development from the east connects. Pressure change will be approximately 22 psi higher.</li> <li>• Provide for water connections at future road connections to east and west (blind flange or stub to PL as appropriate).</li> <li>• Ensure adequate valving is provided to allow future pressure zone change.</li> <li>• Existing wells must be decommissioned according to IDWR rules which include employing methods to ensure grout fills the annular space outside of the well casing. Record of abandonment must be provided to the City prior to final plat signature.</li> </ul> |      |

### Project Area Maps

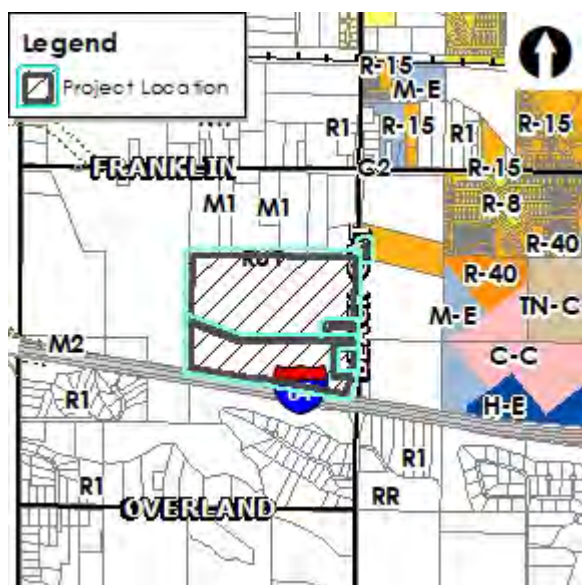
#### Future Land Use Map



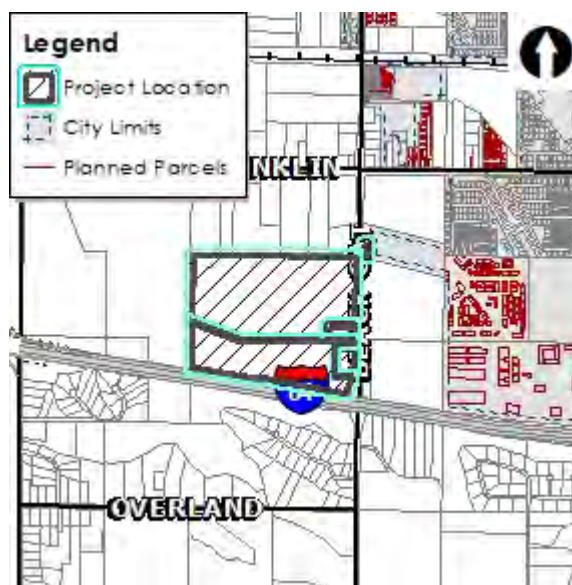
#### Aerial Map



#### Zoning Map



#### Planned Development Map



### Applicant Information

A. Applicant / Owner:

Will Goede, Sawtooth Development – 371 N. Main St. Ste 201, Ketchum, ID 83340

B. Representative:

The Land Group – 462 E. Shore Dr, Ste 100, 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 | 10/28/2021                     |                           |
| Sign Posting   | 10/29/2021                     |                           |
| Nextdoor posting   | 10/28/2021                     |                           |

IV. STAFF ANALYSIS

This is a proposal for annexation of 129.21 acres of land with the I-L zoning districts to allow an industrial development including 9 buildings ranging in size from 131,000 to 342,160 sq. ft. (Buildings A-J) and 7 smaller commercial buildings ranging in size between 6,800 to 33,600 sq. ft. (Buildings K1-M1). This application also proposes to annex an 0.98-acre property with the R-15 zoning district for the sole purpose of making this property contiguous with City limits in order to request annexation.

A. Annexation and Zoning

The applicant proposes to annex the 0.98-acre parcel with the R-15 zoning district in order to achieve the contiguity to be eligible to annex the 129.21 acres of property on the west side of S. Black Cat Rd. The applicant proposes to rezone the remaining 129.21 acres west of S. Black Cat Rd. to I-L (Light-Industrial). As is discussed below, staff does not support rezoning to I-L and finds M-E would be the appropriate zoning as indicated in the TMISAP. Staff does find the Plan supports rezoning the 0.98-acre parcel to R-15, although the applicant has not offered any additional details regarding future use of this property other than the existing residence will remain.

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

The subject properties are within the [Ten Mile Interchange Specific Area Plan \(TMISAP\)](#). The Plan designates 745 S. Black Cat Road and the eastern half of Parcel # S1216131860 for Low Density Employment (Buildings K1-M1). The Plan designates the western half of Parcel #S1216131860, 935 S. Black Cat Rd and all of Parcel #S1216417365 for Mixed Employment (Buildings A-J). The property at 350 S. Black Cat Rd (east side of N. Black Cat Rd) is designated for High Density Residential (density range of 8 to 15 dwellings / acre).

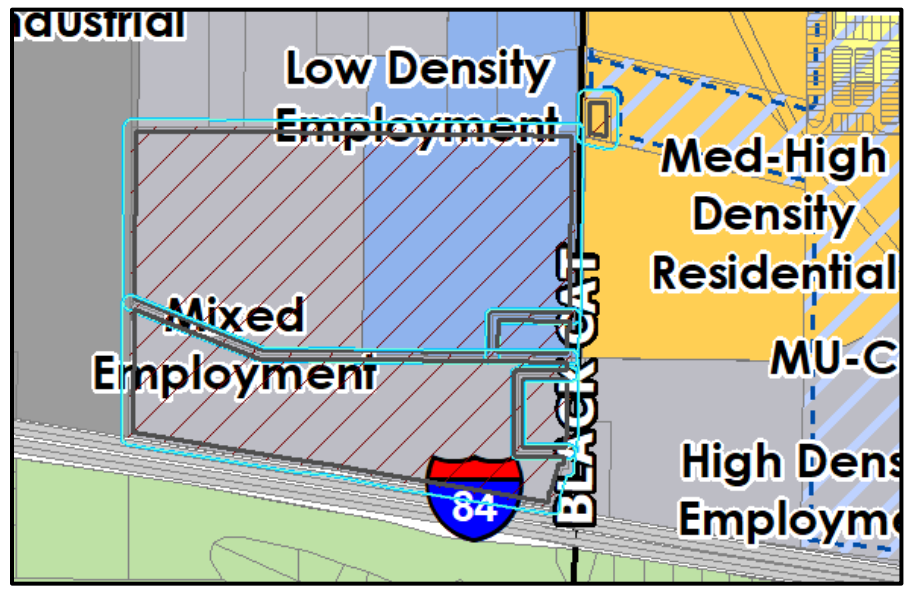
i. Low Density Employment

This use is defined by the TMISAP as low-rise office and specialized employment areas. Low Density Employment areas should provide a variety of flexible sites for professional offices and similar businesses. Low Density Employment areas should be designed with elements of Traditional Neighborhood Design. Design and development standards such as landscaping, pedestrian circulation and connection to open spaces, are recommended to help make developments more attractive, engaging and accessible places. Appropriate land uses include corporate and business offices as well as research facilities and laboratories.

ii. Mixed Employment

This use is described by the TMISAP as an area to encourage a diversity of compatible land uses that may include a mixture of office, research and specialized employment

areas, **light industrial including manufacturing and assembly**, and other miscellaneous uses. Mixed Employment areas should provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises. Mixed density employment will accommodate a wide variety of employers and serve as a primary gateway to Meridian and Meridian’s prosperity.



Applicant’s proposal:

The applicant requests to annex and zone the 129.21 acres of property west of S. Black Cat Rd to I-L. The applicant requests to annex and zone the 0.98-acre parcel at 350 S. Black Cat Rd to R-15. The applicant’s narrative states their proposal meets the TMISAP intent of low-density employment and mixed employment areas as it would provide a variety of flexible sites and allow the larger double and single loaded light-industrial buildings to be divided into spaces as small as 18,000 square feet. The narrative states the Black Cat Business center would provide in-demand manufacturing, heavier office build-out, flex industrial and accessory retail, warehousing and distributing facilities in this region. It mentions the Mixed Employment designation in the TMISAP does list light industrial as one of the appropriate uses. Finally, the narrative notes the City of Meridian has less than a 1 percent vacancy rate for industrial business uses, and the Treasure Valley as a whole lags behind its peer markets.

The concept plan submitted by the applicant indicates 7 buildings ranging in size between 6,800 to 33,600 sq. ft directly adjacent to the west side of S. Black Cat Rd (Buildings K1-M1). The applicant’s narrative states that in this area the project includes flex incubator buildings which could be divided into spaces as small as 2,500 square feet. The applicant also proposes to set-aside an approximately 18,000 sq. ft. lot for a potential 10,000 sq. ft. fire/emergency services station.

On the remainder of the subject properties to the west, the concept plan reflects 9 very large buildings ranging in size from between 131,820 sq. ft. to 293,280 sq. ft. to a total of 1,897,480 sq. ft. (Buildings A-J). These buildings are oriented with one row north of a new collector and one row south of the new collector. The concept plan shows multiple loading bays on all buildings and a wide collector street to accommodate large truck traffic.

Staff Response:

Staff does not support annexation and zoning to I-L as I-L would allow uses not supported by the Plan in this area. Staff's response to the applicant has been that the TMISAP vision for the area adjacent to I-84 is an employment district that will support the creation of more than 20,000 jobs offered by a wide variety of employers. It should serve as a primary gateway to Meridian and Meridian's prosperity, and provide local employment to the large amount of new residential across S. Black Cat Rd to the east and W. Franklin Rd to the north and east. Staff notes the TMISAP states "the City knows that this is one of the last remaining large, contiguous areas of highly visible, easily accessible, and developable land within the City of Meridian's Area of Impact."

The applicant's narrative mentions light industrial is listed as one of the appropriate uses in the Mixed Employment Plan Area. This is correct, **but the TMISAP refers to light industrial as manufacturing and assembly**, which is consistent with the definition of light industrial per UDC 11-1A-1. **Although the I-L Zoning District could allow numerous primary jobs, it also allows uses by right that would not be consistent with the goal for Mixed Employment per the TMISAP. This includes warehousing, distribution and self-storage, which typically does not produce a large number of primary jobs.** Other uses allowed by right which staff believes are not consistent with the Plan include contractor's yards, equipment rental and sales, vehicle repair, and car dealerships. The plan designates these types of industrial uses to occur adjacent to W. McDermott Rd, further west of the subject property, away from the residential that is intended to develop across S. Black Cat Rd to the east.

Based on the concept plan that has been provided by the applicant, the majority of the plan suggests a warehouse and distribution / storage development. This is in contrast to the TMISAP vision for sense of place, traditional neighborhood design, streets designed to serve all users, and multi-story construction (although the smaller Buildings K1-M1 directly adjacent to S. Black Cat Rd, would be closer to the TMISAP vision).

Staff has recommended the applicant apply to rezone to Mixed Employment (M-E), which allows the mixture of office, research, specialized employment areas and the type of light industrial (manufacturing and assembly) which is intended for this area by the Plan. The applicant has elected to proceed with I-L zoning.

Staff agrees there may be a strong market demand for industrial uses, but the Plan specifically says the intent of the TMISAP is to create a place that will add to the long-term economic stability of the City of Meridian, not just respond to immediate market forces and trends (page 3-3).

