



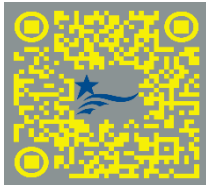
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, December 01, 2022 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/89153921862>

Or join by phone: 1-253-215-8782

Webinar ID: 891 5392 1862

ROLL-CALL ATTENDANCE

Nate Wheeler Mandi Stoddard Patrick Grace
 Vacant Maria Lorcher Steven Yearsley
 Andrew Seal, Chairperson

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the November 17, 2022 Planning & Zoning Commission Meeting](#)
2. [Findings of Facts and Conclusions of Law for the Conditional Use Permit for Knighthill Center Childcare Facility \(H-2022-0070\)](#)

3. [Finding of Facts and Conclusions of Law for the Conditional Use Permit for Centrepoint Apartments \(H-2022-0072\)](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

4. **Public Hearing** for Cobalt Point Apartments (H-2022-0042) by The Land Group, located on Parcel R7909850396, directly east of the intersection of S. Cobalt Point Way and E. Copper Point Dr. in the Silverstone Business Park

Applicant Requests to Withdraw

A. Request: Conditional Use Permit for a new 264 unit multi-family development on approximately 11.95 acres of land in the C-G zoning district.

5. **Public Hearing** for Wienerschnitzel Drive-Through (H-2022-0074) by John Day, SU Architecture, located at 3136 W. Quintale Dr., near the northwest corner of Ten Mile and McMillan Rds..

Applicant Requests Continuance

A. Request: Conditional Use Permit for a new approximate 1246 square foot quick serve restaurant with a drive-through located within 300 feet of an existing drive-through.

6. [Public Hearing for Sagarra \(H-2022-0027\) by Accomplice, located at south side of W. Orchard Park Dr., west of N. Fox Run Way and east of N. Linder Rd.](#)

Application Materials: <https://bit.ly/H-2022-0027>

[A. Request: Preliminary Plat consisting of 114 building lots and 16 common lots \(including 3 private street lots\) on 17.49 acres in the R-8 and C-C zoning districts, a Planned Unit Development for a residential community containing a mix of single-family detached, single-family attached, townhome and multi-family units with a reduction to the setback requirements in UDC Table 11-2A-6 and an Alternative Compliance to UDC 11-4-3-27B.3, which requires the provision of 80 square foot private usable open space area for each multi-family unit to allow zero \(0\) for studio/flat units and two private streets.](#)

7. [Public Hearing for West Valley Emergency Center \(H-2022-0065\) by Fulmer Lucas Engineering, LLC., located at the southwest corner of N. Levi Ln. and N. Rustic Way](#)

Application Materials: <https://bit.ly/H-2022-0065>

[A. Request: Development Agreement Modification to the existing development agreement for Prescott Ridge \(Hospital Portion\) \(Inst.#2021-132724\) to update the phasing plan and modify the provision requiring noise abatement to be provided along W. Chinden Blvd./State Highway 20-26 to allow for alternative compliance.](#)

[B. Request: Conditional Use Permit for a hospital in the C-G zoning district.](#)

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the November 17, 2022 Planning & Zoning Commission Meeting

Meridian Planning and Zoning Meeting

November 17, 2022.

Meeting of the Meridian Planning and Zoning Commission of November 17, 2022, was called to order at 6:03 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Patrick Grace, Commissioner Maria Lorcher, and Commissioner Mandi Stoddard.

Members Absent: Commissioner Steven Yearsley and Commissioner Nate Wheeler.

Others Present: Joy Hall, Kurt Starman, Bill Parsons, Sonya Alan, Joe Dodson, and Dean Willis.

ROLL-CALL ATTENDANCE

_____ Nate Wheeler	___X___ Maria Lorcher
__X__ Mandi Stoddard	_____ (Vacant)
_____ Steven Yearsley	___X___ Patrick Grace
_____ Andrew Seal - Chairman	

Seal: All right. Good evening, everybody. Welcome to the Planning and Zoning Commission meeting for November 17th, 2022, and at this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff -- we also have staff from the city attorney and clerk's offices, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please e-mail cityclerk@meridiacity.org and they will reply as quickly as possible. If you simply want to watch the meeting, we encourage you to watch the streaming on the city's YouTube channel. You can access that at meridiacity.org/live. We are getting a feedback. All right. And away we go again. With that let's begin with the roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: Okay. The first item on the agenda is the adoption of the agenda. There are no modifications, so can I get a motion to adopt the agenda as presented?

Lorcher: So moved.

Grace: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. Okay. No opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes from the 11-3-2022 Planning & Zoning Meeting

Seal: Next item on the agenda is the Consent Agenda and we have one item on the Consent Agenda, which is to approve the minutes of the November 3rd, 2022, Planning and Zoning Commission meeting. Can I get a motion to accept the Consent Agenda as presented?

Grace: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to --

Stoddard: Second.

Seal: -- moved and seconded to adopt the Consent Agenda. All in favor say aye. No opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: At this time I would like to explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The Clerk will call the names individually of those who have signed up on our website in advance to testify. They will, then, be unmuted in Zoom or you can come to the microphones in Chambers. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting, it will be displayed on the screen and you or the Clerk will run the present -- presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on this topic you may come forward in Chambers or if on Zoom press the raise hand button in the Zoom app or if you are listening on a phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please, be sure to mute the extra devices so we do not

experience feedback and we can hear you clearly. When you are finished the Commission -- if the Commission does not have questions for you, you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. And please remember we will not call on you a second time. After all testimony has been heard, the applicant will be given another ten minutes to come back and respond. When the applicant is finished responding to questions and concerns, we will close the public hearing and the Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed.

ACTION ITEMS

- 2. Public Hearing for Sessions Parkway (H-2022-0046) by KM Engineering, LLP. located at 2700 N. Eagle Rd.**
 - A. Request: Development Agreement Modification on the existing Development Agreement (Inst.#104129529) to remove the subject property from the agreement in order to enter into a new Development Agreement for the proposed project.
 - B. Request: Preliminary Plat consisting of 5 building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of an access via N. Eagle Rd./SH-55.

Seal: So, at this time I would like to open the public hearing for Item No. H-2022-0046, for Sessions Parkway and we will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The first application before you tonight is Sessions Parkway. It's a request for a development agreement modification. This application does not require Commission action. City Council is the decision-making body. And a preliminary plat. The preliminary plat is what's before you tonight. This site consists of 5.32 acres of land. It's zoned C-G and is located at 2700 North Eagle Road. This property was annexed back in 2003 with a development agreement, which was later amended in 2017. The Comprehensive Plan future land use map designation is mixed-use regional. The applicant is requesting approval of a preliminary plat, consisting of five commercial building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of a right-in, right-out driveway access via North Eagle Road and State Highway 55. Approval of the preliminary plan is contingent upon City Council's approval of the concurrent development agreement modification application. One driveway access is proposed at the northern boundary, which will serve as a backage road along Eagle Road and will connect to the property to the south. The jog in the roadway will result in traffic calming and reduced speeds, which is desired, especially if the access via Eagle Road is approved, which will intersect the backage road. Two driveways to the east are proposed for interconnectivity with the future residential development. ITD has issued a letter of acceptance of the revised traffic striping conceptual drawings. Final approval of the proposed access and associated improvements will be determined once all documentation have been provided and the

permit is signed. A 35 foot wide street buffer is proposed along North Eagle Road, State Highway 55, with a ten foot wide multi-use pathway in accord with the Pathways Master Plan. Decorative pedestrian lighting is also required along the pathway. A 25 foot wide buffer is required on the subject property along the eastern boundary adjacent to future residential uses with lot development. Written testimony has been received from the applicant's representative Givens Pursley. They are requesting removal of all four changes to the concept plan recommended by staff in Section 8 of the Staff Report, A-1-A. Staff is recommending approval of the proposed preliminary plat contingent upon compliance with the development agreement provisions and conditions of approval in the staff report. Staff will stand for any questions.

Seal: Thank you, Sonya. Would the applicant like to come forward? Good evening.

Hopkins: Thank you. Good evening, Mr. Chair, Members of the Commission. I have a presentation I think Sonya is going to bring up.

Seal: And we will need your name and address for the record and the floor is all yours.

Hopkins: Stephanie Hopkins with KM Engineering. 5725 North Discovery Way in Boise. I'm here super excited to represent our client and the developer for Sessions Parkway. We have been working on this project for a few years now on various components and we are really excited to be showing you the preliminary plat, as well as discussing the development agreement modification we will be requesting from City Council and an access -- right-in, right-out access to State Highway 55 or Eagle Road. So, just to get you situated -- and, actually, a little bit of history on this project. It was originally annexed into the city in 2003 as part of Red Feather Estates, which is located to the southeast as you can see on the map here. In 2015 additional property was annexed and zoned and a conditional use permit was also approved for multi-family use. That is the DA that's current on the property now and what we are requesting to modify with City Council. We also did a property boundary adjustment for this property in 2020 that created the current configuration that you see here. So, Sessions Parkway is about 5.3 acres and it's outlined in yellow. We are surrounded by existing development, most of which to the east is residential in nature. So, there is some multi-family to -- directly east and that was -- it's currently under development and under this -- the same development company that's working on this project. There is retail and professional service uses to the north. Regency at River Valley, which is a multi-family development to the south. The Village, which has a variety of commercial and non-retail uses. There is some professional offices and other types of uses in -- in the development there. And, then, there is a county land, as well as State Highway 55 or Eagle Road to our west. Kleiner Park is also a large regional draw. Pretty great civic use that has a variety of pathways and playgrounds and places for people to recreate. It's quite large, so -- this is the preliminary plat that we are asking for your approval on this evening, comprised of five lots, range in size from about 36,000 square feet to 63,000 square feet. Cross-access will be granted internally to each of the lots and we are planning on connecting to Copper -- Copper Canary, which is to the south. They recently came through with a development agreement modification sometime last year and we will comply with whatever they decide to do with their backage

road that goes through their property. So, as part of our preliminary plat we will provide 25 feet of landscaping to the adjacent residential use, The Village apartments to our east, and we will be integrating the site with vehicular and pedestrian connectivity as I will show later. So, as part of this application to City Council we will be requesting a right-in, right-out location -- or an access point to Eagle Road, which is shown on our south boundary through that private driveway. This is something we have been coordinating with ITD for the past couple of years. They have approved a conceptual striping plan and recently we were coordinating with them and they said that, you know, this is conceptually approved, we just need to submit the formal permitting once construction plans are finalized and we are kind of further along in the process. So, we have also -- our clients have been coordinating with the Copper Canary property a fair amount on this access point. I know the city's been talking with that property as well as us for a while on consolidating the access points that are currently used to our north and south. So, this is the existing concept plan that's in the development agreement that we will be asking to modify. It shows four different pad sites, which were associated with four lots. We have changed the concept plan to be more consistent with the lots that we are now requesting, which are five, as well as different vision for the property. So, along with our development agreement we are asking for two conceptual plans to be attached. We are -- both concept plans include a convenience store, which is at the northwest corner of the site and the first concept shows a drive-through, which will be at the southwest corner. The first concept shows three building pads of different sizes on three different lots and the second -- this is just a -- a rendering to kind of give you an idea of how it would be landscaped. Pedestrian connectivity would be provided on the north, south, and the ten foot multi-use pathway on the west side adjacent to Eagle Road. There would also be some plaza spaces that are on the south side, kind of along here. If you can see my cursor. And this would provide a -- a nice central area for folks within this entire region to hang out, especially if they are coming over from Kleiner Park to access maybe a convenience store or get to some of the other commercial uses that are in this area. This is our second concept plan, which includes the convenience store, as well as the drive through. This one shows a hotel concept, which would go across the three property lines and if this was the concept that was going to be pursued we would just do a property boundary adjustment to consolidate those lines to make sure it wouldn't be an issue for building code stuff and this also shows the plaza spaces on the south side, as well as pedestrian connectivity throughout. I will show you a couple of exhibits later that kind of highlight the pedestrian connectivity to make it a little bit clearer, too. And, then, a rendering -- so, you can see how nicely landscaped it will be. It will be really consistent with what's in the area as far as the ten foot multi-use pathway and we will provide a nice -- kind of a -- a last puzzle piece for this area, because it's really an in-fill spot that's been undeveloped for quite some time, so -- so, this is the city's future land use map that's associated with the Comprehensive Plan. The area in brown is mixed-use regional and that's the land use that's designated and kind of guides how the property develops in the future. East of Eagle Road between Ustick and Fairview -- so, it's kind of like an L-shape here is about 150 acres. So, our site is about five acres. It's a pretty small percentage of the overall land use for this area, most of which has already been developed with some civic uses or commercial uses, as well as some professional uses in the -- The Village apartment -- or The Village shopping center. And, then, there are grocery and kind of some

professional and retail uses to the north, as well as the multi-family that we kind of talked about earlier. This is a pedestrian connectivity exhibit to show you exactly how much pedestrian connections this development will be providing. So, The Village apartments are located on the east side here. Quite a few pedestrian connections throughout that development and we will be marrying the two projects together by bringing kind of the east-west connections through and, really, it will provide -- if you can -- I look at Kleiner Park -- if you go further west you can take a variety of paths up north and if you wanted to access maybe this drive-through restaurant there would be a few different options to get over there. So, we felt that this would really show kind of how this project will help to bridge that gap and -- and contribute to the overall kind of open space and pedestrian connectivity here. So, this is the proposed access to State Highway 55. As Sonya mentioned, you won't be making a recommendation on this tonight, but it is important I think to this project, because it's going to be an integral part of how the -- the site is accessed. It's also going to help alleviate a lot of issues, I guess, that would -- that already exist on Eagle Road. So, I think we are all familiar with Eagle Road. It's a road that's supposed to be a pretty high traffic volume and fast pace, but there are a lot of access points and so this project would consolidate four of those existing access points, the Copper Canary's property here, this access point was supposed to be temporary. So, with this -- the access point that we are proposing here as a right-in, right-out that would eliminate these four access points and really create a more consolidated place for cars to safely enter and exit. So, we are in agreement with the majority of the staff report and appreciate their analysis and all the coordination that they have helped us on through this project. But there are a few conditions that will be associated with the development agreement that we would like to request modification of. So, we -- our counsel submitted some -- a memo basically outlining these -- these conditions and how we would like to change them and I just want to go through it quickly, so that we can kind of cover that. The first one is the first condition under the development agreement conditions and it's to depict nonretail, commercial, office or civic uses for a minimum of 50 percent of the development area on Exhibit X1.0, which is the first concept plan that showed the three buildings on the east side, unless Commission or Council finds that this isn't applicable, because this property is part of a larger mixed-use regional designated area. This doesn't apply if their property develops with the hotel as proposed in Exhibit 2. So, in order to afford flexibility for our client, we really would like to modify this condition -- or remove this condition, because we do feel that given the size of the property, which is about five acres, in the overall scheme of the mixed-use regional land use it's a pretty small piece and we feel that the intent of the mixed-use regional zone has been fulfilled with all of the other uses that we have kind of talked about. So, the civic that's Kleiner Park, the commercial uses in The Village, as well as to the north and, then, you know, some of the professional service uses that are available to the north, as well as to the south, as well as the multi-family residential properties and, then, a variety of single family residential properties as well within this kind of mixed-use regional zone. And the second one was related to specific details for the integrated plaza slash open space area shall be provided with a first certificate of zoning compliance. The applicant can relocate open space plaza areas depicted on the plan with director approval once specific tenants are known. We request to keep the plaza areas as we have shown on the south part of the site and this is really so that we kind of know what to expect for folks and, additionally, we -- we would prefer

that these not be associated with the first certificate of zoning compliance. It's pretty limiting depending on who comes in first and if it's not contiguous with whichever property comes in first it would be hard to -- to make that happen. So, that's how we are proposing to modify that condition. And the third condition was on concept plan one, labeled as X1.0. Again, that's the first concept with the three buildings on the east side. Some or all of the buildings along the eastern boundary should be rotated and/or relocated in a shared plaza area or green space area added to a more central location within the development for better integration, including a central pathway connection to the open space and front pad sites. We request to keep this building alignment as shown for concept one with the plaza spaces and open spaces on the south. This will really afford more flexibility for future tenants and will allow them to configure the buildings in whatever way they would like to within the building pads, as long as they meet the setbacks and dimensional standards for the C-G zone and would provide a nice buffer for residential uses to the east from the future commercial that will be located there, as well as Eagle Road. We also feel that this building alignment will provide better visibility for commercial users from Eagle Road, which is important for the viability of their businesses and to make sure that they are contributing to the economy here, so -- and the fourth one is -- if the site develops with concept plan two, which is labeled as X2.0, the applicant shall construct a five foot sidewalk on the east boundary and provide a decorative crosswalk across the drive aisle of the multi-family portion of the development to enhance pedestrian connectivity. We request that that sidewalk remain as depicted on the concept plan, which I will bring up. We believe that the additional pathway along the east boundary will be redundant, because there are already several options between and through The Village apartments. We don't think that this pathway would benefit anyone that would be using the hotel or the commercial properties and think that it would just be an unused pathway essentially. So, prefer to keep the pathway directly adjacent to the hotel, so those folks can use it and easily access shopping and other services to the north and south. We do agree, though -- I -- I think staff had written that they wanted a connection right down here to The Village apartments and we agree to do that connection. We think that makes a lot of sense and we will follow code requirements as far as special pavement or differentiating it from the pavement. So, as I mentioned, we are really excited for this project and it's been a long time coming and I think, you know, having two concept plans attached to this development agreement will provide our client the flexibility that's needed to really make it a successful project. It fulfills a lot of the city's goals and I think it will be a wonderful addition to Meridian. So, excited for it and I will stand for questions if you have any. Our development team is here as well. Our client and counsel if you have questions for them they can come up and answer those.

Seal: Okay. Thank you very much.

Hopkins: Thank you.

Seal: Commissioners, do we have any questions for applicant or staff? None? All right. Thank you very much.

Hopkins: Thank you.

Seal: We will get back to you after the public testimony.

Hopkins: Okay.

Seal: Madam Clerk, do we have anybody signed up? Okay.

Hall: We have a Leo Bertz. No? So, don't see anybody else wanting to come up and testify at all? Do we have anybody online?

Starman: Mr. Chairman? Not to testify, but may I just add a piece of clarification --

Seal: Absolutely.

Starman: -- for the Commission in particular. So, this is one of these hybrid applications where we are -- and you saw from the presentation this evening, particular from the applicant, where a lot of discussion relative to the proposed modification to the development agreement and, then, we also have the topic as part of the application is the preliminary plat and so this is one of those odd types of applications in the -- in our Unified Development Code where it talks about the responsibilities of the Commission, vis-a-vis the department director, vis-a-vis the City Council. The Commission is tasked as a recommending body relative to the preliminary plat, but with respect to the proposed modification to the development agreement, the recommending body, so to speak, is the community development director, not the Commission. So, even though you heard a lot of testimony about the proposed modifications to the development agreement, that's really not directly within your purview. So, just I wanted to sort of clarify that piece. But I would also say it may be difficult to talk about one without the other and so I don't want you to feel artificially constrained and if you need to talk about the bigger picture to understand, you know, the preliminary plat better, I think that's all fair game. But I just wanted the Commission to be aware that, really, in terms of -- from the code perspective your recommendation is specific to the preliminary plat. That all make sense? Okay.

Seal: Thank you very much. Appreciate the clarification on that. Nobody else wants to come up and testify? I was going to say would the applicant like to add anything or close with anything? Okay. With them signifying no, can I get a -- a motion to close the public testimony?

Grace: Mr. Chairman, I would move to close the public testimony.

Lorcher: Second.

Seal: It's been moved to close public testimony for File No. H-2022-0046. All in favor say aye. No opposed. Motion carries. The public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Who would like to go first?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, based on City Council in regard to our goal tonight, the way the buildings are situated and the open space and all that, that's the develop -- that's the development agreement; correct? We are really talking about whether or not this is designed for mixed-use regional or -- or retail -- or retail or general commercial; correct? Based on where the buildings are.

Starman: Mr. Chairman and Commissioner Lorcher, like I said, it may be difficult to break those things apart, the preliminary plat, which is within your purview as a recommending body, vis-a-vis proposed change to the development agreement. But, really, the issue before you is a preliminary plat and maybe staff can -- our planning staff can put that back -- that slide up. Do you have a slide that just shows the preliminary plat? Yeah. So, really, this -- this is -- if you wanted to kind of zero in like what precisely is your recommendation, it's relative to the preliminary plat that's on your screen now in the Chambers here. Your recommendation is relative to the preliminary plat before you, but to the extent you need to talk about the bigger picture of the concept plans that you saw and how it might relate to this topic, I think that's fair game.

Lorcher: Okay. Well, with that being said, I mean to put in a mixed-use, I'm a little concerned about convenience store with the high traffic off of Eagle Road. I'm trying to think if there is anything else like that right there, but because of the right-in and right-out, I don't know how much use the convenience store would get because it would be challenging to get in and out of there. Is there a gas station proposed with it as well? So, a gas station as well. And, then, some kind of drive-through, which we have plenty along Eagle Road. I -- I guess, you know, without getting into the weeds, you know, the City Council may -- or the city planners made recommendations as far as how the buildings should be situated for the developmental -- development agreement, which should be followed. But if we are just talking about our recommendation of whether or not this should be a drive-through, a convenience store, and some stores, I guess I would like to hear from you who have had more experience with this and whether this would be in the best interest of the city.

Seal: Well, I will kind of go about it a little different way. I mean looking at the -- at the plat -- I mean, you know, you are looking at a bunch of squares, you know, or -- or odd shapes on a -- on a map, then, basically anything that can go there that would fix -- you know, fit mixed-use residential, so -- or mixed-use basically. So, with that I mean it is difficult not to get into the weeds a little bit on the DA plan, so -- on the DA modification and -- I mean the -- the one thing that I will say is the -- the hotel-motel, that seems to fit a lot better. For me if it fits a lot better mainly because with the residential all being lined up creates that wall effect, which is hideous. So, it's not -- to me that is just a -- it creates a dead space behind the -- the commercial use buildings with the apartments. It's hard to see back there. You know, that -- that in and of itself is -- is a concern for me with that. That also affects, you know, obviously, the layout of the preliminary plat, because if you

do turn the building sideways, then, you know, is this plat well adjusted for that? I don't know the answer to that. Not a -- I'm not that kind of engineer. So, I mean there are -- that's -- that's the biggest concern that I have with it as the preliminary plat and the DA modification kind of come together, so -- I mean the others -- you know, other than that I have no big issues with that. I know there has been a lot of work done with ITD in order to get, you know, the right-in, right-out in order to get the access points created as they are. The property to the south has been, you know, through here before. You know, we have had a lot of conversations about this piece of property. So, in all I'm happy to see it develop. You know, I mean to me this is an in-fill project for sure. That said, you know, I think either the -- the hotel or turn the building sideways has been recommended by staff, would be in your best interest for sure in order to make sure this fits correctly and is, you know, of good use for the community. As far as the -- some of the other things that have been in there -- I mean I -- I understand this is a small piece of a larger piece of mixed-use. That said, I -- I like properties to stand on their own. I -- I always use the example of we have developers that come in and say, well, I -- we don't have -- need to have as much common space, because, well, there is a school next door to us, you know, without making any kind of contribution to the school at all. You really can't rely on your neighbors in order to fill in what you are supposed to be doing. That's the way it has been. That's the way it should be. So, I'm not going to rely on my neighbor to augment my goals. So, I -- you know. And that's just a recommendation as you go to City Council. I'm sure they will -- I can't speak for any of them, but, you know, I watch their meetings every week, so fairly certain that that's going to come up. Does that help, Commissioner Lorcher? I mean it's, essentially, that's, you know, how I'm tying it all together is it is difficult to not tie in everything from the DA mod, but it is -- you know, it's not in our purview in order to recommend approval for that. So, City Council does listen to what we have to say sometimes, so that's the recommendations that I would give is either go with the hotel plan or turn the buildings and, then, you know, reconfigure some of that public space -- or open space that's out there in order to fit in with the recommendation that Sonya has made. We can't tell you how to design your property, we can just tell you what might work and what might not and, then, it's up to you to design it.

Grace: Mr. Chair, I don't -- I don't have a whole lot more to add. I -- other than I really would echo your recommendation that the -- I guess of the two options I really like the idea of the hotel as well, to the extent that that carries any weight with City Council that would be my recommendation. I like some of the things I see. I -- I like the -- the abandonment of some of the -- some of the access points into one. That's a -- I think that's a positive. I did have a question similar to maybe Commissioner Lorcher whereby, yeah, the folks going northbound I guess on Eagle, it's -- it's an easy access. The folks coming south -- southbound -- I guess they would have to go Ustick and, then, around like that other parallel road escapes me at the moment, but -- and, then, come in the other way. Or go in through The Village. So, yeah, the convenience store doesn't bother me per se, other than if it's -- if it's only accessible one way I guess that could be -- you -- you could ask, you know, the value of it, so -- so, not -- not a whole lot to add, but just -- just some comments, hopefully, for consideration for City Council or others.

Seal: Okay. Commissioner Lorcher, go ahead.

Stoddard: Mr. Chair?

Seal: Yes, go right ahead, Commissioner Stoddard.

Stoddard: Yeah. I just wanted to kind of echo the same exact stuff. You know, I'm -- I'm really happy to see the consolidated access points. I'm really glad to see it being developed. I think that's great. Same -- I -- I don't mind the convenience store at all and I definitely agree also that -- that I think a hotel in that space would be nice, especially with the subdivision, you know, behind it. I think it would just kind of be a nice transition there and so -- anyway, I just kind of have the same kind of thoughts and feelings.

Seal: Okay. Thank you. Appreciate that.

Stoddard: Uh-huh.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Sonya, with -- do we have to add anything into our approval as far as modifications are concerned or is it as is? Do we need to add anything in or --

Seal: I think -- and that question probably stems from the -- the modifications that Sonya has in the staff report really are not related to the preliminary plat.

Lorcher: Oh.

Seal: So, I think that the recommendations that we give are on the preliminary plat, albeit you can include a recommendation in a motion, so --

Lorcher: All right. Mr. Chair?

Seal: Go right ahead.

Lorcher: After considering all staff, applicant, and public testimony, I move to approve to City Council File No. H-2022-0046 as presented in the staff report for the hearing date of November 17th, 2022.

Grace: Second.

Seal: It's been moved and seconded to approve Item No. H-2022-0046 with no modifications. All in favor say aye. No opposed? Motion passes. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

3. Public Hearing for Centrepoint Apartments (H-2022-0072) by MGM Meridian, LLC., located at 3100 N. Centrepointe Way, near the southwest corner of N. Eagle and E. Ustick Rds.

- A. Request: Conditional Use Permit for 213 multi-family residential units on approximately 10 acres in the C-G zoning district.

Seal: All right. At this time I would like to open File No. H-2022-0072, Centrepoint Apartments, and we will begin with the staff report.

Dodson: Mr. Chair, just give me one second, so I can pull up the applicant's -- so we are ready for that when we get there.

Seal: Sorry. Time's up. We are continuing it.

Dodson: It's okay to be mean tonight. That's --

Seal: I was going to say, I don't get a lot of opportunity to be mean to you, so I got to take advantage of it.

Dodson: Sounds good.

Seal: Thanks, Joe.

Dodson: All right. Now we are back. Here we go. So, my first item tonight as noted is for Centrepoint Apartments. The application before the Commission tonight is for a conditional use permit for 213 multi-family units on approximately ten acres in the C-G zoning district. The application encompasses one of two parcels that surround the hard corner -- the southwest corner of Eagle and Ustick Roads. These parcels were part of a development agreement modification and CUP in 2019 that removed the subject parcels from existing DA to enter into a new DA to obtain approval for a new athletic club and spa, which code calls an indoor recreation facility, and that was known as Villasport. The CUP approval for that has expired and the property has been sold to the current owner. Earlier this year the applicant did receive a new DA modification. 2022-0035 was approved the end of July, approximately. To enter into a new agreement with a concept plan depicting multi-family residential on the ten acre piece and commercial space on the smaller one acre piece that's directly along Eagle Road that is not part of the CUP. You can see it vaguely here in the bottom right. The subject CUP is the next step in establishing the approved use and concept plan and the submitted site plan elevations are substantially consistent with the concept plan within the DA. Through the recent DA modification staff found that the proposed project and additional multi-family units to be generally consistent with the mixed use regional designation, because this subject area is -- consists of several retail, restaurant, office and residential uses available to the region and the addition of these units would not over-saturate this area with residential. The main points of discussion through that MDA process regarding traffic, parking, and the proposed building heights -- I just lost my place. I'm sorry. There we go. The applicant

did an abbreviated traffic study to obtain updated traffic generation counts. ACHD did not require a full traffic impact study, because the proposed project generates less than 40 percent of the anticipated vehicle trips from the previously approved Villasport site. So, that one anticipated about 3,200 trips. This one anticipates less, about 1,250 trips. This is a significant reduction of vehicle trips for the adjacent local streets and the private street to the southeast, as well as the intersection of Eagle and Ustick. In addition, parking for the units was heavily discussed by the City Council. City Council required that each area of the project to be self parked, so that residents would not have to cross any drive aisle or cross Centrepoint Way to get to their assigned parking space. So, it's kind of broken into three pieces. You have the west side -- west of Centrepoint Way, three here that had to be self parked. The central section had to be self parked. And, then, this area had to be self parked. Through -- sorry. This -- this parking issue coincided with the originally proposed building heights of four stories for the three largest buildings in the center. Through the public hearing process the applicant reduced the building height of those three buildings to three stories and proposed a new two-story building along the west boundary. Following the changes to the building height, which reduced the unit count, the applicant was able to self park each area of the site as directed by City Council. The submitted site planning continues compliance with the DA provisions from the Council. The submitted plan to show compliance with all dimensional and specific use standards, including, but not limited to, building height, setbacks, access and the required parking. Access for this development is proposed via a shared drive aisle connection to Ustick, which is this here. It's an unnamed -- it connects to Cajun Lane, so everybody just keeps calling it Cajun Lane, but technically it's unnamed, just to be specific there. It is also -- access is also via a public street connection to Centrepoint Way. So, Centrepoint Way is here. Both Centrepoint Way and the drive aisle are existing today. Specific to the proposed apartment buildings access is proposed via drive aisle connections to Centrepoint Way and the drive aisle on the east side. So, there is three connections to Centrepoint Way. Through here crossing each other. One here. On the east side you have the access here. And, then, these access points here. The shared drive aisle, like I noted, does connect to North Cajun Lane to the south, which is a private street. It connects from Ustick through Jackson Square to the south and, then, out to Eagle Road. This drive aisle was previously acquired with the previous Villasport approvals and the Wadsworth site that's on the hard corner for cross-access and interconnectivity to and from Ustick. In addition, the Bienville Square plat, which is the plat to the south, requires cross-access that depicts it on the plat over Cajon Lane and out to Eagle Road from this site, which furthers that there was anticipation that traffic -- some form of traffic would flow from this project to the south and out to Eagle Road. North Centrepoint Way is an existing local street that connects the Bienville Square Subdivision, which is known as Jackson Square, to this site and to Ustick Road via that public road. It is signaled at the intersection of Centrepoint and Ustick. Since publication of the staff report ACHD did issue their final staff report and is not requiring any additional road improvements for the proposed project due to the reduction in anticipated vehicle trips from this site. So, the two things that they required previously was, quote, unquote, Cajun Lane to be constructed, a right-hand deceleration lane to be constructed here, which has been constructed already. That was the requirements at the time. This applicant is proposing to widen Centrepoint Way here to help -- and stripe this area for a right-hand turn lane

and a center and through lane here. So, should -- that was discussed at Council, not required, but it was proposed by the applicant and it should help the -- any traffic movements in that area. According to the site plan, the applicant is proposing 449 spaces, with 205 of them to be covered by a carport or located within a garage. Twelve spaces are in attached garages for the buildings D and E and they are tucked under garages. Six on each building. Code would require 380 parking spaces, with 189 covered. Therefore, the applicant is proposing parking well in excess of code. In addition, as noted the DA requires that each section of the site is self-parked and the applicant has complied with that as well. The applicant is proposing to complete the arterial sidewalk along Ustick and proposes multiple micro paths throughout the site for added -- added pedestrian connectivity. Staff supports the proposed sidewalk and pathway network, except for the lack of connectivity at the very southern -- at the southeast corner of the -- where the southern micro path does not connect anywhere. So, this area right around here. There is no internal connection to this micro path from inside the site and it also does not connect to any sidewalk along the shared drive aisle, because there is just not enough room right here to add a sidewalk. So, there is minimal opportunity to access this desirable micro path within the site. Therefore, staff is recommending a loss of one parking space around this planter island. I don't really care which side, just somewhere in there, and, then, add another sidewalk connection to the north, so that it can cross this drive aisle -- cross this drive aisle and connect to the sidewalk there to have another access point from inside the site. The proposed landscaping complies with all UDC requirements. In addition, the applicant is depicting dense vegetation that exceeds code requirements within the south and west buffers, with some of the proposed trees -- trees to be evergreen variety for year-around screening. Specifically the buffer along the south and west boundary is 25 feet wide. Code would only require ten feet, so that the applicant is required -- proposing a much bigger buffer than would be required. In -- prior to the hearing there were two pieces of public testimony, both from neighbors. Mr. Steve Grant. He had questions about the continuation of a brick wall or a CMU wall along the west boundary and also noted traffic concerns with Centrepoint Way. Specifically asked about would it be striped for the right-hand turn lane, et cetera. And, then, Mr. Schofield, who lives to the west and abuts the shared property boundary on that side, had concerns over the two-story building looking into his backyard, as well as the wall along the boundary as well. The applicant is proposing to continue the wall along the west boundary as required with the development agreement. Staff did recommend approval as the project complies with UDC requirements, as well as the DA, with just some conditions of approval regarding some minor things. Other than that staff will stand for any questions.

