



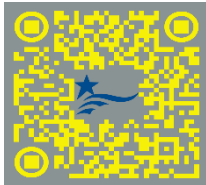
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, March 03, 2022 at 6:00 PM

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Agenda

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



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

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/84414760258>

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

Webinar ID: 844 1476 0258

ROLL-CALL ATTENDANCE

- Nate Wheeler Mandi Stoddard Patrick Grace
- Nick Grove Maria Lorcher Steven Yearsley
- Andrew Seal, Chairperson

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the February 17, 2022 Planning and Zoning Commission Meeting](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

2. **Public Hearing** Continued from February 17, 2022 for Meridian U-Haul Moving and Storage (H-2021-0085) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.
 - A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.
3. **Public Hearing** for Eagle Road Daycare Facility (H-2022-0007) by 814 Development, LLC, Located at 3060 S. Eagle Rd.
 - A. Request: A Conditional Use Permit for a daycare center providing childcare for up to 216 children in the C-C zoning district.
4. **Public Hearing** Continued from February 3, 2022 for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.
 - A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.
5. **Public Hearing** for Pinedale Subdivision (H-2022-0001) by Pine Project, LLC, Located at 3275 W. Pine Avenue (Parcel #S1210417400).
 - A. Request: Annexation and Zoning of 1.22 acres of land with a request for the R-15 zoning district.
 - B. Request: A Preliminary Plat for 12 building lots and 2 common lots on 1.22 acres in the requested R-15 zoning district.
6. **Public Hearing** for Aviation Subdivision (H-2021-0096) by Jadon Schneider of Bronze Bow Land, Located at Parcel #S1210325951, near the northeast corner of N. Black Cat Rd. and W. Franklin Rd., north of Compass Charter School
 - A. Request: Preliminary Plat or 48 building lots (37 single family attached lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot.
 - B. Request: Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the February 17, 2022 Planning and Zoning Commission Meeting

Meridian Planning and Zoning Meeting

February 17, 2021.

Meeting of the Meridian Planning and Zoning Commission of February 17, 2021, was called to order at 6:01 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Bill Cassinelli, Commissioner Nick Grove, Commissioner Maria Lorcher, Commissioner Nate Wheeler and Commissioner Mandi Stoddard.

Members Absent: Commissioner Steven Yearsley.

Others Present: Adrienne Weatherly, Kurt Starman, Bill Parsons, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

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

Seal: Okay. Good evening. Welcome to the Planning -- Planning and Zoning Commission meeting for February 17th, 2022. At this time I will 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 from the city attorney and clerk's offices, as well as the 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. This evening we are also welcoming a new commission member, Mandi Stoddard, and we are also saying farewell to Commissioner Bill Cassinelli. All right. And with that we will do roll call.

ADOPTION OF AGENDA

Seal: First item on the agenda is the adoption of the agenda. This evening we have Meridian U-Haul Moving and Storage, H-2021, and Vanguard Village, H-2021-0081. They will be open for the sole purpose of continuing to a regular scheduled -- regularly scheduled meeting and they will be open for that purpose only. So, if there is anybody here tonight to testify on these particular applications we will not be taking testimony for

them this evening. We will be moving the Vanguard Village up to Item 3 on the agenda to expedite tonight's proceeding. Can I get a motion to adopt the agenda?

Cassinelli: So moved.

Lorcher: Second.

Simison: It's been moved and seconded to adopt the agenda. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of the February 3, 2022 Planning and Zoning Commission Meeting

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

Cassinelli: So moved.

Wheeler: Second.

Seal: It has been moved and seconded to adopt the Consent Agenda. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Seal: At this time I would like to briefly 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 the 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 for 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 testifying. You will, then, be unmuted in Zoom or you can come to the microphones in chambers. Please state your name and address for the record. You will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on the screen and our Clerk will run the presentation. If you have established that you 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 in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in chambers or in Zoom, please, press the raise hand button in the Zoom app. If you are only 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 those extra devices, so we do not experience feedback and we can hear you very clearly. When you are finished, if the Commission does not have questions for you, you will return to your seat in chambers and 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 recommended -- recommendations to City Council as needed.

ACTION ITEMS

2. Public Hearing Continued from February 3, 2022 for Meridian U-Haul Moving and Storage (H-2021-0085) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.

- A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.

Seal: Okay. At this time I would like to open the public hearing -- or continue the public hearing for Meridian U-Haul Moving and, Storage, H-2021-0085, for continuance. Anybody?

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Are we moving this one to March 3rd? Is that the date?

Seal: Oh, sorry. I think that's the dates -- yeah. March 3rd for this one and, then, probably March 17th for the next one.

Grove: Okay.

Seal: Great question.

Grove: Wanted to just double check. All right. All right. Mr. Chair, I move to continue Meridian U-Haul Moving and Storage, File No. H-2021-0085 to the hearing date of March 3rd, 2022.

Seal: It is moved and seconded --

Lorcher: Second.

Seal: Oh. Thank you. Yes. Yes. It's been moved and seconded to continue Item No. H-2021-0085 to the date of March 3rd, 2022. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

4. Public Hearing for Vanguard Village (H-2021-0081) by Meridian 118, LLC, Generally Located 1/4 Mile South of W. Franklin Rd. and S. Ten Mile Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #110115738) to replace it with a new agreement for the proposed development.
- B. Request: Rezone of 7.06 acres from the C-C to the H-E zoning district, 17.38 acres from the C-C and H-E zoning districts to the M-E zoning district, 40.33 acres from the R-40 and C-C and M-E zoning districts to the R-15 zoning district, and 1.10 acres from the H-E to the C-C zoning district.
- C. Request: A Preliminary Plat consisting of 8 building lots and 6 common lots on 115.26 acres of land in the R-15, C-C, H-E and M-E zoning districts.
- D. Request: A Conditional Use Permit for a multi-family development consisting of 552 dwelling units on 40.33-acres of land in the R-15 zoning

Seal: Now open the -- or sorry. We will now -- we will now open the public hearing for Vanguard Village, H-2021-0081, for continuance to March 17th.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I move that Vanguard Village, H-2021-0081, for the continuance of March 17th to review and address items for ACHD.

Wheeler: Second.

Cassinelli: Second.

Seal: It has been moved and seconded to continue Vanguard Village, H-2021-0081, to the date of March 17th, 2022. All those in favor? Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

3. Public Hearing Continued from January 20, 2022 for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

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

Seal: Now we would like to continue the public hearing for Jamestown Ranch Subdivision, H-2021-0074, which was continued from January 20th, 2022, and we will begin with the staff report.