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

- Focus on developing industries that exceed the living wage, such as technology, healthcare and other similar industries. (2.06.01E)

*The TMISAP designates the subject property (except for 0.98-acre 350 S. Black Cat Rd) for low density and mixed employment. These areas are intended to capture full economic advantage of the Ten Mile interchange to enhance the long-term fiscal health of the City of Meridian and the Treasure Valley. Although annexing and zoning this area to I-L could create primary jobs as anticipated by the Plan, it could also allow uses such as distribution, warehousing and self-storage that would not create a significant amount of primary-wage jobs.*

- Ensure that regulations and plans support and encourage desired development and land use patterns within the Area of City Impact. (3.01.01C)

*The TMISAP specifically targets the subject property to accommodate a wide variety of employers and serve as a primary gateway to Meridian and Meridian's prosperity. There are additional design guidelines to create an environment that has a significant degree of coherence and continuity. **The annexation of the subject property for the industrial uses described by the narrative and depicted on the concept plan do not meet the intent of the Plan in both use and design. Also, the Community Planning Association of Southwest Idaho (COMPASS) has submitted a development review letter. The summary of the letter indicates that COMPASS finds the level of stress on the roads would be "R" (unsatisfactory), it would lead to further decrease in the jobs / housing balance, and is not within the ½ mile walkable distance preferred for transit and goods and services.***

- Evaluate development proposals based on consistency with the vision as well as physical, social, economic, environmental, and aesthetic criteria. (3.01.01D)

*The TMISAP vision for this area is an employment-generating center that buffers the community from I-84 and the future extension of Highway 16, and serves the employment areas with easy access to markets, high-speed transportation facilities, and employees across the Treasure Valley. The TMISAP contains additional design standards for this area to create a sense of place and a unique identity. The proposed annexation and zoning to I-L to allow an industrial development of large distribution-style warehouses bisected by a wide collector road to facilitate freight traffic is not consistent with the Plan vision or the design for this area.*

- Promote Ten Mile, Downtown, and The Village as centers of activity and growth. (2.09.03B)

*As already mentioned, the TMISAP designates this area for an employment center for the local population in close proximity to nearby residences. Rezoning to I-L to allow a distribution and warehousing development would provide growth, but not the type anticipated by the Plan.*

Establish distinct, engaging identities within commercial and mixed-use centers through design standards. (2.09.03A)

*The Ten Mile Interchange Specific Area Plan focuses on developing an area that has an identity of its own, but which links to the nearby development. The current application could allow numerous uses not desired by the Plan, with monotonous architecture and design not consistent with the design guidelines. This does not further the intent of the Plan to create a unique sense of place.*

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

*This applicant proposes to annex 129 acres of undeveloped property which is surrounded by unincorporated land on all sides except at the northeast corner, in which the 0.98-acre parcel is being annexed in order to achieve the required contiguity. Further, much of the property to the east is not annexed or annexed with development agreements, but not built-out to their full capacity, further exacerbating the strain on the transportation network in the area. Full impacts on the transportation system will not be known with this development until the applicant completes a traffic study for ACHD to review and approve. **There are no anticipated improvements to S. Black Cat Rd and W. Franklin Rd in the short term, and the closest water and sewer connection is approximately 340 feet to the north of the property. This would be considered disorderly and fringe development.***



D. Existing Structures/Site Improvements:

The majority of the property is vacant, except there is single family and agricultural development located at 935 and 745 S. Black Cat Rd. If these properties were rezoned to I-L, the residential and agricultural buildings should be removed.

E. Proposed Use Analysis:

The applicant proposes to zone to I-L. As mentioned above, staff believes the I-L district allows uses by-right which are not consistent with the high employment-generating uses intended for this area by the Plan, and the concept plan suggests a distribution and warehousing (or self-storage) development. **Staff finds Mixed Employment (M-E) is the zone district which is more consistent with the TMISAP for this area.**

Staff believes the proposal to annex and zone 350 S. Black Cat Rd to R-15 would generally be consistent with the Medium High-Density Residential designation of the TMISAP. The applicant has not submitted any additional information for this property other than annexation of this property is necessary for the remaining 129.21 acres to be eligible for annexation. If the subject annexation is approved, the existing residence would need to connect to City services.

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

UDC 11-4-3-25 (Industry, light and heavy) requires all shipping and delivery and outdoor activity areas to be at least 300 ft. from any abutting residential district. Applications should identify how proposed use will address impacts of noise and other emissions on residential districts.

The concept plan shows the outdoor loading and activity areas are at least 300 ft. from the adjacent residential district to the east. The applicant does not provide an explanation regarding potential impacts and / or how they would be mitigated.

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

The I-L zoning district requires a 35' street setback, 20' landscape buffer along collector streets, 25' wide buffer along arterial streets, and allows height up to 50'. The concept plan and elevations submitted appear to meet these requirements.

The TMISAP introduces basic rules of good design. This includes buildings built to public rights-of-way, easy pedestrian access, narrow streets to slow traffic, and the facades of larger commercial buildings being broken down into short frontages with "big boxes" being wrapped in smaller commercial, residential, and office uses.

With some revisions, staff believes Buildings K1-M1 as shown on the concept plan could mostly reflect these principles, although the buildings are oriented around a central parking lot rather than a courtyard. Also, the TMISAP mentions building frontages, rather than surface parking lots and landscaped areas, should "hold the corners" by framing sidewalks or public spaces whereas the entrance of this development from S. Black Cat Rd consists of landscaping and parking lots with building maintaining larger setbacks.

The larger buildings A-J are oriented to a wide collector street, have larger front setbacks, have single building frontages between 180 ft. and 470 ft. in length, and are not broken down or wrapped with smaller buildings. Staff does not believe this encapsulates the TMISAP principals for design envisioned for this area and is skeptical the concept plan could be designed to meet these principles for the use as proposed. **The Planning Commission and City Council should decide whether this type of industrial use is appropriate in this area.**

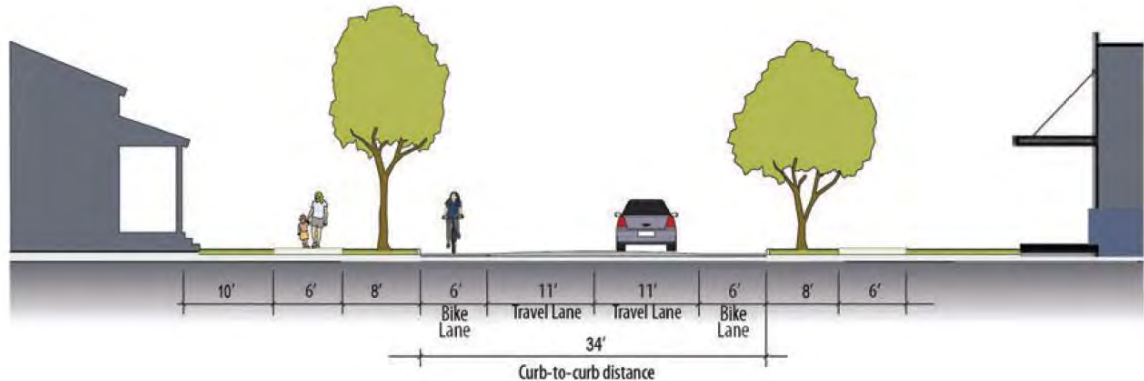
H. Access (*UDC 11-3A-3, 11-3H-4*):

W. Franklin Rd west of the subject property is presently 2 lanes with no curb, gutter or sidewalk, and narrows to one lane west of S. Black Cat Rd. S. Black Cat Rd. is presently 2 lanes with no curb, gutter or sidewalk. The ACHD Capital Improvements Integrated Five Year Work Plan (IFYWP) shows the intersection of Franklin Road and McDermott Road to be constructed as a multi-lane roundabout sometime after 2026. Black Cat Rd is listed to be widened to 5 lanes between W. Overland Rd. to W. Franklin Road in 2036 to 2040. W. Franklin Rd. is planned to be widened to 5 lanes between W. McDermott Rd and S. Black Cat Rd from 2026 to 2030. W. Franklin Rd is eventually intended to connect to SH 16 by a signalized intersection.

The TMISAP Transportation System Map shows a new collector street bisecting the property east to west and a new north-south collector street at the western property line (page 3-18). The TMISAP notes the primary purpose of the collector is to serve short length neighborhood trips and to channel traffic from local streets and abutting properties to minor and principal arterials (page 3-19).



The TMISAP Street Section Map designates new collectors in this area to be Street Section C (page 3-20). Section C represents the major collector streets to provide access from adjacent arterial streets into the employment areas. Street Section C (below) includes 11 ft. wide travel lanes, 6 ft. wide bike lanes, 8 ft. wide parallel parking, 8 ft. wide carriage strips, 6 ft. wide sidewalks and approximately 10 ft. setback from the back of detached sidewalks to the building wall (to a total width of 68'). This is consistent with the “complete street” concept discussed by the TMISAP to provide a street that works for motorists, bus riders, bicyclists, and pedestrians, including people with disabilities and to provide traffic calming.



The concept plan provided by the applicant reflects the east-west collector bisecting the site to be 60' wide with all of this being travel lanes, no on-street parking and detached pathways and landscaping outside of the 60' of travel lanes. Rather than on-street parking, there are several rows of parking between building fronts and the road. Page 7 of the narrative states that the “new

collector road bisecting the development site will “provide easy freight access to the project” which is indicative of a typical industrial development. This is not consistent with the mixed employment area and with the street design principals on Page 3-20 of the TMISAP which state that “streets should be designed and sized to optimize pedestrian comfort and to facilitate slow-moving vehicular traffic.”



In addition to the collectors shown on the TMISAP Transportation System Map, the TMISAP Land Use Map (Page 3-16) shows a desired local street bisecting the site north to south. Also, ACHD has commented a third collector street is required along the Rosenlof Drain, at the northern perimeter of the property (the local street would connect the two east-west collectors). Although staff has mentioned to the applicant to provide this north-south local street, this connectivity is not provided on the concept plan. The northernmost collector as required by ACHD is also not shown.

A traffic impact study is not a required item for an annexation application. However, staff notes this application proposes almost 2 million sq. ft. of new commercial or industrial square footage. Although the immediate area is mostly undeveloped, there is a significant amount of development in the vicinity which can be or has already been built, has been approved, or is in the development application stage. This includes 330 single family lots and 240 apartments in the Braya Subdivision across S. Black Cat Rd. to the east, and the large amount of commercial and residential development occurring at the 10 at Meridian, Vanguard Village, Ten Mile Crossing and TM Creek Crossing developments on both sides of N. Ten Mile Rd. south of W. Franklin Rd. Staff has mentioned to the applicant that the traffic impacts of nearby development already entitled have yet to be realized, there are no anticipated road improvements to W. Franklin Rd and S. Ten Mile Rd. in this area in the short term, and has expressed concerns regarding how the impacts of 2 million square footage of new industrial would affect the road network. The applicant has not provided any additional analysis.

I. Parking (UDC 11-3C):

UDC 11-3C-6 requires one space for every two thousand sq. ft. of gross floor area in industrial districts. With Buildings A-J listed on the concept plan as comprising 1,900,000 sq. ft. +/-, this amounts to 950 parking spaces, whereas based on the numbers given on the concept plan, the number of parking spaces provided well exceeds this requirement. Future planning land use applications will determine the required number of parking spaces for all uses.

The TMISAP encourages on-street parking throughout the Ten Mile Interchange Area where appropriate. Not only does on-street parking significantly add to the supply of needed parking

spaces, it provides an additional layer of physical and psychological separation between cars moving along the street and pedestrians, shoppers, diners and others on the sidewalks. Parking lots should not dominate the frontage of pedestrian-oriented streets or interrupt key pedestrian routes. Ideally, parking lots should be located behind or underneath buildings or within the interior of blocks. Less ideally, lots can be located beside the structures they serve. All parking lots visible from public thoroughfares should be screened by plantings or walls or a combination of the two. (page 3-26).