Seal: Thank you very much. Would the applicant like to come forward? Good evening. Just need your name and address for the record and the floor is yours.

Koeckeritz: Good evening. My name is Elizabeth Koeckeritz. I am with Givens Pursley and I'm here on behalf of the applicant MGM Meridian, LLC. Mike Mafia with MGM will be presenting with me and other representatives of the applicant are here and available to answer questions, including our architect Trevor Schur, who is with BDE, and our civil engineer Brandon McDougald, who is with Kimley Horn are here with me today. And we also really want to thank Joe for all of his help here on this. He has really helped us figure

out and massage this over the months to try to get a plan that's really going to work well for everyone and we also want to say congrats on your last public hearing here. Okay. So, moving on. Okay. We are proposing -- just to give you a little bit more of a background, we are proposing to develop the Centrepoint mixed-use project. It's approximately -- the overall parcel is 11 acres and it's near the intersection of Ustick and Eagle Roads. It is an in-fill site. There has already been approved for a drive-through on the commercial portion. The corner is also developing with a commercial use and, then, south along Eagle is additionally a commercial use. We are only here tonight for the CUP for the multi-family portion of the development. As mentioned, the property is designated mixed-use regional on the FLUM, which calls for the mix of employment, retail and residential uses, with residential densities ranging between six to 40 units per acre. We are proposing just slightly under 20 units per acre. As the staff report notes, adding higher density residential on the site will support the surrounding commercial and employment uses, providing nearby customers and employees that want to be able to walk to work. The staff report also finds that this multi-use development will not over saturate the area with residential. The site is zoned C-G and we are not seeking any rezone. It has C-G zoning to the north, the east across Eagle Road. The little in-fill site partially to the south and, then, there is -- directly the residential to the south is R-8 and R-15. There are two R-2 residences located along the western boundary of the property. With that I will let Mike take over here.

Seal: Good evening. Just start with your name and address -- or sorry. Yeah. Name and address and the floor is yours.

Mafia: Good evening, Commissioners. Mike Mafia and owner of these two parcels on Meridian and Ustick and I am the owner -- sole owner of this property. I'm a private developer. I do select projects. I'm passionate about development and -- and taking a responsibility very seriously. I target projects that are in-fill and have immediate proximity to amenities such as this site. I went back through my notes. My first meeting with Bill and Joe was 14 months ago and came and worked with several local developers and consultants with a blank slate trying to figure out what is the best approach for this site. It's -- it's the second busiest intersection in Idaho, so it's -- it's very dense, it's very busy. The site did have some inherent limitations. You can see the -- kind of odd shape to it, but it also has this Milk Lateral that divides the site with a 30 foot setback and, then, it has the two drive aisles, Centrepoint and the unnamed Cajun Lane, which bifurcates the site and it creates -- created some challenges. Working with staff and various consultants we looked at various uses commercial, multi-family and decided that this was the -- the best use. Even though we are not here for the CUP, there is a retail portion on Eagle, with a strong connection to the multi-family site. As Joe mentioned, we started with our MDA application in front of Council. Just quickly, this was the original site plan. It was 259 units. It was a four story building, elevator served, and we were using the parking field to the west for kind of that central portion of the development to qualify the parking and, again, as Joe mentioned, the feedback from Council was to go back to the drawing board and self park each quadrant between those drive aisles. This is where we came back -- there were also some concerns about the -- the height of the buildings from neighbors and we ultimately reduced this to a three story core -- three buildings in the middle and,

then, the western building is a two-story building and, then, to the east are those, Buildings F, and are also three stories with tuck under garages. But this shows the evolution of the site plan and, then, for our CIP hearing or application we -- and to give you -- to back step a little bit, through this process we had two pre-application meetings, both for the MDA for the CUP, two neighborhood meetings and several meetings with staff. So, the site plans I'm going through was actually 12 months of work of -- of -- of modeling and -- and working with Joe and the -- the change in this -- this CUP application was we increased our open space between the three larger buildings and increased the -- the turf area that was mentioned in the staff report. I will speak to it later, but we did add voluntarily more screening than required, particularly to the west, with a mix of deciduous and evergreen trees. I have met with the neighbors, I understand their concerns for screening and believe we will be able to mitigate it. That two-story building to the west, you know the first floor is ten feet at the finished floor and, you know, we are confident we can get evergreens to -- you know, to that elevation fairly quickly. Here is an updated rendering. You know, as I spoke earlier, I have toured this market -- I have been working in Boise for a long time with developers going back 20 years and, you know, I really try to focus on which projects are successful, borrow from those successes and, then, avoid the failures and this vernacular is -- I would say a somewhat contemporary approach on -- on a -- on a Craftsman style home. I think we will complement the area and blend with it and make that transition from a very, you know -- you know, high traffic commercial area to -- to the residential transition, especially with the three story and kind of the breaks in the elevations. On our vertical elements we have board and batten and, then, on the horizontal we have a ship lap and, then, the -- you know, the decks are -- are enclosed with one side open. There was a comment in the staff report to incorporate to meet the design standard and we will include brick or masonry to -- to reflect that comment. We have interior walk-ups and -- and you can't see it in this plan, but I do focus a lot on our landscape plan and creating spaces that are approachable, promote gathering. Too many projects, in my opinion, are overdone with, you know, dry rock beds and pavement and we are really trying to promote a landscape that emulates the natural environment, the high desert. People come to this area for -- for that connection to the outdoor spaces and we -- we intend to borrow from it and something I -- I pay a lot of attention to. These are just some select elevations. I think -- I think that's all I have for now. Turn it back over to Elizabeth.

Koeckeritz: All right. Thank you. I just want to point -- we are just going to focus a little bit on some of the cross-sections, because we do know some of the neighbors continue to be concerned about having any sort of residential development here. They were also -- I don't know how many of you were here for the Villasport. They were also very concerned about that and we actually believe this is a much better fit for the neighborhood than the Villasport. As you can see on this cross-section, this is a three story building and it is -- the Villasport was only ten feet from the property boundary, which made it 65 feet from the nearest home. Here we are a hundred feet from the property boundary and we are 155 feet from the nearest home behind us. Villasport had also received a variance to be able to have speakers within 25 feet of the property line. That has been eliminated and, instead, there will be trees and a pathway through that area. Here is a cross-section. The two homes to the direct west are understandably somewhat concerned about this

development coming to their neighborhood. In this case the -- we are 25 feet from the property boundary. Then the house is an additional 95 feet away, which creates 115 feet total. There are going to be -- on the upper floor of this building there will be six balconies. The balconies are the private open space required by code and so we anticipate that being, as Mike mentioned, about 16 feet if you were standing on the second floor and you were a tall person looking out and so we do -- we are trying to do a heavy mix of deciduous and evergreens to really help screen that property. In addition, the neighbors had asked for the masonry wall and we have agreed to do that along this boundary as well to really help continue to alleviate any noise and sound concerns there. We do meet all of the CUP criteria. I will go through really briefly. We accommodate the use. We meet all the city code. As Joe mentioned, it is harmonious with the Comprehensive Plan. We are compatible. We are not adversely affecting other property. We are right in the middle of the city. There is -- all the public utilities are there. This is not excessive traffic. It's reduced traffic. Noise, smoke, fumes, glare, odors, none of those sort of things. And there is no historic features on this site. Also for multi-family, as I will discuss here briefly, there is ample open space, lots of amenities. It's quality buildings and designs and really try to integrate into the surrounding community. Just touching briefly on the comp plan, I have two slides on this. I could have had many many more. It hits at least 14 goals of the Comprehensive Plan, including its in-fill development and a growth area. It's in the center of the city. It's a place where residents can live, shop, dine and play all in close proximity. There are diverse housing options. It's a mix from studios to three bedrooms. There is great pedestrian access and public services are available. We don't have to go through all of them. Traffic is always a concern. As mentioned there are 1,600 fewer daily trips than the Villasport. That doesn't mean there is no cars, but there is definitely less and that results in 80 fewer weekday morning trips and 166 fewer weekday p.m. trips. One of the things that the neighbors to the south have raised is the concern about the cars cutting through their development and getting out to the road -- out to Eagle Road where their development has a right-in, right-out access on Bourbon Street and what they found -- what the traffic engineers found is that cars will be going around the edges of that development, but not through it on the private interior streets and they estimate that there will be 30 outbound trips in the a.m. peak hour added to that intersection where cars are trying to make the right-hand turn to get onto Eagle to get to the Interstate. Because of the right-in, right-out there is hardly any inbound and, then, at night there will be 15 outbound trips in the p.m. hour. As far as open space, the code requires approximately 2.23 acres. We are providing 2.53 acres and possibly more, depending on how you want to interpret different portions of the code. In any event it's over -- there is excess open space here that does not include the arterial street buffer. As we have talked about there is enhanced landscaping on the west. The masonry wall on the west. There is the pathway along the southern boundary and, then, there is also micro paths throughout. I will show on our last slide we have already incorporated the micro path that Joe just asked for. That's already been added, because the connectivity and the ability to get in and around this is really important. The amenities include a clubhouse with a business lounge, multiple plaza areas, swimming pool, fitness facility, outdoor kitchen, a dog run, the micro path system through this area and a bicycle repair room. I knew I was running out of time. And here is the revised site plan where we did eliminate the parking space. We have widened that road. One of the neighbors were concerned about Centrepont. ACHD

is recommending that it be widened. We are absolutely agreeing to widen it. And, then, we have also straightened the sidewalk along Ustick. And with that we will stand for any questions.

Seal: Thank you very much. Commissioners? Go right ahead.

Grace: Mr. Chairman. Just one quick question. Ms. Koeckeritz, does that Cajun Lane -- does that -- is that an out -- an outlet to Ustick?

Koeckeritz: It is. It's a right-in, right-out onto Ustick.

Grace: Okay. So, Centrepont is, obviously, a light and a pretty big intersection.

Koeckeritz: Yes.

Grace: So, there won't be a light there, it will just be a right-in, right-out?

Koeckeritz: Yes.

Grace: And can you -- can you attempt to get into that left lane to go north on Eagle Road from there? Because that's a little further closer to the intersection; right?

Koeckeritz: Because of how close it is to the intersection I think that would be pretty difficult, depending on the time of day, of course, but it would be -- I would think fairly difficult to go across those lanes of traffic to get onto Ustick to go north.

Grace: Yeah. Okay. And, then, just a separate question, but a -- but another one. The -- there is just two lots to the west of that two-story.

Koeckeritz: Yes.

Grace: There is just two homeowner lots there.

Koeckeritz: Yes.

Grace: Okay. Thank you.

Seal: Commissioner Lorcher, anything? Commissioner Stoddard, do you have anything?

Stoddard: No. I'm good.

Seal: Okay. Do we have anybody signed up to testify?

Hall: We have. Jared Schofield.

Seal: Thank you. Good evening, sir. Name and address for the record, please.

Schofield: Jared Schofield. 1566 North Leslie Way. I have one of the properties immediately -- immediately on the west side of this property. First I would like to say I -- I have had the chance to meet Mike and he is -- he is a good guy. I don't mind him at all. It's just my biggest concern with this -- well, I have several concerns. My biggest one is the safety and security of my family. When this was originally -- when I purchased my property 12 years ago this was -- we were told it was going to be non-retail commercial. So, anticipating, you know, whatever it be -- doctor's offices, dance studio, whatever it may be. Something that's going to have set hours. It's going to be -- not going to be a large structure. It's two-story. It's not going to have people there all night. You know, very limited. The block wall that's actually there already was also going to stay -- was going to be built and along the same alignment that it currently exists, which was also shown in Villasport's plan and every other plan that has been submitted before that. So, we would still like to see that wall on that same alignment and we would like to see -- or not have people looking into our backyard. I have small children and any of you as parents probably have similar concerns of -- with small kids of people staring directly into your backyard as they are playing and spending their time out there with their friends and I, as a parent, am deathly terrified. I have three girls. I'm -- in this day and age security and safety of my family is my first and utmost priority. But I do appreciate Mike wanting to add additional full -- or additional trees to be able to create a landscape buffer there. That is very much appreciated. The only problem I have with that is that if this is not an immediate buffer. This is something that will not occur -- those trees will not reach a height of any kind of cover for four to five years at the soonest. That's just reality. I wish it was the -- I wish it wasn't that way, but, unfortunately, it is. I have nothing against Mike and the development. I -- you know, I like what he's done with the main structures. They look -- I mean they will look nice. I -- I believe personally I think the number of people this will bring in is going to do -- it will and truly create a headache on traffic. We already have people -- and Mike has seen it, too. He's seen it today. People that cut down Centrepont at a high rate of speed, cut through the neighborhood to be able to get out by Jimmy John's onto Eagle. They also do the same thing when traffic starts to get backed up -- backed up every morning, they cut down Leslie Way and do the same thing traveling down that road at 40 to 50 miles an hour when kids are getting out of school to be able to access onto Eagle. People have found the shortcuts. That's the nature of people. People are lazy. They want to go faster. But this is only going to increase that. It's going to increase the safety risk to the kids that are walking down Leslie Way or down Centrepont to get to River Valley Elementary. That -- this whole community needs it to be safe and, again, not opposed to it, but we would like to -- we would like to see something safe for our kids and our families. Thank you for your time. Do you have any questions?

Seal: Thank you very much. Appreciate that.

Hall: There is no one else signed up, Mr. Chairman.

Seal: No one signed up? Anybody in Chambers that would like to -- ma'am, come on up. Oh. Wait until you get up to the microphones there.

Bailey: Good evening. Thank you for letting me speak. I wasn't going to say anything tonight, because every time that --

Seal: Oh. We need your name and address for the record.

Bailey: Janet Bailey. 2925 North Centrepont. I know they are going in. I have been adamantly opposed to this whole thing since it started, because I live on Centrepont. I am the neighborhood watch chair. I started it. I walked every neighbor in that place, so I know what is happening in that neighborhood. Traffic is speeding down Centrepont. I don't know if you have current records, but we had a crime come through our neighborhood and now I know this is not related, but it's an increase. My husband's tires were slashed and four others on the street were. Then we had another accident -- a huge accident at the entrance of Ustick and Centrepont just a couple weeks ago. So, these -- these kinds of things are increasing and with putting all of those apartments stacked in there and the -- the top layer they took off, they shoved it over in the corn -- the corner where the -- the narrow Centrepont -- I -- granted if he's going to, you know, expand it, yea. But the traffic coming around that corner -- somebody's going to have a problem. Somebody's going to look for somebody to sue, because they -- the traffic is just sitting there. I tell my kids don't go out. Lag back. The traffic -- everybody runs it -- in the morning you -- it's several light changes to get through. In the afternoon Eagle and Ustick is backed up so far that you can't get out there and adding all of this extra parking is going to add extra traffic in the neighborhood. I have seen it. I watch it. I live it. I don't know what the studies are. They don't live there. They don't know. But the people that do live there -- I mean that was our retirement there and it's to the point where that whole neighborhood -- it's so stressful now thinking about what's coming and how it's changing, it -- it -- I feel like, oh, my God, how do I get out of here? There is a lot of retired people in there. A lot of older people and these -- this added traffic, it's going to make it worse. And I don't care what he says about building the corner, I -- I disagree and I know there is a lot of people in there that disagree and we have even requested a gate, because people will turn down Centrepont, flip a u-ey and go back. The lady on the corner that's at the beginning of the subdivision, she counted cars. She counted like 40 cars within 30 minutes that flipped it and went back out. So, like Jared said, there are -- they have learned the shortcuts and they are zooming down Centrepont -- maybe they don't cut Cajun, but they can get out going down the end of Centrepont and following it around, you come out by Discount Tire. So -- sorry, I -- I wasn't going to say anything, but I just think that this needs to be heard over and over again. So, thank you.

Seal: Thank you very much. Anybody else in Chambers like to testify? All right. I don't think we have anybody online that is -- oh, looks like we got one person online raising their hand.

Hall: You can speak if you unmute yourself.

Grant: My name is Steve Grant. I live at 1534 North Leslie Way. Can you hear me?

Seal: Yep. We can hear you. Go ahead, please. Thank you.

Grant: A couple of concerns. Number one, the alignment of the wall that J.R. spoke of, just so you are aware the -- the -- the -- the alignment of the wall sits five feet -- approximately five feet to the east of the property line and I'm not sure what Mike has in mind in terms of continuing that wall along the same alignment, but I would hate to see it jog five feet going -- bump beyond the property line to where the -- it's a masonry wall that's going to require footings and -- and to maintain the same alignment is I think the appropriate thing to do for aesthetics. The second comment I have is the traffic justification for Villasport was based on that being a commercial property. This is all residential. So, I think the peak hour impact on -- on Centrepoint with people coming off the west -- those two-story apartments trying to turn left onto -- to -- to exit -- or exit that facility is going to be a problem and I just think that the road is not wide enough, even if they widen -- so there is a right-turn lane on -- onto Ustick from Centrepoint, that's -- that helps, but I think traffic is going to stack and create all kinds of problems that I'm not sure a traffic study is taking them into account. Thank you.

Seal: Thank you, Steve. Appreciate it. Okay. Would anybody else like to testify? All right.

Dodson: Mr. Chair?

Seal: Going once. Going twice. You can't testify, Joe.

Dodson: No, I can't testify. No.

Seal: Go ahead.

Dodson: Since it's come up twice I did want to discuss the wall placement. That's something that staff and the applicant had discussed with the Police Department and they don't want to create this five foot dead zone between a wall and a fence, which typically is where crime does occur in those dark areas that nobody can get to very well and police can't see. So, we had decided to shift the wall back towards the property line, because of the existing structures, as well as the required footings for a wall it's not going to be exactly on the property line. I don't know where engineering wise, but probably at least a foot away and, then, continue it down and up to Ustick. So, there was a thought behind that. It's not that we are trying to change the -- what's already there, it's just they -- they don't want to create a dead zone in there, you know, because of the CPTED things.

Seal: Okay. Thanks. Appreciate the feedback on that.

Dodson: Yes.

Seal: Go ahead.

Grace: Mr. Chairman, just a follow-up question on that, Joe. Is -- so, if there is like a -- a little bit of a foot strip or -- or so, will that be closed off on the cap at the ends or could someone --

Dodson: I'm assuming it will be capped to some degree, but if not I mean you would be standing on rock or brick or something that's going to be sloped that will go into the bottom of the adjacent fence. So, it's not going to be a place you can really get to much.

Grace: Yeah. Okay.

Dodson: So, it will be a lot harder than five.

Seal: Okay. All right. Would the applicant like to come back up?

Koeckeritz: Elizabeth Koeckeritz at 601 Bannock. Just in response to a couple of things that were just raised, the alignment of the wall has been discussed and it is something where -- it just makes sense to put it as close to the property boundary as possible. There is also, just from a liability standpoint, of being an owner and having this extra dead space on the backside of your wall where you don't know what's going on, you can't see it, becomes difficult to maintain and so he is looking at placing the wall as close to the edge of the property boundary as possible. As far as the traffic goes through the subdivisions to the south, there is an easement -- a cross-access easement and there has been since 2006 back when this was called the Sadie Creek Development and it was Sadie Commons below. Could you bring up our presentation again? Where the neighborhood to the south did grant a perpetual nonexclusive easement for cross-access by vehicular and pedestrian traffic, but not parking upon and over roadways that may exist from time to time. They will design and build the roadways in such a fashion as to permit reasonable access through and across parcel B, which is the one owned by our clients and their -- their parcel B and provide parcel A, which is what's currently before you tonight and parcel C, which is the corner lot, access to Eagle Road. And so that has been in place. The development was built with this cross-access agreement in place. Their traffic comes through Centrepont through this development and vice-versa. It's been there for quite some time. Additionally this is still, we have to remember, 40 percent less traffic than the last approved use here. Any development always is going to bring traffic, but this is significantly less than what's been there before. Additionally, although there was the addition of the smaller two-story building, there was still a net loss between the original proposed plans and what's before you today. We reduced the number from 259 units to 213 units. One of the other things that has come up is the question about traffic speeding on Centrepont Way and it's kind of hard -- I don't know if I have a good depiction of it, but we have -- do you have approval where the road will start at 40 feet wide up by the intersection to Ustick, so that you have got space for the turn lanes and, then, at the intersections where the drive aisles are it is going to narrow down and taper to 33 feet and, then, it will widen out again. But that's really sort of a built-in traffic calming along that road and, in fact, the applicant is working with ACHD and ultimately, if possible, would like that to be even more of a constriction, it's just that right now that's where ACHD is on it and so it is somewhat of a traffic calming device there. And, then, just, finally, we absolutely understand the neighbors concerns. I know the applicant is -- to the west the applicant is looking at faster growing trees, making sure that some of the trees are evergreen. They don't plant immediately -- they don't grow immediately. It does take some time. There was some discussion with City Council about -- could you bring in

bigger trees, like bigger caliper trees, and what it came down to after talking about that and meeting with the forester, as those trees don't do as well long term and they grow slower and they don't stabilize as well and you are actually much better off putting in the younger smaller caliper trees and, then, overtime they will grow to that bigger one and you won't be replacing them, spending the money and the effort of replacing trees that die and that they are not -- just aren't thriving the way that you would want them to. So, with that I think I will stand for anymore questions.

Seal: Okay. Thank you. And I -- I have a couple. Mike had indicated that there was talk about possibly eliminating where that -- where the road squeezes there on Centrepoint. So, is what you are saying is you are going to have it squeeze, it's just a matter of how much ACHD allows you to?

Koeckeritz: Yes.

Seal: Okay. That's good, because I -- that part of this is very attractive to me as far as being able to kind of mitigate traffic in that area. So, the other part of that, too, is I turn on Centrepoint Way to go over to Fast Eddy's, so that's where I buy my fuel from. But I do see people turn into there and not understand where they are going. So, hopefully, having this in there will mitigate that as well, so -- I think they get confused as to how they get down to the -- some of the parcels that are there to the east of you. So, it's -- I think that that will be helpful in that. As far as the block wall alignment, I kind of understand how that -- why that is not going to align, so I won't go into that very much, but -- that's everything I got. Anybody else have any questions, comments? Go right ahead.

Grace: Mr. Chair. Thank you for addressing the size of the trees. I was going to ask that very question. Could you get some older growth trees that are already bigger in there. But it sounds like you have already considered that. What about the -- the five foot wall there on that west side? Is there any ability to go higher to provide -- I'm sympathetic to -- to this homeowner, the gentleman's concerns about, you know, you can look directly down into their backyard and he has got children. I'm -- I am sympathetic. I -- I -- so, I just wanted to ask that question.

Koeckeritz: Well -- and I think -- was it six feet? It's a little -- so, first, it is already a little bit higher than six feet and there will be the trees -- when you really look, there isn't a line going across here. I mean -- but once those trees are there it will really help block this. These are also -- these patios they are not extruding off the back even further. If you look at -- it's not the ideal picture, because it shows an end unit, but they really are sort of inside. They -- they don't extrude, they are covered on three sides and they really only have that one wall. I understand the concern, but it really is trying to keep them stepped back, still meet the code and really work with the neighbors as much as possible with the design.

Dodson: Mr. Chair?

Seal: Go ahead.

Dodson: I did want to hit on a couple of those points as well. Mr. Schofield, that -- of the two properties adjacent, only one has a fence and that's his and it's a chain link, so some of that dead zone piece is gone. However, they could always input a fence and we would still have that issue. I want to verify -- I can't remember in code. I think C-G only allows six foot fence, but it might also be eight feet. Now that I'm thinking about it, I think it's eight feet. So, I believe they can go up to eight foot if you guys required that, but we would -- if you make any kind of condition with that I would recommend just making it broad and work with staff, so that we can verify. But I think that that could help quell some of the issues that you are having there. But, again, eight feet is only eight feet versus the second story, which is the main concern here. Staff -- at the Council hearing we did talk about the growth of the trees and the higher caliper and our parks director specifically had stated that they do not like when applicants put in the larger caliper trees at the beginning, because they typically will just -- they will die. Transporting them from where they are to the new place just usually doesn't work very well. Secondly, we already have conditions in there that those buffers are to be constructed with phase one. So, they need to be part of the beginning of the development to help get them established prior to occupancy, prior to the buildings being constructed, honestly. I don't know if they are going to do this two-story one first, but I presume they would do the stuff in the center with the clubhouse and everything first and, then, get to the west of the boundary. Buffer should still be constructed with those first buildings. So, staff did think about some of this with the timing of it, but I know that Mike would gladly work with the timing portion of that as well.

Seal: The only question I had on the trees -- I mean we say, you know, larger caliper, smaller caliper trees, when to me it's height. I don't care how big -- you know, I don't care how big around it is. If it's 20 feet tall and it's a small, you know, junior tree, then, that's still better than having a, you know, six foot tree planted there that's going to take 20 years in order to reach, you know, 15 feet. So, I mean is there something -- some stipulation we can put in there that the least we provide, you know -- that the applicant provide something in there that's going to be of some substance and -- and I know this is a small detail, but at the same time it's -- you know, it's been talked about and it's -- it's something that, you know, obviously, there is a concern about. So, I mean as far as the fence height, you know, and the jog in the fence and all that stuff, I think you have to do what you have to do for that, you know, in order to make it fit. I don't see having the fence at a certain height and, then, continue it on at a different height as being appealing or -- you know, that just doesn't seem like something that would be necessary knowing that there are going to be things that are going to be in there in the future.

Dodson: Well, Mr. Chair, I'm not an arborist, so I can't speak too much on this landscaping, but I know that Mike has talked about it before. They can find fast growing, quote, unquote, deciduous trees and, then, ever -- evergreens, again, are going to probably be the best when it comes to long-term screening. They are year around, but I will leave that to the applicant.

Seal: Okay.

Koeckeritz: The site plan does show the mix of trees that are currently being proposed, but I didn't write them down and I can't read that small of print. But he can speak to what the mix will be.

Mafia: I mean there is an exhausting amount of trees on there, but it is a mix. I mean there is spruces and there -- there is some furs and some of them grow 15 inches a year, some of them grow 25 to 30 inches a year. I have been in this situation before. I just did a project -- one retail project of the year, because of some of the landscape features, I -- I am very involved. I'm not a -- or a large institutional investor. I talk with the landscape crews. I make sure they are planted correctly. I mean if a lot of trees fail not just because of the health of the tree, but they are planted too shallow or too high, they are not irrigated properly and as a long-term investor, I mean, you know, the -- the year warranty you usually get on a tree is -- is -- is not sufficient. You are controlling the process from -- from the time you get your order and, you know, historically we are rejecting, you know, five to ten percent of the specimens, because they are not acceptable. So, I mean I am -- I am very involved in that process and I don't know -- it's never been conditioned. It's a tough one, you know, to condition and -- and qualify it. But, you know, I -- I met J.R. on site today and I spoke to him, you know, specifically about that and my commitment to getting healthy trees, because you could have the same seven foot or ten foot spruce and depending on what nurseries it's coming out of, one could be a lot healthier than the other and that's -- that's the -- that's the importance of long-term growth is, you know, healthy specimens, so --

Seal: Okay. Yeah. And that's -- I mean my point is just it's hard to condition something on. No, you have to put in a 12 foot tree. Well, what does that mean, you know, and a matter of code or any of that stuff. So, it -- it's a concern. It sounds like it's -- you know, I mean you are working through that. You are going to try and put in the best trees to provide the best coverage in the best amount of time, so I think that satisfies that for me for sure. Any other questions, Commissioners? Guys are all done? All right. Thank you very much. Can I get a motion, please, to close the public hearing for File No. H-2022-0072?

Grace: So moved, Mr. Chairman.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0072 for Centrepoint Apartments. All in favor, please, say aye. No opposed. Public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: So, if somebody would like to go first or -- if we have hashed everything out a motion or --

Grace: Mr. Chairman, I -- I feel like I -- I got the answers I was looking for. I appreciate a lot of the efforts that were done from the applicant to -- not only with the new use, obviously, but with reductions seems like in a lot of things. So, I think there is a good faith effort there. I am sympathetic to some of the comments that were made. You know, we get -- we get comments about these apartments a lot and -- and -- when they come in. There is no great place to put them it seems like. So, it is where it is. I'm -- I'm comfortable with the information I got tonight. So, that would be my comment.

Seal: Okay. Any other comments?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: After considering all staff and public testimony, I move to approve file number H-2022-0072 as presented in the staff report for the hearing date of November 17th, 2022, with the following modification: Applicant work with staff to provide safety and privacy of the homes surrounding the development.

Grace: Mr. Chairman, I would second that.

Seal: Okay. It's been moved and seconded to approve File No. H-2022-0072 with the aforementioned modifications. All in favor say -- please say aye. No opposed. Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Dodson: Sorry, Mr. Chair. Playing musical presentations.

4. Public Hearing for Knighthill Center Childcare Facility (H-2022-0070) by Ethan Mansfield, Hawkins Company, located at 6241 N. Linder Rd. near the southwest corner of Chinden and Linder Rds.

- A. Request: Conditional Use Permit for a Daycare Facility (more than 12 children) located on approximately 1 acre of land in the C-G zoning district.

Seal: Okay. At this time I would like to con -- or open the public hearing for item number H-2022-0070 for Knighthill Center Childcare Facility. We will begin with the staff report.

Dodson: Thank you very much, Mr. Chair. So, my last one for my public serving career for now -- I will probably be back someday. As noted, this is for Knighthill Center Childcare. It is a conditional use permit for a daycare center located on approximately one acre of land within the C-G zoning district. Because it is more than 12 children it is classified as a daycare center within the UDC, which requires a conditional use permit. The proposed use is a community serving commercial use that is consistent with the

future land use designation of mixed-use community. It's proposed location is within the center of a relatively small commercial development, but very nearby existing residential -- established residential to the south and southwest. Staff finds that the proposed use will provide a needed use for the nearby community and offer employment opportunities beyond just typical retail jobs, like the Dollar General to the left -- to the west. The subject site is part of an approved short plat that has subdivided the existing lot into two commercial building lots. This is on the north lot. A salon is administratively approved on the building lot to the south, but has not yet received final building permit approval. The proposed use is subject to specific use standards, 11-4-3-9 to be specific. Staff finds that the project complies or exceeds all required specific use standards, as well as the UDC dimensional standards, except for one, which is a requirement for parking lot landscaping. Parking lot landscaping requires at least five feet of landscaping along vehicle use areas, which does include drive aisles, which would be along the east boundary where there is no landscaping shown between the sidewalk and the proposed play areas. The applicant is proposing the required five foot sidewalk, but no landscaping as noted. Instead, the applicant is proposing multiple bollards behind the sidewalk for added safety for the proposed play areas, which staff definitely appreciates. The bollards should help increase the safety and staff finds that a full five feet of landscaping may not be necessary, but some landscaping should be provided to increase the buffer between the drive aisle and the play areas. After discussing this with the applicant, staff has included a condition of approval to provide this landscaping or request alternative compliance to reduce that buffer area and include dense and decorative landscaping elements between the sidewalk and the play area. So, again, could be five feet, could be three, two and a half, that could be done through administrative process after this conditional use permit. Staff just wants to increase that buffer between. Specific to the site. Shared drive aisles are located along the west, north, and east property boundaries. Those are existing. All of these around the edge here are existing. There is an existing cross-access easement on each of the drive aisles and throughout this commercial subdivision, as well as for the recently approved short plat. Because there is no direct lot access to public roadways and each roadway is constructed to its full anticipated widths, which would be Chinden to the north and Linder to the east, ACHD did not require any kind of traffic impact study, nor any road improvements with this application. The proposed daycare building is shown as approximately 10,000 square feet, requiring minimum 20 parking spaces per code for residential -- for non-residential use, which is one space per 500 square feet. The applicant is proposing 46 parking spaces, which is more than twice the minimum. The submitted site plan shows a new two way 25 foot wide drive aisle on the north side of the building, with two rows of parking, as well as parking on the west side of the building. The site plan does not show any dedicated pick-up or drop-off location, which is intentional by the applicant, because through the narrative the applicant does describe that this -- their policy for the actual operation of the daycare is for parents to park to drop off and pick up their kids. They don't just toss them out the door as they go, you know. Staff finds that the excess parking and the proposed operation for the parking and the child pick-up and drop-off is sufficient. As of 1:30 p.m. today -- I should have looked again later, but I presume it's the same. There was no written testimony for this -- this request and with that staff did recommend approval, because it

complies with code, minus the parking lot landscaping, and there is an avenue to correct that. So, staff will stand for any questions.

Seal: Thank you, sir. Applicant would like to come up and -- good evening, sir. Need your name and address for the record and the floor is yours.

Mansfield: Thanks, Mr. Chairman, Commissioners. Good evening. My name is Ethan Mansfield with Hawkins Companies and we are the developers on this project. Our address is 855 West Broad Street, Boise, Idaho. 83702. I will let Joe pull up my very brief report -- or my very brief presentation. We are seeking a conditional use permit tonight for a childcare center on one acre of land, located in the northwest corner of Chinden Boulevard and Linder Road in a -- or, sorry, that's southwest corner of Chinden Boulevard and Linder Road in a service commercial zone. Joe did a great job outlining the project, the conditions and his recommendation of approval. I won't add much to say -- except to say that we agree with the terms and conditions outlined in the staff report. We are going to go ahead and, you know, work with staff through alternative compliance to address the landscaping. We are certainly amenable to providing some landscaping along that -- that part of the -- of the site. We will continue to work with staff and -- to ensure that our zoning certificate, our design review application and alternative compliance application comply with the UDC, the architectural standards and all other applicable ordinances. And, again, I would really like to thank Joe for his time on this application and his time at the city as a whole. He's been a great planner. It's been really nice to work with him and I would like to thank you for considering this item tonight and I would be happy to answer any questions that you have this evening.