Tiefenbach: Good evening, Commissioner -- Commissioner Seal and Members of the Commission. Alan Tiefenbach, planner with -- with the City of Meridian. So, yes, this was continued originally from November 18th. This is an annexation with the R-8 zoning district and a preliminary plat to allow 294 lots on 80 acres. Just to real quickly, again, reorient you with the property. Again, it's about 80 acres of land. It's zoned RUT right now. It's located at the southeast corner of the North Black Cat, West McMillan intersection, recommended by the Comprehensive Plan for medium density residential, which is three to eight dwelling units per acre. So, again, this is a -- this was a -- that the original request was an annexation with the R-8 zoning district and a preliminary plat to allow 294 building lots. It's presently two single family residences on the property. It's recommended for three to eight dwelling units per acre. Minimum lot size that is being proposed is just a little under 5,000 square feet. These are comparable to the adjacent subdivisions and this particular subdivision proposes five points of access. At the November 18th Planning Commission meeting the Planning Commission continued this application. They did this for the applicant to consider the following: To consider reducing the number of common driveways. To cooperate with ACHD in aligning the collector street with North Joy Street. Originally it was offset to the middle. The consensus was to look at lining it up with North Joy Street, which I will show you in a minute. They wanted to be able to receive an analyze the ACHD staff report. We didn't have that at the time of the hearing and they also wanted the applicant to consider realignment of the micro pathways. What I have here was provided by the applicant. This is a description of what the changes have been. But, in general, it's the addition of five knuckles. That's what you see plotted there, rather than the -- the common drives. They made these knuckles so that's reduced the number of common drives. They have added some pedestrian pathways. You can see some of those circled right here. Connections. They have

adjusted the rural alignments, but this was the road here that the Planning Commission had the issue with. North Joy Street is roughly -- I'm guesstimating -- right about over here. So, there was discussions about shifting this to the east. So, that's not occurred. The applicant has still not done that. They have removed one residential lot and two common lots have been added. They have added some additional landscaping. They have added some additional pedestrian access and the open space has increased. It was 14.5 at the last meeting. It's now been increased to roughly 16 percent. To go on a little bit, here is a -- the conceptual drawing of the subdivision. Real quickly I want to talk about what happened with the ACHD staff report. The first thing I will make a point of clarification in the memo that I wrote. I commented that the ACHD staff report said that McMillan Road from the site to Ten Mile is presently a level of service F. It was brought to my attention before the hearing it actually said -- which is correct -- it's a level of -- level of service D, but it would be F with the addition of this project. So, it's not functioning at F yet, but ACHD found that it would be if this project were done. The reports show that the intersection of West McMillan and North Black Cat is scheduled for the installation of a traffic signal in 2022. West McMillan Road -- it's listed to be widened to three lanes from Black Cat to Ten Mile. Now, the ACHD comments that the applicant's traffic study recommends five lanes, but ACHD responded that five lanes is not going to happen. It's only going to be three lanes. That's due to numerous things, not the least of which would be just geographically speaking they have got a pinch point there they can't fit five lanes in. North Black Cat is listed to be widened to five lanes from Ustick to West McMillan between 2031 and 2035. The applicant will be required to construct a westbound left turn lane on McMillan at -- and Grand Lakes Way. ACHD did support the offset of Grand Lakes Way. So, ACHD was supportive of the road being shifted to the west. ACHD has commented that they would also support the alignment of the road to North Joy Street. So, they didn't have a strong opinion either way. They could be okay with it towards the center. They would be okay with it lining up with Joy Street. With that that is all the updates that I have. Staff has received two letters of testimony. One was from -- well, there is two letters that were received from Mike Wardle with Brighton. He originally had some concerns about the offset, but my understanding is that those concerns have been satisfied. There was also a letter of testimony that we received in regards to the people that live directly across from where that new access would be. They also brought this issue to the Planning Commission at their meeting about that the -- the traffic would be pointing directly at their house, basically, if the alignment was changed as it is proposed. With that those are all of the changes and staff's analysis. If you have any questions.

Starman: Mr. Chairman, before we get into the questions -- before we get into questions or testimony from the applicant or the public, I just want to mention for the record that we -- I had spoke with Commissioner Stoddard before the meeting and the chairperson took part in that as well. So, Commissioner Stoddard acknowledged she did not participate in the previous discussions relative to this project, but she has reviewed the record in total and that she feels comfortable participating this evening. I just wanted to get that on the record and I would invite Commissioner Stoddard to affirm that and, then, we can proceed from there.

Stoddard: Yes. I have reviewed it up to this point and feel comfortable participating tonight.

Seal: Thank you very much. Okay. And at this point would the applicant like to come forward and state your name and address for the record and the floor is yours.

Koeckeritz: Thank you. Elizabeth Koeckeritz. I'm with Givens Pursley for the applicant. 601 Bannock Street, Boise. I have a presentation coming up. Thank you for having us here tonight. I am pleased to present part two of the Jamestown Ranch Subdivision. I was not here for our first meeting on November 18th, but it sounds like quite a few also were not and have been -- there has been a lot of switches and moves since then. What Jamestown Ranch really is is a really high quality development. It's multi-generational. It has a 55 plus component, 283 lots, and it's really just a great -- it's become an in-fill location within the city of Boise in this rapidly developing, high priority area of -- I apologize. I said Boise. Of Meridian. Last time we were here, as was just mentioned, we were asked to look at reducing the number of common drives. We also made a few plat updates at that time. There was also a question about the division of open space between the over 55 component of the project and the market rate area and there was a big discussion about the location of the collector road, Grand Lakes Way, and, then, also, as mentioned, we just didn't have the ACHD staff report, so it was difficult to really discuss what they were suggesting at that time. So, since then we have received the preliminary plat. We have taken all of the comments really to heart that we received from the city -- from the council -- from the commissioners and we have made some pretty -- we have made this a much better -- we think a much more walkable, better environment for all of the future residents and residents of the City of Meridian. As you can see in yellow on this we removed five common drives and replaced them with knuckles. So, that really does eliminate the number of the common drives. That leaves seven common drives remaining on this lot. However, four of those common drives are used now as pedestrian pathways and so they are a dual purpose. They are a pedestrian pathway and the common drive and only three of -- and three of the common drives are really short, they only have a couple homes on them. They really are minimized. One of the other questions that came up last time was do common drives make good neighbors and there was some discussion about -- well, I don't know, if you have got the trash collector backing down the common drive, that seems like a terrible situation for a neighborhood. Well, that's not actually the way it works -- is the trash collector, the mail, all of that, they -- they are out on the streets and so you don't actually have trash -- just all of that backing up down these short driveways, but, rather, the residents drag out their trash, recycling, that sort of thing, to the main road. There is also -- the question came up about the parking and historically there has not been, in the Walsh Group's experience, an issue with individuals parking on the private drives. They are pretty -- they are wide, but they are not so wide that you would feel comfortable necessarily parking there, but also as a term in the HOA, a condominium declaration, it does talk about no parking is allowed on those private drives and so that really reduces any issues that they have historically ever experienced. They just feel like that's not been something that's come up in the past. In addition, there are two new grassy open spaces. You will see one up in the northeast area where the green -- where the house remaining is located. That was a residential lot