As mentioned in the access section above, the concept plan reflects a wide collector street designed for truck traffic with no on-street parking. The majority of parking is provided to the side of Buildings A-J, but there are two rows of parking between Buildings G, H and the collector street. There is also a parking lot directly adjacent to S. Black Cat Rd south of Building M1, and Buildings L2 and L3 are oriented around a central parking lot which is adjacent to S. Black Cat Rd and parking. This is not consistent with the Traditional Neighborhood Design principles of the TMISAP which would support buildings oriented around a plaza, open space or courtyard and buildings rather than landscaping or parking “holding the corners.”

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

The Pathways Master Plan (PMP) reflects a 10 ft. wide multiuse pathway aligned east-west at the southern perimeter of the site, adjacent to I-84. The concept plan indicates a 10' wide pathway along the southern perimeter of the site in the general location of the alignment shown on the PMP. It does appear the required 5 ft. wide landscape strip is provided along both sides of the pathway except near the southwest portion of the site.

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

The concept plan indicates detached sidewalks of an unspecified width paralleling the new collector street on both sides, along S. Black Cat Rd., along the western property line, and along landscaped islands running north-south between Buildings K1-M1 and Buildings A-J. Landscaping and / or parkways of an unspecified width are provided on both sides of the detached sidewalks. The sidewalks do provide connectivity throughout the development and to adjacent properties to the north and south. As mentioned in the access section above, the sidewalks are not consistent with Street Section C as it is reflected in the TMISAP. Instead of being components of a walkable street section, they run along a series of parking lots and drive aisles, consistent with what would be expected in a large industrial development.

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

UDC 11-3A-17 requires parkways of a minimum width of 8 feet. It does appear parkways are incorporated into both sides of all detached sidewalks, although the width of these parkways is not provided.

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

A 50 ft. buffer is required along I-84, a 20-foot wide landscape buffer is required adjacent to collector streets, and a 25-foot wide buffer required adjacent to arterial streets (S. Black Cat Rd). UDC 11-3B-8 has landscape requirements for parking lots including 5 ft. perimeter streets and islands of at least 50 sq. ft. per every 12 parking spaces. The concept plan as submitted does appear to show the minimum landscape requirements are met, although as mentioned in the access section, the proposed collector streets do not appear to meet the Street Section C requirements as mentioned in the access section above. Landscaping requirements would be analyzed with future development.

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

As the development is proposed to be an industrial development, it is not subject to the qualified open space requirements of UDC 11-3G. However, the concept plan does indicate small parks on either side of the collector at the entrance of the development near where it connects to S. Black Cat Rd. Staff does believe this is a nice amenity, although the TMISAP notes that care must be taken to ensure that the programming and use of the space is not disrupted by vehicular traffic (page 3-43).

O. Utilities

Connection to City water and sewer services is required in accord with UDC 11- 3A- 21. Water and sewer are available in S. Black Cat approximately 340 feet north of the property. The applicant will be required to extend the sewer main and provide a connection for the properties across S. Black Cat to the east and south. The applicant will be required to extend the water main, stub the water line at the west property line and loop the line to the north to W. Franklin Rd. Street lighting is required to be installed in accord with the City' s adopted standards, specifications and ordinances and the TMISAP. See Section VIII.B below for Public Works comments/ conditions.

P. Architecture (*UDC 11-3A-19* | *Architectural Standards Manual*):

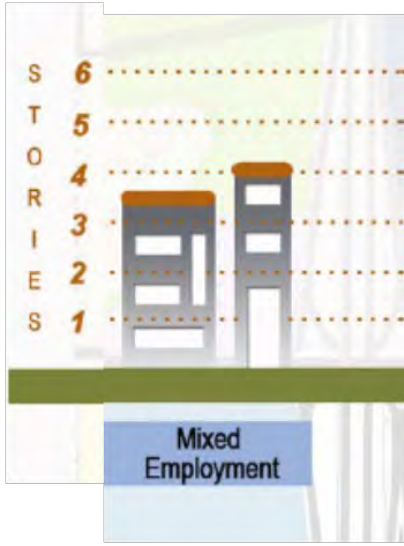
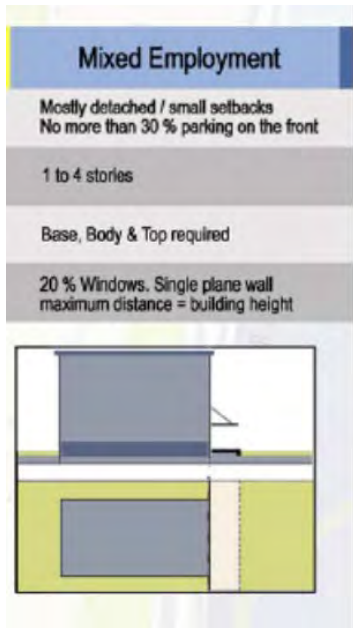
The Architectural Standards Manual (ASM) has specific requirements for industrial developments. Building design should address scale, mass, form, and use a variety of materials and architectural features to ensure an aesthetic contribution compatible with surrounding buildings. There should be modulation in surface plane at no less than 50 ft. intervals. Developments should consider the scale of surrounding buildings. There should be at least 2 pedestrian-scale architectural features, physical distinctions to anchor the building. There should be at least two different field materials, with at least one accent material.

The Design Section of the TMISAP is intended to serve as the basic framework on any given project within the Ten Mile Interchange Area and the basis for development of future design guidelines. Guidelines include the primary façades always including entries into buildings, being faced toward the streets, and entries being located so as to provide direct access from adjacent public spaces, primary streets and activity areas. In the low-density employment and mixed employment areas, low rise buildings of 2-4 stories with shallow setbacks are recommended over much of the area (page 3-38). At least 40% of the linear dimension of the street level frontages shall be in windows or doorways, and buildings should have three separate components – base, body and top. Page 1-3 of the TMISAP contains photographs and design graphics to illustrate the architectural character desired in the Low Density and Mixed Employment Areas.



Low Density Employment

Mixed Employment



The concept elevations provided by the applicant reflect large one-story industrial buildings (with higher ceilings and upper windows to appear as two-story) comprised of tilt-up concrete, CMU, moderate to large setbacks from the street, and frontages with less than the 20% required windows along the streets. Primary entrances are oriented inward toward the parking lots rather than toward the street. The applicant’s narrative states that due to security and visibility concerns, the light industrial use of the buildings does not support windows across the entire frontage. As an alternative, they propose enhanced glazing at corner entry elements as shown in the renderings.

Staff notes design can be addressed during the time of the Certificate of Zoning Compliance (CZC). However, due to the proposed use it is unlikely the applicant's proposal as submitted could meet all the design requirements of TMISAP for Low Density and Mixed Employment in this area (such as variation in building height, orientation of primary frontages and massing and ground floor transparency). This proposal is for a large industrial complex with a concept plan suggesting warehousing, storage and / or distribution which would be challenging to design as the TMISAP discusses. **The Planning Commission and City Council should discuss whether the I-L zone district, and the uses that would be allowed, is appropriate in this location.**

## V. DECISION

### A. Staff:

Staff recommends **DENIAL** of the requested annexation and zoning to I-L and R-15 based on the Findings in section IX.

### VI. EXHIBITS

#### A. Proposed Concept Plan (date: 10/14/2021) (NOT APPROVED)





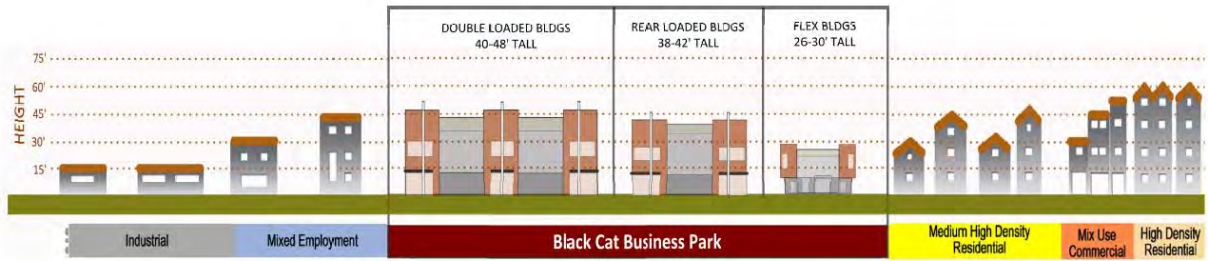
B. Axonometric Views (date: 10/14/2021)



C. Building Elevations (date: 10/14/2021)



D. Building Heights Graphic (date 10/14/201)



E. Annexation Legal Descriptions and Exhibit Maps

September 10, 2021  
Project No. 121102

**EXHIBIT A**

**BLACK CAT ROAD - CHESTER PARCEL  
ANNEXATION DESCRIPTION**

A parcel of land located in the East Half of Section 16, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Section Corner common to Sections 9, 10, 15 and 16 of said Township 3 North, Range 1 West, (from which point the North One Quarter Corner of said Section 16 bears North 89° 24' 22" West, 2641.42 feet distant);

Thence from said Section Corner, South 00° 43' 09" West, a distance of 1328.57 feet on the East line of said Section 16 to the North 1/16th Corner common to said Sections 15 and 16, said point being the POINT OF BEGINNING;

Thence South 00° 43' 09" West, a distance of 1328.69 feet on the East line of said Section 16 to the East One Quarter Corner of said Section 16;

Thence South 00° 43' 07" West, a distance of 1014.37 feet on the East line of said Section 16 to a point on the centerline of Interstate I-84;

Thence North 80° 32' 51" West, a distance of 2658.94 feet on the centerline of Interstate I-84 to a point on the north-south mid-section line of said Section 16;

Thence North 00° 29' 23" East, a distance of 606.72 feet on the north-south mid-section line of said Section 16 to the Center Quarter Corner of Section 16;

Thence North 00° 29' 04" East, a distance of 1327.72 feet on the north-south mid-section line of said Section 16 to the Center-North 1/16th Corner of said Section 16;

Thence South 89° 23' 16" East, a distance of 2635.98 feet on the east-west 1/16th line of the Northwest Quarter of said Section 16 to the POINT OF BEGINNING.

The above described parcel contains 129.21 acres more or less.

PREPARED BY:  
THE LAND GROUP, INC.

James R. Washburn





September 10, 2021  
Project No. 121102

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BLACK CAT ROAD - CHESTER PARCEL  
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Thence from said Section Corner, South 00° 43' 09" West, a distance of 1328.57 feet on the East line of said Section 16 to the North 1/16th Corner common to said Sections 15 and 16, said point being the POINT OF BEGINNING;

- Thence South 00° 43' 09" West, a distance of 1328.69 feet on the East line of said Section 16 to the East One Quarter Corner of said Section 16;
- Thence South 00° 43' 07" West, a distance of 1014.37 feet on the East line of said Section 16 to a point on the centerline of Interstate I-84;
- Thence North 80° 32' 51" West, a distance of 2658.94 feet on the centerline of Interstate I-84 to a point on the north-south mid-section line of said Section 16;
- Thence North 00° 29' 23" East, a distance of 606.72 feet on the north-south mid-section line of said Section 16 to the Center Quarter Corner of Section 16;
- Thence North 00° 29' 04" East, a distance of 1327.72 feet on the north-south mid-section line of said Section 16 to the Center-North 1/16th Corner of said Section 16;
- Thence South 89° 23' 16" East, a distance of 2635.98 feet on the east-west 1/16th line of the Northwest Quarter of said Section 16 to the POINT OF BEGINNING.

The above described parcel contains 129.21 acres more or less.