Seal: Mr. Grace, go ahead.

Grace: Yeah. Mr. Chairman, just because I had the experience very close by in Kids Choice down the road, I ask do you have outdoor space -- sufficient outdoor space for these kids to play in? I see the 10,000 square foot building and the parking and just -- if you could clarify -- okay.

Mansfield: Yes. We -- Mr. Chairman, Commissioner, we do have about 5,000 square feet of outdoor space. So, half the area of our -- of our building is out -- outdoor space. So, yeah, five out of 15,000 square feet will be outdoors. There will be an infant playground and a playground for the older children, split roughly equally.

Grace: And I see that's on the east side of the building, which is smart.

Mansfield: Thank you, Commissioner.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Ethan, what are the bollards?

Mansfield: A bollard is design -- is a -- I have not looked up the definition recently, but in this case it will be a -- like vertical -- kind of vehicle deterrent that -- that, essentially, if anything were to hit that it would stop whatever is hitting it. We have it detailed in our landscape plan, which I believe is included in the materials submitted. I don't have it printed tonight, but -- okay We don't have it available, but I would be more than happy to provide that -- a cross-section of the bollard if that's of interest. Essentially, the bollards in this case -- about three feet tall, four feet tall, designed to stop any vehicular momentum from affecting the fence that surrounds the play area.

Lorcher: Is it like a Jersey barrier? Like a big concrete barrier?

Mansfield: No. No. No. These are decorative bollards. They are typically used when pathways. Well --

Dodson: Mr. Chair?

Seal: Go right ahead, Joe.

Dodson: It -- like they usually have them at banks, the big concrete posts that are sticking out of the ground to protect tellers. Anything like that. About three to four feet high. Usually made -- they are made out of concrete or they are metal with a plastic thing over the top to make them look prettier. But it's just -- yeah, they are definitely meant to stop vehicles from running over anything that it is behind them. You can kind of see it. There is quite a few -- one, two, three, four, five, six, seven -- you know, 11 or 12 along the east boundary spaced in such a way that a car can't fit between them either, which would be the point of keeping vehicles from getting anywhere near the play area.

Lorcher: Okay. So, you are also propose -- you are proposing these -- am I saying it right -- bollard?

Dodson: Yes. Yes, ma'am.

Lorcher: A bollard and landscaping; is that correct? Or is it one or the other?

Mansfield: Mr. Chairman, Commissioner Lorcher, we originally proposed the bollards and staff asked us to include some landscaping, which we agreed to do in addition to the bollards.

Lorcher: Okay. Thank you.

Seal: Yeah. And I will -- I will go out on a limb here and, Joe, this might be a question for you, but -- and the reason I ask that is because my son used to go to school at Compass, so we have been through here a lot and people zip up and down this street where the bollards are going to be at, so it -- is it possible to shift the building over and put the parking on the other side or is that just -- is that a nonstart -- well, I mean just from a code perspective is that something that would even be allowed? Because I -- I mean it

looks like the parking on the other side is accessed directly from the street, where that -- that would not be possible on the other side on -- if they were to put that on the east side; correct?

Dodson: Mr. Chair, I would -- code wise there is nothing that would prohibit the site for -- this area being flipped basically.

Seal: Okay.

Dodson: It -- I don't necessarily see a physical issue with that, except that the drive aisle on the east side is probably more used and we don't typically like backup parking into those more frequented drive aisles, because you can create a lot of vehicular conflicts there. I would presume that -- was it Mr. Wiley who owns the overall subdivision would not like that at all. I think that would probably be the biggest hurdle, which is the drive aisle on the west is a lot less used, because it's closer to the -- it's -- this area would basically be adjacent to a portion of the parking for Dollar General and I think even the southwest corner of it is actually just adjacent to the building really. So -- yeah.

Seal: Okay.

Dodson: So, it will be -- should be less frequented. I see your point though. I do get that. I'm sure the applicant does as well, but because that east side one is used so much more, I do have questions and qualms with that backup parking there. I just feel like it's going to create a lot of issues.

Seal: Yeah. And I understand that as well. So, just -- I mean my concern is just having kids in there. I understand the bollards and that should mitigate that. But should and does are two different words, so, you know, that's about the only concern I have with it at this point is just how to better protect that side of it. I mean, obviously, you are putting bollards in there, so there is a concern. So, just anything we can do to kind of mitigate that further would be good, but I don't know what -- what, if any, choices there are to do that. Yeah. Not sure.

Dodson: I'm not sure either, Mr. Chair. I -- the only thing that could come to mind is just putting the play area adjacent to the parking spaces and pull the building to the east, but, frankly, I have jumped the curb in a car before and if there were bollards on the other side I probably would have landed on top of them, rather than hit them. Granted. I was in a '58 -- they aren't very heavy, but -- so I feel like the same concern would probably exist. It's just unfortunate with just the size of the site and you have so many drive aisles, I -- I don't think it's avoidable, honestly.

Seal: Okay.

Dodson: The bollards is great. I had not thought of that and I'm glad that the applicant and the team did. Now, I think, again, at least a couple feet of landscaping will make that even safer. I think that that's going to be much preferred.

Seal: Yes. Go ahead.

Grace: And where I was going with indicating that I thought it was smart was that, obviously, that afternoon sun --

Seal: Yeah.

Grace: -- presents a better place for the playhouse -- playground. It could be awful with the kids playing in the direct west side --

Lorcher: Taking the kids in sun -- sunshine. Okay. Got you.

Grace: Thank you.

Seal: Any other questions? Do we have -- I'm sure we don't have anybody signed up to testify.

Hall: No one signed up.

Seal: Sir, would you like to testify at all? You sure? All right. Does the applicant have anything else to add?

Mansfield: I think I'm good. Thank you.

Seal: All right. Thank you very much. With that, can I get a motion to close the public -- or public testimony portion of File No. H-2022-0070?

Grace: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0070. All in favor, please, say aye. No opposed. Public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Okay. And with that I will take any discussion, a motion --

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: We need daycare, so -- and this is a -- seems like a good location, because it's -- it's Linder and -- and Chinden; right?

Seal: Uh-huh.

Lorcher: So, there is lots of families around there. So, it looks good.

Grace: Yep. And it's a good -- it's a good artery for people to drop people off on their way to work, so --

Lorcher: Right.

Grace: -- I would be ready for a motion, Mr. Chairman.

Seal: Feel free. Feel free.

Grace: After considering all staff, applicant, and public testimony, I move to approve File No. H-2022-0070 as presented in the staff report for the hearing date of November 17th, 2022, with no modifications.

Lorcher: Second.

Seal: It's been moved and seconded to approve File No. H-2022-0070 with no modifications. All in favor please say aye. No opposed, so motion carries. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Starman: Mr. Chairman, before your quick -- your colleagues are quick to make a motion to adjourn, can I take care of a little housekeeping for like 60 seconds?

Seal: Possibly.

Starman: Possibly.

Seal: Go right ahead.

Starman: Mr. Parsons asked me -- he had to step -- step away this evening, but you may recall -- Commissioners, you may recall we made a commitment to provide some training to the Commission periodically from time to time as -- as the calendar allowed. So, I think that Mr. Parsons and our planning manager Caleb Hood and I may -- may collaborator as well, but we are looking to provide some training to the Commission on your -- at your December 15th meeting. So, if you want to just sort of kind of make a note of that, we will follow up in writing. If that's a problem for a majority of the Council -- or for a majority of the Commissioners we can look for an alternate date. But right now we are thinking December 15th and in terms of topics we spoke a little bit with Commission -- with the Chairman Seal earlier this evening and we are thinking about when each of you became a Commissioner we provided some one-on-one training, somewhere like 90 to -- 90 minutes to two hours worth of training and we are thinking about doing kind of a summary of that or a condensed version of that, kind of a -- a refresher course so to speak and kind of just sort of -- now that you have had some time in the seat and you have had some experience doing what you are doing, to kind of go back over that might be more

meaningful to you now that you have actually, you know, had some time to make decisions. So, I just want to mention those two things for you that we are looking at December 15th. We may start like at 5:15 before the usual 6:00 p.m. starting time and, then, we will try to, you know, keep -- keep to a condensed schedule. So, we will likely survey the group -- maybe I would ask the city clerk's office to survey the group to confirm attendance, that we have enough Commissioners that can attend and, then, if you have any -- if individual Council -- Commissioners have any particular topics or issues that you would like us to address, feel free to drop a note or an e-mail or phone call to Bill Parsons and we would be happy to try to accommodate that as well. Thank you for letting me do that, Mr. Chairman. Appreciate it.

Seal: No problem. Thank you. Appreciate it.

Lorcher: I was hoping he was going to do a 60 second training.

Dodson: Mr. Chair?

Seal: Yes, sir.

Dodson: Before we adjourn I just wanted to say thank you all for your time and I mean professionally thank you for making the commitment to be volunteer for this and I appreciate working with all of you and those that are not here tonight. Again, on to my next adventure, but I'm sure I will be in front of you again in my next role.

Seal: That -- we wish you the best for sure and it has been a pleasure to work with you and we will -- I look forward to giving you a bad time when you are in Chambers.

Dodson: Yes.

Seal: We have -- we have already been told that anything submitted by your firm will be heard last --

Dodson: Oh, that's --

Seal: -- forever.

Dodson: My wife will love that, so --

Lorcher: Good luck.

Seal: Thank you very much, Joe.

Dodson: You're welcome. Have a good night.

Seal: You, too. Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: I motion we adjourn.

Grace: Second.

Seal: It's been moved and seconded that we adjourn. All in favor please say aye. We are adjourned. Thank you.

MEETING ADJOURNED AT 7:50 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Findings of Facts and Conclusions of Law for the Conditional Use Permit for Knighthill Center Childcare Facility (H-2022-0070)

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



In the Matter of the Request for Conditional Use Permit request for a Daycare Facility (more than 12 children) located on approximately 1 acre of land in the C-G zoning district, by Ethan Mansfield, Hawkins Company, Located at 6241 N. Linder Road in the C-G Zoning District.

Case No(s). H-2022-0070

For the Planning & Zoning Commission Hearing Date of: November 17, 2022 (Findings on December 1, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)

B. Conclusions of Law

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

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

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of November 17, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of November 17, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

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

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

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of November 17, 2022.

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

COMMISSIONER ANDREW SEAL, CHAIRMAN VOTED _____

COMMISSIONER MARIA LORCHER, VICE CHAIRMAN VOTED _____

COMMISSIONER NATE WHEELER VOTED _____

COMMISSIONER STEVEN YEARSLEY VOTED _____

COMMISSIONER PATRICK GRACE VOTED _____

COMMISSIONER MANDI STODDARD VOTED _____

Andrew Seal, Chairman

Attest:

Chris Johnson, City Clerk

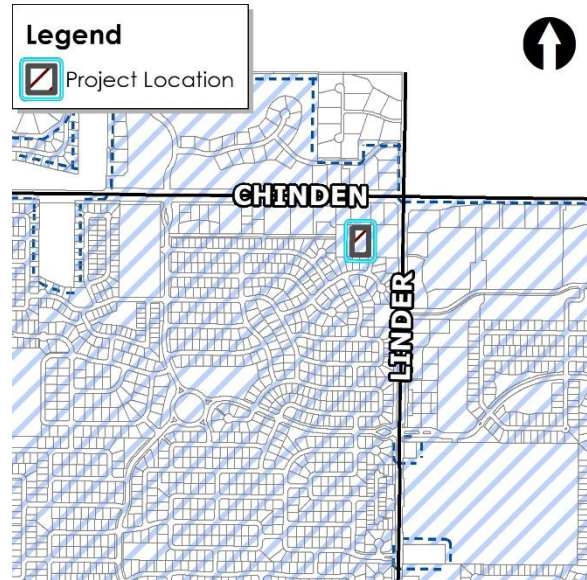
Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 11/17/2022
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0070
 Knighthill Center Childcare Facility
 LOCATION: 6241 N. Linder Road, generally located at the southwest corner of N. Linder Road and W. Chinden Boulevard.



I. PROJECT DESCRIPTION

Conditional Use Permit request for a Daycare Facility (more than 12 children) located on approximately 1 acre of land in the C-G zoning district, by Ethan Mansfield, Hawkins Company.

II. SUMMARY OF REPORT

A. Project Summary

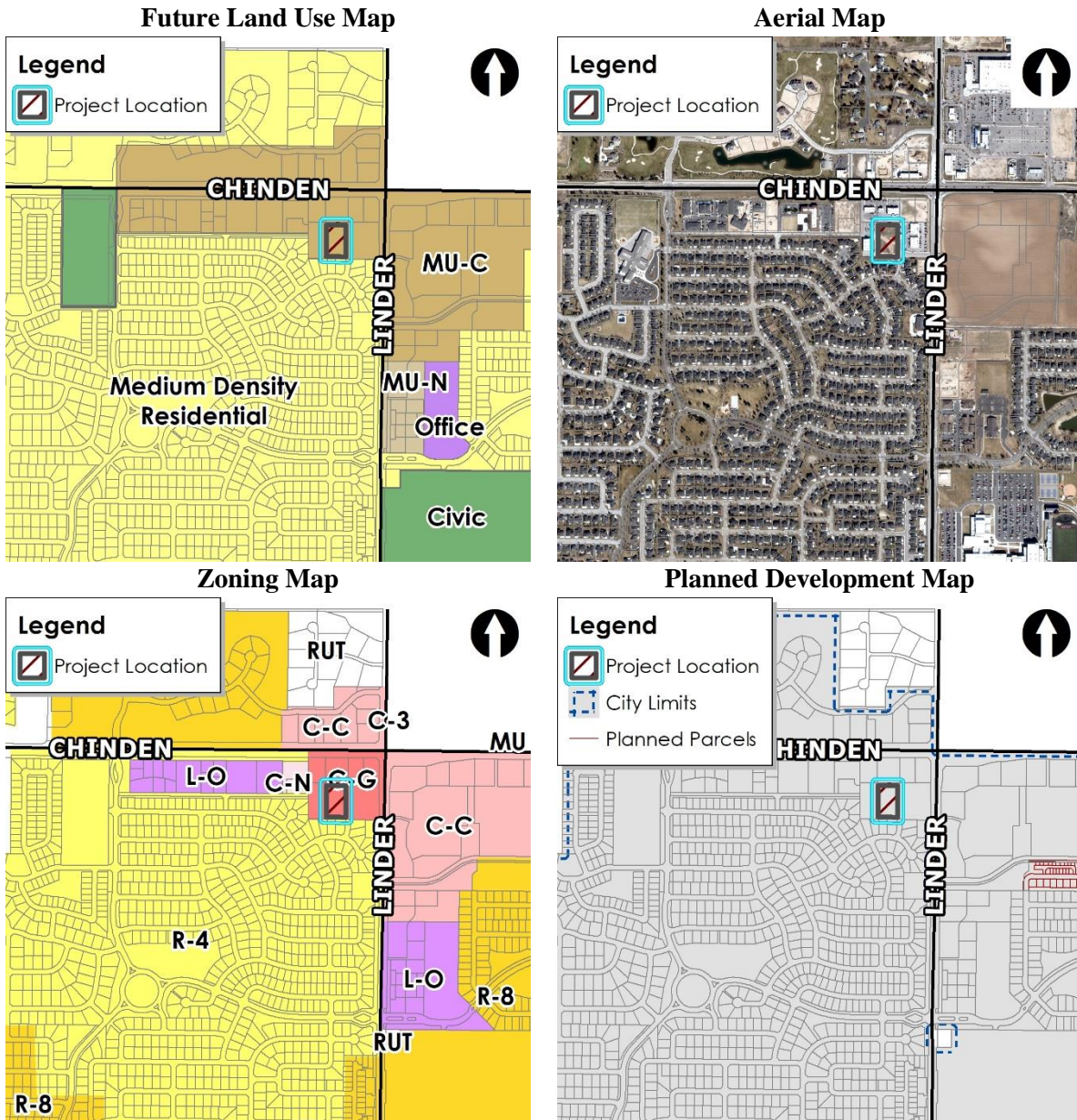
Description	Details	Page
Acreage	1 acre	
Future Land Use Designation	Mixed-use Community	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Commercial – Daycare Center	
Lots (# and type; bldg./common)	One (1) existing building lot (existing approvals for a Short Plat to subdivide the property into 2 lots)	
Neighborhood meeting date	July 27, 2022	
History (previous approvals)	AZ-06-006; PP-13-031; FP-14-020; MDA-13-019 (DA Inst. #114014784); SHP-2022-0006.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes, staff letter	

Description	Details	Page
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	No direct lot access to the public street network.	
Stub Street/Interconnectivity/Cross Access	Cross-access to adjacent parcels is already in place with the commercial subdivision via the shared drive aisles and existing cross-access easement.	
Existing Road Network	Yes	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	Within a quarter mile of Station #5, located on Linder Road to the south.	
<ul style="list-style-type: none"> Fire Response Time 	Within a 5-minute response time goal.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Ethan Mansfield, Hawkins Companies – 855 W. Broad Street, Boise, ID 83702

B. Owner:

Knighthill LLC – 1676 N. Clarendon Way, Eagle, ID 83616

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	10/5/2021
Radius notification mailed to properties within 500 feet	10/5/2021
Site Posting Date	10/6/2021
NextDoor posting	10/5/2021

V. STAFF ANALYSIS

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

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

*The proposed use of a Daycare Center (more than 12 children) is a community-serving commercial use that fits within the future land use designation of MU-C. The proposed use can serve both the immediate area and the nearby community at large. The proposed location is within the center of a relatively small commercial development but very nearby existing residences to the south and southwest. Staff finds the proposed use will provide a needed use for the nearby community and offer employment opportunities beyond typical retail jobs. The daycare use is a needed use throughout the City and providing it nearby residential meets many of the City’s desired outcomes for commercial development. **Specific policies are noted and analyzed below but Staff finds the proposed use to be consistent with the future land use designation of Mixed-use Community, especially in combination with the existing commercial uses in the Knighthill Center development. In addition, Staff’s access analysis is below in sections V.E & V.G.***

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

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work nearby, thereby reducing vehicle trips, and enhancing overall livability and sustainability” (3.06.02B). *As noted, the subject area is part of a mixed-use designation on our future land use map. Staff finds adding a daycare use in this location introduces a needed community serving use to the immediate area and is located within walking distance of several existing residences. Further, this property will have convenient pedestrian access to the adjacent subdivision to the south, therefore promoting overall sustainability and the benefits of having a supportive commercial use nearby residential.*
- “Encourage the development of supportive commercial near employment areas” (3.06.02C). *The subject daycare is proposed within an existing commercial development and is also directly west of the Linder Village mixed-use project that includes a new WinCo grocery store and multiple other commercial uses; the WinCo, at a minimum, is*

an employment center. Therefore, the proposed daycare should provide a supportive use to all of the businesses along this Chinden Boulevard frontage.

- *“Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B). See above analysis—Staff finds the proposed location and use to be consistent with this policy.*
- *“Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D). The location of the subject daycare is proposed within an existing commercial development with drive aisles to the west, north, and east. The Applicant is required to provide landscaping adjacent to these vehicle-use areas to help beautify the design and also help reduce the area of asphalt or other impermeable surfaces. Between this proposed building an additional commercial building pad site and a 25-foot wide landscape buffer will be constructed to the south providing for additional screening between this commercial development and the existing subdivision to the south.*

C. Existing Structures/Site Improvements:

The subject site has portions of existing shared drive aisles on the subject parcel as it is located centrally within an existing commercial development. Further, the subject site is part of an approved short plat that has subdivided the existing lot into two commercial building lots. A Salon is administratively approved on the building lot to the south but has not received building permit approval.

D. Proposed Use Analysis:

A Daycare Center (more than 12 children) is listed in UDC Table 11-2A-2 as a conditional use in the C-G zoning district, subject to the specific use standards noted below. *See the narrative included in the application for more specific details on the proposed use from the Applicant’s perspective. Staff’s specific analysis is below.*

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

A. General standards for all child daycare and adult care uses, including the classifications of daycare center; daycare, family; and daycare, group:

1. In determining the type of daycare facility, the total number of children at the facility at one time, including the operator's children, is the determining factor. *According to the submitted narrative, a maximum of 180 children are expected to be served by this daycare center with a daily average number of children to be 80% of the maximum (approximately 144 children); the number of staff members will be determined by the state required student/staff ratios. In addition, the narrative describes the anticipated ages of the children served to be six weeks to five years old with some after-school care for children up to eight years old. Therefore, the type of daycare facility proposed is a Daycare Center because it is providing care to more than 12 children (UDC 11-1A-1) and subsequently requires a Conditional Use Permit to be approved within the C-G zoning district.*
2. On-site vehicle pick-up, parking, and turnaround areas shall be provided to ensure a safe discharge and pick-up of clients.

The submitted site plan shows a two-way, 25-foot wide drive aisle along the north side of the new building with parking on the west side of the building as well; the total parking proposed is 46 parking spaces. In addition, the subject site has shared drive aisles to the east and west of the building providing multiple points of ingress and egress for this building and proposed

use as well as the other commercial uses within the overall development. The building is shown as approximately 10,000 square feet requiring a minimum of 20 parking spaces per code requirements for nonresidential uses (1 space/500 square feet). Therefore, the Applicant is proposing parking over code requirements. The site plan does not show any dedicated pick-up/drop-off location other than the parking spaces and through the narrative, the Applicant describes this design as intentional because their policy is for parents to park their vehicles to drop off and pick up their children.

In addition, the Applicant is proposing bollards along the entire east boundary adjacent to the shared drive aisle to help increase the safety of the proposed outdoor play areas along the east side of the building. Staff supports the inclusion of these bollards for the project.

3. The decision-making body shall specify the maximum number of allowable clients and hours of operation as conditions of approval. *As discussed above, the submitted narrative states the daycare will serve children from as young as 6 weeks in age to as old as 8 years of age. The building will have multiple rooms for different age groups and expects to serve a maximum of 180 children. However, the narrative also discusses that an average of 80% capacity is the normal operating number of children served. To ensure adequate variation in the number of children at this proposed daycare and to help minimize any potential issues with the proposed use and site, Staff recommends a condition of approval that limits the number of children to 90% of the noted maximum of 180 children, which equates to 162 maximum children at any one time. Staff has written a condition of approval commensurate with this recommendation. Note: State-required child/teacher ratios may limit this capacity further at any one time.*
 4. The applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code. Said proof shall be provided before the issuance of a certificate of occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities. ***The Applicant shall comply with this requirement.***
 5. In residential districts or uses adjoining an adjacent residence, the hours of operation shall be between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. This standard may be modified through approval of a conditional use permit. *The subject property is zoned C-G and will not be directly adjacent to a residential district once the short plat is finalized. In addition, the overall subdivision approvals require a 25-foot buffer with a berm and trees that touch at maturity. Therefore, Staff finds there will be adequate screening between the two uses, and because of the short plat, the limited hours of operation are not applicable. However, the Applicant has stated their normal operating hours are from 6:30 AM to 6:30 PM which is included as a condition of approval.*
 6. Before the submittal of an application for an accessory daycare facility in a residential district, the applicant or owner shall hold a neighborhood meeting by subsection 11-5A-4B of this title. Notice of the neighborhood meeting shall be provided to all property owners of record within one hundred feet (100') of the exterior boundary of the subject property. *This standard does not apply to this project.*
- B. Additional standards for daycare facilities that serve children:
1. All outdoor play areas shall be completely enclosed by a minimum of six-foot (6') non-scalable fences to secure against exit/entry by small children and to screen abutting properties. *The submitted landscape plans show a 6' vinyl privacy fence along the perimeter of the play area on the east side of the building and the south and west sides of the building to screen the play areas and service doors for employees. The applicant complies with this standard.*

2. Outdoor play equipment over six feet (6') high shall not be located in a front yard or within any required yard. *There are no required yards within the C-G zoning district where this project is proposed. Further, the proposed play equipment that is taller than 6 feet in height is located on the side of the building and not in the front.*
3. Outdoor play areas in residential districts adjacent to an existing residence shall not be used after dusk. *Not applicable, C-G zoning district.*

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

The daycare center will be in a new building that requires a Certificate of Zoning Compliance (CZC) and Design Review approval before building permit submittal. All UDC dimensional standards appear to be met (i.e. parking dimensions, drive aisle widths, sidewalk widths, etc.) with the submitted site plan but the Applicant shall comply with the required dimensional standards at the time of CZC submittal.

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

As discussed above, the subject commercial lot is located centrally within a commercial subdivision and does not have any direct lot access to a public street. Instead, access to the nearby public streets (Chinden Boulevard and Linder Road) is via shared commercial drive aisles. Specific to this site, shared drive aisles are located along the west, north, and east property boundaries. There is an existing cross-access easement on each of these drive aisles as depicted on the approved plat for the Knighthill Center Subdivision and the recently approved short plat to subdivide the subject property. Because there is no direct lot access to public roadways and each roadway is constructed to its full anticipated widths, ACHD did not require a Traffic Impact Study nor any road improvements with this application.

In addition to the shared drive aisles providing access to the subject lot, the Applicant is proposing a new two-way drive aisle along the north boundary with two rows of parking spaces and a new row of parking spaces along the west boundary for vehicular access to the proposed daycare center. The proposed drive aisle is depicted as 25 feet wide for two-way traffic, consistent with code requirements. Additional analysis is in the Parking section below.

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

The proposed building is shown as approximately 10,000 square feet, requiring a minimum of 20 parking stalls. 46 parking stalls are proposed for the subject daycare center exceeding code requirements by over 200%.

The Applicant is also proposing over twice the required amount of parking spaces to meet the specific use standard requirement of providing a safe pick-up and drop-off location for parents and children. According to the operational narrative provided, the business model for the proposed daycare center is for each parent to park and pick up/drop off their children in person inside the building; parents are not allowed to simply drive by to pick up/drop off their children. So long as the future daycare user can maintain this operational standard, Staff finds the proposed number of parking spaces to be sufficient to meet the specific use standards and exceed the minimum code requirements.

Staff notes that all of the parking spaces are shown to be 9 feet wide and 19 feet deep, consistent with code requirements. However, the sidewalk adjacent to the parking along the west side of the proposed building is not at least 7 feet wide so the Applicant is required to place curb stops within all of these spaces to ensure vehicle overhang does not impede safe pedestrian access on the sidewalk. Staff has recommended a condition of approval consistent with this requirement.

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

There is no existing sidewalk within the subject daycare property. There is a short segment of a 5-foot wide sidewalk near the southeast corner of the larger property that will not be part of this daycare lot after the recordation of the latest short plat.

The Applicant is proposing several sidewalks around the proposed daycare building for pedestrian access. A 5-foot wide sidewalk is proposed along the east boundary attached to the existing shared drive aisle. An 8-foot minimum wide sidewalk is proposed along the north side of the building as this is the public entrance for the daycare center. The Applicant is proposing an 11-foot wide sidewalk along the west boundary with five feet of it being enclosed within a fence for employee access around the west and south sides of the building. Lastly, the Applicant is proposing sidewalk ramps at the very northeast corner of the site to satisfy the UDC requirement that new commercial buildings provide 5-foot wide sidewalks from all public entrances to the arterial sidewalks. These ramps set up access to the existing sidewalks within the commercial subdivision that connects to the arterial sidewalks along Linder and Chinden. This pedestrian connection also traverses the new east-west drive aisle proposed with this project but is only depicted with striping. Per [UDC 11-3A-19B.4b](#), pedestrian facilities that traverse vehicle use areas (including drive aisles and parking lots) shall be constructed in a material different from the driving surface to separate the pedestrian facility from the driving surface—painted striping does not satisfy this requirement. Therefore, the Staff is recommending a condition of approval to revise the site and landscape plans to show this pedestrian facility to be constructed with stamped or colored concrete, brick pavers, or similar to meet this code requirement.

Staff is recommending the site plan and landscape plan are corrected at the time of CZC submittal to show the required sidewalk connections and any revisions to the site plan.

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

The proposed site design project requires parking lot landscaping per UDC 11-3B-8 standards. According to the submitted plans, the Applicant complies with these standards except for the required 5 feet of landscaping along the east boundary adjacent to the shared drive aisle.

The Applicant depicts the required 5 feet of landscaping, the children's outdoor play area, and proposed bollards between the two for added protection along the drive aisle. According to the Applicant, they do not wish to reduce the play area to accommodate the 5 feet of landscaping and cannot shift the building to the west the full 5 feet either. Staff finds it is feasible to meet this standard in a number several the Applicant is entitled to request Alternative Compliance to these standards. Tentatively, Staff and the Applicant have discussed reducing the sidewalk area on the west side of the building by approximately 2 ½ feet to shift the entire site to the west this distance and add landscaping behind the proposed sidewalk. 2 ½ feet will not accommodate the code-required trees but would accommodate the required shrubs and vegetative ground cover and allow for an increased buffer to the shared drive aisle. The Applicant should submit for Alternative Compliance with future administrative approvals to provide an equal or superior means of complying with the UDC 11-3B-8 standards.

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

All new non-residential buildings require Administrative Design Review (DES) approval before submitting for a building permit. The Applicant has submitted conceptual elevations but did not submit them for concurrent design review; the design review will be completed and reviewed with the CZC application.

With the initial review of the submitted elevations, Staff is concerned the depicted elevations do not meet applicable architectural standards. Specifically, Staff is concerned the required

qualifying wall modulation is not being proposed. Staff does find the proposed elevations to comply with the architectural elevations within the Development Agreement that are also required to be adhered to. Elevations submitted with the administrative design review application should comply with the ASM and the designs included in the recorded DA.

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard this item on November 17, 2022. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

- a. In favor: Ethan Mansfield, Applicant
- b. In opposition: None
- c. Commenting: Ethan Mansfield
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson, Associate Planner
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

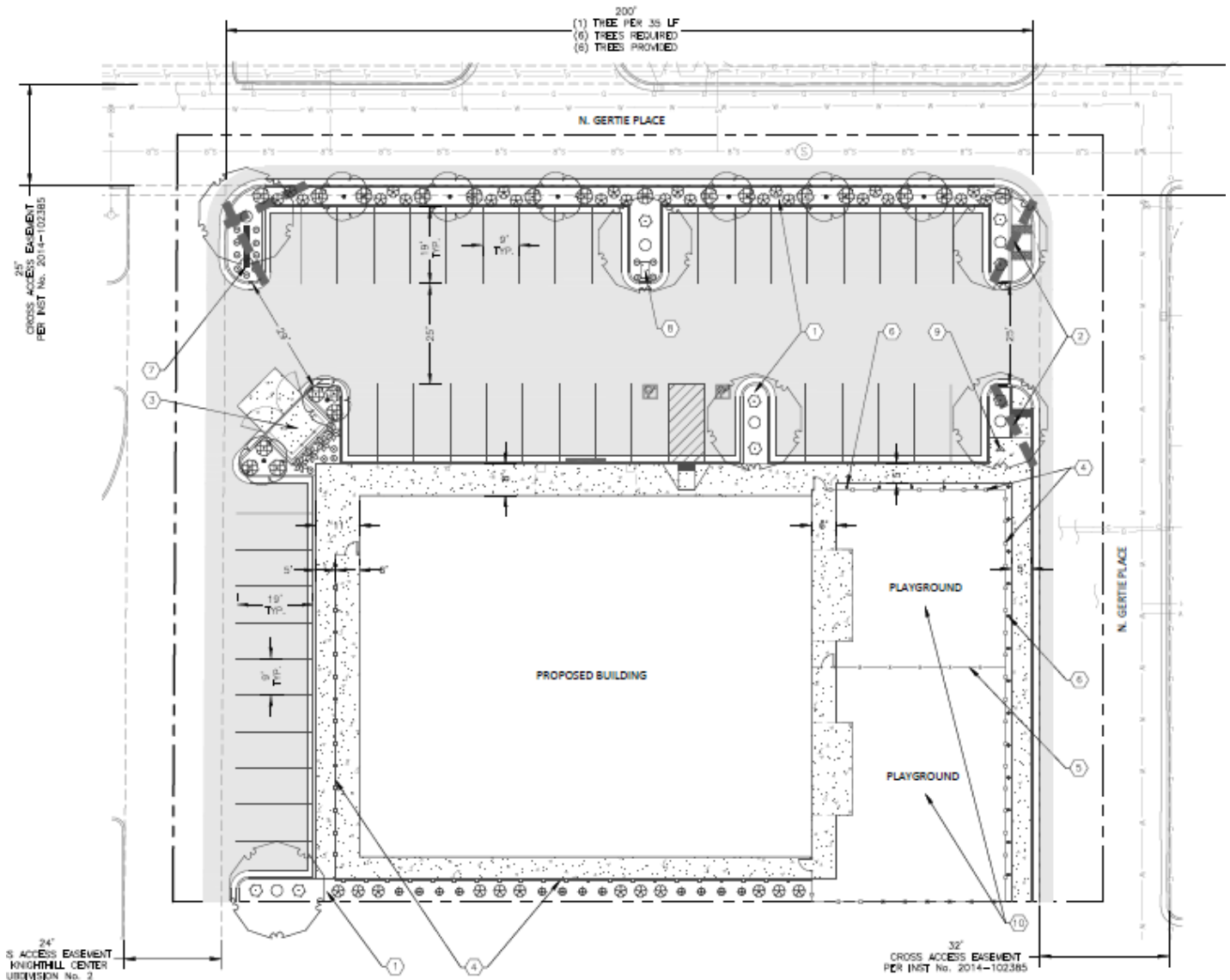
3. Key issue(s) of discussion by Commission:

- a. Location of children's play areas on the east side and inclusion of bollards versus landscaping;

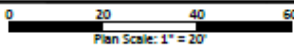
4. Commission change(s) to Staff recommendation:

- a. None

B. Landscape Plan (8/12/2022):



LANDSCAPE PLAN



GENERAL LANDSCAPE NOTES

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. The Applicant shall comply with all existing conditions of approval and Development Agreement provisions including but not limited to AZ-06-006; PP-13-031; FP-14-020; MDA-13-019 ([DA Inst. #114014784](#)); SHP-2022-0006.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-9 for Daycare Facilities.
3. The maximum number of allowable clients (children) at the facility at *one time* shall be limited to one hundred and sixty-two (162) children unless the building/fire code limits this further; the more restrictive number shall apply.
4. The daycare/pre-school shall operate between the hours of 6:00 am and 7:00 pm.
5. The Applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code before issuance of Certificate of Occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities.
6. The site plan and landscape plan shall be revised as follows with the Certificate of Zoning Compliance (CZC) and Design Review (DES) applications:
 - a. Revise the site plan to show compliance with UDC 11-3B-8, Parking Lot Landscaping standards OR apply for Alternative Compliance approval to propose an equal or superior means of compliance.
 - b. In accord with UDC 11-3A-19B.4, show any pedestrian facility that crosses a driving surface to be constructed with stamped or colored concrete, brick pavers, or similar.
7. The Applicant or owner shall comply with all ACHD conditions of approval.
8. Before building permit submittal, the Applicant shall obtain a Certificate of Zoning Compliance and Administrative Design Review approval from the Planning Department.
9. Future development shall be consistent with the Architectural Standards Manual and the elevations contained within the existing Development Agreement (DA Inst. #114014784).
10. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district.
11. Comply with the outdoor service and equipment area standards as outlined in UDC 11-3A-12.
12. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as outlined in UDC 11-3B-14.
13. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as outlined in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as outlined in UDC 11-5B-6F.4.