before, it is no longer. There is also one over on the western side that also at one point was a residential lot, but now has become additional green space. In speaking with ACHD they felt that the roads are too straight and so they have put in these -- not knuckles, these bulb outs, which are depicted in purple, which will really help slow down the traffic and, then, what's nice -- and you don't necessarily see it on this one, but where all those knuckles are, then, there -- where all those bulb outs are, then, there is grassy space connecting across through them, either to the south or directly horizontal, but it makes just a really nice connected community. Also in the blue we did add four additional pathways and so it just really adds a much more connected community based on all of your recommendations last time. And, finally, in the orange is -- the clubhouse has revised parking. Last time we were here the parking just backed directly out onto the streets and ACHD said no, so we said sure and we move the parking into parking lots in the over 55 section. There is four spaces. It's a pretty small area. We don't anticipate a lot of people would be driving there. There is a little bit bigger parking over in the free market, which is -- there is five spots in that one. Okay. The open space and amenities. Last time there were just sort of questions about -- and it was really hard to tell how much open space was associated with each of the different areas, because it was all depicted in green. Here you can really see the breakout of the open space, what's also just pathways that don't count as open space, but are still there and provide a nice amenity for the neighborhood. So, there were the additional four pedestrian accesses, two additional common lots that are grassy parks and, then, at the age 55 plus there is now 17.32 percent of total qualified open space and that's depicted in the blue. The amenities there include, excuse me, a swimming pool, a clubhouse and restroom, a pickleball court, and, then, there is sort of pathways throughout that area. Plus there is the four parking spaces we mentioned. There has also been in the single family, which is the red and green, we have parkways going along all of the streets, which just makes it feel like a much nicer, more open areas to have those wide eight foot wide pathways with the trees and between the pathways and the clubhouse, the open space, the grassy areas for the market area, it comes to 15.78 percent total qualified open space, which equals overall 16.05 percent open space. Okay. The collector. So, last time we were here there was a lot of discussion about the collector and should it be moved and how does this best align and the development team really took this to heart and went back and reworked through this and thought about it and talked about it and ultimately came up with -- for this development the collector, where it is -- was currently located remains the best place for the collector to be. This is in large part because the collector -- well, because after talking with ACHD we were told that you could only have one access onto McMillan and so we were going to be unable to have just a small local road access in the middle of the development there going up to McMillan and so it really became this far eastern straight road going straight up to McMillan and the way just traffic flows and traffic patterns are throughout the development, it's either going to force some traffic -- more traffic to Black Cat or you end up in this big snarl of traffic throughout the subdivision trying to get over to the collector. It also results in creating this super highway down the side of the development and per ACHD policy they recommend that on residential collectors that they be designed to not exceed speeds of 30 miles per hour and here we have more than 1,200 feet straight line raceway roadway, whereas the collector that we have remained with the big S jog through it, that has those passive traffic calming just by virtue of how

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it's built and so it really does slow down the traffic. One other thing with this is if we were to go with this out -- with this location, then, we would also have to consider putting in an additional road leading into -- sort of bisecting across to the age restricted from -- from the street that runs north-south over next to it. I apologize. But just kind of cutting across there and that would, then, result -- in order to have the traffic flow correctly -- and that would, then, result in really probably losing the age-restricted area, because the whole point in the age-restricted area is that it is a little bit more separate, it's a little bit more closed off and you don't have all of the rest of the development just racing through there and so it really was felt that where it was was the best location. We also have a little bit more here. There is a lot going on, but let's look at the bottom one first -- is that this map depicts where all of the roads are coming up onto McMillan and it really is a much better spacing between the various roads to have this not align with Joy, because, then, you start having between Vicenza Way, San Vito Way and, then, the Joy -- the Grand Lakes collector, that those are really really close together, which creates even more traffic problems on McMillan. So, by leaving it where it is it just spaces that traffic out as the traffic comes onto the road. Also Joy is a small road that essentially leads to nowhere. It goes into this one little sort of small development and, then, all surrounding it, even to -- at the places where it connects through, it's not the way that if you just think about the way traffic would flow how traffic would actually come out. So, it really is a pretty small, pretty minor road right there and so it doesn't necessarily -- there isn't a big reason to have to align these two, that there is going to be traffic going across McMillan and continuing up Joy. And, then, finally, on this, the -- the top one shows -- if you remember there is one in holding parcel that's going to remain. It is part of the plat, but is not owned by the development team and that's on that northwest -- northeast corner. In order to develop the road going right through there they would have to purchase the whole property that's in the red and also -- which is approximately one third of an acre and, then, also would have to move that power pole that was discussed at length last time. That power pole is located in the right of way and it would need to be -- ACHD would require it to be moved. Based on spacing of the power poles it could happen, but the ideal spacing is really where it's at right now and so we would prefer to leave it where it is right now. One of the big things we are waiting for was the ACHD review and that has now come back and the ACHD -- ACHD review essentially found that except for the section of McMillan between this development and Ten Mile Road, all of the intersections and the roads are going to be acting under appropriate conditions. The ACHD -- the Ten Mile to the site will be -- exceeding the conditions, will be acting in an LOS of F during the peak hours between 5:00 and 6:00 at night, but when that happens they do look at what happens in the shoulder hours. When you consider the shoulder hours it does meet the LOS thresholds and so they are -- they didn't really have -- it's -- other than suggesting that this become the three lane road, that was their primary improvement for this area. The development team is in agreement with all of the ACHD recommendations. They are intending on putting in that westbound turn lane on McMillan. One of the things that was suggested by ACHD was bicycle lanes on the frontages on the roads. What the developer -- developers are suggesting is they are going to do a ten foot wide pathway along the sides on those two main roads and so there will be plenty of room for mixed use and bicycles on those roads. ACHD has asked them to contribute to any future pedestrian crossing features, which they are welcome to -- they are certainly open to doing. At this

time none has been specifically requested, but they would do that. There is also -- they are agreed to put on the yellow three inch retro reflective sheeting to the black plates of the intersections and just so you know, that's the bright yellow. It goes around the traffic signal. We had to look it up. And, finally, on traffic, we know that traffic has been a big issue and a lot of discussion here in the recent past. One of the things that I think this development has going for it is the fact that there is a large 55 plus component. This is a demographic that tends to drive less. They have down -- so many of them have -- they are downsizing their homes, they are not going to work or school every day necessarily and many of them only have one vehicle, many households in this demographic. So, that does help lessen the traffic impacts. Also Black Cat and McMillan is scheduled to be signalized this year and in the future ACHD intends to put a roundabout in it. We also, as mentioned here, are going to put in the left turn lane. Last time -- and, then, also the neighbors across the street where we are proposing that collector road be, mentioned -- had concerns about the lights from individuals leaving the development and their street lights getting into their -- getting into their -- street lights interference. As you can see from this picture, their house is offset. That is a shed that directly fronts and there is also a nine foot high security fence along that entire way with really tall trees and bushes right there. And on that, in conclusion, we are really excited to bring this development to Meridian. We think that it's a great location. It's a great high priority area. Good use of an in-fill space and we will stand for questions.