PREPARED BY:  
THE LAND GROUP, INC.

James R. Washburn





September 10, 2021  
Project No. 121102

**EXHIBIT A**

**BLACKCAT ROAD-MOORE PARCEL  
ANNEXATION DESCRIPTION**

A parcel of land located in the West Half of the Northwest One Quarter of Section 15, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Section Corner common to Sections 9, 10, 15 and 16 of said Township 3 North, Range 1 West, (from which point the West One Quarter Corner of said Section 15 bears South 00° 43' 09" West, 2657.26 feet distant);

Thence from said Section Corner, South 00° 43' 09" West, a distance of 1117.31 feet on the West line of said Section 15 to the Northwest Corner of that Parcel shown on Record of Survey Number 639 of Ada County Records, said point being the POINT OF BEGINNING;

Thence South 89°16'46" East, a distance of 176.25 feet on the north line of said Record of Survey Number 639;

Thence South 00° 43' 09" West, a distance of 263.50 feet on the east line of said Record of Survey Number 639;

Thence North 75° 41' 51" West, a distance of 181.32 feet on the south line of said Record of Survey Number 639 to a point on the west line of said Section 15;

Thence North 00° 43' 09" East, a distance of 220.92 feet on the west line of said Section 15 to the POINT OF BEGINNING.

The above described parcel contains 0.98 acres more or less.

PREPARED BY:  
THE LAND GROUP, INC.

James R. Washburn



## VII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

*No conditions of approval are included due to Staff's recommendation of denial.*

### B. PUBLIC WORKS

**Public Works acknowledges the recommendation for denial mentioned above, and is providing site specific and general conditions in the event that an approval is granted.**

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

1. Surface slopes shall not exceed 3:1
2. All drainage must be retained onsite
3. If the onsite 8" sewer lines are services, they should be decreased to 6", based off flows this should be sufficient.
4. Any 8" water or sewer main outside of right-of-way shall be covered by a City easement.
5. Sewer services shall not pass through infiltration trenches.
6. When the development connects to the east, the water pressure zone will change from 1 to 2 which will result in an approximately 22 psi pressure increase. Provide stubs or blind flanges to the property lines at the future road connections to both the east and west.

#### **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 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. Record of abandonment must be provided to the City prior to signature of the final plat.
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. ACHD**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242157&dbid=0&repo=MeridianCity>

#### **D. COMPASS**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240474&dbid=0&repo=MeridianCity&cr=1>

## VIII. FINDINGS

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:

### A. ANNEXATION AND REZONE

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

*Staff finds the proposed development is not consistent with the TMISAP designations of Low Density and Mixed Employment which are intended to provide a variety of flexible sites for professional offices, small, local or start-up businesses, as well as sites for large national or regional enterprises. Although the I-L zoning district does allow some of these uses, it also allows uses which provide a low number of primary employment and could also allow uses contrary to the Plan in this area including warehousing, distribution and outdoor storage.*

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

*Staff finds the proposed map amendment to I-L and the proposed industrial use generally complies with the purpose statement of the industrial area, but the type of industrial uses proposed for this area are not supported in this area by the TMISAP.*

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

*This application proposes to annex 129.21 acres of property designated as an employment center with the I-L zoning district to allow a “modern industrial business” center with a concept plan that resembles a warehousing and distribution uses. The potential for loss of significant employment generating uses, use and design contrary to the TMISAP, and the potential significant traffic impacts on the existing road network which have yet to be analyzed, could be materially 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 that the proposed zoning amendment will not result in any adverse impact upon the delivery of services by any political subdivision providing services to this site.*

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

*The application proposes to annex and zone an area to I-L whereas M-E zoning would be more consistent with the Plan. The applicant also proposes to annex a 0.98-acre lot with the R-15 zoning district to achieve the contiguity to be eligible for annexation. There is the potential for significant loss of high employment generating activity, monotonous architecture, and building mass and street design which is not consistent with the TMISAP. In addition, the traffic impacts of nearly 2 million square feet of new commercial on the local network have not been analyzed. The TMISAP states: “The City knows that this is one of the last remaining large, contiguous areas of highly visible, easily accessible, and developable land within the City of Meridian’s Area of Impact” and staff does not support development of this area that is contrary to the vision of the Plan. Staff finds this annexation is not in the best interest of the City.*



## AGENDA ITEM

**ITEM TOPIC:** 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.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** November 18, 2021

**Topic:** **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.
- 

**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



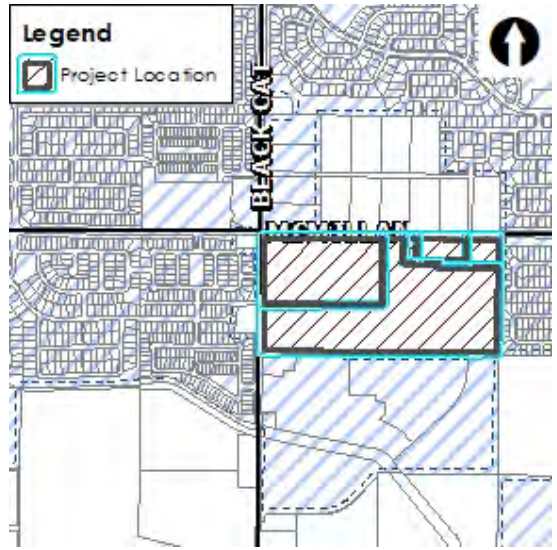
HEARING DATE: 11/18/2021

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<br><br>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<br>> 5 minutes<br>> 80%<br>2, resources are not adequate<br>Yes<br>Aerial device will be required<br>1,000 gpm required<br>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<br>P2 8:16<br>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<br>% of P2 CFS<br>% of P1 CFS<br>% of P0 CFS | 1.4%<br>72.2%<br>25.5%<br>.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

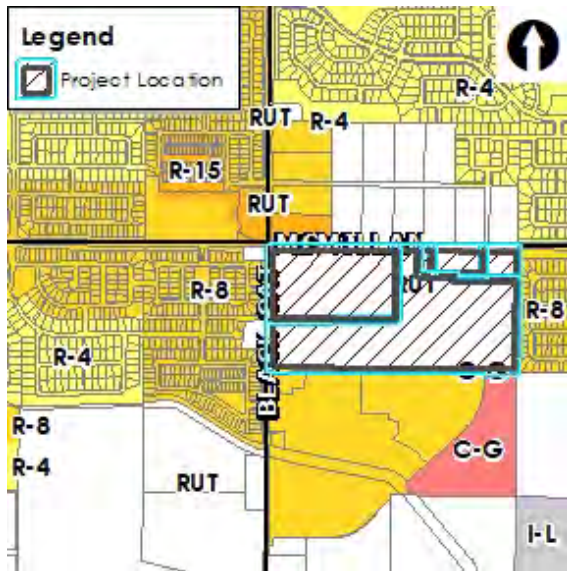
Future Land Use Map



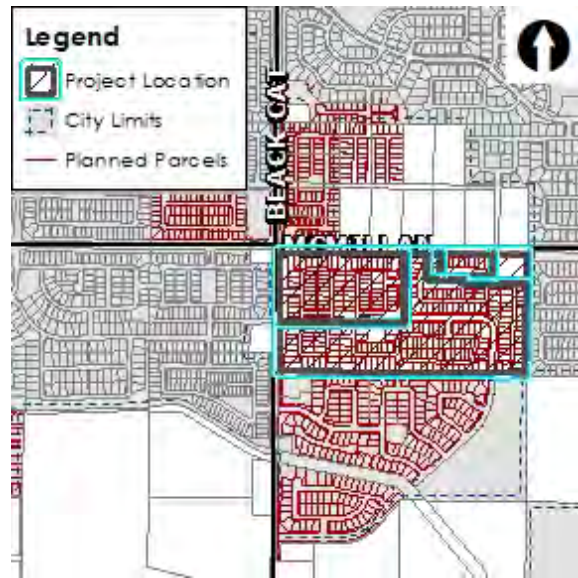
Aerial Map



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:

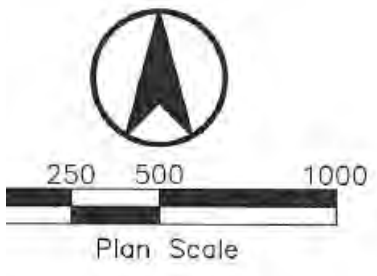
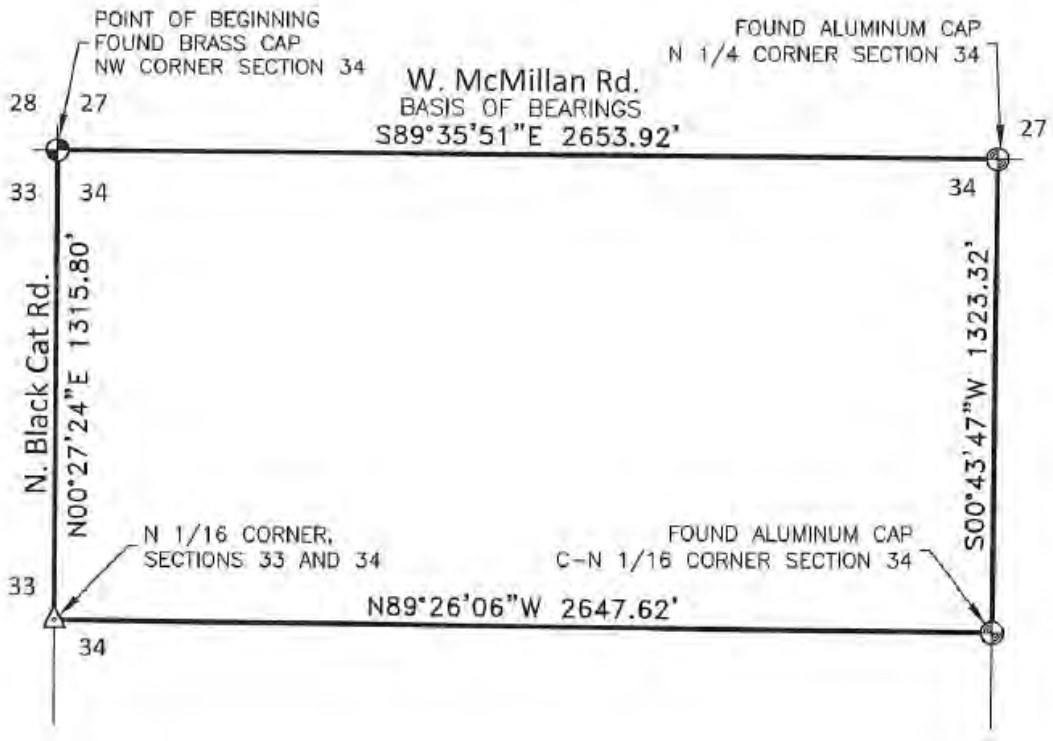
**BEGINNING** at a found brass cap marking the Northwest corner of said Section 34, thence following the northerly line of said Northwest 1/4, S89°35'51"E a distance of 2,653.92 feet to a found aluminum cap marking the North 1/4 corner of said Section 34;  
Thence leaving said northerly line and following 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.