B. PUBLIC WORKS DEPARTMENT

Site-Specific Conditions of Approval

1. Ensure no sewer services cross infiltration trenches.

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. The minimum cover over sewer mains is three feet, if the cover from the top of the pipe to the subgrade is less than three feet then alternate materials shall be used in conformance with the City of Meridian Public Works Departments Standard Specifications.
2. The applicant shall provide easement(s) for all public water/sewer mains outside of the public right of way (including 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.**
3. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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 before receiving development plan approval.
4. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to comply with MCC.
5. 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.
6. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide a record of their abandonment.
7. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
8. All improvements related to public life, safety, and health shall be completed before occupancy of the structures.
9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, before the issuance of a plan approval letter.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.

14. The applicant's design engineer shall be responsible for the inspection of all irrigation and drainage facility within this project that does not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed by the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
15. After 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 before the issuance of a certification of occupancy for any structures within the project.
16. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for a 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. Applicants must apply to the 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=276652&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit

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

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

The site meets all the dimensional and development regulations in the C-G zoning district for the proposed use and will be verified upon CZC submittal. Commission finds the site is large enough to accommodate the proposed use based on the submitted plans and operational narrative.

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

Commission finds the proposed daycare center will be harmonious with the Comprehensive Plan in that it will provide a much-needed service for area residents with easy access to and from the site.

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.

Commission finds the operation of the proposed daycare should be compatible with the residential and commercial uses in the close vicinity and the existing and intended character of this mixed-use 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 daycare complies with the conditions of approval in Section VII as required, Commission finds the proposed use should not adversely affect other properties in the vicinity.

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

Because the site is already annexed into the City and these services are already being provided to the surrounding buildings, Commission finds the proposed use will be served adequately by all public facilities and services.

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

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

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

Although traffic may increase in this area due to the proposed use and clients dropping off and picking up children, Staff finds the proposed operational methods and site design mitigate negative outcomes from the proposed use; therefore, Commission finds the proposed daycare should not be detrimental to the general welfare.

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

Commission is unaware of any natural, scenic, or historic features in this area and finds the proposed use should not result in damage to any such features.



AGENDA ITEM

ITEM TOPIC: Finding of Facts and Conclusions of Law for the Conditional Use Permit for Centrepoint Apartments (H-2022-0072)

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



In the Matter of the Request for Conditional Use Permit for 213 multi-family residential units, for Centrepoint Apartments, Located at 3100 N. Centrepoint Way, near the southwest corner of N. Eagle and E. Ustick Roads, on approximately 10 acres in the C-G zoning district, by MGM Meridian LLC.

Case No(s). H-2022-0072

For the Planning & Zoning Commission Hearing Date of: November 17, 2022 (Findings on December 1, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 17, 2022, incorporated by reference)

B. Conclusions of Law

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

CITY OF MERIDIAN FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION & ORDER
CASE NO(S). **Centrepoint Apartments CUP (H-2022-0072)**

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 17, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of November 17, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

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

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

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of November 17, 2022.

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

COMMISSIONER ANDREW SEAL, CHAIRMAN VOTED_____

COMMISSIONER MARIA LORCHER, VICE CHAIRMAN VOTED_____

COMMISSIONER NATE WHEELER VOTED_____

COMMISSIONER STEVEN YEARSLEY VOTED_____

COMMISSIONER PATRICK GRACE VOTED_____

COMMISSIONER MANDI STODDARD VOTED_____

Andrew Seal, 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.

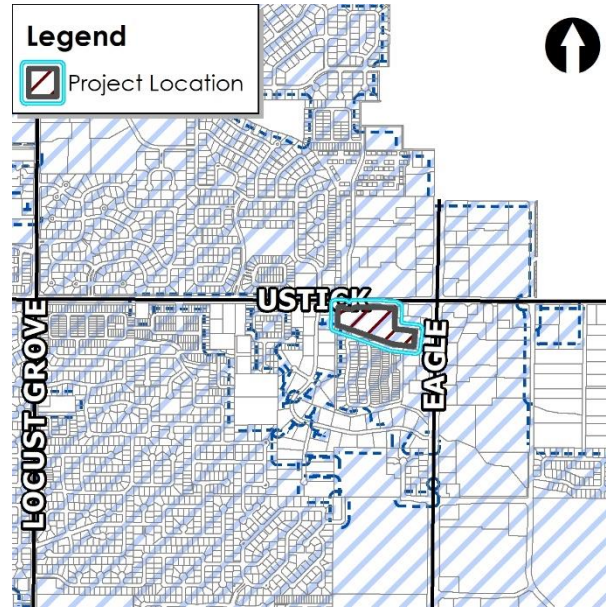
By: _____ Dated: _____
City Clerk's Office

EXHIBIT A



COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: 11/17/2022
 TO: Planning & Zoning Commission
 FROM: Joseph Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0072
 Centrepoint Apartments CUP
 LOCATION: Located at 3100 N. Centrepoint Way, near the southwest corner of N. Eagle and E. Ustick Roads, in the NE 1/4 of the NE 1/5 of Section 5, Township 3N, Range 1E.



I. PROJECT DESCRIPTION

Conditional Use Permit request for 213 multi-family residential units on approximately 10 acres in the C-G zoning district, by MGM Meridian LLC.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	9.97 acres (C-G zoning district)	
Future Land Use Designation	Mixed Use Regional	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Multi-Family Residential	
Lots (# and type; bldg./common)	One (1) multi-family residential building lot	
Number of Residential Units (type of units)	213 multi-family units – One (1) two-story building and five (5) 3-story buildings.	
Density	Gross – 21.3 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	6.78 acres (295,401 s.f.) of qualified open space proposed according to the open space exhibit (approximately 40%).	
Amenities	At a minimum, 13 amenities are proposed – See the amenity Exhibit in Section VII below.	
Neighborhood Meeting date	August 18, 2022	
History (previous approvals)	H-2018-0121 (Villasport CUP, MDA); H-2022-0035 (MDA, DA Inst. # 2022-079000)	

EXHIBIT A

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) 	Not as of Staff Report publishing	
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via a shared drive aisle connection to Ustick and a public street connection to Ustick, Centrepoint Way	
Stub Street/Interconnectivity/Cross Access	Interconnectivity is proposed through the existing shared drive aisle on the east half of the site and the existing local street on the west half of the site, Centrepoint Way.	
Existing Road Network	Ustick Road and Centrepoint Way are existing.	
Existing Arterial Sidewalks / Buffers	The existing arterial sidewalk along the Ustick frontage is incomplete; no buffers are existing.	
Proposed Road Improvements	Unknown at this time – Staff does not anticipate additional road improvements because the proposed use of multi-family residential generates fewer vehicle trips than the previously approved use (Villasport, athletic club).	
Fire Service		
<ul style="list-style-type: none"> • Fire Response Time 	This project lies within the Meridian Fire response time goal of 5 minutes.	
Wastewater		
	No issues noted.	
Water		
	No issues noted.	

EXHIBIT A

IV. NOTICING

	Planning & Zoning Posting Date	
Newspaper Notification	11/2/2022	
Radius notification mailed to properties within 500 feet	10/27/2022	
Public hearing notice sign posted on site	11/4/2022	
Nextdoor posting	10/28/2022	

V. STAFF ANALYSIS

A. PROPERTY HISTORY & COMPREHENSIVE PLAN ANALYSIS:

The subject property, approximately 10 acres, is part of a larger Mixed-Use Regional (MU-R)—this designation calls for a mix of residential and commercial land uses that are thoughtfully integrated.

The subject application encompasses one of two parcels surrounding the southwest corner of N. Eagle Road and E. Ustick Road. These parcels were part of a Development Agreement Modification and Conditional Use Permit (CUP) application in 2019 that removed the subject parcels from an existing Development Agreement (DA) to enter into a new DA (H-2018-0121, DA Inst. # 2019-060877) to obtain approval for a new athletic club and spa (indoor recreation facility), Villasport. The CUP approval for the indoor recreation facility has expired, and the property has been sold to the current owner. Earlier this year, the Applicant received DA modification approval (H-2022-0035) from City Council to terminate the old DA and enter into a new agreement with a concept plan depicting multi-family residential on the 10-acre piece and commercial space on the smaller 1-acre piece along Eagle Road. The approved concept plan is more detailed when compared to most concept plans approved with DA Modifications to present a more complete and finished design at the DA stage rather than waiting for future applications—the subject Conditional Use Permit (CUP) application is the next step in establishing the approved use and concept plan and the submitted site plan and elevations are substantially consistent with the approved plans within the newest DA (DA Inst. #2022-079000).

The subject site is part of a much larger area of MU-R along the Eagle Road corridor that includes The Village, Regency at River Valley apartments, as well as multiple other commercial users. Specifically, within the MU-R area in this southwest corner of Eagle and Ustick, there is the Jackson Square development and commercial buildings to the south and on the hard corner to the northeast that includes an urgent care and future restaurant uses. To the north are several big box stores (Kohl’s, Dick’s, and Hobby Lobby) and the new Brickyard vertically integrated development; to the northeast is Lowe’s and various other commercial and restaurant buildings; to the east is Trader Joe’s, multiple restaurants, and the Verraso townhomes; and to the southeast are traditional garden style apartments, restaurant users, and the Village. In terms of the ratio of commercial to residential uses within this area, there is currently a healthy mix within walking distance of each other but is more commercial than residential by land areas. Through the recent Development Agreement Modification (MDA) application for this site, Staff found the proposed project and additional multi-family units to be generally consistent with the MU-R designation because the subject MU-R area currently consists of several retail, restaurant, office, and residential uses available to the region and the addition of these units would not over-saturate this area with residential. City Council approved the subject MDA in July 2022 with a reduction in units from what was originally submitted.

EXHIBIT A

The main points of discussion through the MDA process were regarding traffic, parking, and the proposed building heights. The Applicant did an abbreviated traffic study to obtain updated traffic generation counts. ACHD did not require a Traffic Impact Study (TIS) because the proposed project generates less than 40% of the anticipated vehicle trips from the previously approved use, Villasport (3,213 trips compared to 1,249 trips). This is a significant reduction in vehicle trips for the adjacent local and private streets as well as to the intersection of Eagle and Ustick. In addition, parking for the units was heavily discussed by City Council. City Council required each “area” of the project to be self-parked so that residents would not have to cross any drive aisle or Centrepoint Way to get to their assigned parking space. This issue coincided with the proposed building height being 4-story units upon application submittal. Through the public hearing process, the Applicant reduced the building height to 3-story for the three largest buildings within the center of the development and proposed a new 2-story building along the west boundary. Following the changes to the building height and unit count, the Applicant was able to self-park each area of the site as directed by City Council. The submitted site plan continues compliance with these DA provisions from Council.

Based on the analysis above and that within the approved DA Modification (H-2022-0035) with the addition of the noted comprehensive plan policies with the Applicant’s Narrative, Staff finds the proposed CUP to be generally consistent with the vision of the Comprehensive Plan for this area regarding land use, density, and transportation.

Specific code analysis is below.

B. UNIFIED DEVELOPMENT CODE (UDC) ANALYSIS

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

A. *Purpose.*

1. To implement the goals and policies of the Comprehensive Plan:
 - a. Plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.
 - b. Require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities as part of new multi-family residential and mixed-use developments.
2. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
 - a. To create quality buildings and designs for multi-family development that enhance the visual character of the community.
 - b. To create building and site design in multi-family development that is sensitive to and well-integrated with the surrounding neighborhood.
 - c. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.

B. *Site design.*

1. Buildings shall provide a minimum setback of ten (10) feet unless a greater setback is otherwise required by this title and/or title 10 of this Code. Building setbacks shall take into account windows, entrances, porches, and patios, and how they impact adjacent properties.

EXHIBIT A

The Applicant is proposing a total of six (6) buildings within three (3) distinct areas for the Centrepoint Apartments. The west area (west of Centrepoint Way) includes Building F, two stories tall (30-foot building height to the roof's peak). The central area includes the three largest buildings, Buildings A, B, & C, and are 41 feet tall to the roof peak. East of the shared drive aisle that connects Cajun Lane to Ustick Road, two 3-story buildings are shown closest to the approved drive-thru along Eagle Road.

Based on the submitted Site Plan, this requirement is met because no two buildings are proposed closer than approximately 15 feet and at least 25 feet from any property boundary.

2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The Applicant shall comply with this standard. However, there are existing transformer and utility vaults along Ustick Road that were in place before this owner obtained the property. Staff does not find it prudent or feasible to require these vaults to be relocated as they are previously existing and the proposed landscaping will beautify these structures along the street frontage for added screening.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway, and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standards would create an inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as outlined in section 11-5B-5 of this title. *The submitted elevations depict several outdoor patios and balconies that may qualify for the requirement. However, without floor plans, Staff cannot verify if each unit is proposed with the minimum required area. Compliance with this standard will occur with the future Certificate of Zoning Compliance (CZC) application; the Applicant is required to comply with this requirement or obtain Alternative Compliance.*
4. For this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *None of these areas were used in the open space calculation.*
5. No recreational vehicles, snowmobiles, boats, or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant shall adhere to this standard.*
6. The parking shall meet the requirements outlined in chapter 3, "regulations applying to all districts", of this title. *See the parking section in the general analysis below.*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provides safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development.

The Applicant is proposing more than 20 units (213 units) so the Applicant is required to provide the items above in compliance with this standard. The submitted plans do not

EXHIBIT A

depict the location of these items. With the future CZC application, the Applicant should revise the site plan to show these items.

C. Common open space design requirements.

1. The total baseline land area of all qualified common open spaces shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *The multi-family area is greater than 5 acres in size, approximately 10 acres. According to the submitted open space exhibit, the Applicant is proposing open space over this standard. See the open space section below for more specific analysis.*

2. All common open spaces shall meet the following standards:

a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for land use after all other development elements have been designed. Open space areas that have been given priority in the development design have:

(1) Direct pedestrian access;

(2) High visibility;

(3) Comply with Crime Prevention through Environmental Design (CTED) standards; and

(4) Support a range of leisure and play activities and uses.

b. Open space shall be accessible and well-connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street.

c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering, and relaxation to serve the development.

Staff finds the proposed open space areas comply with these standards by providing open space that is well connected, highly visible, and promotes health and well-being by supporting a range of leisure and play activities with the proposed amenities and general design of the open space. See the submitted landscape plan and rendering for a visual of compliance with this standard.

3. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.

a. Minimum size of the common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development.

b. Alternative compliance is available for these standards if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land-use designations with collectively integrated and shared open space areas.

EXHIBIT A

The submitted plans depict one open common grassy area of approximately 4,000 square feet, below the noted 5,000 square foot minimum. However, due to an existing irrigation facility that bisects the site along the north boundary, the site could not be shifted north to accommodate a larger area; the Applicant is also providing amenities above code requirements within this central open space area instead of only providing a common grassy area. Furthermore, several linear open space areas are larger than the 5,000 square foot area required but are not open areas. Staff finds the proposed open space complies with this standard through the proposed site design.

4. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or fewer square feet of living area.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

Per the property size and the unit counts and their sizes, the minimum open space required to be provided is 97,385 square feet (approximately 2.23 acres). According to the submitted open space exhibit and landscape plans, Staff finds the project to comply with this standard by providing 110,169 square feet (approximately 2.53 acres) of qualified open space. This equates to approximately 25% of the property being open space. The submitted open space exhibit also includes 50% of the arterial street buffer to Ustick Road as part of the open space calculation amounting to approximately 9,854 square feet; Staff did not include this into the qualifying area as it is not allowed to count towards the common open space area with the old open space code (updated October 2022) unless it is separated from the street by a berm or constructed barrier (see requirement #7 below). This buffer area is shown to include the required detached sidewalk along Ustick Road which will likely be heavily used by future and existing residences. As noted, the buffer area is not needed to meet the minimum qualified open space requirement but if Commission determines this area should count towards the qualified open space, the Applicant's proposed open space would further exceed the minimum requirement.

5. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty (20) feet. *Applicant complies.*
6. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *Staff is not aware of any phasing for the proposed project.*
7. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to a collector or arterial streets unless separated from the street by a berm or constructed barrier at least four (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.

See the analysis above.

D. *Site development amenities.*

1. All multifamily developments shall provide for quality of life, open space, and recreation amenities to meet the particular needs of the residents as follows:

EXHIBIT A

- a. *Quality of life.*
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - (5) Dog park with a waste station.
 - (6) Commercial outdoor kitchen.
 - (7) Fitness course.
 - (8) Enclosed storage
 - b. *Open space.*
 - (1) Community garden.
 - (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping, and a structure for shade.
 - c. *Recreation.*
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. *Multi-modal amenity standards.*
 - (1) Bicycle repair station.
 - (2) Park and ride lot.
 - (3) Sheltered transit stop.
 - (4) Charging stations for electric vehicles.
2. The number of amenities shall depend on the size of the multifamily development as follows:
 - a. For multifamily developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multifamily development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one (1) from each category.
 - c. For multifamily development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one (1) from each category.
 - d. For multifamily developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
 3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection (D), provided that these improvements provide a similar level of amenity.

EXHIBIT A

For the 213 multi-family units proposed, a minimum of four (4) amenities, one from each category, should be provided to satisfy the specific use standards, and Planning and Zoning Commission is authorized to require more through this process. According to the submitted plans and narrative, nine (9) qualifying amenities are proposed with amenities from each category. The proposed amenities include a clubhouse with a business lounge, plaza areas, a swimming pool, a fitness facility, an outdoor kitchen, a dog run, a micro-path system, sports courts, and a bicycle repair room. All of the proposed amenities except the proposed dog run are located within the central open space area or part of the three (3) central buildings.

These buildings are the largest and would contain the largest number of residents so Staff supports the location of the amenities being centrally located within the overall project. In addition, the Applicant has included a gathering area at the very northwest corner of the property for residents of the western building to enjoy. Furthermore, the residents within the western building have a direct path across Centrepoint Way to the central amenities area via 5-foot wide sidewalks. The Applicant is proposing to choke this crossing down to reduce the width of the public street and act as a traffic calming mechanism for safer pedestrian access east-west through the site. This is consistent with a provision within the new DA to include traffic calming along Centrepoint Way for these residents as well as existing residents to the south. Overall, Staff supports the proposed amenities for this project.

E. *Landscaping requirements.*

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

According to the submitted landscape plans, the Applicant is showing compliance with this standard.

- F. *Maintenance and ownership responsibilities.* All multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features.

The applicant shall comply with this requirement and provide said document at the time of CZC submittal.

Code Analysis –

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

The proposed development is required to comply with the dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district and those within the specific use standards for Multi-family Development discussed above (UDC 11-4-3-27).

The submitted plans show compliance with all dimensional and specific use standards, including but not limited to, building height, setbacks, accesses, and required parking spaces.

EXHIBIT A

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

Access for this development is proposed via a shared drive aisle connection to Ustick and a public street connection to Ustick, N. Centrepoint Way. Both the shared drive aisle and public street are existing. The shared drive aisle connects from N. Cajun Lane to the south (a private street) up to Ustick Road. This drive aisle was previously required with the previous Villasport approvals and the Wadsworth site on the hard corner for cross-access and interconnectivity to and from Ustick Road. In addition, the Bienville Square plat depicts cross-access over Cajun Lane and out to Eagle Road furthering the previous anticipation that some traffic would flow through this area. N. Centrepoint Way is an existing local street that connects the Bienville Square Subdivision (Jackson Square) and this site to Ustick Road via a public road and is signaled at the intersection of Ustick and Centrepoint.

As discussed above, ACHD did not require a new TIS with this application due to the anticipated trip generation being less than 40% of the previously approved trip generation with the Villasport approvals. Furthermore, the required shared drive aisle and the right-turn lane from Ustick onto this drive aisle have already been constructed per the previous approvals and required traffic mitigation. Despite not yet receiving a formal staff report from ACHD, Staff does not anticipate additional road improvements will be required for this project.

Specific to the proposed use and submitted site design, access to the required parking and the proposed units is via drive aisle connections to Centrepoint Way and the shared drive aisle on the east half of the site. The Applicant is proposing two connections, one on each side, to Centrepoint Way in alignment with each other and at least 150 feet south of the signal at Ustick; the Applicant is also proposing an additional drive aisle connection to Centrepoint approximately 125 feet south of those already noted. Staff is not sure if this southern connection will meet ACHD offset requirements but the future ACHD staff report will verify this. Should this connection be required to be closed, Staff does not anticipate its closure to inflict a measurable impact on the overall traffic patterns within the site.

The Applicant is proposing three connections to the shared drive aisle on the east half of the site all in alignment with each other or an existing approach. For example, the Applicant is proposing two connections near the south end of the drive aisle, one for access from the central area on the west side of this drive aisle and one on the east side for access to the two smallest buildings and the future commercial site along Eagle. In addition, the Applicant is proposing another access on the west side of this drive aisle closer to Ustick in alignment with the existing connection from the commercial development to the east located on the hard corner.

Based on the submitted plans, the existing access improvements, and discussions with ACHD, Staff supports the proposed accesses for the subject development.

Road Improvements:

By the previous approvals, ACHD required a drive aisle connection from Ustick Road to Cajun Lane to the south and required a right-turn lane from Ustick onto this shared drive aisle. Both the drive aisle and the turn lane have been constructed. As discussed, Staff has not received an ACHD staff report and any additional road improvements would be noted within that report.

Off-street Parking (UDC [11-3C-6](#)):

Off-street parking for multi-family developments is required to be provided per the table in UDC 11-3C-6 based on the number of bedrooms per unit. The Applicant is proposing 213 units consisting of 24 studios, 86 1-bedroom units, 80 2-bedroom units, and 23 3-bedroom units. In addition, one (1) guest space for every 10 units is required and the leasing & clubhouse areas must comply with the commercial parking standards (1 space per 500 square feet).

EXHIBIT A

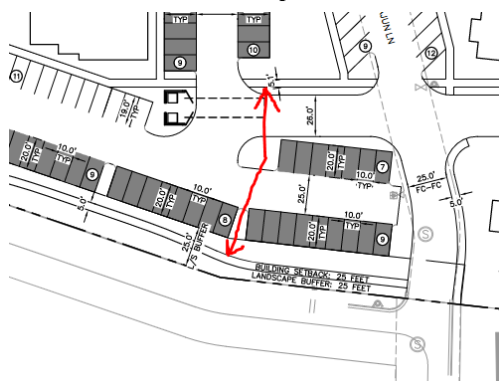
Based on the total number of units proposed and their bedroom count distribution, a minimum of 380 parking spaces, with a minimum of 189 of these spaces to be covered in a garage or by a carport. Further, the leasing office and clubhouse require an additional 6 spaces for a total requirement of 386 parking spaces. According to the submitted site plan, the Applicant is proposing 449 spaces with 205 of these spaces to be covered by a carport or located within a garage (12 spaces are in attached garages for Buildings D & E). The proposed parking exceeds minimum code requirements by 63 spaces. In addition to meeting the minimum off-street parking amount, the current DA requires that each area of the site be self-parked in that all of the required parking be located within each respective area for those buildings. According to the submitted plans, the Applicant is compliant with this DA requirement by providing parking in each area as required. Based on the site design and building distribution, Staff supports the proposed parking number and locations consistent with the requirements of the approved DA.

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

Detached sidewalks are existing along both sides of N. Centrepont Way and one segment of the attached sidewalk is located along Ustick, west of Centrepont way; the remaining Ustick Road frontage does not have any existing sidewalk. The Applicant is proposing 5-foot wide detached sidewalk along Ustick and the shared drive aisle and is also proposing 5-foot wide micro-pathways throughout the development.

As noted above, the Applicant is proposing to construct the missing segment of sidewalk along Ustick Road with a 5-foot wide detached sidewalk, consistent with code requirements. Further, the Applicant is proposing to continue the existing sidewalk along the east side of the shared drive aisle and install a new sidewalk along its west side. The Applicant is proposing 5-foot wide micro-paths throughout the development including within linear open space along the south boundary.

Staff supports the proposed sidewalk and micro-path network except for the lack of connectivity to the southern micro-path near the southeast corner of the central area (see snip). There is no



internal connection to this micro-path and it also does not connect to any sidewalk along the shared drive aisle. So, there is minimal opportunity to access this desirable micro-pathway from within the site.

Therefore, per the red markup to the left, Staff is recommending a loss of one parking space left of the planter island and the addition of more 5-foot wide sidewalk/pathway in the general location depicted to increase the pedestrian connectivity and further activate the micro-path along the south boundary.

In addition, Staff finds that safer pedestrian crossings can be installed consistent with UDC 11-3A-19B across many internal drive aisles that connect internal sidewalks to the perimeter sidewalks. Specifically, per UDC 11-3A-19B.4, the crossings should be constructed with a different material than the driving surface (i.e. brick, pavers, colored or stamped concrete, etc.) and be located at any crossing from the main drive aisle connections to Centrepont or the shared drive aisle on the east side of the site.

Landscaping (UDC 11-3B):

The Applicant is required to construct street buffers along Ustick Road, an arterial street, and along Centrepont Way, a local street. In addition, per UDC 11-3B-8, at least 5 feet of landscaping is required along the perimeter of vehicle use areas (i.e. drive aisles) and landscaping is also required along the base of the multi-family building elevations facing any public street.

EXHIBIT A

According to the submitted landscape plans, all required landscaping appears to be shown including the required number of trees adjacent to the micro-path along the south boundary. Staff notes the Applicant is proposing a 25-foot wide linear open space along the entire southern boundary and west boundary for added transition and separation between the proposed multi-family use and the existing single-family residential to the south and west. The Applicant is depicting dense vegetation over code requirements with some of the proposed trees to be an evergreen variety for year-round screening between uses. Because the Applicant is complying or excels with ding code requirements in all landscape areas, Staff supports the proposed landscaping for this development.

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

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

No fencing is shown on the submitted plans except for a new privacy wall along the west boundary, as required by the DA. The Applicant should include an exhibit of the proposed privacy wall for Staff review with the future Certificate of Zoning Compliance (CZC) application. In addition, the Applicant should include any fencing proposed for the noted dog run along the existing shared north-south drive aisle.

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

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

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

Administrative Design Review (DES) approval is required before building permit submittal for multi-family residential dwellings. The Applicant did not submit for DES approval concurrent with the subject CUP application so the submitted elevations will be fully analyzed with that future application. Further, an application for a Certificate of Zoning Compliance (CZC) will also be required to be submitted for this entire development before the building permit submission.

An initial review of the submitted elevations against the Architectural Standards Manual finds the submitted elevations to be generally compliant. To help the future administrative approval process, Staff is recommending the Applicant ensure compliance with specific standards as noted below:

- 1. R1.2A, 3.2D, & 5.2A –additional color combinations or materials are needed to better differentiate the proposed buildings;*
- 2. R5.2D – A qualifying material along the base of the buildings is needed (i.e. masonry);*

EXHIBIT A

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard this item on November 17, 2022. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

- a. In favor: Mike Maffia, Applicant/Owner; Elizabeth Koeckeritz, Applicant Representative
 - b. In opposition: Steve Grant, neighbor; Janet Bailey, neighbor.
 - c. Commenting: Mike Maffia; Elizabeth Koeckeritz; Jared Schofield, neighbor; Steve Grant; Janet Bailey.
 - d. Written testimony: Two (2) pieces submitted from nearby neighbors – concerns with privacy and security along shared west boundary with apartments looking into the backyards of adjacent homes and the overall increase in traffic with more residential, specifically at the peak AM and PM hours.
 - e. Staff presenting application: Joseph Dodson, Associate Planner
 - f. Other Staff commenting on application: None
- ##### 2. Key issue(s) of public testimony:
- a. Privacy and security concerns with proposed two-story building along west boundary that could look down into the backyards of adjacent R-2 lots;
 - b. Desire for proposed masonry wall to continue on the same plane as the existing wall to the south (previously approved to place wall closer to property line by City Council);
 - c. Concerns with increase in traffic in the neighborhood to the south and the speed of traffic;
- ##### 3. Key issue(s) of discussion by Commission:
- a. Height of buildings specifically the west building along the west boundary;
 - b. Proposed screening along west boundary and the types of vegetation that could be used to help screen the second story decks from viewing adjacent R-2 properties;
 - c. Placement of the required screen wall along west boundary;
 - d. Traffic movements through site and anticipated striping and width of Centrepoint Way;
- ##### 4. Commission change(s) to Staff recommendation:
- a. No new condition but Commission reiterated within their motion for Staff and the Applicant to continue working together to help provide adequate privacy and security for adjacent neighbors.

EXHIBIT A

B. Landscape Plan (dated: September 19, 2022):



EXHIBIT A

C. Open Space and Amenity Exhibits (dated: September 19, 2022):

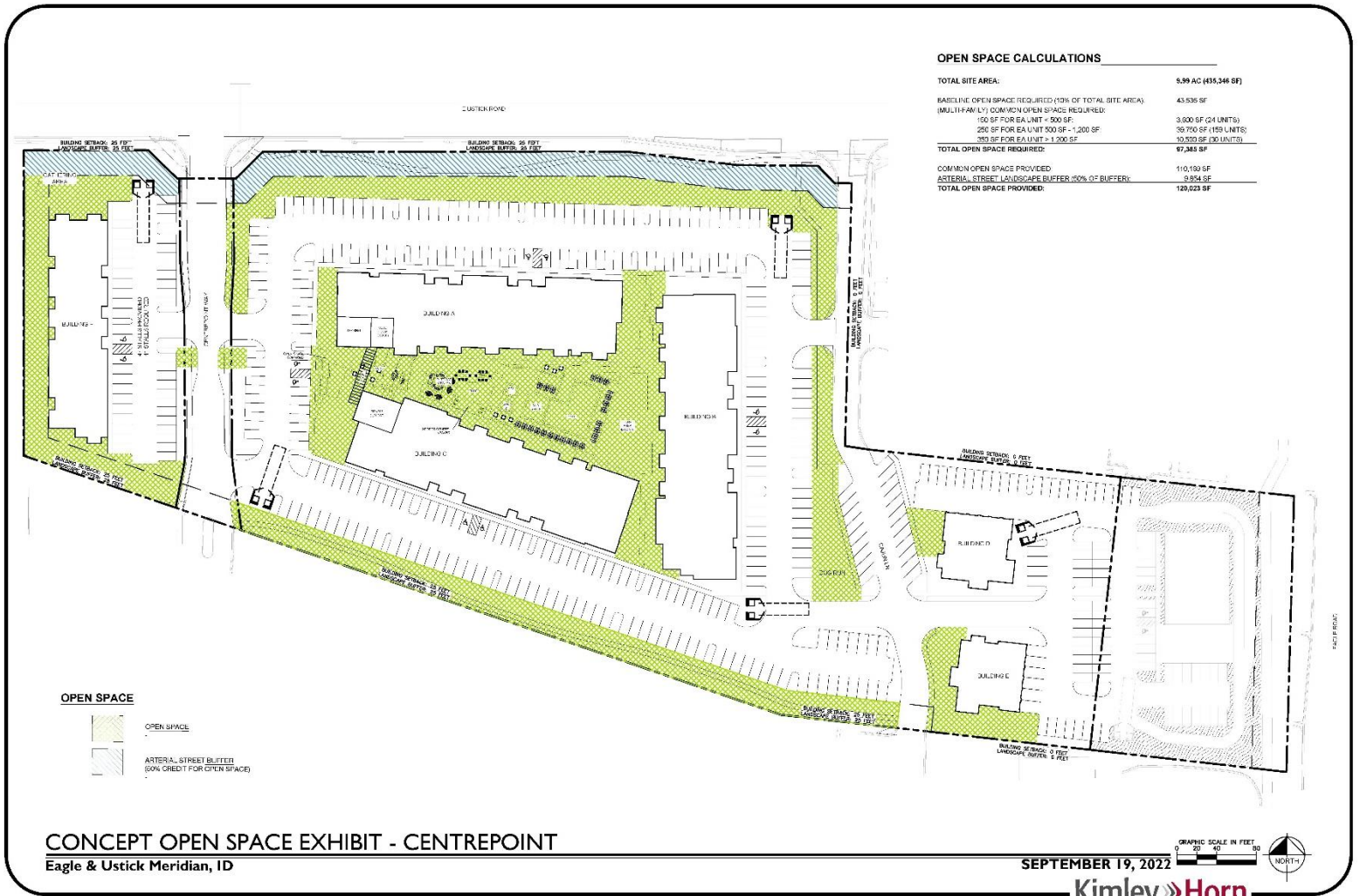


EXHIBIT A

D. Conceptual Building Elevations (dated: August 30, 2022)



BUILDING A - EAST ELEVATION 4
1/16" = 1'-0"



BUILDING A - WEST ELEVATION 3
1/16" = 1'-0"



BUILDING A - SOUTH ELEVATION 2
1/16" = 1'-0"



BUILDING A - NORTH ELEVATION 1
1/16" = 1'-0"



BUILDING A - ELEVATIONS 1/16" = 1'-0" AP0.30

2223 - BUILDING A

BOISE, ID

08/30/22

All drawings and data are provided as conceptual only. All dimensions are based on the information provided on the drawings. All dimensions are subject to change without notice.