Seal: Okay. Thank you very much. Are there any questions for the applicant or staff?

Wheeler: Mr. Chair?

Seal: Mr. Wheeler, go ahead.

Wheeler: Hi, Elizabeth. I had a question for you on the -- you mentioned the power pole, that it would need to be moved if Joy Street was aligned.

Koeckeritz: Yes.

Wheeler: So, your plan is that with the -- the lots that -- that butt up next to McMillan Road that that power pole would stay right there?

Koeckeritz: The power pole can stay there if the road doesn't go through.

Wheeler: Okay. All right. So, all -- so -- but that lot -- this -- the housing lot, right, a residential lot --

Koeckeritz: No. It comes out right -- so, it really comes out -- on this map right as you come out -- it would jog a little bit to the left and it would come out next to -- on the western edge of that bigger in-fill lot, the lot that's remaining.

Wheeler: Okay.

Koeckeritz: And so there is a power pole there. So, there would remain one across -- sort of kitty corner behind the one residential lot, but not -- but it wouldn't be blocking it.

Wheeler: Okay. And, then, one other question on aligning up Joy. You mentioned that you would have to take your extra third of an acre into -- in order to make that happen and that would be on to the next property; is that right? To the --

Koeckeritz: It would be on -- I apologies. So, in this one you can see there is this large corner lot. It is part of the plat, but it's not owned by the developers and so it would be a section -- it would be the western most boundary of that -- the western most third acre of that property is where Joy would come out -- where this collector road would come out.

Wheeler: Okay. And at the same time, though, I think your drawing showed that it would go just due south almost -- and tie into the street below that, if I remember right. It would be more like just a straight road; correct?

Koeckeritz: Yes. There has to be other alignments going on. The other map we show doesn't have all the properties. It's really showing where our current collector is coming up straight, instead of making that jog.

Wheeler: Okay. Is there -- did your developers take a look at possibly taking Joy and aligning it with the street -- or across the street and having it come in and start to bend -- I wouldn't say sharply, but quickly into what you already have here as a plat and, then, resume?

Koeckeritz: Well, what the issue becomes is -- is that age 55 -- is in the coming in and going to the --

Wheeler: I think it's called Sunday Loop? So, quickly in --

Koeckeritz: Yes. That is -- I apologize.

Wheeler: No. No. No. You are fine. You are totally fine.

Koeckeritz: That is the age 55 component of this development. I can scroll down here and just show you how it's sort of -- we have the extra one. So, what's in red is the 55 component and so that just isn't, in our opinion, is really appropriate for the collector road to go right through that section, which is purposely its own area. It's not going to be gated off, so that there can be some kind of connection between the areas, but it just doesn't make sense to run traffic through there or it's not ideal.

Wheeler: Okay. Okay. Thank you.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli -- oh. Alan, real quick.

Tiefenbach: Just one point of clarity. Alan Tiefenbach. Associate planner. One point of clarification is -- is staff didn't analyze this as being 55 plus, because unless there is a deed restriction there is really no way we can enforce that. So, it would purely be upon the -- the applicant to say they are going to keep it 55 plus, unless they are willing to deed restrict it. So, if there is the -- really is the -- if the Planning Commission really is inclined to go that way on traffic, we can't enforce that unless they do restrict it.

Seal: Okay. Thank you. Commissioner Cassinelli.

Cassinelli: Well, I had a couple of questions, but I might as well, then, ask -- ask the first one. Will it be deed restricted?

Koeckeritz: I do not -- it will be in the -- I believe it will be in the HOA rules and requirements. I do not believe it would be deed restricted and it would be following -- this is something I know has come up between the attorneys. It would be following the housing for older -- whatever is. It's not strictly 55 up, whatever the act is, because many individuals in the 55 and up have -- maybe you are 56 and you have a younger spouse. maybe you are 70 and you need your son to come live with you. So, there is some movement in there, but it would follow the requirements set forth in that act.

Cassinelli: Okay. And, then, I have -- I have got a couple others.

Seal: Go right ahead.

Cassinelli: The -- the parking on the private drives --

Koeckeritz: Yes.

Cassinelli: -- talk about that issue. Will it be signed that there is to be no parking --

Koeckeritz: It is -- in their experience it historically has not needed to be signed. That's something that could certainly be considered. We have a picture in here of what it looks like. This is one of the short drives in one of their other developments. Although on ours most of them will go through as pathways, but just how that is -- there just typically hasn't been a need, but it's something that they could certainly consider -- would consider.

Cassinelli: Okay. And, then, with -- with the ones that go through with the pathways, are there going to be other -- can traffic get through or will those be bollard off in the center?

Koeckeritz: They will be -- they won't -- they will not be able for traffic to go through.

Cassinelli: Okay. So, it will narrow down to just a pathway?

Koeckeritz: Right.

Cassinelli: Okay. So, you have to approach the homes on either side from those -- their respective sides; is that correct? You can't get through -- so, like in this case --

Koeckeritz: The one where you can come in from both ways?

Cassinelli: You can't -- yeah. You can't get --

Koeckeritz: You can't drive through.

Cassinelli: You can't get to one house from the other side.

Koeckeritz: Right.

Cassinelli: The -- with the 55 plus area, are those amenities to be shared by the entire community?

Koeckeritz: No. Those are for that community.

Cassinelli: Okay. That's -- that's what I have right now. Thank you.

Seal: Thank you. Any other questions? Commissioner Grove?

Grove: Mr. Chair. With the micro pathways that you added, one of the concerns that we had last time -- or at least one of the concerns I know I had was with the lack of connection from the furthest east properties, being able -- there is no pathway connection from those properties to the rest of the development, you have to go all the way down to the -- the street in the far southeast corner to be able to access any of the other pathway system. Could you explain why there is no pathway connecting those houses to the greater pathway system?