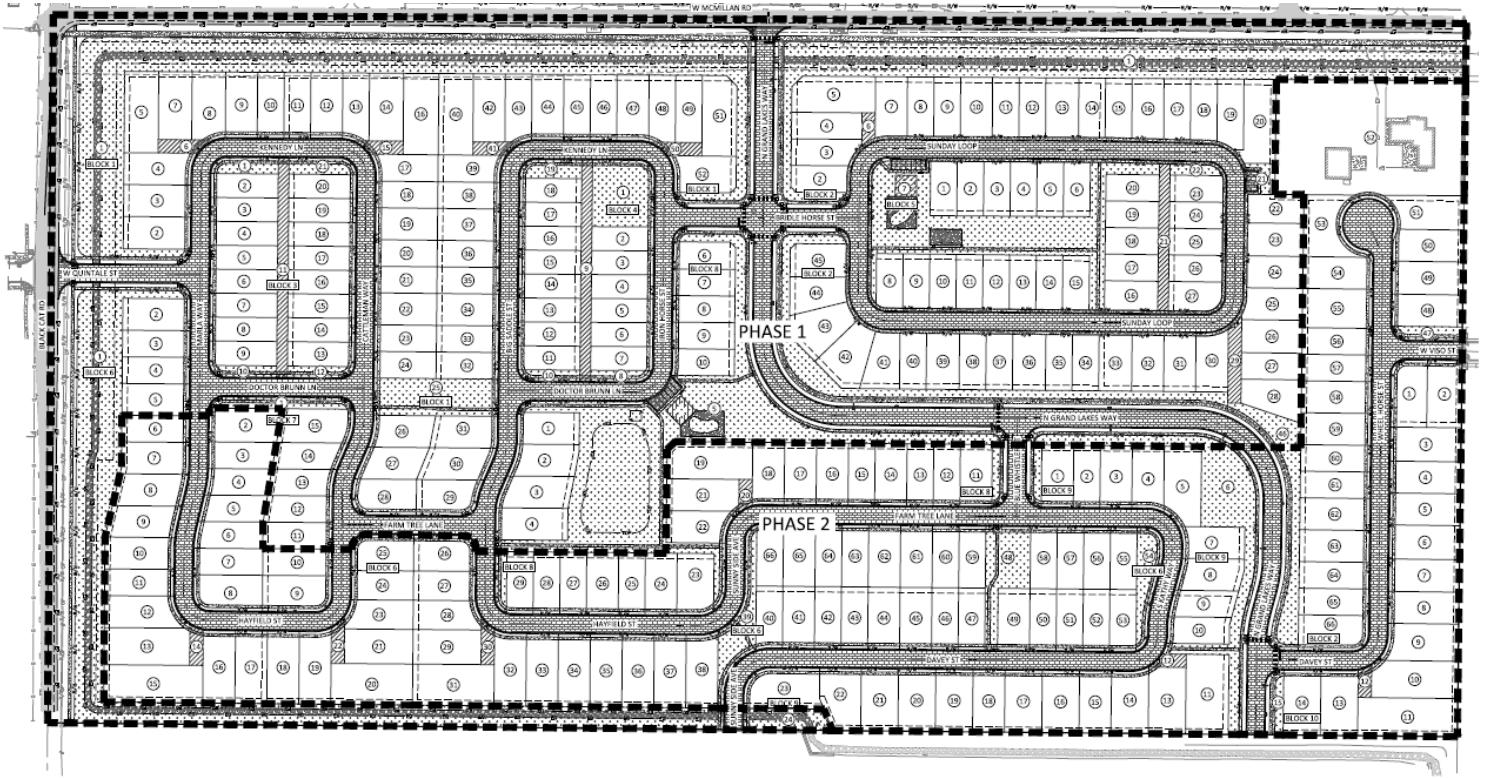




LEGEND

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

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



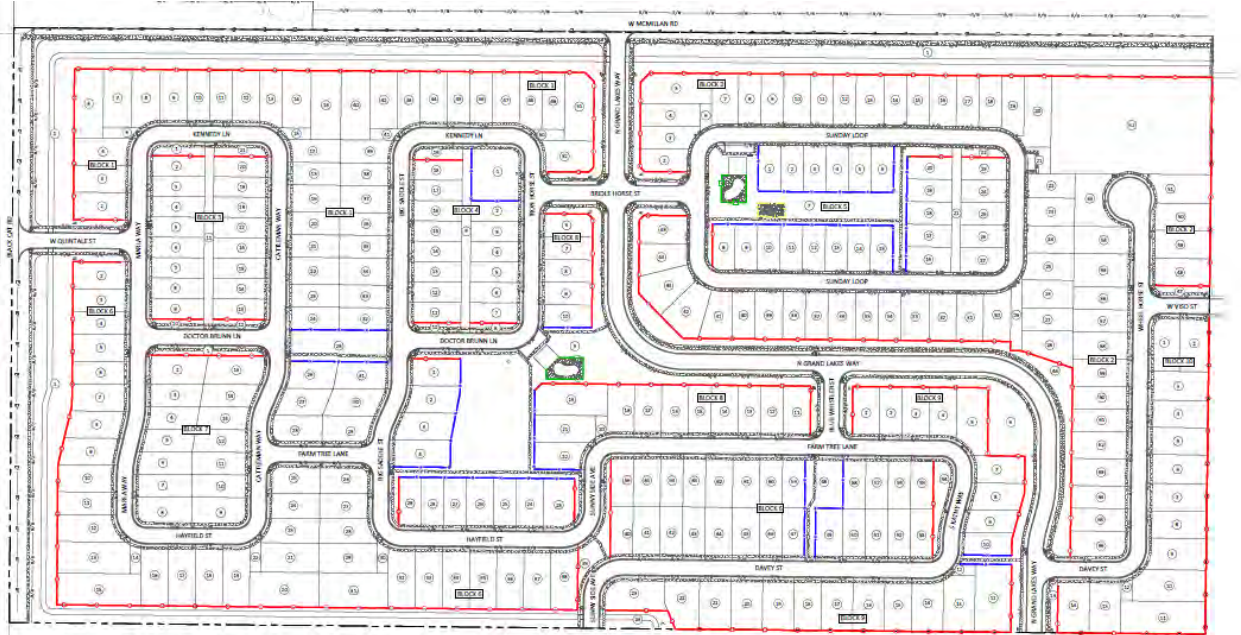
C. Color Landscape Plan with Recommended Pathway Connections (date: 9/9/2021)



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



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

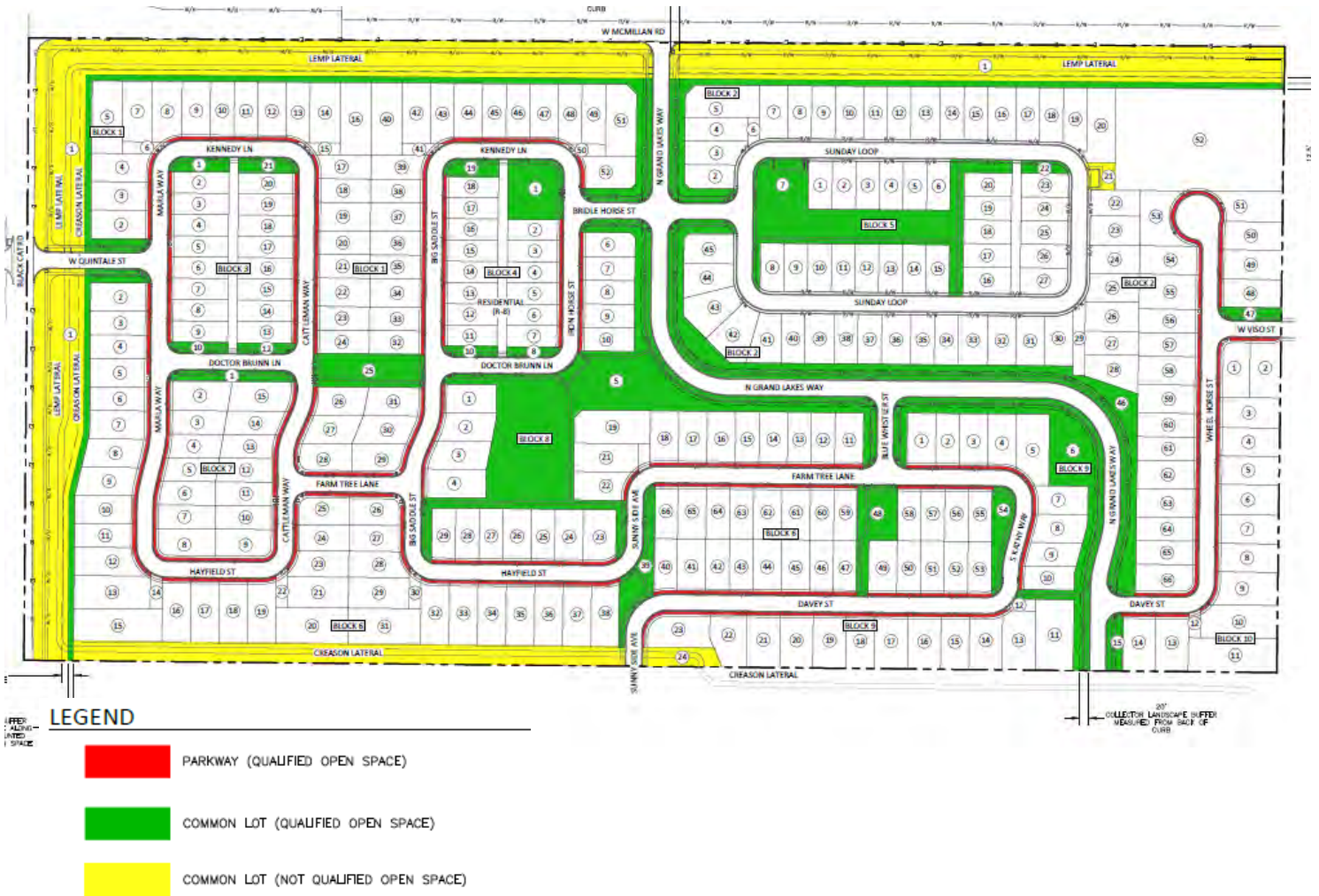


PRELIMINARY PLAT FENCE EXHIBIT  
 Plan Scale 1" = 100'

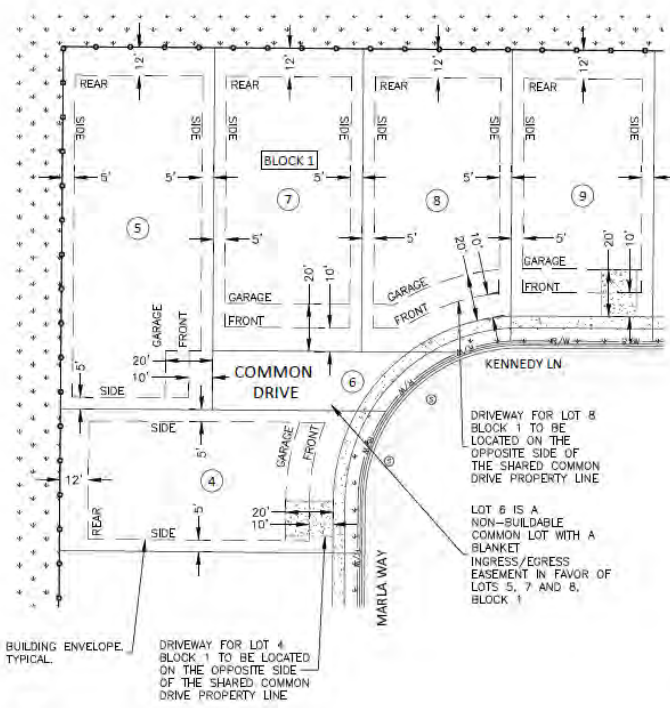
**FENCE SCHEDULE**

- 6' SOLID FENCE SEE PPL4.0-4
- 6'-8' POOL FENCE SEE PPL4.0-5
- 5' OPEN VISION FENCE SEE PPL4.0-6
- 4' HORSESHALL OPEN VISION FENCE SEE PPL4.0-7