EXHIBIT A



BUILDING F - NORTH ELEVATION 4
1/8" = 1'-0"



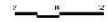
BUILDING F - WEST ELEVATION 2
1/8" = 1'-0"



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



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



BUILDING F - ELEVATIONS AP0.35

BOISE, ID 08/30/2022

© 2022 BDE ARCHITECTURE. ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF BDE ARCHITECTURE AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BDE ARCHITECTURE.



2223 - BUILDING F

EXHIBIT A

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Conditional Use Permit:

1. **Future development of the site shall be substantially compliant with the approved site plan, landscape plan, open space exhibit, and conceptual building elevations attached in Section VII of this report and shall comply with all previous conditions of approval associated with the site: H-2022-0035 (DA Inst. #[2022-079000](#)).**
2. With the future CZC application, the site plan included in Section VII.A, shall be revised as follows:
 - a. Show any pedestrian facility that crosses the main drive aisle entrances into a respective area to be constructed in accord with UDC 11-3A-19B.4 (i.e. brick, pavers, stamped/colored concrete).
 - b. Depict the four (4) required items noted in the specific use standards (UDC 11-4-3-27B.7) to include: property management office, maintenance storage area, central mailbox location, and the location of the directory and map for the complex at all necessary locations.
 - c. Add a pedestrian connection from the micro-pathway along the south boundary north to an existing sidewalk near the southeast corner of the site, generally consistent with the exhibit within the Staff Analysis section above (Section V.B).
3. With the future CZC application, the landscape plan included in Section VII.B shall be revised as follows:
 - a. Revise the plans to reflect Staff's recommended changes above.
 - b. Add any proposed fencing to the Landscape Plan legend (i.e. fencing proposed for the fenced dog park).
 - c. Provide an exhibit within the landscape plan that depicts the type of privacy fencing proposed along the west boundary.
4. The Applicant shall comply with all specific use standards for the proposed use of Multi-family Residential Development (UDC 11-4-3-27).
5. The Applicant shall obtain a Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approvals before submitting for any building permit within this development.
6. At the time of Design Review submittal, the Applicant should address compliance with architectural standards R1.2A, 3.2D, 5.2A, & 5.2D per the analysis in Section V.B.
7. At the time of Certificate of Zoning Compliance submittal, the Applicant shall submit a recorded and legally binding document(s) that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features, per UDC 11-4-3-27F standards.

EXHIBIT A

8. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3-7 for the C-G zoning district.
9. Off-street parking is required to be provided by both the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
10. The Applicant shall comply with all ACHD conditions of approval.
11. Provide a pressurized irrigation system consistent with the standards as outlined in UDC 11-3A-15, UDC 11-3B-6, and MCC 9-1-28.
12. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as outlined in UDC 11-3B-14.
14. 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 outlined in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as outlined in UDC 11-5B-6F.4.

B. PUBLIC WORKS

Site-Specific Conditions of Approval

1. Unused sewer stubs must be abandoned per City standards.
2. Sewer/water easement varies depending on sewer depth. Sewers 0-20 ft deep requires a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Adjust easements accordingly.

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. The minimum cover over sewer mains is three feet if the over or the on top of the pipe to subgrade is less than three feet then alternate materials shall be used in conformance with the 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. The 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 the public right of way (including 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.**
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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

EXHIBIT A

utilized, the developer will be responsible for the payment of assessments for the common areas prior before development plan approval.

5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to comply 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 a 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. All improvements related to public life, safety, and health shall be completed before occupancy of the structures.
10. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, before the issuance of a plan approval letter.
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.
12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
13. Developer shall coordinate mailbox locations with the Meridian Post Office.
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.
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.
16. The applicant's design engineer shall be responsible for the inspection of all irrigation and image facilities within this project that does 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.
17. The applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved before receiving a certificate of occupancy for any structure within the project.
18. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 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.

EXHIBIT A

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. Applicants must apply to the 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)

~~No report at this time.~~

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=281918&dbid=0&repo=MeridianCity>

D. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278468&dbid=0&repo=MeridianCity>

E. MERIDIAN POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277982&dbid=0&repo=MeridianCity>

F. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=280510&dbid=0&repo=MeridianCity&cr=1>

IX. FINDINGS

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

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

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

Commission finds the submitted site plan shows compliance with all dimensional and development regulations in the C-G zoning district in which it resides.

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

If all conditions of approval are met, Commission finds the proposed site design and use of multi-family residential are harmonious with the comprehensive plan designation of Mixed-Use Regional and the requirements of this title when included in the overall MU-R designated area.

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

Despite the proposed use being different from the residential uses to the west and south, Commission finds the site design, construction, and proposed operation and maintenance will

EXHIBIT A

be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same area, so long as the Applicant constructs the site as proposed.

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

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

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

Commission finds the proposed use will be served adequately by essential public facilities and services because all services are readily available and both ACHD and ITD have reviewed and approved the proposed layout and traffic generation.

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

All public facilities and services are readily available for the subject site so Commission finds that the proposed use will not be detrimental to the economic welfare of the community or create excessive additional costs for public facilities and services.

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

Although traffic is sure to increase in the vicinity with the addition of more residential units, this area of the City is underdeveloped in that it is existing zoning within a mixed-use area planned for residential uses at higher densities than what exists to the west and south. Therefore, Commission finds the proposed use will not be detrimental to any persons, property, or the general welfare.

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

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



AGENDA ITEM

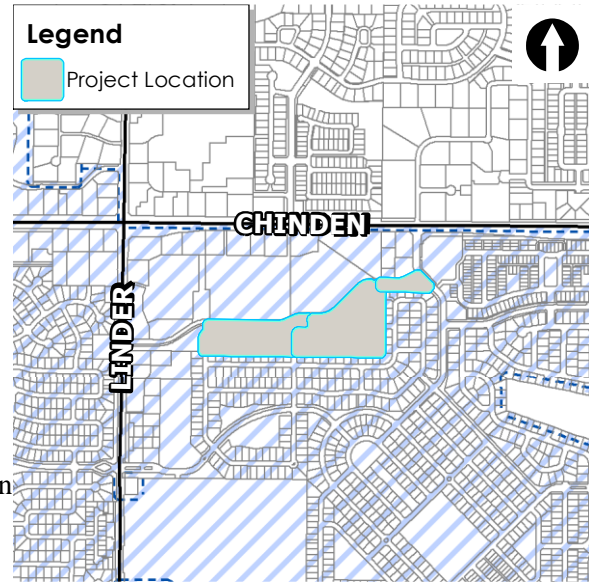
ITEM TOPIC: Public Hearing for Sagarra (H-2022-0027) by Accomplice, located at south side of W. Orchard Park Dr., west of N. Fox Run Way and east of N. Linder Rd.
Application Materials: <https://bit.ly/H-2022-0027>

A. Request: Preliminary Plat consisting of 114 building lots and 16 common lots (including 3 private street lots) on 17.49 acres in the R-8 and C-C zoning districts, a Planned Unit Development for a residential community containing a mix of single-family detached, single-family attached, townhome and multi-family units with a reduction to the setback requirements in UDC Table 11-2A-6 and an Alternative Compliance to UDC 11-4-3-27B.3, which requires the provision of 80 square foot private usable open space area for each multi-family unit to allow zero (0) for studio/flat units and two private streets.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: December 1, 2022
 TO: Planning & Zoning Commission
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0027
 Sagarra – PUD, PP
 (aka Linder Village)
 LOCATION: South side of W. Orchard Park Dr., west of N. Fox Run Way, east of N. Linder Rd., in the NW 1/4 and NE 1/4 of Section 25, T.4N., R.1W. (Parcels #R5262501800, R5262502100 & #R6905540100)



I. PROJECT DESCRIPTION

Preliminary plat (PP) consisting of 114 building lots and 16 common lots (including 3 private street lots) on 17.49 acres in the R-8 and C-C zoning districts; and a Planned Unit Development (PUD) for a residential community containing a mix of single-family detached, single-family attached, townhome and multi-family units with a reduction to the setback requirements in UDC Table 11-2A-6.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	17.49-acres
Existing Zoning	R-8 (Medium-Density Residential) & C-C (Community Business)
Future Land Use Designation	Mixed Use – Community (MU-C) & Medium Density Residential (MDR)
Existing Land Use(s)	Vacant/undeveloped land
Proposed Land Use(s)	Single-family residential (attached & detached units) (SFR) & multi-family residential (MFR)
Lots (# and type; bldg./common)	114 buildable lots & 16 common lots (including 3 private street lots)
Phasing Plan (# of phases)	2 phases
Number of Residential Units (type of units)	146 units (32 SFR detached units, 38 SFR attached, 38 townhomes & 38 MFR units)
Density (gross/net)	8.35 (gross)/16.30 (net)
Common Open Space (acres/%)	4.34 acres (24.8%)
Site Amenities	12' wide multi-use pathway along the south & east boundaries of the site, a swimming pool with changing rooms & restrooms, tool

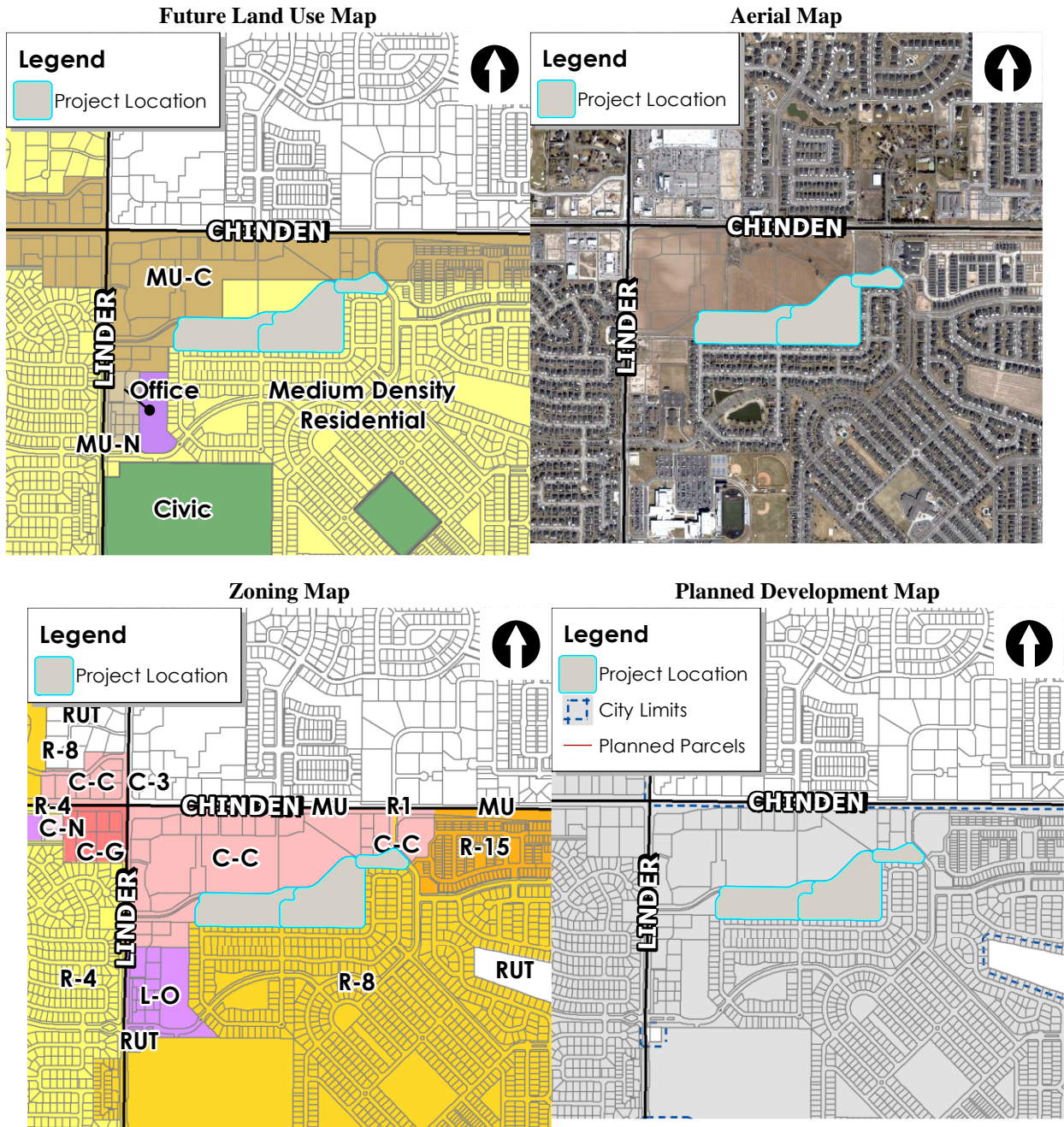
Description	Details
Physical Features (waterways, hazards, flood plain, hillside)	library/community workshop, dog washing stations, outdoor activity complex, fire pits, BBQ area with tables and shade structures The North Slough crosses this property.
Neighborhood meeting date	1/27/22
History (previous approvals)	H-2017-0088 (AZ, PP, VAR) (Development Agreement Inst. # 2019-028376); H-2021-0034 (MDA, Inst. # 2021-102392); FP-2020-0004

B. Community Metrics

Description	Details																																								
Ada County Highway District																																									
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p> <p>A Traffic Impact Study (TIS) was prepared by Kittleson & Associates, Inc. in 2017.</p>																																								
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via the extension of existing local streets, which connect to W. Orchard Park Dr., a collector street; private streets are planned for internal access to some of the units.																																								
Traffic Level of Service	<table border="1"> <thead> <tr> <th>Roadway</th> <th>Frontage</th> <th>Functional Classification</th> <th>PM Peak Hour Traffic Count</th> <th>PM Peak Hour Level of Service</th> </tr> </thead> <tbody> <tr> <td>**SH-20/26 Chinden Boulevard</td> <td>0-feet</td> <td>Expressway</td> <td>1,406</td> <td>N/A</td> </tr> <tr> <td>Linder Road</td> <td>0-feet</td> <td>Principal Arterial</td> <td>924</td> <td>Better than "E"</td> </tr> <tr> <td>Fox Run Way</td> <td>0-feet</td> <td>Collector</td> <td>105</td> <td>Better than "D"</td> </tr> <tr> <td>Orchard Park Drive</td> <td>1,935-feet</td> <td>Collector</td> <td>N/A</td> <td>Better than "D"</td> </tr> <tr> <td>**Arless Ave</td> <td>50-feet</td> <td>Local</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>**Bergman Ave</td> <td>960-feet</td> <td>Local</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>**Director Street</td> <td>52-feet</td> <td>Local</td> <td>65</td> <td>N/A</td> </tr> </tbody> </table> <p>* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH). * Acceptable level of service for a two-lane collector is "D" (425 VPH). ** ACHD does not set level of service thresholds for State Highways or Local Roadways.</p>	Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	**SH-20/26 Chinden Boulevard	0-feet	Expressway	1,406	N/A	Linder Road	0-feet	Principal Arterial	924	Better than "E"	Fox Run Way	0-feet	Collector	105	Better than "D"	Orchard Park Drive	1,935-feet	Collector	N/A	Better than "D"	**Arless Ave	50-feet	Local	N/A	N/A	**Bergman Ave	960-feet	Local	N/A	N/A	**Director Street	52-feet	Local	65	N/A
Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service																																					
**SH-20/26 Chinden Boulevard	0-feet	Expressway	1,406	N/A																																					
Linder Road	0-feet	Principal Arterial	924	Better than "E"																																					
Fox Run Way	0-feet	Collector	105	Better than "D"																																					
Orchard Park Drive	1,935-feet	Collector	N/A	Better than "D"																																					
**Arless Ave	50-feet	Local	N/A	N/A																																					
**Bergman Ave	960-feet	Local	N/A	N/A																																					
**Director Street	52-feet	Local	65	N/A																																					
Stub Street/Interconnectivity/Cross Access	N. Arless Ave., W. Director St. and N. Bergman Ave., existing local streets, stub to this site from the south and east and will be extended with development.																																								
Existing Road Network	W. Orchard Park Dr., a collector street, exists between N. Linder Rd., an arterial street, and N. Fox Run Way, a collector street.																																								
Existing Arterial Sidewalks / Buffers	There are no arterial streets that abut this site.																																								
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> Linder Road is scheduled in the IFYWP to be widened to 5-lanes and enhanced with pedestrian and bicycle improvements from Chinden Boulevard to State Street in the future. Linder Road is scheduled in the CIP to be widened to 7-lanes from Chinden Boulevard to State Street between 2026 to 2030. Linder Road is scheduled in the IFYWP to receive three bridge replacements over the Boise River, Eureka Canal, and the Phillis Canal in the future. Fox Run Way is scheduled in the IFYWP to receive bicycle corridor improvements from Pine Ave to Temple Drive in the future. Cayuse Creek Drive is scheduled in the IFYWP to receive bikeway signage in 2026. 																																								

Description	Details
West Ada School District <ul style="list-style-type: none"> • Distance (elem, ms, hs) • Capacity of Schools • # of Students Enrolled • Predicted # of students generated from proposed development 	No comments were received from WASD
Police Service	
<ul style="list-style-type: none"> • Distance to Police Station • Police Response Time • Calls for Service • Accessibility • Specialty/resource needs • Crimes • Crashes • Other 	5.6 miles 4:37 minutes in an emergency (meets the goal of 3-5 minutes) 2,465 within a mile of the site between 5/1/20 and 4/30/22 If climate controlled hallways are proposed in multi-family structures, PD requests further discussions with developer on plans for emergency police access. None – MPD can service this development & already serves this area. 330 within a mile of the site between 5/1/20 and 4/30/22 128 within a mile of the site between 5/1/20 and 5/30/22 For more info, see Section VIII.D
Wastewater	
<ul style="list-style-type: none"> • Distance to Sewer Services • Sewer Shed • Estimated Project Sewer ERU's • WRRF Declining Balance • Project Consistent with WW Master Plan/Facility Plan • Impacts/concerns 	See application Yes
Water	
<ul style="list-style-type: none"> • Distance to Water Services • Pressure Zone • Estimated Project Water ERU's • Water Quality Concerns • Project Consistent with Water Master Plan • Impacts/Concerns 	See application Yes

C. Project Area Maps



A. Applicant:

Michael Slavin, Accomplice – 424 E. Thurman Mill St., Garden City, ID 83714

B. Owners:

Joe Huarte, Lynx Investments, LLLP – 198 N. Al Fresco Pl., Boise, ID 83712

C. Representative:

Same as Applicant

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	11/16/2022	
Notification mailed to property owners within 300 feet	11/10/2022	
Applicant posted public hearing notice on site	11/2/2022	
Nextdoor posting	11/10/2022	

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

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates the majority of this site as Medium Density Residential (MDR) with some Mixed Use – Community (MU-C) on the west end.

The MDR 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 purpose of the MU-C designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C.

Transportation: ACHD’s Master Street Map doesn’t depict any collector streets planned across this site. Valley Connect 2.0 identifies a future express bus route on Chinden Blvd. and secondary bus route on Linder Rd. The higher density is supportive of future transit service. A Traffic Impact Study (TIS) was prepared by Kittleson & Associates, Inc. in 2017.

Proposed Development: The Applicant proposes to develop the site with a mix of residential uses consisting of single-family detached and attached homes, townhomes, and multi-family apartments/condos at a gross density of 8.35 units per acre consistent with the density desired in MDR and MU-C designated areas and in the development agreement.

Comprehensive Plan Policies: The following Comprehensive Plan Policies are applicable to this development:

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)
City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21. Urban services are available to be provided upon development.
- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)
The proposed residential development should be compatible with existing adjacent residential uses. The proposed site design, which provides a transition in density and single-family detached homes with a 35-foot wide linear common area between the proposed development and the existing development with single-family detached homes, should minimize conflicts.

- “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 proposed development will provide housing in close proximity to the MU-C designated area to the north where a mix of uses are planned, which will reduce vehicle trips and enhance overall livability and sustainability.

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

The proposed site plan depicts a linear common area with a pedestrian pathway along the south and east perimeter boundaries of the site, which will connect with pedestrian facilities to the north in the mixed-use development.

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

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

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

City water and sewer services are available to this site and can be extended by the developer with development in accord with UDC 11-3A-21. The emergency response times for Police and Fire Dept. fall within established response time goals.

- “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)

Safe pathway connections should be provided from the proposed development to the mixed-use development to the north. Usable open space and quality amenities are proposed.

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

The proposed residential development is located in close proximity to employment, shopping, restaurant and civic uses to the north and near US 20-26/Chinden Blvd., a major transportation corridor.

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

Urban infrastructure as noted is required to be provided with development in accord with UDC standards.

In summary, Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan for this area per the analysis above and with the existing development agreement for this site.

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

A. Preliminary Plat:

The proposed preliminary plat is a re-subdivision of Lot 2, Block 2 and Lot 1, Block 3, Linder Village Subdivision and Lot 1, Block 2, Paramount Point Subdivision. The plat consists of 114 building lots and 16 common lots (including 3 lots for private streets) on 17.49 acres of land in the R-8 and C-C zoning districts. *Note: ACHD has provided written consent for the right-of-way for N. Bergman Ave. to be included in the proposed plat.*

The Applicant proposes to develop the project in two (2) phases with the western portion of the site first, followed by the eastern portion of the site, as shown on the phasing plan in Section VII.A.

Existing Structures/Site Improvements:

There is an existing street buffer along W. Orchard Park Dr. on this site consisting of an 8-foot wide parkway and 5-foot wide detached sidewalk with grass on the back side of the sidewalk; street trees are provided within the buffer. The C-C zoned lot (Lot 8, Block 4) was fully landscaped with Paramount Point Subdivision (SHP-2020-0082), the commercial development to the north. North Bergman Ave. has been extended through this site. There are no existing structures on the site. *Note: The Applicant's narrative incorrectly states a 10-foot wide multi-use pathway exists along W. Orchard Park Dr.*

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards listed in UDC Tables [11-2A-6](#) for the R-8 district. A reduction to the setback requirements in UDC Table 11-2A-6 is requested with the PUD request (see below).

The final plat should graphically depict zero (0) lot lines on internal lot lines where single-family attached and townhome structures are proposed (i.e. where structures will span across lot lines).

Subdivision Design and Improvement Standards ([UDC 11-6C-3](#)):

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3 unless otherwise modified through the proposed PUD.

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

Access is proposed via the extension of two existing local public streets, N. Arliss Ave. and W. Director St., and N. Bergman Ave. Two (2) local public street accesses (i.e. N. Bergman Ave. and N. Arctic Fox Way) are proposed via W. Orchard Park, a collector street. Private streets are planned for internal access off the public streets; an application for such will be submitted with the final plat application. All private streets shall comply with the standards listed in UDC [11-3F-4](#).

The Applicant should work with ACHD and the Fire Dept. on traffic calming measures to slow traffic on Bergman Ave. and W. Bacall St. as noted in the Development Agreement. Details of such should be included with and depicted on the final plat.

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

The Pathways Master Plan doesn't depict any pathways across this site. A 12-foot wide asphalt access road/pathway is proposed within the linear common area along the south and east boundaries of the site in accord with the development agreement.

Several micro-paths are proposed for internal connectivity and access to the sidewalk along Orchard Park Dr. and to the pathway along the south and east boundaries of the site; **micro-paths on private building lots should be depicted in public use easements on the plat.** Internal pedestrian pathways are also proposed within the multi-family portion of the development.

The Applicant plans to propose two (2) crossings across Orchard Park Dr. for connectivity between the proposed residential development and the mixed-use development to the north with one or both being

smartwalks. The first is proposed just south of the library and the second just west of Bergman with the intention of connecting the residential development to a pathway to the east of The Barn and to the west of the live/work units to create an animated north/south pathway bringing life to the live/work units as well as a connection to the promenade connecting The Collection Library plaza, north promenade of The Barn and continuing through the east 13.7 acre proposed mixed use site (see pedestrian connectivity exhibit in Section VII.G). **The Applicant should work with ACHD on the location and design of these crossings.**

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

A detached 5-foot wide sidewalk exists along W. Orchard Park Dr., a collector street, along the northern boundary of the site. Attached sidewalks are proposed along local streets.

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

A street buffer exists along W. Orchard Park Dr., a collector street, that includes an 8-foot wide parkway, detached 5-foot wide sidewalk and landscaping on the back side of the sidewalk with street trees.

Enhanced landscaping should be provided within the buffer in accord with the updated standards listed in UDC [11-3B-7C](#) and additional area added if needed to provide a minimum 20-foot wide buffer. Street buffers are required to be maintained by the property owner or business owners' association.

Landscaping is required to be installed along all pathways in accord with the standards listed in UDC [11-3B-12C](#).

Landscaping is required in common open space areas in accord with the updated standards listed in UDC 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover. **The Landscape Requirements table on the landscape plan and the Site Amenity Plan should be updated to reflect compliance with the updated standard.**

There are no existing trees on the site to be removed or that require mitigation.

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

A minimum of 15% *qualified* open space is required in the R-8 district to be provided within the development per UDC [Table 11-3G-3](#) that meets the quality standards listed in UDC [11-3G-3A.2](#). Based on 16.79 acres, which excludes the 0.70-acre C-C zoned common lot (Lot 8, Block 4), a minimum of 2.52-acres of qualified open space is required. A total of 4.34 acres of open space is depicted on the open space exhibit included in Section VII.C; however, some of these areas (lots-blocks) do not qualify toward the minimum standards as follows:

- 1-1, 1-3 and 2-4 (multi-use pathways 11-3G-3B.3b): The referenced code section pertains to buffers along collector and arterial streets – these common area lots are along the south & east perimeter boundaries and are not street buffers. The correct code section is 11-3G-3B.1e (linear open space), which requires the area to be landscaped per the standards in UDC 11-3B in order to qualify. No trees are allowed within this area due to the irrigation easement that encompasses the area. In order for this area to qualify, an additional 5-feet would need to be provided outside of the easement area for trees and shrubs would also need to be provided in accord with the standards listed in UDC [11-3B-12C](#). This isn't feasible due to an IPCO easement that runs alongside the irrigation easement, which also presumably doesn't allow trees. This area cannot be counted unless otherwise approved through alternative compliance.
- 9-1, 39-5, 26-2, 28-2, 10-5, 11-5, 18-5 and 19-5 (micro-pathway & landscaping): 26-2 doesn't have a minimum width of 20-feet, therefore, it doesn't qualify; 10-5, 11-5, 28-2, 18-5 and 19-5 are all private building lots, which don't qualify – the pathways should be placed in public pedestrian easements and should be a minimum width of 20-feet in order to qualify. (*only 0.071-acre qualifies: 9-1 & 39-5*)
- 1-2, 2-5 and 1-4 (landscape buffer along collector road): the collector street buffer can only be counted if it meets all of the enhanced buffer requirements listed in UDC [11-3G-3B.3](#); otherwise it

does not qualify. A 5-foot wide detached sidewalk was constructed in the buffer – unless this is replaced with a 10-foot wide pathway and enhanced landscaping and amenities are provided per the aforementioned standards, this area cannot be counted.

- 8-4 (landscape common lot greater than 50' x 100' in area): This area is not integrated into the development, therefore, it doesn't qualify.
- 7-2 (micro-path connection): this 0.04-acre area qualifies.
- 3-5 (parking): the parking area does *not* qualify but the tool share/bike station/dog wash does qualify.
- 24-5 (clubhouse/pool/grass play area/parking): this 0.48-acre area qualifies.

The common open space exhibit is *not* approved as submitted and should be revised to comply with the common open space standards prior to the City Council hearing; or an application for alternative compliance to these standards may be submitted if the proposed design includes innovative design features based on “new urbanism”, “neotraditional design”, or other architectural and/or site designs that promote walkable and mixed use neighborhoods (see UDC [11-5B-5](#) for more information).

Site Amenities (UDC [11-3G-4](#)):

A minimum of three (3) points of site amenities are required based on 17.49-acres of development area from the Site Amenities and Point Value [Table 11-3G-4](#). A linear open space area is proposed along the south and east boundaries of the site with a 2,309-foot long multi-use pathway (4 points), which meets the minimum standards. *Other site amenities are proposed within the multi-family development (see analysis in Section V.B below).*

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

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practices as adopted by the City. The Applicant submitted a [Geotechnical Engineering Report](#) for the subdivision. Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

Pressure Irrigation (UDC [11-3A-15](#)):

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15. This property lies within the Settler's Irrigation District boundary.

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

Utilities are required to be provided to the subdivision as required in UDC [11-3A-21](#). Street lights shall be installed in accord with the City's adopted standards, specifications and ordinances/

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

The North Slough crosses this site and was relocated and piped along the south and east boundaries of the site; the easement for such is depicted on the plat. All waterways on this site shall be piped as set forth in UDC [11-3A-6B.3](#), unless otherwise waived by City Council. This project is not within the floodplain.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. There is an existing wood fence around the perimeter of the development that is proposed to remain; this fence should be protected during construction.

B. Planned Unit Development (PUD):

A Planned Unit Development (PUD) is proposed for a residential community consisting of a total of 146 dwelling units on 17.5 acres of land in the R-8 zoning district.

A request for a reduction to the setback requirements for the R-8 zoning district in UDC [Table 11-2A-6](#) is included with the PUD application (see table below and full exhibit in Section VII.E). Dimensions listed as *minimum*; however, the typical dimension will be greater. Deviations to the setbacks may be approved with the exception that along the periphery of the development, the applicable setbacks as established by the district shall not be reduced per UDC [11-7-4A.1](#). *Because common lots are proposed around the periphery of the development, deviations from setbacks are allowed for adjacent building lots.*

SETBACK INFORMATION (R-8/PUD REQUEST)							
DIAGRAM COLOR	UNIT TYPE	FRONT PROPOSED	GARAGE PROPOSED	SIDE PROPOSED	STREET SIDE PROPOSED	REAR PROPOSED	NOTES:
	RIBBON TOWNHOMES	0' MIN	0' MIN	5'	10'	0' MIN	0' IS TO BACK OF COMMON LOT WHICH IS 20' FROM BACK OF CURB
	TWO PACK TOWNHOMES	10'	0' MIN	5'	8' MIN	0' MIN	STREET SIDE SETBACK FROM PARALLEL PORTION OF STREET IS TYPICALLY >10'
	MIDDLE THREE TOWNHOMES	8'6"	4' MIN	N/A	10' MIN	4' MIN	
	BOULDER FLATS*	3'6" MIN	N/A	6' MIN	3'6"	6' MIN	
	COURTYARD/HEADWATER CONDOS*	2'	N/A	5'	7'	10'	THERE ARE 5 GARAGE SPACES AT THE HEADWATER CONDO LOCATION W/ 5' SETBACK
	SINGLE FAMILY UNITS	10'	20'	5'	10'	10'	

The uses within the PUD are proposed to be interconnected through a system of local and private streets and pedestrian pathways as desired in UDC [11-7-4A.3](#) (see preliminary plat in Section VII.A and pedestrian connectivity exhibit in Section VII.G).

Buildings are clustered to consolidate small open spaces into larger, more usable areas for common use and enjoyment in accord with UDC [11-7-4A.4](#).

Private Open Space (UDC [11-7-4B](#)): In addition to the common open space and site amenity standards in UDC 11-3G-3, **a minimum of eighty (80) square feet of private, usable open space shall be provided for each residential unit.** This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.