Koeckeritz: You are talking about the ones that are on the far east side?

Grove: Correct.

Koeckeritz: Not coming -- let me double check. No, I do not know why. But it does seem like something where we could shift a portion of the new open space at the end of that road maybe -- and shift something down in there and be able to create some sort of pathway through there, if that was a condition of approval moving forward. I would have to confirm with them, of course, but it seems like it would work.

Grove: Mr. Chair, one other question.

Seal: Go ahead.

Grove: With the ACHD report coming back and being at an LOS of D, but going to LOS of F, that is going to be a major concern for us. Don't want to speak for everyone, but just

-- I know that that is going to be a point of contention. So, you addressed it earlier, but can you address it further in terms of how this will impact this development and the -- the surrounding developments as they -- as we look forward on this?

Koeckeritz: Well, one of the things -- I mean they are willing to do -- there is a couple things -- is first there are going to be improvements. They are going to be widening this road sometime in the -- I believe it was in 2030, 2031, in that time frame the road will be being widened to the three lanes, which will help reduce some of that. Also I understand -- like there is only -- there is only so much -- part of the reason that -- what spurred ACHD developing these roads, widening these roads, is the development coming and the impact fees being paid to help pay for those improvements to the roads and so they don't tend to do the widening of the roads, they don't tend to make those improvements until the development's already there and so I do understand that these roads will continue to have more people on them, but that's why there is the other exit out to Black Cat, which is going to be a five lane road and the truth is there just isn't much more along this corridor of McMillan that will be left to develop after this. There is just a small area directly to the north.

Grove: Thank you.

Seal: Anybody else?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Elizabeth, can you -- can you repeat what you said in your presentation? You broke out the open space between the --

Koeckeritz: Yes.

Cassinelli: -- the 55. Can you give me those numbers again?

Koeckeritz: Yes.

Cassinelli: Please. And, then, in addition to that -- kind of a follow-up to my earlier questions, how are you going to separate -- how are you going to prohibit those that aren't in the 55 community to what -- what means do you have to -- to prohibit the people from using that pool and other things?

Koeckeritz: Okay. The age 55 plus is 17.32 percent open space and the single family is 15.78 percent, for an overall 16.05 and it does make sense to have a slightly higher percentage in the over 55 area, simply because they are home more, more likely to use it, kids are going to school, kids are playing, other places. So, the way that it would be restricted is there will be separate HOAs for the two areas. So, that would be one way. I'm sure there are other ways. If it becomes a problem there are other ways that the HOA

can maintain that separation. They can do like the local police -- not the police force, but their local internal policing of the areas, making sure that the people are in the pool -- the only people in the pool are the people that should be there.

Cassinelli: And, then, can you -- what are the other -- besides the two separate parks with pools, where are the other amenities in each area?

Koeckeritz: So, there is the pool with the clubhouse and with the clubhouse restrooms, changing area, as well as the pickleball courts and the lineal open space throughout the 55 plus area. The big grassy areas. And, then, also in the open market there is the clubhouse, the pool, the large grassy areas and quite a few just of those smaller parks throughout, as well as the pathways along the perimeter of the development.

Cassinelli: Okay. Mr. Chair, can I ask one more question?

Seal: Go right ahead.

Cassinelli: For staff. If there is separate HOAs between the 55 plus and the regular community, do we have to look at the number of amenities independently or are we looking at it together?

Tiefenbach: Mr. Cassinelli, Members of the Commission, we don't have anything in our code that says we look at it separately based on HOA. It's just based on the square footage and based on the number of units we look at whether or not there is required amenities. It doesn't say you have to have X amount of amenities for 55 plus, Y amount amenities that aren't. This square footage -- or sorry. This acreage, this many units, this is what you need to provide. Now, our new code does have different types of amenities for different types of categories, but it's still all based on the development, not just each HOA.

Cassinelli: Okay. Thank you.

Seal: Anyone else? All right. Thank you very much. Appreciate that. Okay. At this time we will take public testimony. Madam Clerk, is there anybody signed up?

Weatherly: Mr. Chair, there is not.

Seal: Okay. Anybody in the audience like to come forward and testify? Anybody online raise the -- oh. We have got one person coming up. Good evening, sir. Please state your name and address for the record and you have three minutes.

Pachner: Joe Pachner. 5725 North Discovery Way. I represent the developer. I'm an engineer with KM Engineering. One of the things that I wanted to discuss with you is just a little bit more on the traffic and what ACHD's recommendations were. Part of the -- well, one of the first steps in correcting the issues along Black Cat and McMillan is moving the -- the current irrigation lines, especially along Black Cat, is right at the shoulder. It's a

safety concern. If you have looked in that area that road rolls off and it drops right into that -- the lateral that goes through there. Part of this project is tiling those ditches and moving them far enough away, so that not only does it, you know -- you know, create -- removes that safety concern, but it provides room necessary for the future right of way expansions. This is well over a million dollars worth of irrigation work just to get that pipe out of the way. These are large laterals. You know, the one is a 48 inch and the other one is a 60 inch. One of the other things that we were looking at was, you know, we have actually drawn up -- went through the whole process of realigning the plat to try to get a Joy alignment to work, but one of the problems that we have is -- and ACHD recognized this as well -- is that the traffic will not -- it's not -- it will not travel north onto -- you know, across our -- across McMillan north to Joy Street. It will go an east-west direction, because Joy Street does not lead to the destination they want to go to. So, the traffic going east-west, what they found is if you offset those, then, they are not conflicting. If they are -- if you are -- if everyone's been at a four way stop sign and you get that -- you come, no, you stop -- you come. When you are offset by -- especially when you are offset by about a thousand feet, those traffic turns move more smoothly to allow that to go through. The other thing was, you know, the level of service it will be an F only during those peak hour times. The rest of the time, you know, ACHD has -- their staff report has stated that it will function as -- you know, as, you know, we anticipate it and that's -- you know, again, in these, you know, age restricted developments that component -- that's -- they love it, because they don't have to go to work right at 8:00 o'clock. In fact, they can stay -- you know, they can determine their times whenever it's more -- you know, it's convenient to them and so with that it does lessen the burden on the traffic system all at the same -- all that the peak hour. But when you try to move all the traffic right through that age restricted, it ruins that -- the characteristics that we are looking for to provide an age restricted component. With that I will stand for questions.

Seal: Thank you. Do we have any questions? No? Thank you very much. Appreciate it. Anybody else in the audience who would like to come forward? Go ahead and state your name and address for the record.