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

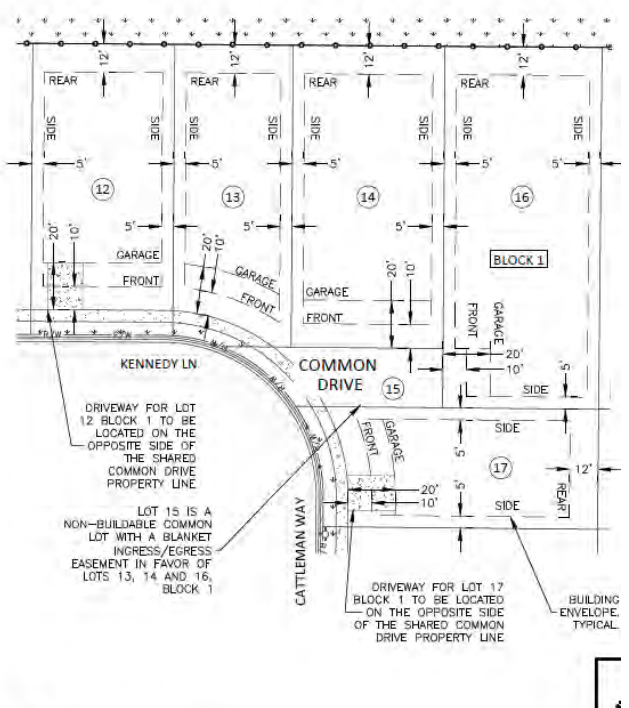


### G. Common Drive Exhibits



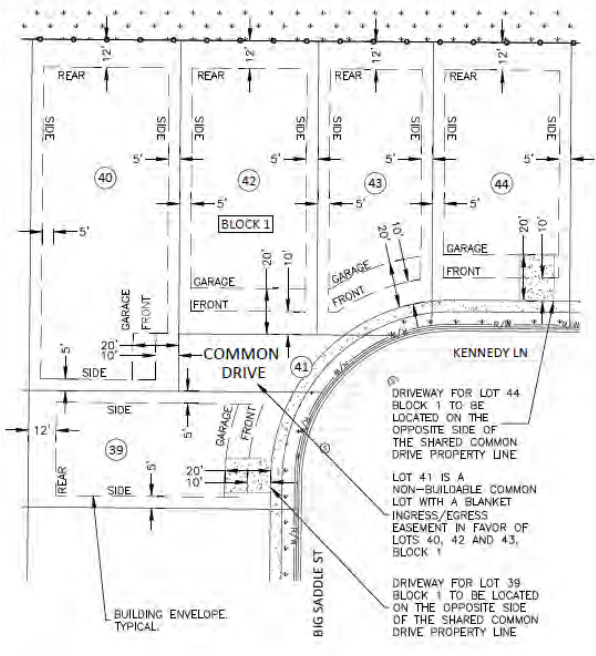
**LOTS 4-9, BLOCK 1**

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



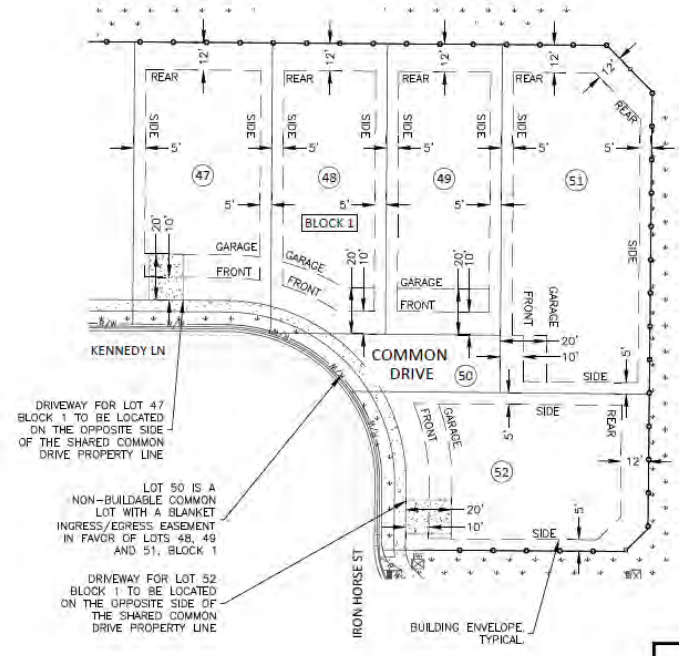
**LOTS 12-17, BLOCK 1**

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



**LOTS 39-44, BLOCK 1**

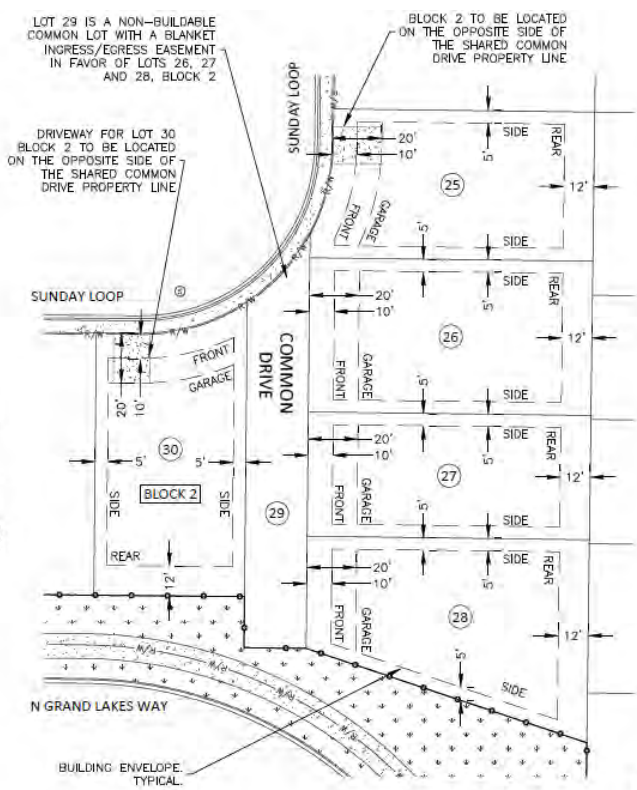
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Plan Scale: 1" = 40'



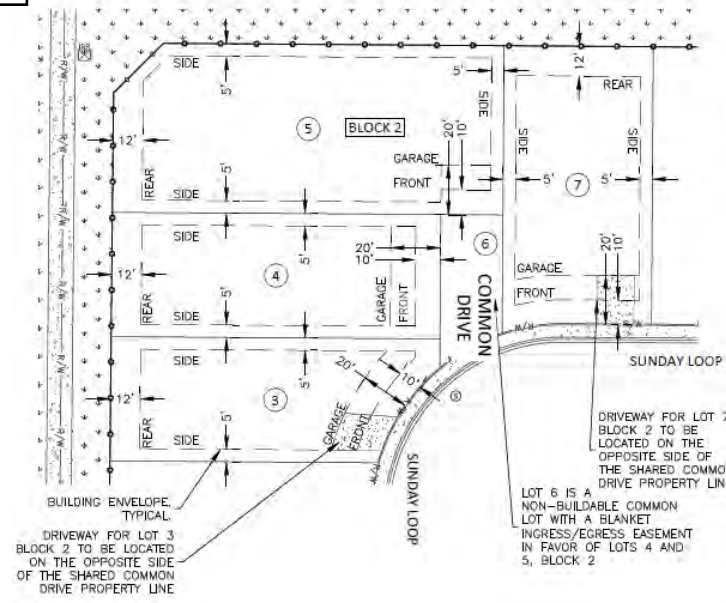
**LOTS 47-52, BLOCK 1**

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

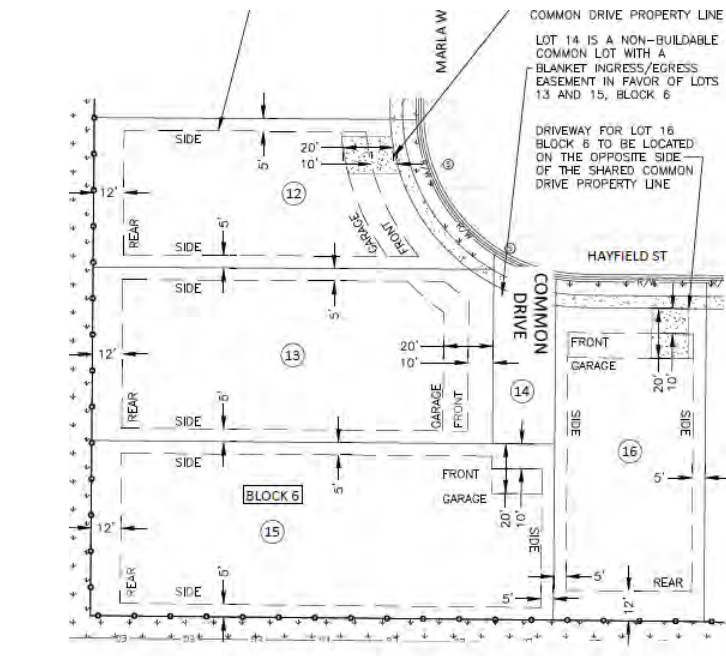
Item 5.



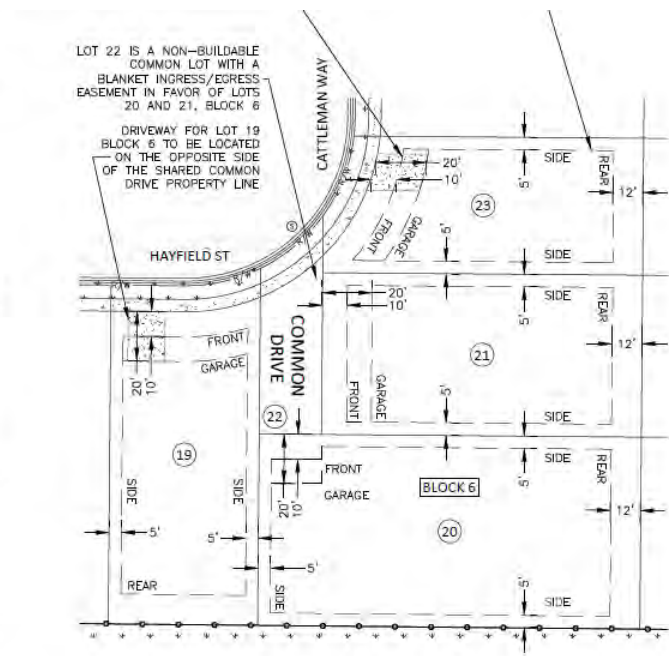
LOTS 25-30, BLOCK 2  
 0 40 80 120  
 Plan Scale: 1" = 40'



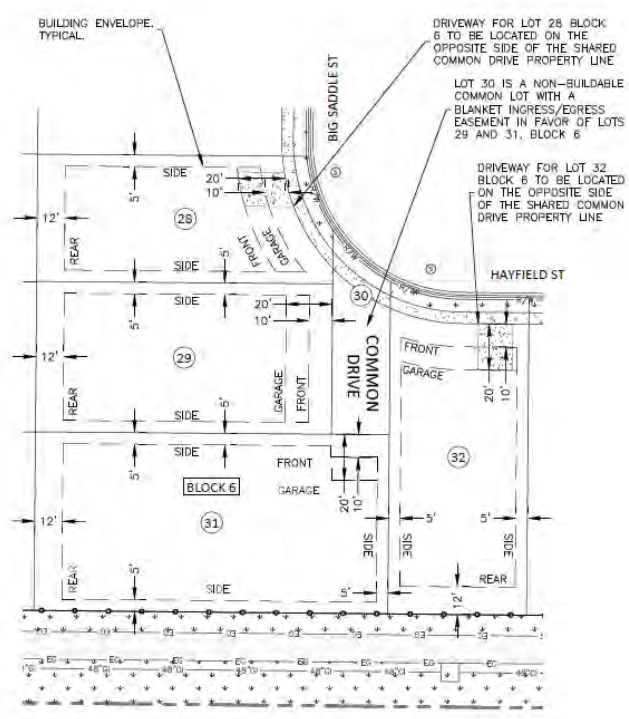
LOTS 3-7, BLOCK 2  
 0 40 80 120  
 Plan Scale: 1" = 40'