Residential Use Standards (UDC [11-7-4C](#)): Typically, the UDC does not allow multi-family developments in the R-8 zoning district; however, multi-family dwellings may be allowed in the R-8 district when included in a PUD per UDC Table 11-2A-2, note #2 and UDC 11-7-4C.1. *Single-family detached/attached and townhomes are listed as principal permitted uses in the R-8 district.*

A variety of housing types are proposed, including single-family detached (32 units), single-family attached (38 units), townhome (38 units) and multi-family (38 units) units. The gross density of the proposed development is 8.35 units per acre; the net density is 16.3 units per acre. A density bonus is not requested or approved; dedication of land for public use is not proposed.

If some of the multi-family units are proposed to be condominiumized, a short plat shall be submitted where all buildings are constructed or have received building permits for construction as set forth in UDC [11-6B-5](#)

Specific Use Standards (UDC 11-4-3-27):

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

[11-4-3-27](#): MULTI-FAMILY DEVELOPMENT:

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Lesser setbacks are proposed with the PUD (see Section VII.E for more information).*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully

screened from view from a public street. ***The plans submitted with the Certificate of Zoning Compliance application should demonstrate compliance with this standard.***

3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *Compliance with this standard is required.*
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. ***Some of the parking areas in the multi-family development were included in the common open space calculations and should be removed from the calculations and not be counted.***
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant should comply with this requirement.*
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *Off-street parking is required to be provided in accord with the standards listed in UDC Table [11-3C-6](#) shown below. Staff recommends the parking exhibit in Section VII.F is revised prior to the City Council hearing to demonstrate compliance with the following standards:*

Use And Form	Number Of Bedrooms (Per Unit)	Required Parking Spaces ¹
Dwelling, duplex and dwelling, single-family (detached, attached, townhouse)	1/2	2 per dwelling unit; at least 1 in an enclosed garage, other space may be enclosed or a minimum 10-foot by 20-foot parking pad ²
	3/4	4 per dwelling unit; at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad ²
	5+	6 per dwelling unit; at least 3 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad ²
Dwelling, multifamily ³ (triplex, fourplex, apartments, etc.)	Studio	1 per dwelling unit
	1	1.5 per dwelling unit; at least 1 in a covered carport or garage
	2/3	2 per dwelling unit; at least 1 in a covered carport or garage
	4+	3 per dwelling unit; at least 2 in a covered carport or garage
	Guest spaces	1 per 10 dwelling units

Notes:

¹ The size of the garage or carport required for dwelling units shall be measured by exterior dimensions and shall be at least ten (10) feet by twenty (20) feet for a one-space garage or carport and 20 feet by 20 feet for a two-space garage or carport.
² The parking pad shall be measured from edge of sidewalk or edge of paved travel lane (public street, private street, or alley) where no sidewalk exists. For alley accessed properties the parking pad is not required in front of the garage if the garage is located at the five-foot setback to the rear property line; the required parking pad must be provided along the side of the garage unless equivalent off-street parking, as determined by the Director, is provided in accord with [Section 11-3C-5](#), [Table 11-3C-5](#) of this Article.
³ For condominium projects, the required number of parking spaces shall be determined by the Director based on the proposed development. If the proposed development is similar to a single-family development, such standards shall apply. If the proposed development is similar to a multifamily apartment complex, such standards shall apply.
⁴ The required number of parking spaces for the residential portion of a vertically integrated project shall be in addition to that required for nonresidential uses as listed in subsection B of this section.

Staff is unable to determine compliance with the minimum standards until a revised parking exhibit is submitted.

7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

The site amenity plan included in Section VII.D does not depict these items; a revised plan should be submitted with the Certificate of Zoning Compliance application that includes these items.

Common Open Space Design Requirements (UDC [11-4-3-27C](#)):

The total baseline land area of all qualified common open space shall equal or exceed 10% of the gross land area for multi-family developments of 5 acres or more. *The proposed development is exempt from this standard because a single-family development is concurrently proposed, which requires compliance with the minimum open space standards in UDC 11-3G-3 (see above analysis in Section V.A).*

Common open space areas are also required to comply with the standards listed in UDC 11-4-3-27C.2, which state that open space areas must be integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. These areas should have direct pedestrian access, be highly visible, comply with CPTED standards and support a range of leisure and play activities and uses – irregular shaped, disconnected or isolated open spaces do not meet the standard. Open space areas should be accessible and well connected throughout the development (i.e. centrally located, accessible by pathway and visually accessible along collector streets or as a terminal view from a street). Open space areas should promote the health and well-being of its residents and support active and passive uses for recreation, social gathering and relaxation to serve the development. *The proposed common open space meets these standards.*

All multi-family projects over 20 units are required to provide at least one (1) common grassy area of at least 5,000 s.f. in area that's integrated into the site design allowing for general activities by all ages, which may be included in the minimum required open space. The area shall increase proportionately as the number of units increase and shall be commensurate to the size of the development as determined by the decision-making body. *The Applicant proposes one (1) common open space area (Lot 8, Block 4) at the northeast corner of the development consisting of 30,384 s.f. that meets the size requirement but is not integrated into the site design. Although the area is included in the proposed plat, it was developed with and appears to be part of the adjacent commercial development (Paramount Point subdivision). Therefore, Staff recommends a minimum 5,000 square foot common area is proposed that complies with this standard.*

In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:

- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *All multi-family units contain more than 500 square feet (s.f.) of living area.*
- b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *A total of 38 units contain between 500 and 1,200 s.f. of living area; therefore, a minimum of 9,500 s.f. (or 0.22-acre) of common open space is required.*
- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *None of the units contain more than 1,200 s.f. of living area.*

At a minimum, a total of 9,500 s.f. (or 0.22-acre) of qualified outdoor common open space is required to be provided per this standard. This is in addition to the requirements in UDC 11-3G-3C. Overall, a minimum of 2.74-acres of qualified open space is required that complies with the standards in UDC [11-3G-3B](#) and [11-4-3-27C](#). A total of 4.34-acres of qualified open space is depicted on the qualified open space exhibit; however, some of these areas do not qualify as noted in Section V.A above. The open space exhibit should be revised prior to the City Council hearing to only include qualified open space that complies with the aforementioned standards.

Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *The open space exhibit should be revised*

to exclude areas that are not a minimum of 400 s.f. and that don't meet the dimensional width and length standard.

In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. **An exhibit shall be submitted demonstrating compliance with this standard for each phase of development prior to the City Council hearing.** *If changes are necessary to the phasing plan to comply with this standard, a revised phasing plan should be submitted.*

Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *The street buffer along W. Orchard Park Dr., a collector street, was constructed with the previous subdivision (Linder Village) and does not include a berm; the buffer is included in the common open space calculations. Staff recommends the buffer is allowed to count toward the minimum standards if enhanced landscaping is provided per the standards listed in UDC [11-3G-3B.3](#) as recommended.*

Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. Quality of life:
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - (5) Dog park with waste station.
 - (6) Commercial outdoor kitchen.
 - (7) Fitness course.
 - (8) Enclosed storage.
 - b. Open space:
 - (1) Community garden.
 - (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping and a structure for shade.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. Multi-modal amenity standards:
 - (1) Bicycle repair station.

- (2) Park and ride lot.
 - (3) Sheltered transit stop
 - (4) Charging stations for electric vehicles
2. The number of amenities shall depend on the size of multi-family development as follows:
 - a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
 - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
 - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
 3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

A total of 38 multi-family units are proposed; therefore, a minimum of three (3) site amenities are required, one from each category. Proposed site amenities consist of a swimming pool with changing rooms and restrooms; walking trails/pathways; a community workshop building that will allow for bicycle repair, woodworking, etc.; a dog wash station and related amenities for pet care; a BBQ area with tables and a shade structure; a dedicated open space area around the pool area for fire pits; and another dedicated open space area for bike parking, bench seating, tables, moveable planters and string lights, which exceeds the minimum standards.

E. Landscaping Requirements:

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

The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping in accord with these standards.

- F. Maintenance and Ownership Responsibilities:** All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. ***The Applicant shall comply with this requirement.***

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

Street buffer landscaping is required to be installed with the subdivision plat as noted above in Section V.A.

Landscaping is required to be installed along all pathways in accord with the standards listed in UDC [11-3B-12C](#). The common area lot along the south and east boundaries of the site where a 12-foot wide access

road/multi-use pathway is proposed is encompassed by an irrigation easement that prohibits trees within the easement. **Prior to the City Council hearing, an Alternative Compliance application should be submitted to relocate the trees required in this area to along micro-paths within the development, as proposed; shrubs and other plantings should be provided within this area if allowed by the easement holder in accord with UDC 11-3B-12C.2.**

Landscaping is required in common open space areas in accord with the updated standards listed in UDC 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover. **The Landscape Requirements table on the landscape plan and the Site Amenity Plan should be updated to reflect compliance with the updated standard.**

Fencing: All fencing is required to comply with the standards listed in UDC 11-3A-7. A 5-foot tall fence is proposed around the swimming pool; **the fence is required to comply with the building code requirements for such.**

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

Conceptual building elevations were submitted for the proposed residential structures, included in Section VII.H. A mix of 1-, 2- and 3-story structures are proposed in a variety of construction materials and styles. **To ensure quality of design for an exemplary development, Staff recommends final design of all structures comply with the design standards in the [Architectural Standards Manual](#), unless otherwise approved through a design standard exception.** The Applicant's narrative includes a request for exceptions to design standards #R3.1E and #R3.1F in the Architectural Standards Manual; these exceptions should be included with the Design Review application and are not approved with this application.

A Design Review application is required to be submitted for approval of all structures. A Certificate of Zoning Compliance (CZC) application is required to be submitted for the multi-family structures along with the Design Review application; one (1) CZC may be submitted for the overall multi-family development if desired.

In approving the planned development, the Council may prescribe appropriate conditions, additional conditions, bonds, and safeguards in conformity with this title that:

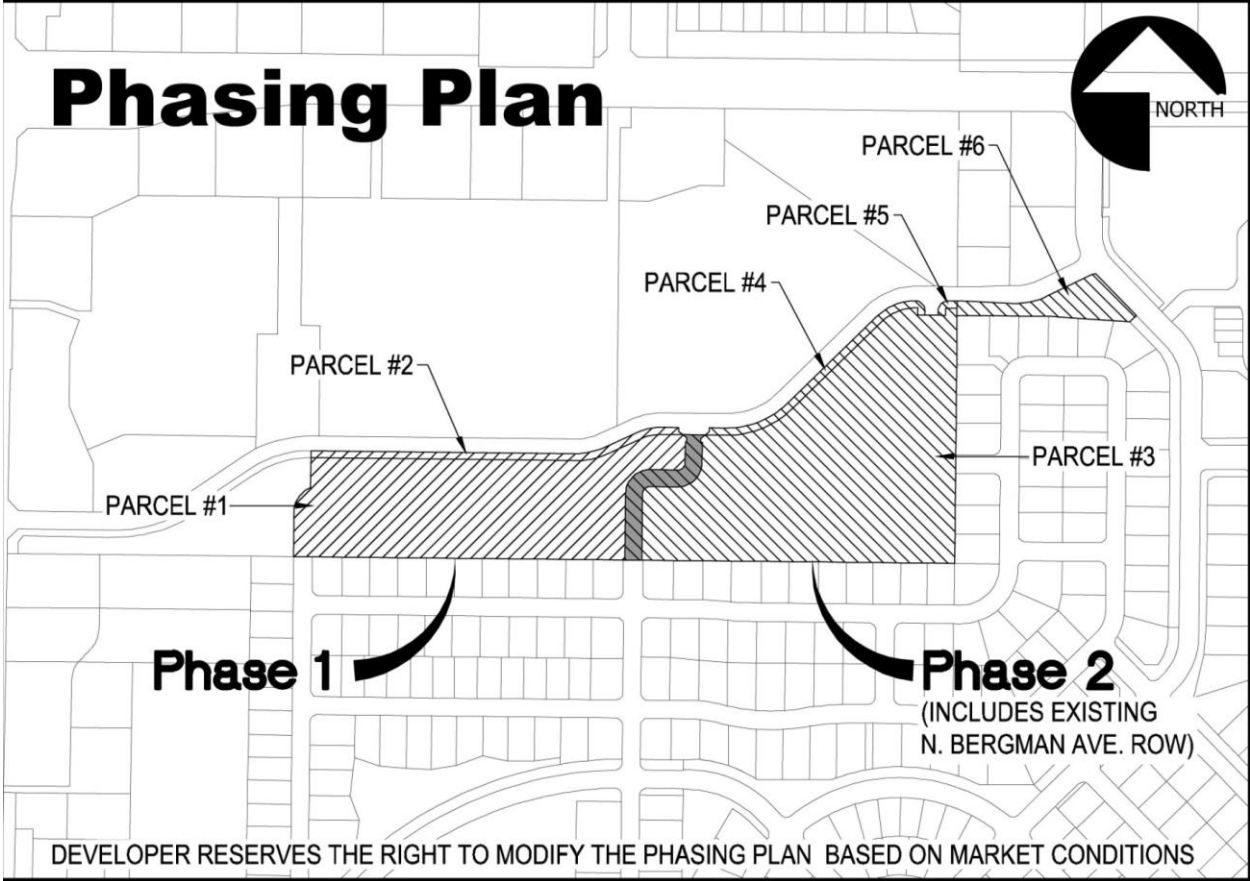
1. Minimize adverse impact of the use on other property.
2. Control the sequence and timing of the use.
3. Control the duration of the use.
4. Assure that the use and the property in which the use is located is maintained properly.
5. Designate the exact location and nature of the use and the property development.
6. Require the provision for on site or off-site public facilities or services.
7. Require more restrictive standards than those generally required in this title.
8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, which provides services within the city.

Because like uses (i.e. single-family detached homes) are proposed to existing abutting single-family detached homes in Paramount Subdivision and a transition in housing types and density is proposed along with a 35-foot wide linear common open space area as a separation and buffer, Staff is not recommending any additional conditions to minimize any adverse impacts of the use on adjacent properties.

VI. DECISION

A. Staff:

Staff recommends approval of the requested preliminary plat and planned unit development with the conditions noted in Section VIII, per the Findings in Section IX.



C. Common Open Space Exhibit (dated: 3/22/2022) – NOT APPROVED

OPEN SPACE SUMMARY:

CODE REQUIREMENTS PER MERIDIAN ID 11-30:
TOTAL AREA IN SQ FEET

LOT NUMBER	DESCRIPTION	ACTUAL AREA (SQ)	ACTUAL AREA (AC)	QUALIFIED OPEN SPACE CREDIT	QUALIFIED OPEN SPACE AREA (SQ)
S1	MULTIUSE PATHWAY TRUSS & B	2626	2,297	100%	2626
S7	MISC-PATHWAY AND LANDSCAPING	1191	2,217	100%	1191
S2	PRIVATE STREET	12482	2,328	0%	0
S3	PRIVATE STREET	11294	2,421	0%	0
S12	PRIVATE STREET	4,128	2,428	0%	0
S23	SEATING AREA	1,319	2,222	100%	1,319
S24	MULTIUSE PATHWAY TRUSS & B	4,274	2,222	100%	4,274
S25	MULTIUSE PATHWAY TRUSS & B	1821	2,217	100%	1821
S26	LANDSCAPE BUFFER ALONG COLLECTOR RD	1993	2,212	100%	1993
S27	LANDSCAPE BUFFER ALONG COLLECTOR RD	1127	2,207	100%	1127
S28	LANDSCAPE BUFFER ALONG COLLECTOR RD	1174	2,212	100%	1174
S29	LANDSCAPE COMMON LOT (CH X SW)	2028	2,222	100%	2028
S30	MISC-PATHWAY AND LANDSCAPING	1174	2,222	100%	1174
S31	LANDSCAPE BUFFER	1008	2,222	0%	0
S32	LANDSCAPE BUFFER	1008	2,222	0%	0
S33	LANDSCAPE BUFFER	1112	2,222	0%	0
S34	LANDSCAPE BUFFER	1008	2,222	0%	0
S35	LANDSCAPE BUFFER	1008	2,222	0%	0
S36	LANDSCAPE BUFFER	1008	2,222	0%	0
S37	LANDSCAPE BUFFER	1008	2,222	0%	0
S38	LANDSCAPE BUFFER	1008	2,222	0%	0
S39	LANDSCAPE BUFFER	1008	2,222	0%	0
S40	LANDSCAPE BUFFER	1008	2,222	0%	0
S41	LANDSCAPE BUFFER	1008	2,222	0%	0
S42	LANDSCAPE BUFFER	1008	2,222	0%	0
S43	LANDSCAPE BUFFER	1008	2,222	0%	0
S44	LANDSCAPE BUFFER	1008	2,222	0%	0
S45	LANDSCAPE BUFFER	1008	2,222	0%	0
S46	LANDSCAPE BUFFER	1008	2,222	0%	0
S47	LANDSCAPE BUFFER	1008	2,222	0%	0
S48	LANDSCAPE BUFFER	1008	2,222	0%	0
S49	LANDSCAPE BUFFER	1008	2,222	0%	0
S50	LANDSCAPE BUFFER	1008	2,222	0%	0
S51	LANDSCAPE BUFFER	1008	2,222	0%	0
S52	LANDSCAPE BUFFER	1008	2,222	0%	0
S53	LANDSCAPE BUFFER	1008	2,222	0%	0
S54	LANDSCAPE BUFFER	1008	2,222	0%	0
S55	LANDSCAPE BUFFER	1008	2,222	0%	0
S56	LANDSCAPE BUFFER	1008	2,222	0%	0
S57	LANDSCAPE BUFFER	1008	2,222	0%	0
S58	LANDSCAPE BUFFER	1008	2,222	0%	0
S59	LANDSCAPE BUFFER	1008	2,222	0%	0
S60	LANDSCAPE BUFFER	1008	2,222	0%	0
S61	LANDSCAPE BUFFER	1008	2,222	0%	0
S62	LANDSCAPE BUFFER	1008	2,222	0%	0
S63	LANDSCAPE BUFFER	1008	2,222	0%	0
S64	LANDSCAPE BUFFER	1008	2,222	0%	0
S65	LANDSCAPE BUFFER	1008	2,222	0%	0
S66	LANDSCAPE BUFFER	1008	2,222	0%	0
S67	LANDSCAPE BUFFER	1008	2,222	0%	0
S68	LANDSCAPE BUFFER	1008	2,222	0%	0
S69	LANDSCAPE BUFFER	1008	2,222	0%	0
S70	LANDSCAPE BUFFER	1008	2,222	0%	0
S71	LANDSCAPE BUFFER	1008	2,222	0%	0
S72	LANDSCAPE BUFFER	1008	2,222	0%	0
S73	LANDSCAPE BUFFER	1008	2,222	0%	0
S74	LANDSCAPE BUFFER	1008	2,222	0%	0
S75	LANDSCAPE BUFFER	1008	2,222	0%	0
S76	LANDSCAPE BUFFER	1008	2,222	0%	0
S77	LANDSCAPE BUFFER	1008	2,222	0%	0
S78	LANDSCAPE BUFFER	1008	2,222	0%	0
S79	LANDSCAPE BUFFER	1008	2,222	0%	0
S80	LANDSCAPE BUFFER	1008	2,222	0%	0
S81	LANDSCAPE BUFFER	1008	2,222	0%	0
S82	LANDSCAPE BUFFER	1008	2,222	0%	0
S83	LANDSCAPE BUFFER	1008	2,222	0%	0
S84	LANDSCAPE BUFFER	1008	2,222	0%	0
S85	LANDSCAPE BUFFER	1008	2,222	0%	0
S86	LANDSCAPE BUFFER	1008	2,222	0%	0
S87	LANDSCAPE BUFFER	1008	2,222	0%	0
S88	LANDSCAPE BUFFER	1008	2,222	0%	0
S89	LANDSCAPE BUFFER	1008	2,222	0%	0
S90	LANDSCAPE BUFFER	1008	2,222	0%	0
S91	LANDSCAPE BUFFER	1008	2,222	0%	0
S92	LANDSCAPE BUFFER	1008	2,222	0%	0
S93	LANDSCAPE BUFFER	1008	2,222	0%	0
S94	LANDSCAPE BUFFER	1008	2,222	0%	0
S95	LANDSCAPE BUFFER	1008	2,222	0%	0
S96	LANDSCAPE BUFFER	1008	2,222	0%	0
S97	LANDSCAPE BUFFER	1008	2,222	0%	0
S98	LANDSCAPE BUFFER	1008	2,222	0%	0
S99	LANDSCAPE BUFFER	1008	2,222	0%	0
S100	LANDSCAPE BUFFER	1008	2,222	0%	0

TOTAL
TOTAL QUALIFIED OPEN SPACE (AC) 4.54
TOTAL QUALIFIED OPEN SPACE PERCENT 24.8%

PATHWAY LEGEND:

- REGIONAL MULTIUSE PATHWAY 2,303 LF
- MICRO PATHWAY 361 LF
- COMMUNITY SIDEWALK 7,361 LF



STACK ROCK
LANDSCAPE ARCHITECTURE & MASTER PLANNING

1000 MERIDIAN
444 S 4th St #104
Des Moines, IA 50315
563.281.0000
www.stackrockgroup.com

WILLET O'CONNOR, PLA
OFFICE: 503.545.0000
www.willetoc.com

THE GRAPHICS AND DESIGN
BY: W. H. S. & A. B.
CONSULTANTS THAT REMAINS
AT ALL TIMES PROPERTY OF
STACK ROCK GROUP, INC.

REPRODUCTION OR RELEASE OF
THIS PRODUCT CONTAINED
HEREIN IS PROHIBITED
WITHOUT THE WRITTEN
CONSENT OF STACK ROCK
G R O U P, I N C.

10000 STACK
ROCK GROUP, INC.

PRELIMINARY

NOT FOR CONSTRUCTION

SAGARRA SUBDIVISION

MERIDIAN, IA

DATE: 03/22/2022
TIME: 10:22 AM
DRAWN BY: [Name]
CHECKED BY: [Name]

OPEN SPACE EXHIBIT

SHEET NUMBER: EX-1

E. Proposed Reductions to R-8 Setbacks

Exhibit G



Development Setback Diagram

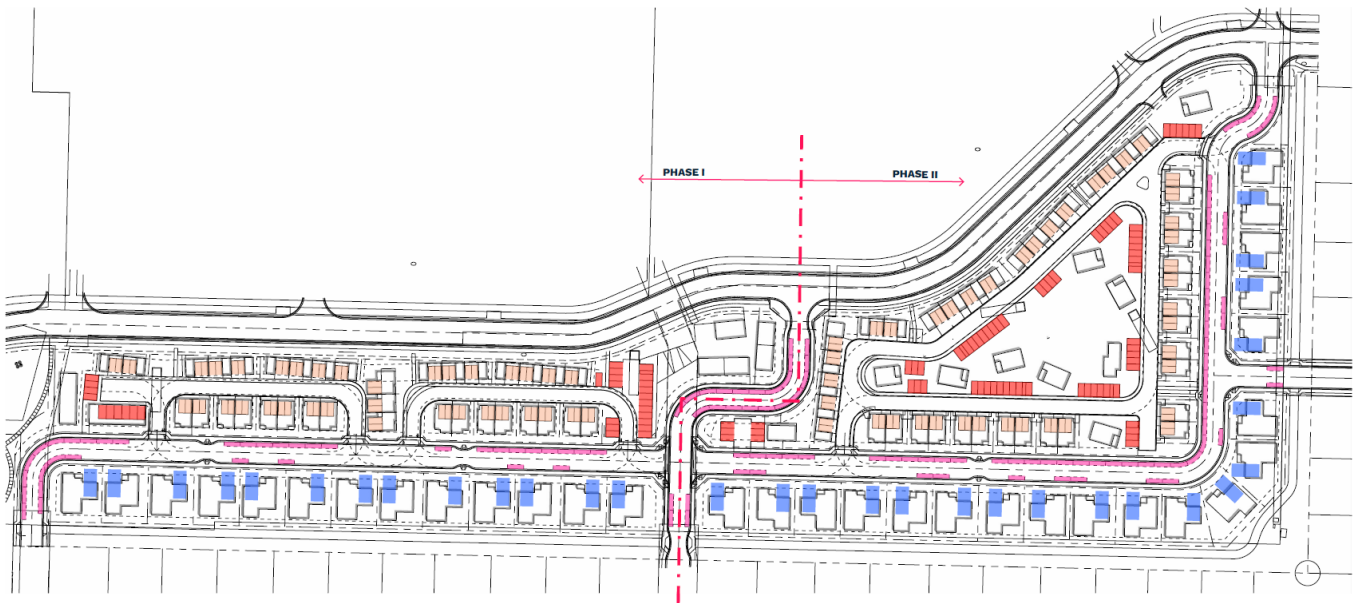
SETBACK INFORMATION (R-8/UD REQUEST)

DIAGRAM COLOR	UNIT TYPE	FRONT PROPOSED	GARAGE PROPOSED	SIDE PROPOSED	STREET SIDE PROPOSED	REAR PROPOSED	NOTES
Green	RIBBON TOWNHOMES	0' MIN	0' MIN	0'	10'	0' MIN	0' IS TO BACK OF COMMON LOT WHICH IS 20' FROM BACK OF CURB
Blue	TWO PACK TOWNHOMES	10'	0' MIN	5'	8' MIN	0' MIN	STREET SIDE SETBACK FROM PARALLEL PORTION OF STREET IS TYPICALLY 10'
Purple	MIDDLE THREE TOWNHOMES	8'0"	4' MIN	N/A	10' MIN	4' MIN	
Red	BOULDER FLATS*	3'0" MIN	N/A	5' MIN	3'6"	6' MIN	
Orange	COURTYARD/HEADWATER CONDOS*	2'	N/A	5'	7'	10'	THERE ARE 5 GARAGE SPACES AT THE HEADWATER CONDO LOCATION W/ 5' SETBACK
Yellow	SINGLE FAMILY UNITS	10'	20'	5'	0'	10'	
Red Circle	CONTROL POINT - PORTION OF BUILDING CLOSEST TO PROPERTY LINE						

NOTE: SETBACKS LISTED ABOVE ARE DEVIATIONS FROM THE MDC R-8 DIMENSIONAL STANDARDS. DIMENSIONS LISTED AS MIN ARE TO ARTICULATE THAT THOUGH THIS IS LISTED AS THE MINIMUM THE TYPICAL DIMENSION WILL BE GREATER THAN THIS

* THE BOULDER FLATS, HEADWATER & COURTYARD CONDOS ARE MULTI-FAMILY UNITS BEING REQUESTED UNDER THE PUD APPLICATION

F. Parking Diagram – NOT APPROVED



Residential Parking Diagram

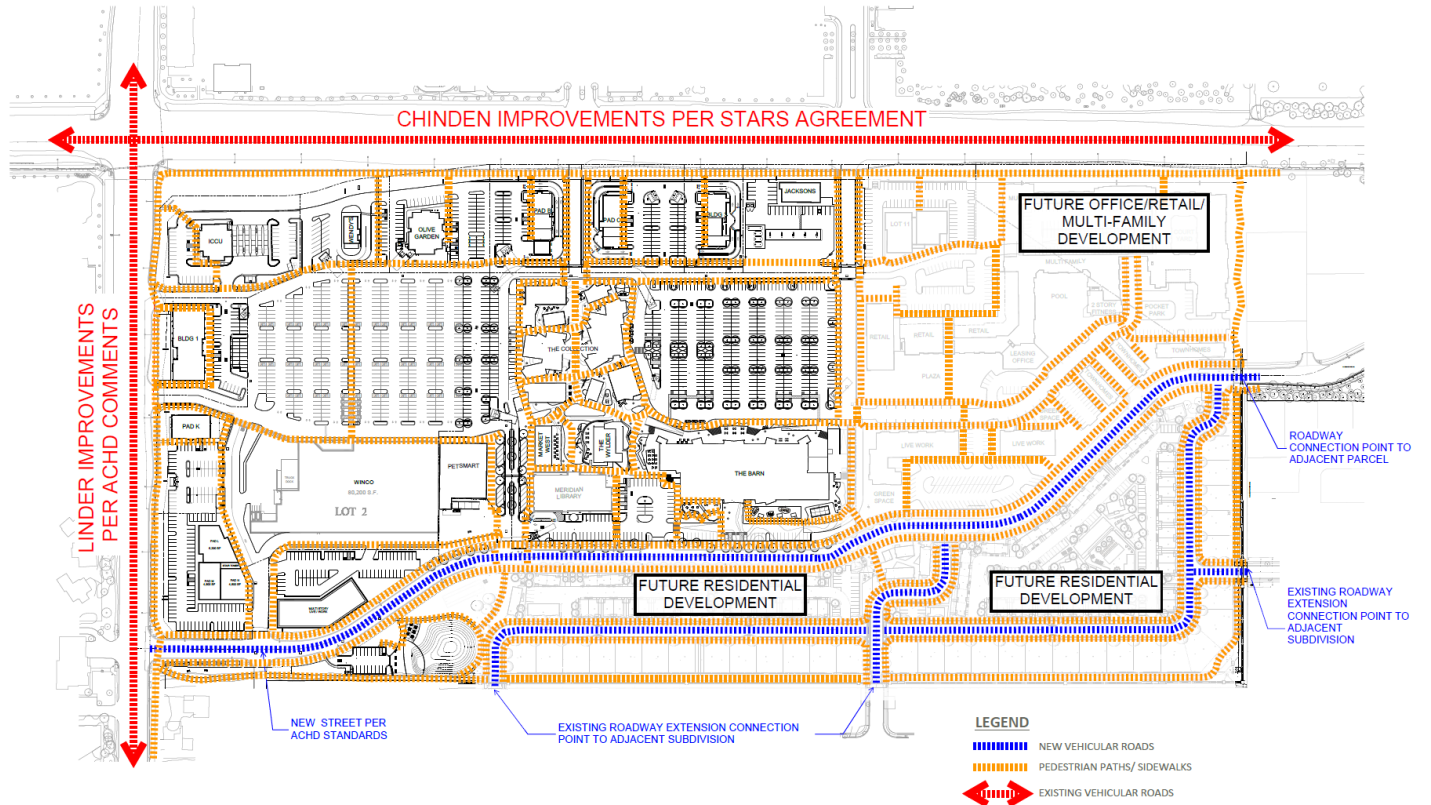
RESIDENTIAL PARKING INFORMATION		TOTAL REQUIRED	PHASE I PROVIDED	PHASE II PROVIDED	TOTAL PROVIDED
■	2 BEDROOM TOWNHOMES**	152	70	82	152
■	MULTI-FAMILY (1 1/2 BEDROOM)***	72	29	67	96
■	SINGLE FAMILY (2 1/3 BEDROOM)**	128*	52	76	128
■	ON STREET PARKING	0	47	75	122

NOTE: SPACES PROVIDED BASED ON MERIDIAN CITY CODE REQUIREMENTS FROM TABLE 11-3C-6 (SEE TABLE THIS SHEET)
 * THIS WOULD BE THE NUMBER REQUIRED IF ALL SINGLE FAMILY HOMES WERE 3/4 BEDROOM UNITS
 ** ALL TOWNHOME AND SINGLE FAMILY HOME UNITS HAVE A 2 CAR GARAGE (ADDITIONALLY, THE SINGLE FAMILY HOMES HAVE A 2 CAR DRIVEWAY)
 *** ALL MULTI-FAMILY UNITS WILL HAVE A MINIMUM OF ONE COVERED PARKING SPACE

TABLE 11-3C-6
 REQUIRED PARKING SPACES FOR RESIDENTIAL USE

Use And Item	Number Of Bedrooms (Per Unit)	Required Parking Spaces
Dwelling, duplex and dwelling, single-family detached, attached, townhouse	1/2	2 per dwelling unit, or 1 per enclosed garage, other spaces may be enclosed to a maximum of 10 total by 20-foot parking wall
	3/4	2 per dwelling unit, or 1 per enclosed garage, other spaces may be enclosed to a maximum of 10 total by 20-foot parking wall
	1	2 per dwelling unit, or 1 per enclosed garage, other spaces may be enclosed to a maximum of 10 total by 20-foot parking wall
	1 1/2	2 per dwelling unit
Dwelling, multi-family (apartments, duplexes, etc.)	1/2	2 per dwelling unit, or 1 per enclosed garage
	3/4	2 per dwelling unit, or 1 per enclosed garage
	1	2 per dwelling unit, or 1 per enclosed garage
	1 1/2	2 per dwelling unit, or 1 per enclosed garage
Hotel/motel	1	2 per dwelling unit, or 1 per enclosed garage
Dwelling, secondary	1	1 per dwelling unit
Dwelling, non-residential (non-family)	1	1 per dwelling unit
Detached single-unit residential*	1	1 per dwelling unit
	2	1 per dwelling unit
	3	1 per dwelling unit
	4	1 per dwelling unit

G. Vehicular & Pedestrian Circulation Plan



Scale: 1:100

H. Conceptual Building Elevations

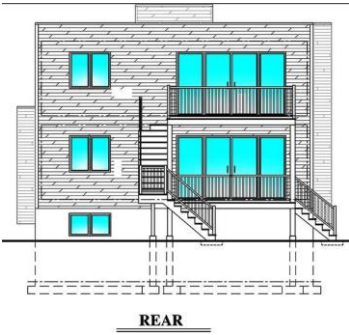
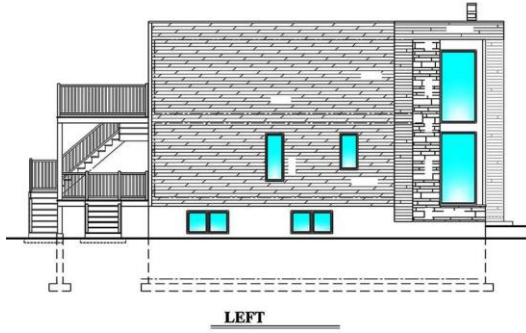
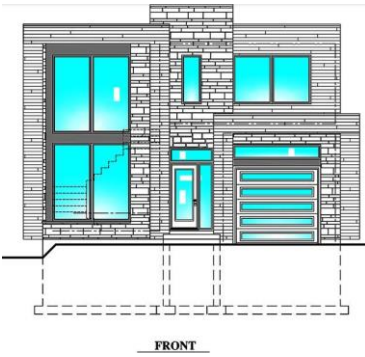


Concept Elevations for Single Family Homes

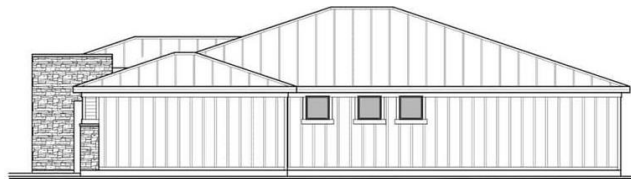
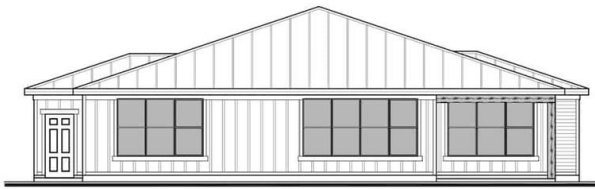
Building "A" Concept:



Building "B" Concept:



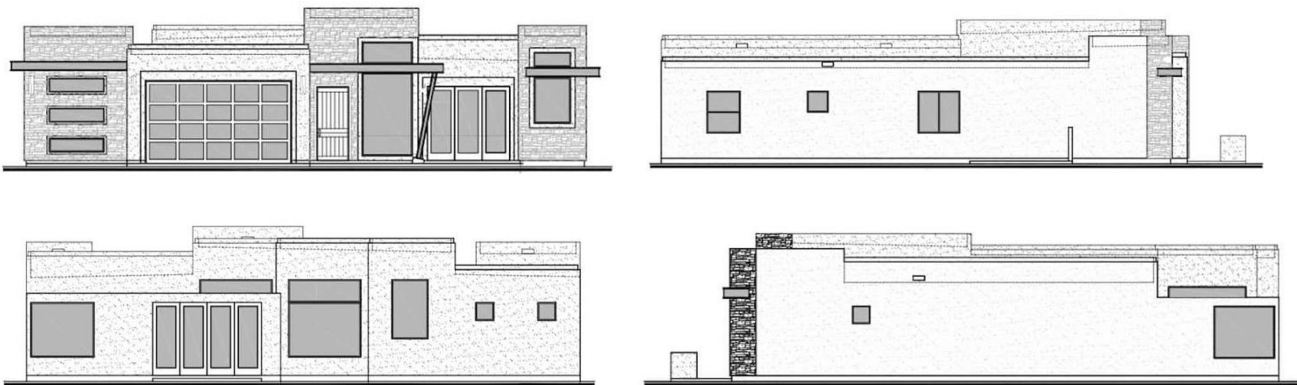
Building "C" Concept:



Building "D" Concept:



Building "E" Concept:



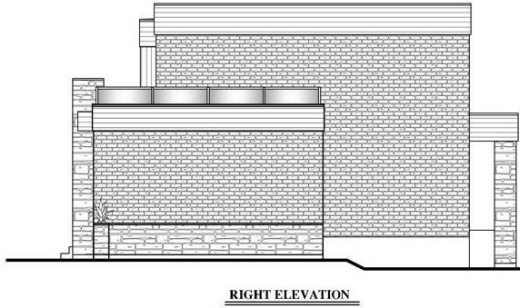
Building "F" Concept:



Building "G" Concept:



Building "H" Concept:



Existing Single Family Residential SCALE: N.T.S.