Watts: Rachelle Watts. 4376 West McMillan Road. And we are the ones they are referring to directly across the street from this entrance. The collector road was an issue for us also with connecting with Joy and when I testified the last time I did point out all the developments north of McMillan between Daphne Square, Brody Square, now there is Pera Place and there is another one that is directly across from the James parcel that they are maintaining. They did own all of this. And, then, they decided to keep the one home and shop that was his father's that passed away in August of '20 and, then, the developer has purchased the rest. So, it is the same Mr. James that is involved in this. The five acres that's directly across, they have already torn down the house that's owned by a gentleman who has now proposed to put in another subdivision. You don't have that yet, but I'm sure it's coming, because there was a neighborhood meeting for that. So, our concern is, first of all, obviously, it's directly across the street from us. It is not a nine foot security fence. We did many years ago put in a berm with some landscaping, trees -- leaves are not on the trees during the wintertime. It is six foot wood, but there is always lights that shine through the slats and I -- when they widen that that will come out, because

they are going to widen to the north and starting in 2031. So, that will come out and we will have to either sell or start over or something. So, it is developing all around there. But there is the one I was talking about that with the pickleball court, that's directly across -- okay. Right or left arrow up or down. Where is the arrow at? I'm not sure. Up or down. Page down. I'm sorry. Page up. Okay. You scroll. Okay. There is only a couple of pictures. But I wanted you guys to visualize this. If you can go back. Okay. There is -- there is the picture from the -- the remaining property that was James that he is keeping. So, the back of that there is the -- is the shop and the home is to the right. There is the power pole over there on McMillan that they are talking about would have to be moved for Joy Street -- because of Joy. There is the acreage on the right that is now proposed for pickleball street -- or pickleball court. I'm sorry. It's not developed yet and this abuts up next to Bridgetower West. So, if you can scroll again to the next one. Oh. Well, they are kind of out of order. But this is where they are in the construction right now for the entrance. Now, they have mentioned that they would have to move a power pole, that there is a lot of power poles and lines in the way. This is where the entrance is at now, directly across the street from our house that they are in the process of constructing. To start at the beginning of January. There is the power pole that they have talked about having to move. When that development goes in directly across the street, if it's approved on that five acre parcel that's where the fence is down and the house has been torn down, I'm assuming that will -- they will have to go back on McMillan and, then, over on Joy. Now, the developments that Joy runs into -- and Joy does dead in, but it goes into another development and it goes into Daphne. Daphne, then, goes down Pera Place goes -- is now going to be developed and flow onto there -- Daphne Square flows in and rounds about where Brody Square is and, then, if you guys remember, they moved -- they are in the process of moving Daphne so it's not straight through. So, they are either going to have -- all that traffic is going to either have to go out onto Black Cat or it's going to have to come down Daphne to Joy and out. So, for us, obviously, we have a stake in this, but we are not the ones developing the property. Mr. James is. He doesn't live there. He -- it's a -- one of the commissioners that had made a comment I heard on one time was, ah, they want their cake and eat it, too. Well, we are not the ones in the middle of development. When we met with them in July when they had that neighborhood meeting that was held here, we expressed our concern to the developer about that collector road. They have never reached out to us, they have never done anything and we have -- so, anyway, the pictures that I'm showing you are basically showing this is directly across from that property on the north side of McMillan right at the edge of Joy Street and that's where that pole is where they are in the process of constructing this directly across from our house. Now, somehow they don't have to move that pole and those lines, but they have to move the other one. I think it's a preference is what I think. And I have not seen a specific study that states that they would not be able to do it. Here this is the overlay to show you McMillan and that shows Daphne Square on the left, Brody Square up there and -- and Daphne Road that follows through the middle of that is now for Brody Square going to wind through the subdivision and rerouted it. Pera Place is in the -- has not started development, but it's been approved by -- by the commission and, then, pickleball -- pickleball court is probably coming. So, I guess what my -- what I would like to say is you have the opportunity now to make sure that we have the correct alignment that should be the collector road, the master street map from Ada County Highway District, and they

were not opposed to it. I know I'm out of time. According to this it was saying that they would -- they would -- is also supportive of aligning that Grand Lakes Way with Joy Street on McMillan. Okay. I would just like you to consider it.

Seal: Thank you. Okay. Would anybody else like to come up? Come on up, sir. Please state your name and address for the record and the floor is yours for three minutes.

Walsh: Great. My name is Ron Walsh. I -- address 12 -- Post Office Box 1297, Eagle. I'm the developer. My son and I are the developers. Walsh Group. I was wondering if you could -- Alan, if you could put Elizabeth's jump drive back in with our exhibits. I appreciate all of the concern about the alignment and -- and I wanted to tell you while we are getting this up that we -- we just did the Village Bungalows on Ustick near Eagle Road, about 74 55 plus homes, and when we went through the approval process the city asked us -- told us they did not want to monitor the 55 plus designation in there and so we put those in our HOAs and record them with the HOA, so they technically are a deed restriction and they are -- we have to comply with a federal law called HOPA and they monitor us. We have to have a questionnaire filled in and signed by every resident that they meet the HOPA guidelines and the HOPA guidelines are fairly simple. It's just one of the residents needs to be 55 years or older until -- unless -- you can't go less than 80 percent of the total amount of residents in there that aren't 55 or you don't meet that. So, we do monitor it and it is somewhat of a deed restriction, because of the recorded CC&Rs and it would take a unanimous vote by all of the residents to remove it and -- and, then, they would be in violation of the HOPA -- HOPA guidelines, which is federally monitored. But I wanted to see if you could page down through her -- keep going. One more. One more. Oh, I wanted to -- one -- back up. On this particular -- okay. Keep going down. I'm sorry. I didn't know the number. I didn't watch the number. Oh, there you go. Yep. This has gotten really confusing on this Joy Street alignment and I can tell you that we don't -- we actually spent more money to put this curved roadway in to calm traffic. We created our bungalows -- Village Bungalows to create a community that's all kind of encompassed inside itself and so we are really protective of that and this -- this -- this driveway -- or this roadway right here is a really calming roadway. If you will notice to the south where this roadway exits us and goes into Quartet Subdivision, they have a curve right there that has a big arcing curve that heads over to Black Cat. So, they didn't want a -- a straight road there, neither did ACHD. And, then, when we straightened this road out it's -- it's 1,200 feet of wide straight road. It's just going to be a nightmare to go too fast. We did not want this -- our roadway to enter into the front door of the neighbor's house. If you will notice that road exits out onto McMillan right on the property line between her and her neighbor and her neighbor has a heavily treed home that you can't even see the home from the -- the McMillan Road and, then, the road -- the house to the right that's concerned about our headlights has a three foot berm and a six foot fence and, then, where the roadway comes out is on -- on our property line and there is no building there, it just barely catches the edge of one of the outbuildings, definitely not her home, so we just feel like it's just in the best interest of the city to have this roadway aligned this way, rather than a straight -- a straight roadway and, then, cutting off any traffic out to McMillan, other than the -- the arterial -- just creates a -- kind of a nightmare traffic flow inside the subdivision. So, we just don't think it's a prudent use of, you know,

our money or the city's time and the -- ACHD's efforts. So, we didn't pick it, because it saved us money, we just picked it because it makes the most sense for what we think is a well done subdivision. Thank you for your time. I will stand for questions.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Did you -- did you discuss anything to be done with the neighbors or -- I think -- believe it's the Watts to -- it sounds like their concern is -- is headlights and whatnot. So, did you discuss any -- anything as far as additional vegetation, anything?