LOTS 12-16, BLOCK 6  
 0 40 80 120  
 Plan Scale: 1" = 40'



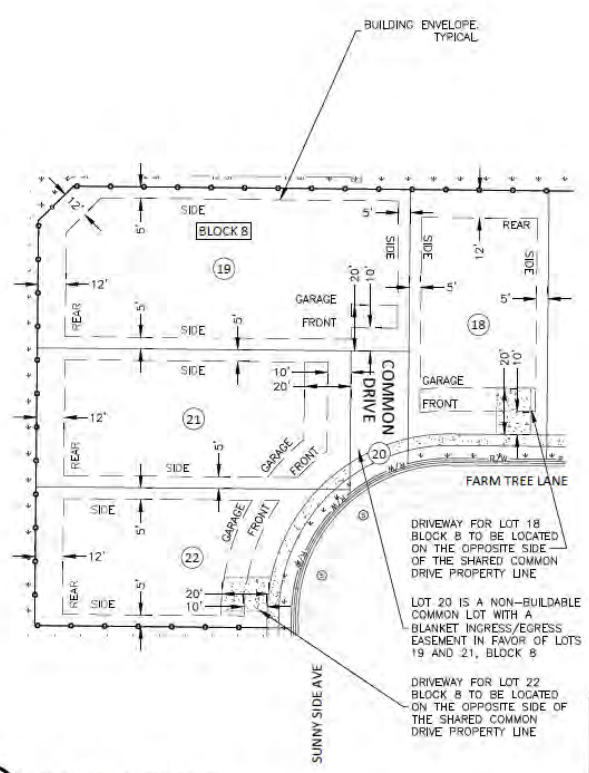
LOTS 19-23, BLOCK 6  
 0 40 80 120  
 Plan Scale: 1" = 40'



LOTS 28-32, BLOCK 6

0 40 80 120

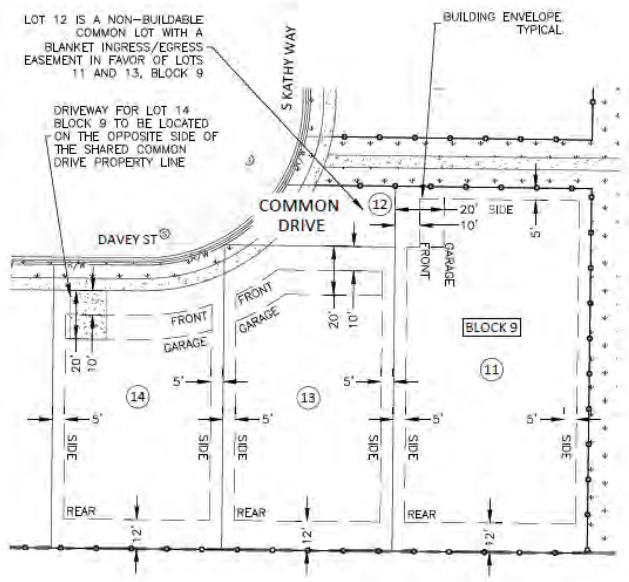
Plan Scale: 1" = 40'



LOTS 18-22, BLOCK 8

0 40 80 120

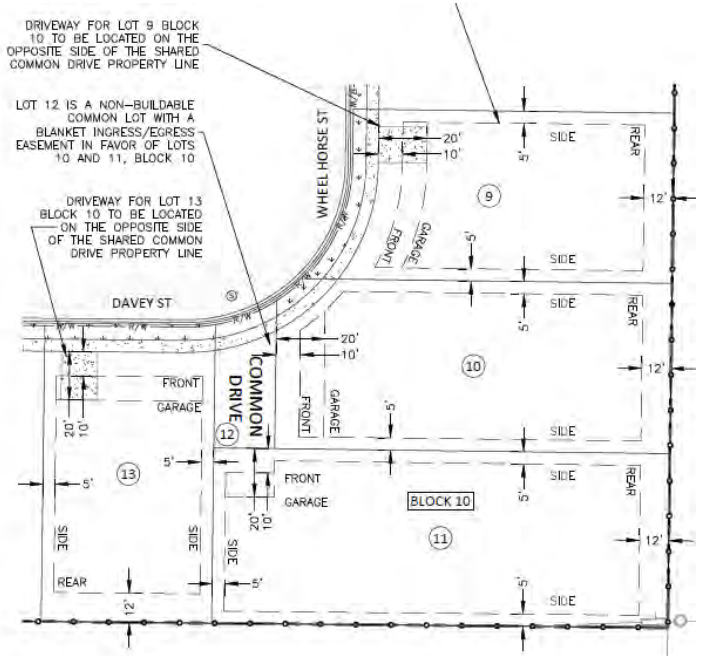
Plan Scale: 1" = 40'



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.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for UDC Text Amendment - Collector Street Setbacks in Residential Districts and Landscape Buffers Along Streets (ZOA-2021-0003) by Brighton Development, Inc.

A. Request: Request to Amend the text of the City's Unified Development Code (UDC) pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffer along Streets Standards in Chapter 3.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Bill Parsons

**Meeting Date:** November 18, 2021

**Topic:** **Public Hearing** for UDC Text Amendment - Collector Street Setbacks in Residential Districts and Landscape Buffers Along Streets (ZOA-2021-0003) by Brighton Development, Inc.

- A. Request: Request to Amend the text of the City's Unified Development Code (UDC) pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffer along Streets Standards in Chapter 3.

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**Information Resources:**

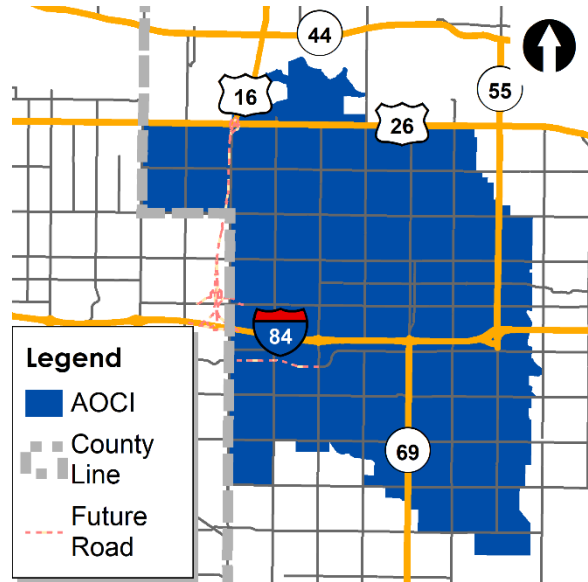
[Click Here for Application Materials](#)

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

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 11/18/2021  
TO: Planning & Zoning Commission  
FROM: Bill Parsons, Current Planning Supervisor  
208-884-5533  
SUBJECT: ZOA-2021-0003  
2021 UDC Text Amendment –  
Collector Street Setbacks in Residential  
Districts and Landscape Buffer along  
Streets  
LOCATION: City wide



**I. PROJECT DESCRIPTION**

Request to amend the text of the City’s Unified Development Code (UDC) pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffer along Streets Standards in Chapter 3.

**II. APPLICANT INFORMATION**

A. Applicant:  
Brighton Development Inc.  
2929 W. Navigator, Suite 400  
Meridian, ID 83642

III. NOTICING

|                                     | Planning & Zoning Posting Date | City Council Posting Date |
|-------------------------------------|--------------------------------|---------------------------|
| Notification published in newspaper | 11/2/2021                      |                           |
| Public Service Announcement         | 10/28/2021                     |                           |
| Nextdoor posting                    | 10/28/2021                     |                           |

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

A. Comprehensive Plan Text (<https://www.meridiancity.org/compplan>):

3.01.01B - Update the Comprehensive Plan and Unified Development Code as needed to accommodate the community's needs and growth trends.

*Over the last year, the City has seen an increase in the number of residential units that have collector street frontage. Typically, homes are designed with the rear yards oriented towards a 20-foot wide common lot. There has been an increase with the front doors of the homes oriented towards the collector street with on-street parking and alley access. City code conflicts with this traditional neighborhood design making it impractical to do given the parameters of the setback and landscape buffer requirements. Therefore, the applicant has consulted with City staff to propose the UDC text amendment to allow more of this type of development throughout the City.*

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

As noted by the applicant, strict adherence to the Unified Development Code (UDC) can result in unanticipated constraints, particularly when traditional neighborhood elements are integrated into a conventional development. Typically, direct vehicular access to residential lots on collector streets is discouraged and prohibited by code. However, ACHD does have livable street designs for residential collectors and residential collectors for traditional neighborhoods. The template depicts both front and rear lot vehicular access, pedestrian buffers and on-street parking.

**UDC Setback Standards**

The City's UDC Dimensional Standards Tables for residential zoning districts, R-2 through R-40, require collector street setbacks of 25 feet for lots with front-loaded garages. The R-4 and R-8 zoning districts also specify a 25-foot street setback for "living area and/or side loaded garage." This dimensional requirement is reduced to 20 feet "to living area" in R-15 and R-40 zones. By contrast, the TN-R (Traditional Neighborhood Residential) zoning district's front setback minimum is 8 feet for "alley-accessed" properties without a reference to street classification.

**UDC Landscape Buffers**

A 20-foot wide street landscape buffer is required along all collector streets which include a 5-foot wide detached sidewalk; measured from the back of curb in the R-2 through R-40 zoning districts. Further, UDC 11-3B-7C.2a requires residential buffers to be located within a common lot. With the inclusion of the common lot, ACHD no longer recognizes the lot as having the required street frontage and requires a minor local street to be constructed in lieu of a public alley. To achieve what is being proposed with the subject UDC text amendment, an applicant would need to seek alternative compliance approval to either reduce the buffer or place the landscape buffer in an easement rather than a common lot.

The purpose of the common lot is to establish the maintenance of the landscape buffer by a homeowner’s association. The applicant has indicated if the landscape buffer is depicted as an easement as proposed, planting materials will be installed by the homebuilder and will be maintained by the individual home owners as required in the recorded CC&R's.

**PROPOSED UDC AMENDMENTS**

**Collector Street Setback Reduction**

Modification of Dimensional Standards Table Note 1 in each of the Residential Zoning Districts R-2, R-4, R-8, R-15 and R-40 will allow reduced setbacks for alley or rear-loaded lots, if the required 20-foot collector landscape easement is provided and the dwelling's street setback is not less than 10 feet from back of sidewalk.

**Landscape Buffers Along Streets**

As noted above, UDC Section 11-3B-7C.2a requires "all residential subdivision street buffers" to be in a common lot maintained by a HOA. This is a problem for alley or rear-loaded lots regardless of zoning district or street classification. Thus, amendment of Section 11-3B-7C.2a, OR striking that section and mending Section 11-3B-7C.2b. **Staff recommends that both sections be amended as stated below so it is clear when a common lot is or isn’t required.**

For illustrative purposes the applicant has provided an exhibit the demonstrates how the proposed code changes would be implemented. As shown, the graphic depicts an 8-foot wide parkway, 5-foot wide detached sidewalk and a 10-foot building setback, measured from the back of sidewalk. The proposed text change establishes a minimum setback (23’) and specifies parameters in order for a project to take advantage of the reduced street setback.