New Single Family Residential SCALE: N.T.S.

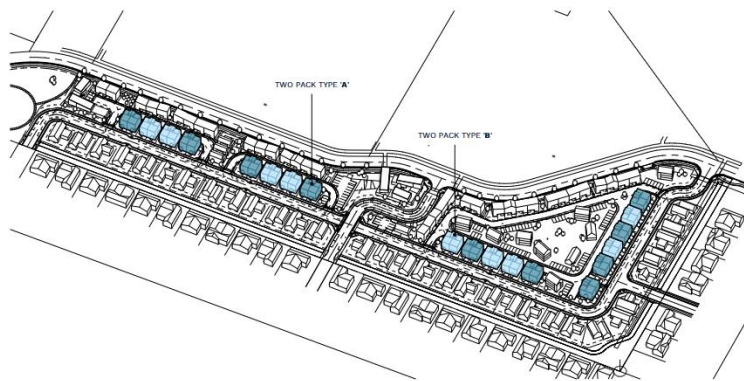
pivot north

PLANNED UNIT DEVELOPMENT
MICHIGAN, ID

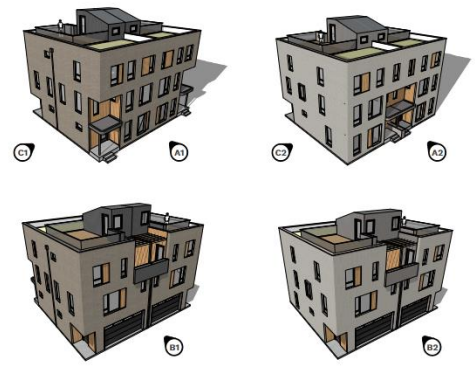
SAGARRA / RESIDENTIAL

SINGLE FAMILY HOMES
SCALE: N.T.S.

03



Two Pack Townhomes Location Diagram SCALE: N.T.S.



Type 'A' - Two Pack Townhomes SCALE: N.T.S.

Type 'B' - Two Pack Townhomes SCALE: N.T.S.



A1 FRONT ELEVATION



A2 FRONT ELEVATION

Two Pack Townhomes

2 BED UNIT SQUARE FOOTAGE:

- LIVING 47-1500 SF
- PATIO 47-278 SF
- GARAGE 47-498 SF

NUMBER OF UNITS:

- PHASE I 36 UNITS
- PHASE II 22 UNITS



B1 BACK ELEVATION



C1 SIDE ELEVATION



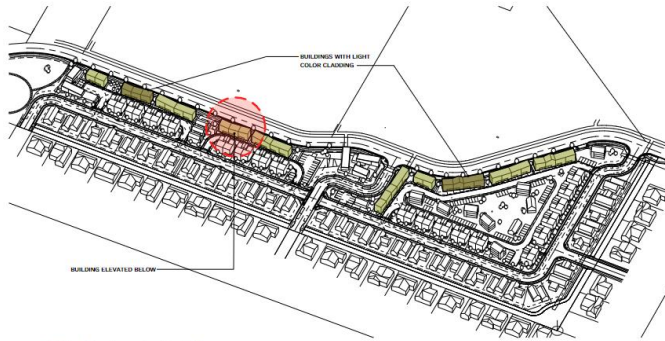
B2 BACK ELEVATION



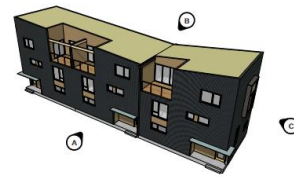
C2 SIDE ELEVATION

Two Pack Townhome Type A - Concept Elevations SCALE: 1/8" = 1'-0"

Two Pack Townhome Type B - Concept Elevations SCALE: 1/8" = 1'-0"



Ribbon Townhomes Location Diagram SCALE: N.E.S.



NOTE:
 THESE ARE PRELIMINARY CONCEPTS FOR DESIGN TOWNHOMES AS WELL AS PRELIMINARY EXTERIOR PAINT AND ONE'S BEST FLOOR PLAN FOR CONCEPT.



A FRONT ELEVATION



B BACK ELEVATION



C SIDE ELEVATION

Ribbon Townhome - Concept Elevations SCALE: 1/8" = 1'-0"

Ribbon Townhomes

2 BED UNIT SQUARE FOOTAGE:

LIVING: 400 SF

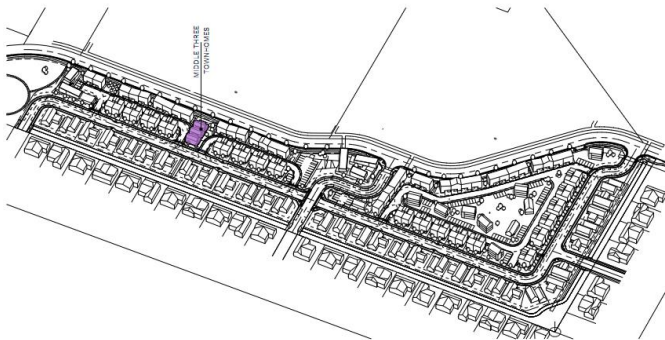
PATIO: 100 SF

GARAGE: 104 SF

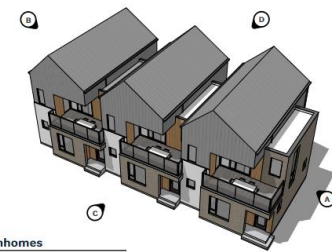
NUMBER OF UNITS:

PHASE I: 76 UNITS

PHASE II: 78 UNITS



Middle Three Townhomes Location Diagram SCALE: N.E.S.



Middle Three Townhomes

2 BED UNIT SQUARE FOOTAGE:

LIVING: 375 SF

PATIO: 80 SF

GARAGE: 100 SF

NUMBER OF UNITS:

PHASE I: 3 UNITS

PHASE II: 0 UNITS



A NORTH ELEVATION



C EAST ELEVATION



B SOUTH ELEVATION

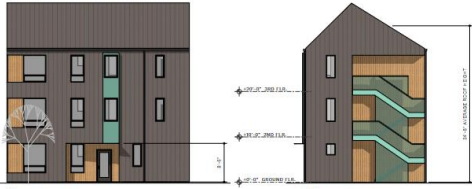


D WEST ELEVATION

Middle Three Townhome - Concept Elevations SCALE: 1/8" = 1'-0"



Multi-Family / Boulder Flats Location Diagram SCALE: N1/S



A1 FRONT ELEVATION

C1 SIDE ELEVATION



B1 BACK ELEVATION

D1 SIDE ELEVATION

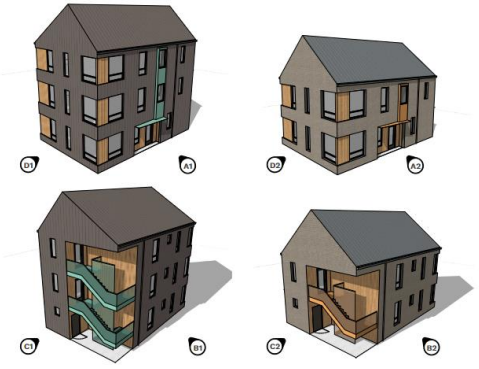
Boulder Flats Building Type A - Concept Elevations SCALE: 1/8" = 1'-0"

Boulder Flats

3 BED UNIT SQUARE FOOTAGE:
 LIVING: +/- 800 SF
 PATIOS: +/- 80 SF (GROUND FLOOR ONLY)

NUMBER OF UNITS:
 PHASE I: 0 UNITS
 PHASE II: 22 UNITS

THERE ARE (2) SIDING COLORS PROPOSED FOR THE TYPE A BUILDINGS: ZINC GREY (SHOWN) AND A DULY RED (NOT SHOWN)



Type 'A' - Boulder Flats SCALE: N1/S

Type 'B' - Boulder Flats SCALE: N1/S



A2 FRONT ELEVATION

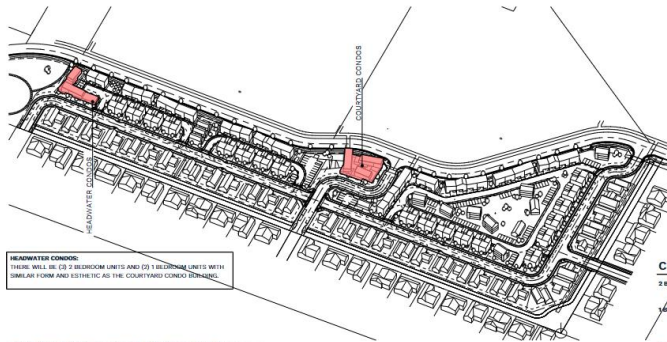
C2 SIDE ELEVATION



B2 BACK ELEVATION

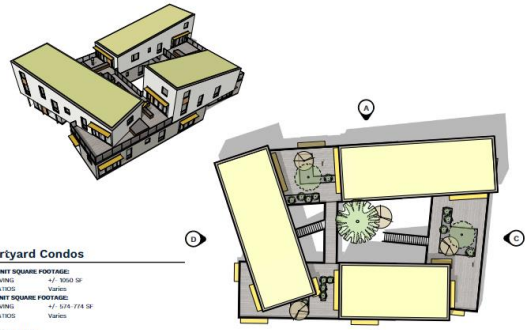
D2 SIDE ELEVATION

Boulder Flats Building Type B - Concept Elevations SCALE: 1/8" = 1'-0"



HEADWATER CONDOS: THERE WILL BE (2) 2 BEDROOM UNITS AND (2) 1 BEDROOM UNITS WITH SIMILAR FORM AND ESTHETIC AS THE COURTYARD CONDO DOMINO.

Multi-Family / Phase I Condo Building Locations SCALE: N1/S



Courtyard Condos

3 BED UNIT SQUARE FOOTAGE:
 LIVING: +/- 900 SF
 PATIOS: Varies

1 BED UNIT SQUARE FOOTAGE:
 LIVING: +/- 576 - 774 SF
 PATIOS: Varies

NUMBER OF UNITS:
 PHASE I: 5 (2) BEDROOM UNITS
 6 (3) BEDROOM UNITS (2 WITH LOFT SPACE)
 TOTAL: 11
 PHASE II: 0 UNITS

Courtyard Condos - Roof Plan SCALE: 1/8" = 1'-0"



A NORTH ELEVATION



C EAST ELEVATION



B SOUTH ELEVATION

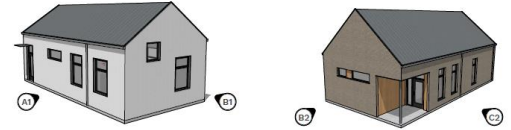
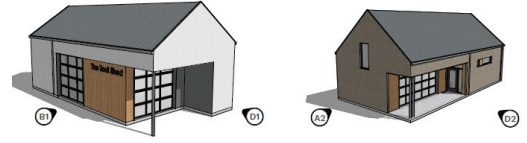


D WEST ELEVATION

Courtyard Condos - Concept Elevations SCALE: 1/8" = 1'-0"



Amenity Building Locations SCALE: N.T.S.



Community Workshop SCALE: N.T.S.

Community Clubhouse SCALE: N.T.S.



A1 NORTH ELEVATION



C1 EAST ELEVATION



A2 NORTH ELEVATION



C2 EAST ELEVATION



B1 SOUTH ELEVATION



D1 WEST ELEVATION



B2 SOUTH ELEVATION



D2 WEST ELEVATION

Community Workshop - Concept Elevations SCALE: 1/8" = 1'-0"

Community Clubhouse - Concept Elevations SCALE: 1/8" = 1'-0"

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

At least 15 days prior to the City Council hearing, Staff recommends the Applicant complete the following:

- Submit an application for Alternative Compliance to UDC 11-3B-12C, which requires a minimum of one (1) tree per 100 linear feet of pathway, to relocate the trees required in the common lot along the south and east boundaries of the site to along micro-paths within the development as proposed on the landscape plan.
- Submit a revised off-street parking exhibit that demonstrates compliance with the minimum standards listed in UDC [Table 11-3C-6](#).
- Submit a revised qualified open space exhibit that demonstrates compliance with the minimum open space standards in UDC [11-3G-3B](#) and [11-4-3-27C](#). Overall, a minimum of 2.74-acres of qualified open space is required to be provided. Areas that don't meet the minimum qualifications should be removed from the plan. The scale bar depicted on the plan should also be corrected. An application for alternative compliance to these standards may be submitted if the proposed design includes innovative design features based on "new urbanism", "neotraditional design", or other architectural and/or site designs that promote walkable and mixed-use neighborhoods (see UDC 11-5B-5 for more information).
- In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. An exhibit shall be submitted demonstrating compliance with this standard for each phase of development. *If changes are necessary to the phasing plan to comply with this standard, a revised phasing plan should be submitted.*

Preliminary Plat:

1. The final plat shall include the following revisions:
 - a. Graphically depict zero (0) lot lines on internal lot lines where single-family attached and townhome structures are proposed (i.e. where structures will span across lot lines).
 - b. Depict traffic calming measures to slow traffic on Bergman Ave. and W. Bacall St. as allowed by ACHD and the Fire Dept. in accord with the Development Agreement.
 - c. Graphically depict public use easements for the micro-paths that cross private/townhome building lots.
2. The landscape plan submitted with the final plat shall be revised as follows:
 - a. Depict landscaping along all pathways as set forth in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative groundcover is required.*
 - b. Depict additional/enhanced landscaping within the 20-foot wide street buffer along W. Orchard Park Dr. in accord with the updated standards in UDC [11-3B-7C.3](#) and [11-3G-3B.3](#).
 - c. Update the Landscape Requirements table to reflect compliance with the updated common open space standards in 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover; shrubs and other plantings shall be depicted on the plan as required.
3. Future development shall comply with the minimum dimensional standards for the R-8 zoning district listed in UDC [Table 11-2A-6](#) or as otherwise approved with the Planned Unit Development.

4. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#), unless otherwise waived by City Council.
5. A private street application shall be submitted with the final plat application for the proposed private streets within the development. All private streets shall comply with the standards listed in UDC [11-3F-4](#).
6. Approval of a preliminary plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat. In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if signed by the city engineer within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval. Upon written request and filing by the applicant prior to the termination of the period in accord with subsections (A) and (B) of this section, the director may authorize a single extension of time to obtain the city engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC [11-6B-7](#)).

Conditional Use Permit/Planned Unit Development:

7. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development and the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district is required, unless otherwise approved through the Planned Unit Development (see deviations to setbacks approved in Section VII.E).
8. The site/landscape plans included in Section VII shall be revised as follows:
 - a. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC [11-4-3-27B.2](#).
 - b. Depict the location of the property management office; maintenance storage area; central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access; and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC [11-4-3-27B.7](#).
 - c. Depict landscaping along all the foundation of all street facing elevations in accord with the standards listed in UDC [11-4-3-27E](#).
 - d. Depict shrubs and other plantings adjacent to the pathway along the south and east boundaries of the site in accord with UDC [11-3B-12C](#) as allowed by the Irrigation District within their easement.
 - e. Update the Landscape Requirements table to reflect compliance with the updated common open space standards in 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover; shrubs and other plantings shall be depicted on the plan as required.
 - f. Depict a minimum 5,000 square foot common grassy area integrated into the site design that allows for general activities by all ages that complies with the standard listed in UDC [11-4-3-27C.3](#).

- g. Depict landscaping along all pathways per the standards listed in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.*
 - h. Provide bicycle parking spaces per the standards listed in UDC 11-3C-6G; bicycle parking facilities shall comply with the standards listed in UDC [11-3C-5C](#). Bike racks should be provided in central locations for each multi-family building and the amenity buildings.
 - i. Provide off-street parking spaces for the development in accord with the standards listed in UDC [Table 11-3C-6](#) and [11-3C-6B.1](#) per the analysis in Section VI.
 - j. At a minimum, depict site amenities consistent with those proposed with the subject application.
 - k. Minimum 7-foot wide sidewalks shall be provided where parking abuts sidewalks if wheel stops aren't proposed to prevent vehicle overhang in accord with UDC 11-3C-5B4; if 7-foot sidewalks are proposed, the length of the stall may be reduced to 17 feet.
 - l. A detail shall be included of the fencing proposed around the swimming pool that complies with building code requirements for such.
9. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area as set forth in UDC 11-4-3-27B.5.
 10. All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC [11-4-3-27F](#). **A recorded copy of the document shall be submitted prior to issuance of the first Certificate of Occupancy for the development.**
 11. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units in accord with UDC [11-4-3-27C.6](#).
 12. A minimum of eighty (80) square feet of private, usable open space shall be provided for each residential unit per UDC [11-7-4B](#). This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.
 13. The Applicant shall coordinate with ACHD on the location and design of the proposed crosswalks across W. Orchard Park Dr.
 14. If some of the multi-family units are proposed to be condominiumized, a short plat shall be submitted where all buildings are constructed or have received building permits for construction as set forth in UDC [11-6B-5](#).
 15. Future development shall comply with the vehicular and pedestrian circulation plan in Section VII.G.
 16. A Design Review application shall be submitted for *all* structures within the development to ensure quality of design for an exemplary development. All structures shall comply with the design standards in the [Architectural Standards Manual](#) unless otherwise approved through a design standard exception.
 17. A Certificate of Zoning Compliance (CZC) application shall be submitted for the multi-family structures concurrent with the Design Review application; one (1) CZC may be submitted for the overall multi-family development if desired.
 18. A conditional use permit/planned unit development, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the city. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the

conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits/planned unit developments that also require platting, the final plat must be signed by the city engineer within this two-year period. Upon written request and filing by the applicant prior to the termination of the period in accord with subsection (F)(1) of this section, the director may authorize a single extension of time to commence the use not to exceed one (1) two-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 this chapter (UDC [11-5B-6F](#)).

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 No permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are to be built within the utility easement. See "WW Comments - Sagarra" for details.
- 1.2 Must provide access path per City requirements to existing manhole located on western end of site (Sheet CE.1) and existing sewer just south of Orchard Park Dr. (left side of Sheet CE.2).
- 1.3 SSMH-4E is outside the easement. Easement needs to be 20' and extend 10' beyond the manhole. Also need access path up to manhole per City requirements.
- 1.4 Do not have sewer services pass through infiltration trenches. This comment was made during the preapp also. There are a few areas that this is occurring. Ensure that this is corrected in future submittals. See "WW Comments - Sagarra" for details.
- 1.5 Sewer services must be installed at 90 degrees to a sewer main or connected to a manhole. See "WW Comments - Sagarra" for details.
- 1.6 Provide 10' separation between sewer main and infiltration trench.
- 1.7 To and through required to parcel R5262501200.
- 1.8 Flow is committed.
- 1.9 There is a gap in the water line along road 4. This needs to connect.
- 1.10 Have callout to remove blow-off valves.
- 1.11 Add valve on existing water line in Bergman Ave for a total of 3 valves on the crossing.
- 1.12 Add valve on existing water line in Road-1 for a total of 2 valves at the tee.
- 1.13 See Change Marks on "Public Utility Plan" pdf for additional details.
- 1.14 Streetlight plan will be required at time of development.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.

- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.

- 2.16 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.17 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.18 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.19 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.20 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.22 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277043&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277044&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278542&dbid=0&repo=MeridianCity>

F. SETTLER'S IRRIGATION DISTRICT (SID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277091&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278840&dbid=0&repo=MeridianCity>

H. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=282445&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276873&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat:

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

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

Staff finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use and transportation. (Please see Comprehensive Plan Policies in, Section IV of this report for more information.)

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

Staff finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)

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

Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.

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

Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)

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

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

6. The development preserves significant natural, scenic or historic features.

Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.

B. Planned Unit Development (UDC 11-7-5)

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 planned development request, the council shall make the following findings:

- A. The planned unit development demonstrates exceptional high quality in site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout, and building design.

- Staff finds the proposed development demonstrates an exceptional high quality of design through the provision of integrated cohesive development that is linked together by vehicular and pedestrian connections.*
- B. The planned unit development preserves the significant natural, scenic and/or historic features.
Staff is unaware of any significant natural, scenic and/or historic features that exist on this site. If any such features do exist, Staff recommends they be preserved.
- C. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.
Staff finds the proposed arrangement and/or structures in the development does not cause damage, hazard or nuisance to persons or property in the vicinity. The Commission and Council should rely on public testimony to determine this finding.
- D. The internal street, bike and pedestrian circulation system is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.
Staff finds the proposed internal vehicular and pedestrian plan will provide a safe flow of vehicles, bicyclists and pedestrians without an undue burden on existing transportation in the surrounding area.
- E. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.
Staff finds the proposed open space areas are accessible to all residents via proposed pathways.
- F. The proposal complies with the density and use standards requirements in accord with chapter 2, "district regulations", of this title.
Staff finds the proposal complies with the density and use standards of the R-8 zoning district in UDC Table 11-2A-6.
- G. The amenities provided are appropriate in number and scale to the proposed development.
Staff finds the proposed amenities are appropriate for the proposed development.
- H. The planned unit development is in conformance with the comprehensive plan.
Staff finds the proposed PUD is in conformance with the Comprehensive Plan per the analysis in Section IV.



AGENDA ITEM

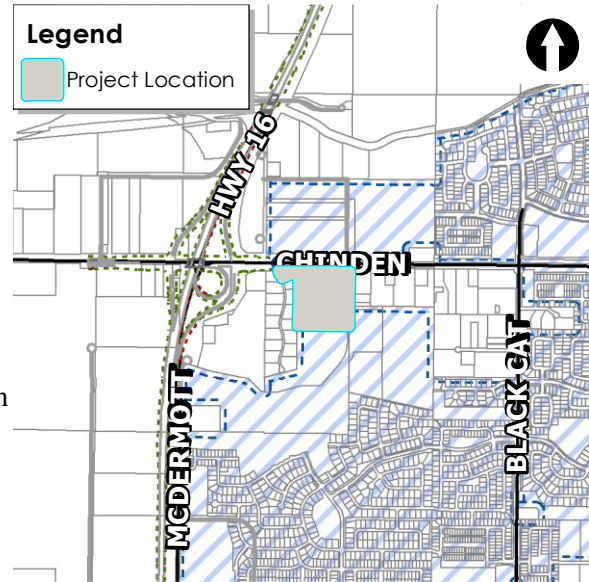
ITEM TOPIC: Public Hearing for West Valley Emergency Center (H-2022-0065) by Fulmer Lucas Engineering, LLC., located at the southwest corner of N. Levi Ln. and N. Rustic Way
Application Materials: <https://bit.ly/H-2022-0065>

A. Request: Development Agreement Modification to the existing development agreement for Prescott Ridge (Hospital Portion) (Inst.#2021-132724) to update the phasing plan and modify the provision requiring noise abatement to be provided along W. Chinden Blvd./State Highway 20-26 to allow for alternative compliance.B. Request: Conditional Use Permit for a hospital in the C-G zoning district.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: December 1, 2022
 TO: Planning & Zoning Commission
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0065 – West Valley Emergency Center – MDA, CUP, ALT
 LOCATION: Southwest corner of N. Levi Ln./N. Rustic Oak Way, in the NW ¼ of Section 28, Township 4N., Range 1W. (Parcel #R699122250)



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement for Prescott Ridge (Hospital Portion) (Inst. #2021-132724) to update the phasing plan and modify the provision requiring noise abatement to be provided along W. Chinden Blvd./State Highway 20-26 to allow for alternative compliance; and conditional use permit for a hospital in the C-G zoning district.

Alternative compliance is requested to UDC 11-3H-4D, which requires noise abatement to be provided for residential and other noise sensitive uses, including hospitals, adjoining state highways.

Alternative compliance is also requested to UDC 11-3B-7C, which requires trees to be planted within the required 35-foot wide street buffer along W. Chinden Blvd., an entryway corridor.

II. SUMMARY OF REPORT

A. Project Summary

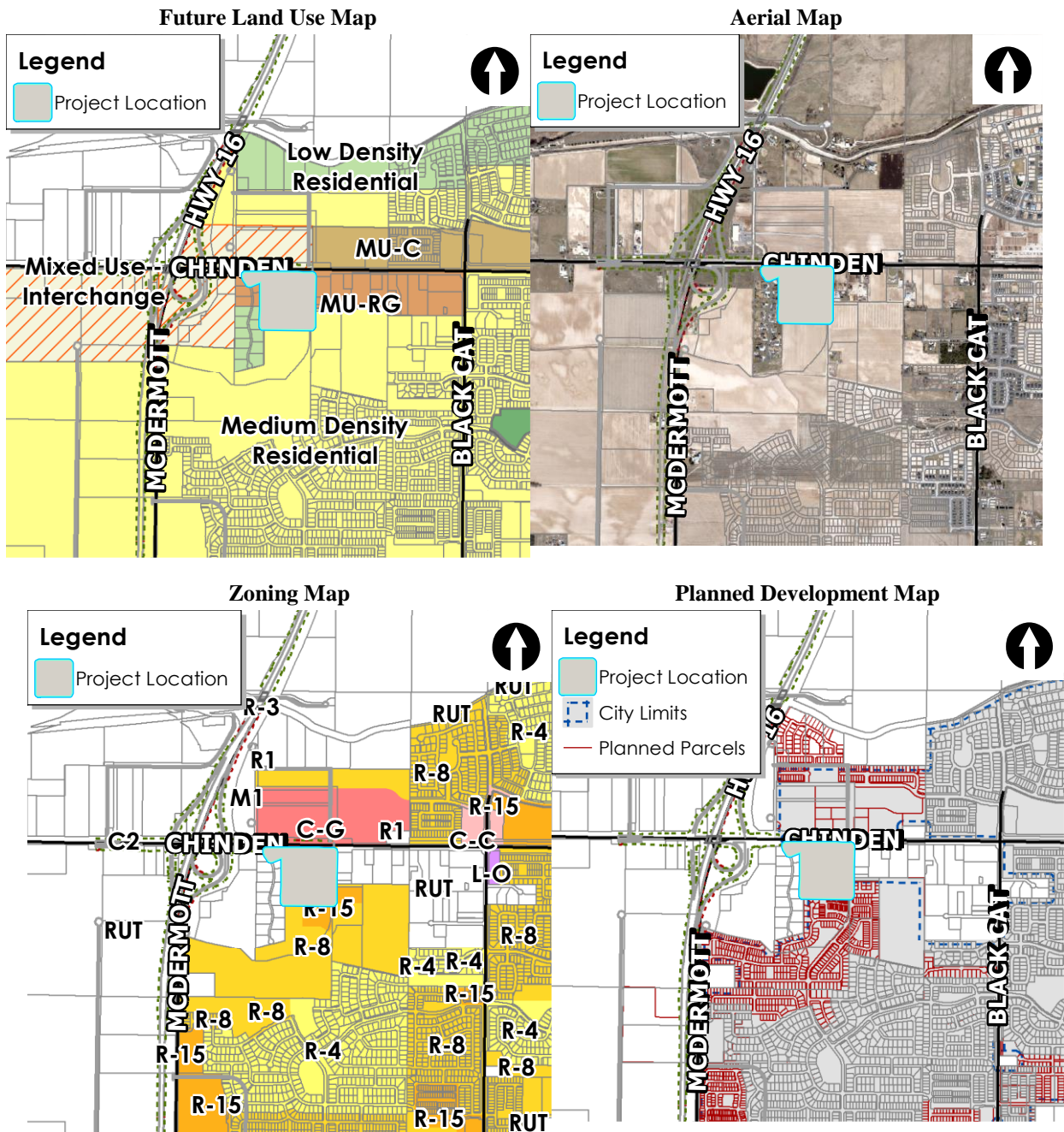
Description	Details
Acreage	16.46
Future Land Use Designation	Mixed Use – Regional (MU-R) & Medium Density Residential (MDR)
Existing Land Use	Vacant/undeveloped land
Proposed Land Use(s)	Hospital with an emergency center
Current Zoning	General Retail & Service Commercial (C-G)
Physical Features (waterways, hazards, flood plain, hillside)	None
Neighborhood meeting date; # of attendees:	7/11/2022

B. Community Metrics

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> • Staff report (yes/no) 	Yes
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No
Traffic Impact Study (yes/no)	No
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed from Rustic Oak Way via W. Chinden Blvd. at the east boundary of the site. An emergency access is proposed from N. Serenity Ln. via W. Chinden Blvd. at the northwest corner of the site.
Trip Generation	279 additional vehicle trips per day & 17 additional vehicle trips per hour in the PM peak hour (estimate)
Wastewater	
<ul style="list-style-type: none"> • Distance to Sewer Services 	Sewer will come from the Prescott Ridge Development to the South.
<ul style="list-style-type: none"> • Sewer Shed 	
<ul style="list-style-type: none"> • Estimated Project Sewer ERU's 	See Application
<ul style="list-style-type: none"> • WRRF Declining Balance 	
<ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan 	Yes
<ul style="list-style-type: none"> • Impacts/Concerns 	
Water	
<ul style="list-style-type: none"> • Distance to Water Services 	
<ul style="list-style-type: none"> • Pressure Zone 	
<ul style="list-style-type: none"> • Estimated Project Water ERU's 	See application
<ul style="list-style-type: none"> • Water Quality 	

Description	Details
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes
<ul style="list-style-type: none"> Impacts/Concerns 	

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Hugh Lucas, Fulmer Lucas Engineering, LLC – 2002 Richard Jones Rd., Ste. B200, Nashville, TN 37215

B. Owner:

West Valley Medical Center, Inc. – c/o HCA Healthcare, Inc. – One Park Plaza, Nashville, TN 37203

C. Agent/Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	11/16/2022	
Radius notification mailed to properties within 300 feet	11/10/2022	
Public hearing notice sign posted on site	11/18/2022	
Nextdoor posting	11/10/2022	

V. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPPLAN](https://www.meridiancity.org/compplan)):

Land Use:

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

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

The Applicant proposes to develop a hospital with an emergency room and medical offices on this site. This use was conceptually approved with the annexation for Prescott Ridge subdivision. This site is located near a major arterial intersection, W. Chinden Blvd. and N. McDermott Rd. and the future SH-16/Chinden Blvd. interchange.