Walsh: No. You know -- and we have -- we have had situations like this we have developed in our Village Bungalows and what we did is we actually paid for additional foliage on their property, because, obviously, we can't put anything between our roadway and McMillan. But I would have no problem as a condition of approval putting whatever kind of planting she -- that they want in there to -- because we don't want to disrupt any of our neighbors. But, yeah, that could be a condition of approval. We think we could do a great job by doing that, because we just -- my son and I just drove it, took pictures, because we knew it was one of your only concerns and I think we could shield her a hundred percent from any kind of lighting.

Seal: Okay. Any other questions? All right. Thank you very much.

Walsh: Thanks for your time.

Seal: Do we have anybody in the audience who would like to come up and testify? Madam Clerk, do we have anybody online?

Weatherly: Mr. Chair, not raising their hand.

Seal: Okay. At this time I will close the public testimony.

Cassinelli: Mr. Chair, I move we close the public testimony.

Starman: Chairman, before we close did you want to invite the -- we had the applicant actually maybe three or four times come up to the podium, but did you want to give the applicant an opportunity to close?

Seal: Yes, we would. Yeah. If you would like to come back forward. Thank you. Sorry, I got -- I got out of time on my script. Thank you for notifying me.

Koeckeritz: Just one other thing. Thank you for having me back up here. I did confirm we can put in with no problem on this one -- right at -- the concern about the pathway going across to the east. We can absolutely put one in right sort of where Grand Lakes

Way curves to go south, we can put one in across there. And with that I will stand for any more questions.

Seal: Thank you. Any other questions? No? All right. Thank you very much. Okay. At this time can I get a motion to close the public hearing for item number H-2021-0074.

Lorcher: So moved.

Cassinelli: Second.

Seal: Okay. It's been moved and seconded to close the public hearing for Item No. H-2021-0074. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who would like to jump in first?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go right ahead.

Cassinelli: Commissioner Grove brought it up in his questioning and that was the -- the ACHD staff report and their numbers. One thing that I had noticed on the staff report is the McMillan numbers were from 2018. So, it's almost a four year old traffic count. So, I don't know where that would put -- you know, if it's -- I think shoulder hours or a D right now. I mean if we were looking at today's numbers I don't know where that would be. The other thing that we are not -- unless I'm reading the reports incorrectly and somebody, please, correct me if I -- if -- if I am. They are not looking at -- I mean two weeks ago we saw Quartet South and we are not -- I mean we are not even -- this isn't even factoring in their numbers. ACHD numbers aren't even factoring in all of Quartet, if that's -- it looks like you guys are nodding your head. So, it's going to be even worse than F. If -- if they have a scale that goes to Z we might be down there. I don't know, but -- but I mean that's -- and I hate to put that all on the applicant. It's -- it's on ACHD. But we are looking at -- and they are not even going to five lanes on that. All they are doing on -- on McMillan is putting in a center turn lane the full width of -- I mean from -- I think like Locust Grove to -- to the -- to Ontario or something. It's not going to be five lanes. And so it's -- it's bad now, it's going to be bad -- it's going to be worse later. That center turn lane isn't going to do a whole lot. It -- the report also doesn't factor in -- it's only -- they only show traffic levels for McMillan and Black Cat. Some of that might feed all the way down to Ustick. I mean it's -- it's -- it all -- this is all going to be one substantial subdivision when you put this in with Quartet. So, I have got -- I have got a lot of concerns with that and what I would like to do is bring in ACHD and beat them over the head, but we don't have that -- that luxury to do that, but that's -- that's the issue and that's -- and I don't know how the applicant can solve that. But those roads out there right now in -- during peak hours are -- they are already difficult and it's only going to get worse. But I don't know what the answer is, unless ACHD is willing to do more on McMillan, but they are saying they can't.

I mean I don't know where to go. Those are my thoughts right now. I will probably have some more later.

Seal: Okay. And I will jump in. I mean as far as the traffic -- traffic issue is concerned, we -- I mean we all kind of suffer the -- you know, the -- the same fate here where there is several times we may not agree with, you know, what ACHD is saying on the opposite side of this where -- saying that the level of service is acceptable -- we are all kind of scratching our head going how can that be where here we have the level of service is not acceptable. So, I mean, you know, ACHD owns the roads, we -- they give us a report and we are supposed to act on those on the best interest of the city. I mean seeing that and -- and like the application that we did have two weeks ago, that is, you know, right in the same location, we are faced with a similar thing where as -- you know, my opinion is knowing that the level of service at peak hours is -- is not going to be acceptable, knowing that the data is four years old and also understanding that there is that limitation from, essentially, Locust Grove all the way through where these power poles are, something is going to have to be done in the future to help accommodate that. More than likely it's going to be that they are going to overbuild Black Cat like they have done with Ten Mile. I mean that was brought up earlier, so -- but we are not there yet. We are literally ten years away from even that happening and as a person that lives in that area and has to drive these roads on occasion, there is never a time when there is not a lot of traffic in that area already and they are -- you know, we are just getting warmed up with subdivisions in there. So, I mean it's -- it's tough. I wish ACHD would do something about the roads in there in a timelier fashion, but they have to take our entire area of impact and prioritize projects in there. Unfortunately, this has the prioritization of doing it in 2031, instead of 2022. Anybody else like to chime in? Commissioner Lorcher.

Lorcher: Commissioner Seal.

Seal: Go right ahead.

Lorcher: If Commissioner Yearsley were here he would say something to the fact that you are taking a parcel of land and putting as many houses or, you know, products on as you possibly can that cannot accommodate the space that is already there. I think that there should be a subdivision here. It's definitely residential. But looking at the density of this particular corner, especially when it's McMillan and Black Cat. The roundabout is not scheduled, although the light will help. Our infrastructure is not ready for a project like this.

Seal: Okay. Thank you. Anybody else? Commissioner Grove, go ahead.