In summary, staff believes the proposed changes removes ambiguity from the code, aligns with ACHD livable street design guides and eliminates the additional need to process alternative compliance to allow for an alternate design.

**VI. DECISION**

A. Staff:

Staff recommends approval of the proposed text amendment to the UDC based on the analysis provided in Section V, modifications presented in Exhibits below and the Findings of Fact and Conclusions of Law in Section VIII.

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

Enter Summary of City Council Decision.

VII. EXHIBITS

**CITY OF MERIDIAN UNIFIED DEVELOPMENT CODE AMENDMENT  
STREET SETBACK FOR RESIDENTIAL UNITS ABUTTING COLLECTOR STREETS**

**PROPOSED AMENDMENT: 11-2A-4. – Low-density residential district (R-2)**

Dimensional standards for development in the R-2 residential district shall be as follows:

TABLE 11-2A-4 – DIMENSIONAL STANDARDS FOR THE R-2 DISTRICT

| R-2 Standard   | Requirement |
|--|-------------|
| Minimum property size/dwelling unit (in square feet)             | 12,000      |
| Minimum street frontage (in feet)                                | 80          |
| Rear setback (in feet)   | 15          |
| Interior side setback (in feet)                                  | 7.5/story   |
| Street setback <sup>1</sup> (in feet):                           |             |
| Local  | 20          |
| Collector  | 25          |
| Street landscape buffer <sup>2</sup> (in feet):                  |             |
| Collector  | 20          |
| Arterial   | 25          |
| Entryway corridor  | 35          |
| Interstate   | 50          |
| Maximum building height (in feet)                                | 35          |
| Minimum living area (in square feet)                             | 1,500       |
| Minimum ground floor area for multi-story units (in square feet) | 800         |

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.



Dimensional standards for development in the R-4 residential district shall be as follows:

TABLE 11-2A-5 – DIMENSIONAL STANDARDS FOR THE R-4 DISTRICT

| R-4 Standard  | Requirement |
|---|-------------|
| Minimum property size/dwelling unit (in square feet)                            | 8,000       |
| Minimum street frontage (in feet)   | 60          |
| Rear setback (in feet)  | 15          |
| Interior side setback (in feet)   | 5           |
| Street setback <sup>1</sup> to front loaded garage (in feet):                   |             |
| Local   | 20          |
| Collector   | 25          |
| Street setback <sup>1</sup> to living area and/or side loaded garage (in feet): |             |
| Local   | 15          |
| Collector   | 25          |
| Street landscape buffer <sup>2</sup> (in feet):                                 |             |
| Collector   | 20          |
| Arterial  | 25          |
| Entryway corridor   | 35          |
| Interstate  | 50          |
| Maximum building height (in feet)   | 35          |
| Minimum living area (in square feet):   |             |
| Detached  | 1,400       |
| Attached  | 800         |
| Minimum ground floor area for multi-story units (in square feet)                | 800         |

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

**PROPOSED AMENDMENT: 11-2A-6. – Medium-density residential district (R-8)**

Dimensional standards for development in the R-8 Residential District shall be as follows:

TABLE 11-2A-6 – DIMENSIONAL STANDARDS FOR THE R-8 DISTRICT

| R-8 Standard  | Requirement |
|---|-------------|
| Minimum property size/dwelling unit (in square feet)                            | 4,000       |
| Minimum street frontage (in feet)   | 40          |
| With alley loaded garage, side entry garage, or private mew lots                | 32          |
| Street setback <sup>1</sup> to garage (in feet):                                |             |
| Local   | 20          |
| Collector   | 25          |
| Alley   | 5           |
| Street setback <sup>1</sup> to living area and/or side loaded garage (in feet): |             |
| Local   | 10          |
| Collector   | 25          |
| Alley   | 5           |
| Interior side setback (in feet)   | 5           |
| Rear setback (in feet)  | 12          |
| Street landscape buffer <sup>2</sup> (in feet):                                 |             |
| Collector   | 20          |
| Arterial  | 25          |
| Entryway corridor   | 35          |
| Interstate  | 50          |
| Maximum building height (in feet)   | 35          |

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

**PROPOSED AMENDMENT: 11-2A-7. – Medium high-density residential district (R-15)**

Dimensional standards for development in the R-15 Residential District shall be as follows:

TABLE 11-2A-7 – DIMENSIONAL STANDARDS FOR THE R-15 DISTRICT

| R-15 Standard   | Requirement |
|---|-------------|
| Minimum property size/dwelling unit (in square feet)  | 2,000       |
| Minimum street frontage (in feet)                     | 0           |
| Street setback <sup>1</sup> to garage (in feet):      |             |
| Local   | 20          |
| Collector   | 25          |
| Alley   | 5           |
| Street setback <sup>1</sup> to living area (in feet): |             |
| Local   | 10          |
| Collector   | 20          |
| Alley   | 5           |
| Interior side setback (in feet)                       | 3           |
| Rear setback (in feet)                                | 12          |
| Street landscape buffer <sup>2</sup> (in feet):       |             |
| Collector   | 20          |
| Arterial  | 25          |
| Entryway corridor                                     | 35          |
| Interstate  | 50          |
| Maximum building height (in feet)                     | 40          |

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

**PROPOSED AMENDMENT: 11-2A-8. – High-density residential district (R-40).**

Dimensional standards for development in the R-40 residential district shall be as follows:

TABLE 11-2A-8 – DIMENSIONAL STANDARDS FOR THE R-40 DISTRICT

| R-40 Standard   | Requirement |
|---|-------------|
| Minimum property size/dwelling unit (in square feet)  | 1,000       |
| Minimum street frontage (in feet)                     | 0           |
| Rear setback (in feet)                                | 12          |
| Interior side setback (in feet)                       | 3           |
| Street setback to garage (in feet):                   |             |
| Local   | 20          |
| Collector   | 25          |
| Alley   | 5           |
| Street setback <sup>1</sup> to living area (in feet): |             |
| Local   | 10          |
| Collector   | 20          |
| Alley   | 5           |
| Street landscape buffer <sup>2</sup> (in feet):       |             |
| Collector   | 20          |
| Arterial  | 25          |
| Entryway corridor                                     | 35          |
| Interstate  | 50          |
| Maximum building height (in feet)                     | 60          |

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

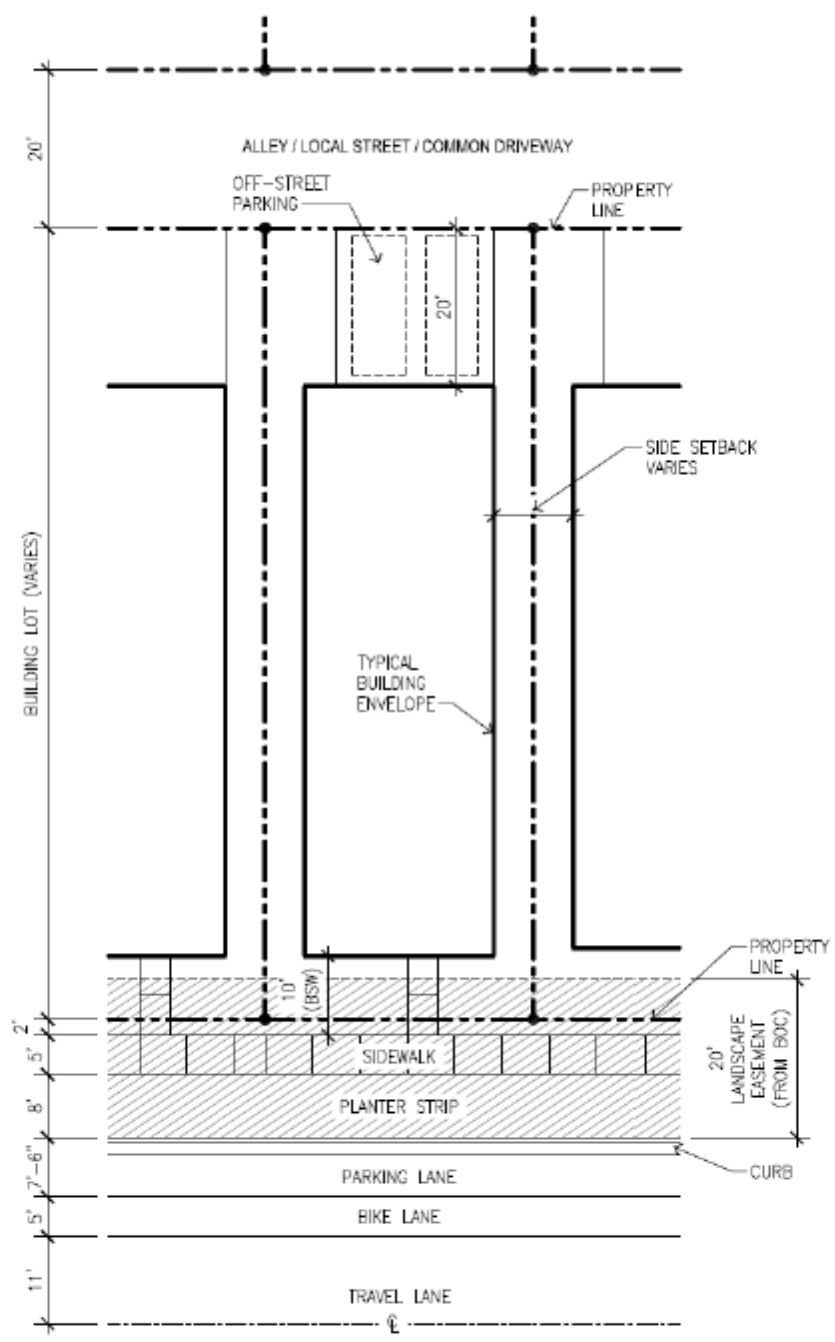
- Modify UDC Section 11-3B-7C.2a:

2a. "All residential subdivision street buffers **located at the rear lot line of abutting lots** shall be on a common lot, maintained by a homeowners' association."

**OR**

- Strike 2a entirely and modify Section 11-3B-7C.2b, as follows:

2b. "All ~~commercial, industrial, and other nonresidential~~ street **landscape** buffers shall be on a common lot or on a permanent dedicated buffer **easement**, maintained by the property owner or business owner's association."



TYPICAL SETBACK CONFIGURATION FOR ALLEY- OR REAR-LOADED LOTS FRONTING COLLECTOR STREETS WITH ON-STREET PARKING

## VIII. FINDINGS

### 1. UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS: (UDC 11-5B-3E)

**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 a text amendment to the Unified Development Code, the Council shall make the following findings:**

**A. The text amendment complies with the applicable provisions of the comprehensive plan;**

Staff finds that the proposed UDC text amendment complies with the applicable provisions of the Comprehensive Plan. Please see Comprehensive Plan Policies and Goals, Section IV, of the Staff Report for more information.

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

Staff finds that the proposed zoning ordinance amendment will not be detrimental to the public health, safety or welfare if the changes to the text of the UDC are approved as submitted. It is the intent of the text amendment to further the health, safety and welfare of the public.

**C. The text 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.**

Staff finds that the proposed zoning ordinance amendment does not propose any significant changes to how public utilities and services are provided to developments. All City departments, public agencies and service providers that currently review applications will continue to do so. Please refer to any written or oral testimony provided by any public service provider(s) when making this finding.