Transportation:

ACHD’s Master Street Map (MSM) depicts a residential collector street along the eastern boundary of this. A collector street (Rustic Oak Way) is planned with development along the east boundary consistent with the MSM.

COMPREHENSIVE PLAN POLICIES (<https://www.meridiancity.org/compplan>):

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

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

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

- “Ensure that quality fire protection, rescue and emergency medical services are provided within Meridian.” (4.11.03)

The proposed hospital with an emergency room and medical offices will provide much needed medical services in north Meridian.

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

The proposed development incorporates an 8-foot tall solid CMU wall and a 30-foot wide densely landscaped buffer along the west property boundary adjacent to existing residential uses to assist in screening and buffering the proposed use.

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

The proposed emergency room associated with the hospital is located approximately 460-feet away from the residential neighborhood to the west, which should minimize conflicts between land uses.

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

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

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

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

- “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)

Development of the subject vacant land, currently in the City limits, is encouraged over parcels on the fringe of the City. The development of this property will result in better provision of City services.

VI. STAFF ANALYSIS

A. DEVELOPMENT AGREEMENT MODIFICATION (MDA)

A modification to the existing Development Agreement (DA) (Prescott Ridge – Hospital Portion [H-2022-0047](#), Inst. #[2021-132724](#)) is proposed to update the phasing plan and modify the provision requiring noise abatement to be provided along W. Chinden Blvd./State Highway 20-26 to allow for alternative compliance.

The existing phasing plan is for the overall Prescott Ridge development, which is being developed separately from the proposed development. A phasing plan for the subject property is proposed to replace the existing plan. The emergency room and perimeter buffers along the north, west and south boundaries of the site are proposed to develop with the first phase; the medical office building with retail and restaurant uses is proposed to develop with the second phase; and the hospital is proposed to develop with the third and final phase of development. The collector street (Rustic Oak Way) and associated street buffer will be constructed by the developer of Prescott Ridge Subdivision with their first phase of development. *See phasing plans in Sections VIII.A & B. Staff is supportive of the proposed change to the*

phasing plan that includes more detailed phasing for the subject property and separation from the residential portion of the development under separate development.

DA provision #5.1.3 states, “Noise abatement shall be provided in the form of a berm or a berm and wall combination parallel to W. Chinden Blvd./SH 20-26 constructed in accord with the standards listed in UDC [11-3H-4D](#).” The Applicant proposes a modification to the provision as follows, “Noise abatement shall be provided in the form of a berm or a berm and wall combination parallel to W. Chinden Blvd./SH 20-26 constructed in accord with the standards listed in UDC 11-3H-4D or by an alternative compliance proposal as defined in UDC 11-3H-4D.4.” *Staff is amenable to the proposed change as UDC 11-3H-4D.4 states, “The Director may approve alternative compliance as set forth in Chapter 5, “Administration”, of this title where the Applicant has a substitute noise abatement proposal in accord with ITD standards and prepared by a qualified sound engineer.”*

B. CONDITIONAL USE PERMIT (CUP)

A CUP is proposed for an 11,241 square foot emergency medical facility on 2.4-acres of land, ultimately planned to be part of a hospital campus, on a total of 16.46-acres of land in the C-G zoning district as required by UDC [Table 11-2B-2](#). The emergency facility is proposed in Phase 1 and the hospital is proposed in Phase 3, per the phasing plan in Section VIII.B. An application for a modification to the CUP will be required to be submitted for approval of the hospital.

Dimensional standards: Compliance with the dimensional standards listed in UDC [Table 11-2B-3](#) is required.

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

The proposed use is subject to the specific use standards listed in UDC [11-4-3-22](#), as follows: *Staff’s comments in italics.*

- A. If the hospital provides emergency care, the location shall have direct access on an arterial street. *The City Council previously deemed the access for the emergency room via Rustic Oak, a collector street, meets the intent of this standard as noted in the DA (provision #5.1.10).*
- B. Accessory retail uses including, but not limited to, retail shops, food or beverage service, and personal service shops, may be allowed if designed to serve patrons of the hospital and their visitors only.
- C. No hospital shall be located within one thousand (1,000) feet of the following uses: Explosive manufacturing or storage, flammable substance storage, foundry, freight and truck terminal, manufacture or processing of hazardous chemicals, power plant, food product storage and processing plant.

Access: Access is proposed from two (2) access driveways via Rustic Oak Way, a future collector street along the east boundary of the site; an emergency only access driveway is proposed from the west via Serenity Ln., a private street. Direct access via Chinden Blvd./SH 20-26 is prohibited.

Sidewalks: A detached sidewalk is required along W. Chinden Blvd. per UDC 11-3A-17. Because the Pathways Master Plan depicts a 10-foot wide pathway along Chinden, Staff recommends a 10-foot wide detached pathway is provided within the street buffer in lieu of a sidewalk.

Pathways: Ten-foot (10’) wide pathways are proposed within the street buffer along Chinden and within the land use buffers to residential uses along the west and south boundaries of the site in accord with the Pathways Master Plan. **These pathways are required to be placed in a 14-foot wide public pedestrian easement. An easement for such should be submitted to the Planning Division for Council approval and recordation prior to issuance of Certificate of Occupancy for the proposed use.**

Landscaping: A 35-foot wide street buffer is required to be provided on this site along W. Chinden Blvd./SH 20-26, an entryway corridor, landscaped per the standards listed in UDC 11-3B-7C. The street buffer is measured from the back of curb; where the transportation authority is anticipating future widening of the street, the width of the buffer is measured from the ultimate curb location. There is a large expanse of land within the right-of-way along Chinden that can be counted toward the street buffer requirement if landscaped per the standards in UDC [11-3B-7C.3](#); landscaping may be allowed through a license agreement with ITD. Because this is an entryway corridor, enhanced landscaping should be installed in accord with the standards listed in UDC [11-3B-7C.3](#). **A revised landscape plan should be submitted with the Certificate of Zoning Compliance application that reflects compliance with standards listed in UDC [11-3B-7C](#), including enhanced landscaping along the entryway corridor (i.e. Chinden Blvd).**

Alternative Compliance is requested to the landscape standards in UDC 11-3B-7C.3, which require a minimum density of one (1) tree per 35 linear feet along with shrubs, lawn or other vegetative groundcover, to be installed within the street buffer along W. Chinden Blvd. On the western portion of the site, the buffer area is constrained where the emergency access road is proposed to the north of Peregrine Heights Subdivision. In this area, the trees are proposed on the south side of the driveway. Because driveways are an allowed impervious surface in street buffers and the required number of trees are proposed on the south side of the driveway, Staff sees no purpose for the request as the proposed landscaping appears to meet UDC standards; thus, Staff recommends denial of the request.

A 25-foot wide buffer is required to adjacent residential uses to the west and south, landscaped per the standards listed in UDC 11-3B-9C as proposed. A 30-foot wide buffer is proposed with an 8-foot tall wall, landscaped with a mix of evergreen and deciduous trees, shrubs and lawn, which should result in a barrier that allows trees to touch at the time of maturity.

Irrigation: All landscape areas shall be served with an automatic underground irrigation system that complies with the performance specifications listed in UDC [11-3B-6B](#) (this includes the native dryland seeded areas within the right-of-way along Chinden Blvd.).

Noise Abatement: Because a noise sensitive use (i.e. a hospital) is proposed adjacent to W. Chinden Blvd./State Highway (SH) 20-26, noise abatement in the form of a berm or a berm and wall combination is required to be provided within the street buffer along the state highway in accord with the standards listed in UDC [11-3H-4D](#). The top of the berm or berm/wall is required to be a minimum of 10-feet higher than the elevation at the centerline of the highway. The Applicant requests alternative compliance to this standard to *not* provide noise abatement along the entire frontage of the site adjacent to the state highway. *Per UDC 11-3H-4D.4, the Director may approve alternative compliance as set forth in UDC 11-5 where the Applicant has a substitute noise abatement proposal in accord with ITD standards and prepared by a qualified sound engineer.*

The Applicant states that strict conformance to these standards is not possible due to physical constraints present on the property. The emergency vehicle access from Serenity Lane via W. Chinden Blvd./SH 20-26 from the west is required to be a minimum of 20-feet wide – at its narrowest point it's only 20.9-feet wide, which is not sufficient to accommodate construction of the emergency access *and* a berm or berm/wall combination, as required. There is room for landscaping within ITD's right-of-way (ROW) along Chinden Blvd./SH 20-26 with a license agreement; however, ITD does not allow walls within their ROW. Additionally, the first 20-feet of the property south of the northern property boundary is encumbered with a 20-foot wide ITD easement (Inst. #2015-010191) which further constrains the property. **The Applicant states this is an irrigation easement for a waste ditch that served this site; if no longer needed, the Applicant should pursue abandonment of this easement.** To mitigate the noise impacts to the building/use, the structure is proposed to be set back over 400-feet south of the northern right-of-way line along the state highway. The Applicant states this setback provides significant reduction in noise levels (even when accounting for future traffic growth) and brings the noise levels to

within national hospital design standards which require no noise abatement and meets the UDC requirements' intended purpose.

A [Site Noise Study and Barrier Wall Evaluation](#) was performed by a licensed acoustical engineer and submitted with this application. Their findings state that the current and predicted future noise levels at the site meet the 2018 FGI Minimal category at both the proposed hospital façade and outdoor use area. The Minimal category indicates that mitigation is not needed at outdoor patient seating areas and that the façade could be constructed using typical means and materials with mechanical ventilation.

Staff is amenable to the Applicant's proposal to located the building 400+ feet to the south of the state highway to lessen the noise impacts as proposed; however, Staff recommends a minimum 3-foot tall berm with no less than 4:1 slope is provided within the street buffer for aesthetic reasons (i.e. to screen the parking area) since the site is located along an entryway corridor into the City, consistent with UDC [11-3B-7C.3f](#).

Parking: Off-street vehicle parking is required per the standards listed in UDC 11-3C-6B.1. Based on the 11,241 square foot facility, a minimum of 22 parking spaces are required. A total of 47 spaces are proposed, in excess of UDC standards.

Bicycle parking is required per the standards listed in UDC 11-3C-6G. Based on 47 vehicle parking spaces, a minimum of two (2) bicycle spaces are required. A total of three (3) spaces are proposed, in excess of UDC standards. **Bicycle parking facilities should comply with the location and design standards listed in UDC 11-3C-5C.**

Building Elevations ([UDC 11-3A-19](#) | [Architectural Standards Manual](#)): Conceptual building elevations were submitted for the proposed structure as shown in Section VIII.E. Building materials consist of EIFS, thin stone veneer and corrugated roof screen wall panels. Final design is required to comply with the design standards in the Architectural Standards Manual.

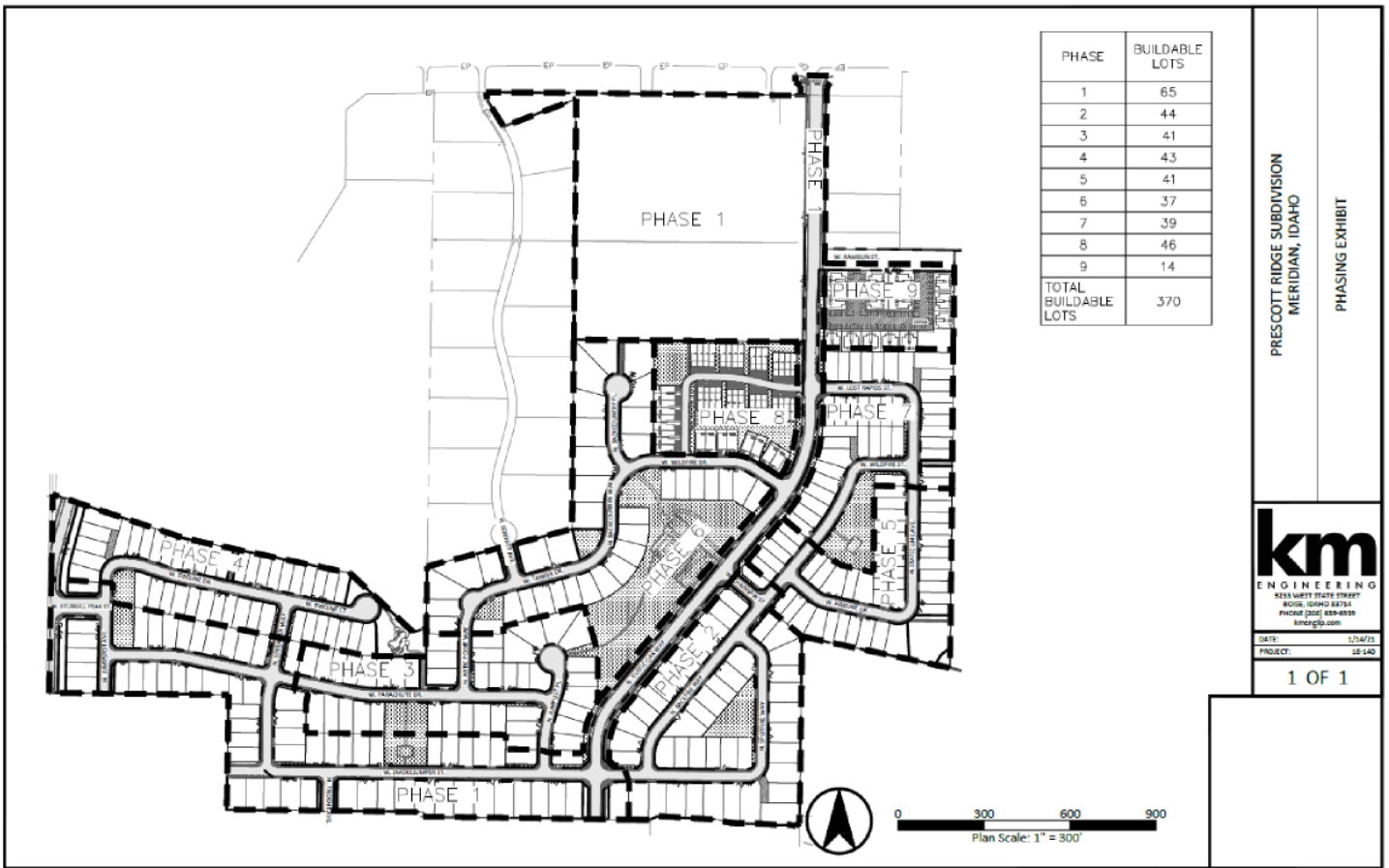
VII. DECISION

A. Staff:

Staff recommends approval of the proposed modification to the existing Development Agreement and Conditional Use Permit per the provisions included in Section IX in accord with the Findings in Section X. The Director has conditionally approved the request for Alternative Compliance to the noise abatement standards listed in UDC 11-3H-4D; and denied the request for Alternative Compliance to the landscape standards listed in UDC 11-3B-7C for the reasons noted above in Section VI, per the Findings in Section X.

VIII. EXHIBITS

A. Existing Phasing Plan for Overall Development (Prescott Ridge)



PRESOTT RIDGE SUBDIVISION
MERIDIAN, IDAHO

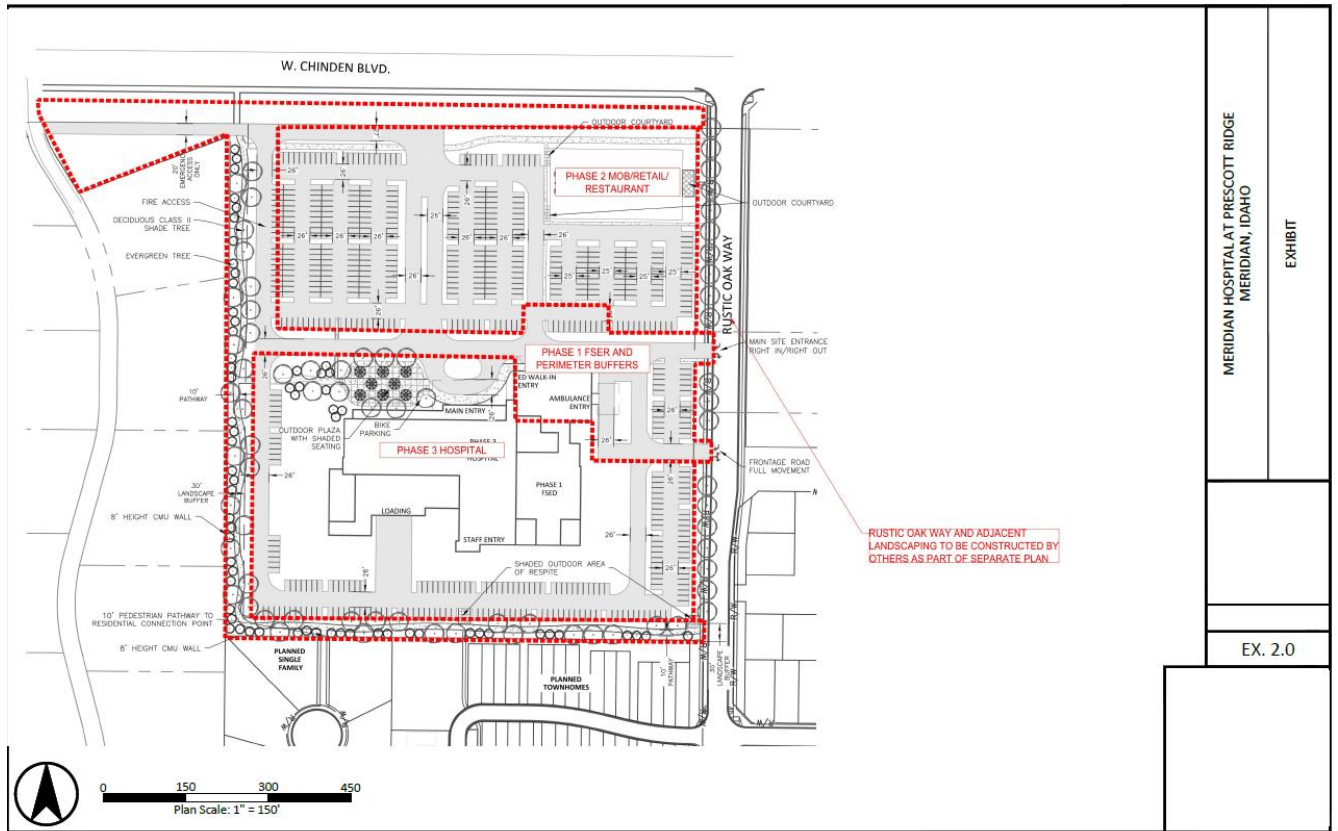
PHASING EXHIBIT

km
ENGINEERING
1215 WEST TEXAS STREET
BOISE, IDAHO 83714
PHONE (208) 333-8839
kme@kmg.com

DATE: 1/14/11
PROJECT: 18-140

1 OF 1

B. Proposed Phasing Plan for Hospital/Medical Center Site

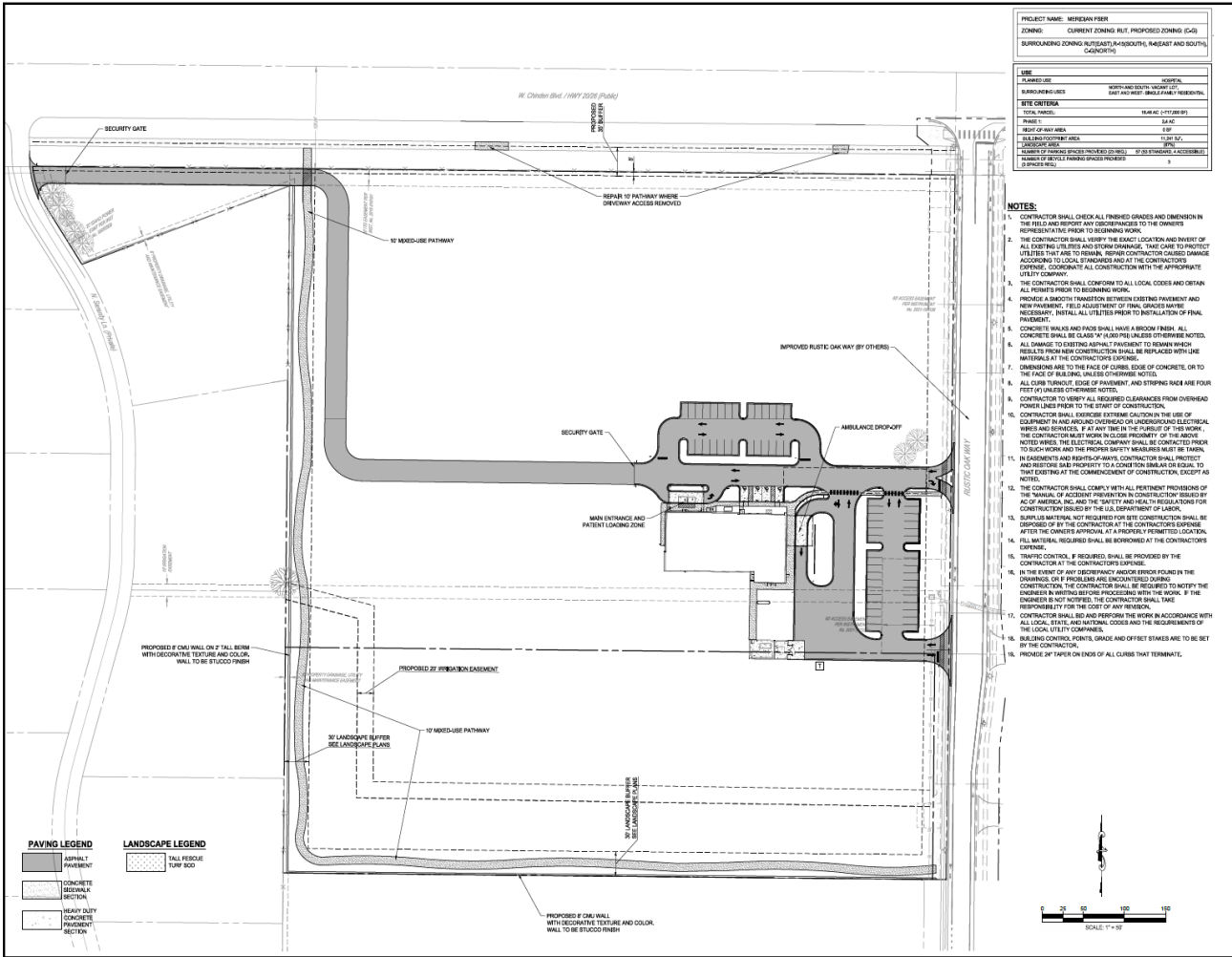


MERIDIAN HOSPITAL AT PRESCOTT RIDGE
MERIDIAN, IDAHO

EXHIBIT

EX. 2.0

C. Site Plan (dated: 9/29/2022)



Devenney
 CONSULTANTS

Devenney Group LLC, Architects
 201 W. Idaho School Road
 Phoenix, Arizona 85013
 T: 602.943.8900
 F: 602.943.7648
 www.devenneygroup.com

FULMER LUCAS

300 REVISED AVENUE, SUITE 600
 MARIETTA, GEORGIA 30067
 404.875.1200
 WWW.FULMERLUCAS.COM

PROFESSIONAL ENGINEER
 2011
 PRELIMINARY FOR CONSTRUCTION
 WEST VALLEY ER-MERIDIAN
 9/29/2022

WEST VALLEY ER-MERIDIAN
 HCA - WEST VALLEY ER-MERIDIAN
 5775 WEST CHINDEN BLVD.
 MERIDIAN, IDAHO 83646

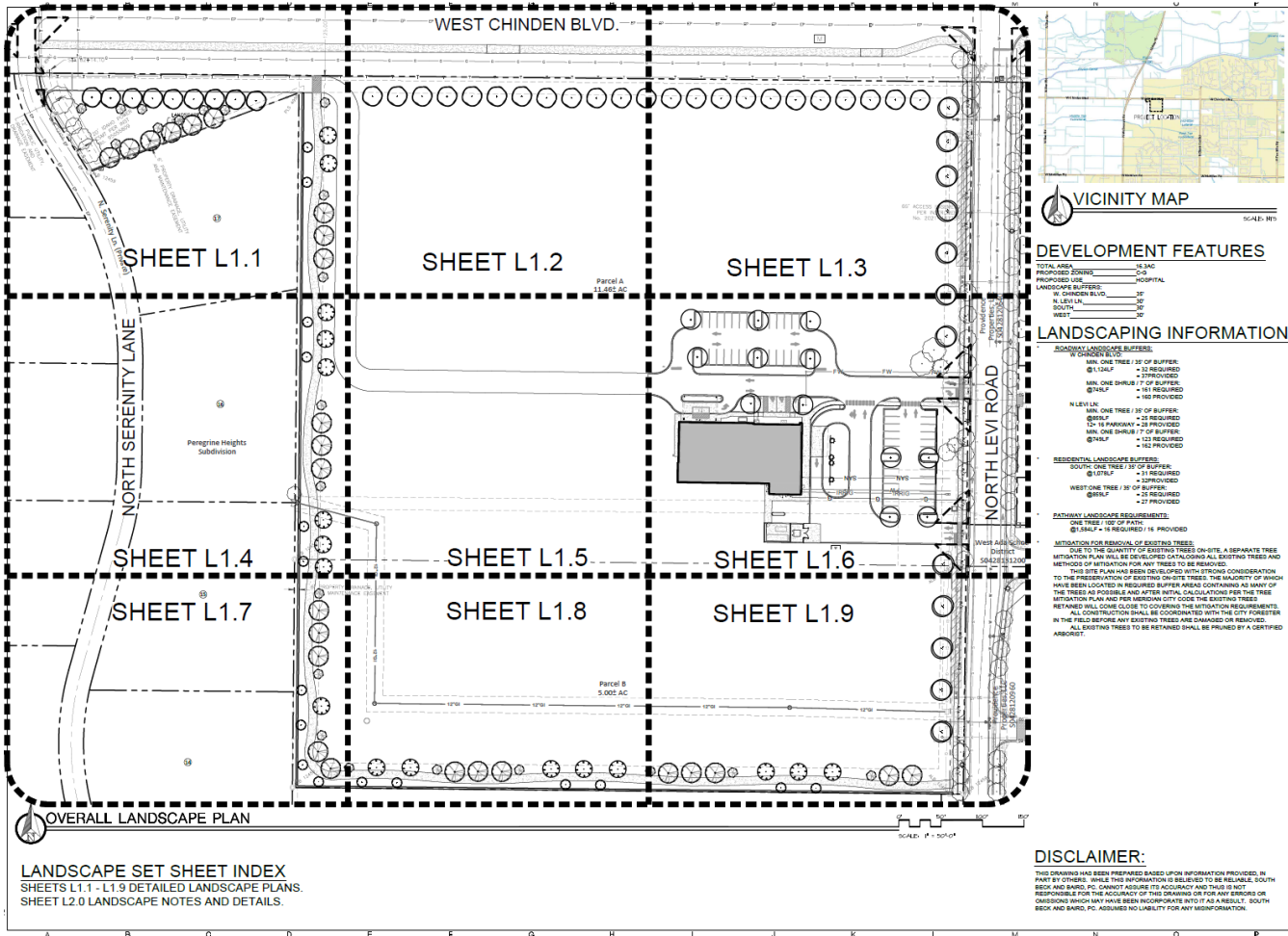
AUTHORITY HAVING JURISDICTION:
 CITY OF MERIDIAN
 BOARD OF HEALTH
 BOARD STATE OF IDAHO

AUTHORITY HAVING JURISDICTION'S PROJECT NO.:

FACILITY NUMBER:

AGENCY APPROVALS:

D. Landscape Plan (dated: 7/22/2022) – [full plan set](#)



OVERALL LANDSCAPE PLAN
West Valley EIR
 5615 W. Chinden Blvd. Meridian, ID 83646

DATE: 7/22/2022

SCALE: NTS

PROJECT NUMBER: 22-173

SHEET: L1.0

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Development Agreement Modification:

1. The phasing plan included in Section VIII.B shall replace the original phasing plan in the existing Development Agreement (DA) (Inst. #[2021-132724](#)).
2. Provision #5.1.3 in the existing agreement shall be modified as follows, “Noise abatement shall be provided in the form of a berm or a berm and wall combination parallel to W. Chinden Blvd./SH 20-26 constructed in accord with the standards listed in UDC 11-3H-4D or by an alternative compliance proposal as defined in UDC 11-3H-4D.4.”

The amended DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification.

Conditional Use Permit:

3. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
 - a. Depict the location and a detail of the bicycle rack that complies with the location and design standards listed in UDC [11-3C-5C](#).
 - b. Depict a minimum 35-foot wide street buffer along W. Chinden Blvd. with landscaping in accord with the updated standards listed in UDC [11-3B-7C.3](#). Enhanced landscape design features shall be provided within the street buffer along Chinden Blvd., an entryway corridor, in accord with UDC [11-3B-7C.3f](#), including a minimum 3-foot tall berm with no less than 4:1 slope to screen the parking area. Include calculations that demonstrate compliance with the standards. *Landscaping may be allowed within the right-of-way along Chinden Blvd. with a license agreement with ITD.*
4. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the proposed multi-use pathways within the site along the north, west and south property boundaries, prior to issuance of Certificate of Occupancy for the proposed use.
5. The Applicant should pursue abandonment of the 20-foot wide ITD easement (Inst. #2015-010191) that runs along the northern boundary of this site and constrains the property if the easement is no longer needed.
6. All landscape areas shall be served with an automatic underground irrigation system that complies with the performance specifications listed in UDC [11-3B-6B](#) (this includes the native dryland seeded areas within the right-of-way along Chinden Blvd.).
7. Comply with the standards listed in UDC 11-4-3-22 for hospitals.
8. The Applicant’s request for Alternative Compliance to the noise abatement standards listed in UDC 11-3H-4D was approved by the Director with the condition a minimum 4-foot tall berm is installed within the street buffer along W. Chinden Blvd.
9. An application for a modification to the Conditional Use Permit shall be submitted for approval of the hospital prior to the third phase of development.
10. Certificate of Zoning Compliance and Administrative Design Review applications shall be submitted and approved for the proposed use prior to submittal of a building permit application.
11. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord

with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC 11-5B-6. A time extension may be requested as set forth in UDC 11-5B-6F.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Extend 8" water main to area of hydrant and then install the 6" lateral and hydrant. See mark up on sheet C-3.0. This would also allot the fire line and water meter runs to be shorter.
- 1.2 Both the fire hydrant lateral and the Fire line are called out as "Fire Lines". Call them out differently as the fire hydrant lateral is public and requires an easement where the fire line is private and does not require an easement.
- 1.3 The fire hydrant lateral has a tee. No other item can connect to an 6" fire hydrant lateral except a single hydrant. So tee would not be allowed.
- 1.4 Provide a 20' easement for the water line, fire hydrant lateral, and service up to the meter. Extend easement 10' beyond the hydrant and water meter.
- 1.5 Subject to the Oaks Lift Station and Pressure Sewer reimbursement agreement.
- 1.6 Sewer will come from the Prescott Ridge Development to the South.
- 1.7 Ensure no sewer services cross infiltration trenches.
- 1.8 To and through must be brought to parcels S0428120750, S0428120715, and S0428120651.
- 1.9 Any unused stubs must be abandoned per City requirements.
- 1.10 A future install agreement for Chinden Blvd will be required for the development of this property in the amount of \$140,000.00.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for

review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.

- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.

- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

No comments were submitted.

D. POLICE DEPARTMENT

No comments were submitted.

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278539&dbid=0&repo=MeridianCity>

F. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276952&dbid=0&repo=MeridianCity>

X. FINDINGS

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

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

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

Staff finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the C-G district (see Analysis, Section V for more information).

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

Staff finds that the proposed use is consistent with the Comprehensive Plan and is allowed as a conditional use per UDC Table 11-2B-2 in the C-G zoning district.

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 proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for and existing in this area and with the intended character of the area and that such uses will not 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.

Staff finds that if the applicant complies with the conditions outlined in this report, the proposed use should not adversely affect other property in the area.

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 that essential public services are available to this property and that the use will be adequately served by these facilities.

B. Alternative Compliance (UDC 11-5B-5):

In order to grant approval of an alternative compliance application, the Director shall determine the following:

In regard to the request for alternative compliance to the standards listed in UDC 11-3H-4D:

1. Strict adherence or application of the requirements is not feasible; OR

The Director finds strict adherence to the standards listed in UDC 11-3H-4D is not feasible for the western portion of the site where site constraints exist north of Peregrine Heights Subdivision; however, the Director finds it would be feasible on the eastern portion of the site outside of the ITD easement area.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the proposed alternative means of compliance of providing a building setback of over 400 feet from the state highway provides an equal means for meeting the requirement.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.

The Director finds that the proposed alternative means will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties.

In regard to the request for alternative compliance to the standards listed in UDC 11-3B-7C:

1. Strict adherence or application of the requirements is not feasible; OR

The Director finds strict adherence to the standards listed in UDC 11-3B-7C is feasible.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the proposed alternative means of compliance of providing trees on the south side of the emergency access driveway does not conflict with the required landscape standards; therefore, alternative compliance is not needed.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.

The Director finds that the proposed alternative means complies with UDC standards as-is – alternative compliance is not needed.