Grove: Thanks, Mr. Chair. Where to start? The -- the improvements to the site plan make this a little bit easier. The pathways, the reduced common drives are great. The -- the traffic is going to be a concern. There is no way around that. I think the offset of the collector is probably the only thing that could potentially save it, actually, just from a -- a flow standpoint. I don't think lining these up would make this better with the restrictions that McMillan is going to have. If it were to be a five lane road I would probably

really strongly want those roads to line up, but with it only going to three it -- I don't think having the road line up actually improves the situation. I think that we would probably be creating more problems by fixing the one problem. The ten year -- are nine years to -- what is it -- 13 years out for this road improvement gives me extreme reservations about being able to move this forward. If this was in even a five year outlook, you know, with the ability to move it up a couple of years with -- with the impact fees and things like that, I would be much more inclined to say, yeah, let's -- let's take a look at how does this, you know, phase in, you know, by the time, you know, things get platted, things get moving. I think with the -- with where ACHD is at with the Black Cat and with McMillan, this is even more problematic than the one that we had last time where it was on the south end of this block where you had Ustick and Black Cat. At least there the ability to extend the roads is possible, whereas McMillan is really landlocked and I don't know how to fix this. I don't really even know where I'm at. I think if I were to say right now I would probably say to deny based on the roads and how far out the ability to fix this problem is. So, that's -- that's kind of where I'm at right now.

Seal: Okay. You know, I think there is a little commonality among there -- those things. I mean as far as the density goes, I mean it is appropriate. You know, considering -- essentially considering all the zoning and the future land use map and all that, the zoning that's in here is appropriate. Otherwise, the staff would have called that out I'm sure for the mass of land that it's on. I do like what you have done with the bulb outs. You know, I still just hate common driveways, because it's not a -- the common driveways are not an issue of any -- all the service vehicles or anything backing into them, the problem is -- especially when they are on corners, when it comes trash day, instead of a couple of cans on the side of the road, you have about 12 and you get to play Mario Kart through them if you are trying to drive through there at any point in time. So, there is two of them that I have to drive through regularly and it's horrible. So, shared driveways are just really sketchy as far as that goes, so -- it can create all kinds of issues, especially for service vehicles. Some of the improvements that you have done through here I really like. I like the bulb outs. The age restricted community -- it's interesting, I can -- you know, I mean we have a scenario where I can definitely see, you know, you are living in here, you have an age restricted, you know, mother, father, grandparent, whatever that is, living in the age restricted piece of it. So, you know, the ability for you or grandkids or whoever to go visit and, you know, basically, will ride a bike or cross the street is actually nice. It's a nice feature I think to have something like this integrated, because a lot of times we get age restricted communities that stand on their own. So, they are -- they are part and parcel not joined to anything else. So, it's kind of nice to see that. That said, running it through the HOAs, you know, with the CC&Rs, you can change them, so -- I mean it just takes a vote and that's not age restricted anymore. So, the likelihood of that happening would probably be low, but I mean in 20, 30 years who knows what would be there or what would be happening with it. So, there is a lot of positive here. But, again, we kind of come back to the traffic issue and that -- I think no matter how good something coming in here at this point, the roads just aren't able to take that traffic right now and I think putting this in and, you know, accommodating everything else that is being built right there is going to be very very problematic and it's not going to be -- everything else that's being built out there is going to be in there within the next four or five years and, then, you still

have at least five more years before we get any relief at all there, outside of a traffic light, which is moderately helpful, which is about all it was, moderately helpful on Black Cat and Ustick. Black Cat is going to suffer the same fate. They have the same kind of power poles running down Black Cat. You can only widen it so far. So, I mean it's going to be interesting to see what happens with this area when they do finally develop those roads. Part of me thinks that's the reason that they are pushing it out so far as the 2031 and out. You know, there is a lot of other areas that are going to develop before then. I think this one is very very problematic for them, because you have the power poles there and they can only do so much, but -- it's tough. I mean I like the subdivision itself, but I just don't think it's responsible to move forward with it, considering the -- that the roads already are incapable of handling it. Anybody else? Okay. At some point we got to get a motion or we got to get a question.

Cassinelli: Mr. Chair, I just -- I had a question -- a quick question for staff on something.

Seal: Go ahead.

Cassinelli: Alan, that -- that structure that's going to stay there that's almost right across from Joy, is that -- right now it takes access from McMillan. Will that be taking -- if this were to go through will that be taking access -- continue to take access off McMillan or is that going to take internal access there? It's up in the top.

Tiefenbach: You are talking about the northeast corner?

Cassinelli: Correct.

Tiefenbach: Yeah. That's going to be taking access off of that cul-de-sac, not off of McMillan.

Cassinelli: Okay. That's what I figured. Thank you.

Tiefenbach: Or, sorry, not the cul-de-sac, off of Sunday Loop. You can see the --

Cassinelli: Oh. Okay.

Tiefenbach: You see it here.

Cassinelli: Okay. But it's internal to the --

Tiefenbach: We wouldn't let some -- we would -- we would not support adding additional entrances without removing them.

Cassinelli: I didn't see anything in there, so I --

Tiefenbach: No. You are correct.

Cassinelli: -- just wanted to check. Thank you.

Tiefenbach: Yes, sir.

Seal: Okay. If anybody would like to float a motion.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Before I do my motion, just want to reiterate. I'm not opposed to the design or the density, but the -- the -- the traffic is -- is the issue. So, with that being said, after considering all staff, applicant, and public testimony, I move to recommend denial to the City Council of file number H-2021-0074 as presented during the hearing date of February 17th, 2022, for the reason of traffic impact on the arterial roads abutting this project.

Cassinelli: Second.

Seal: It's been moved and seconded to recommend denial of Item No. -- I had it in front of me. H-2021-0074. All those in favor of the recommended denial, please, say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Thank you.

Wheeler: Is it your honors tonight, Bill?

Seal: Yeah. Can I get one more motion, please.

Cassinelli: Final -- final motion. Mr. Chair, I move that we adjourn.

Lorcher: Second.

Seal: It's been moved and seconded that we adjourn. All those in favor say aye. Any opposed? Motion carries. Thank you.

MEETING ADJOURNED AT 7:19 P.M.
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)
APPROVED

ANDREW SEAL - CHAIRMAN
ATTEST:

_____|_____|_____
DATE APPROVED

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from February 17, 2022 for Meridian U-Haul Moving and Storage (H-2021-0085) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.

A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: February 17, 2022

Topic: **Public Hearing** Continued from February 17, 2022 for Meridian U-Haul Moving and Storage (H-2021-0085) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.

A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.

Information Resources:

[Click Here for Application Materials](#)

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

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



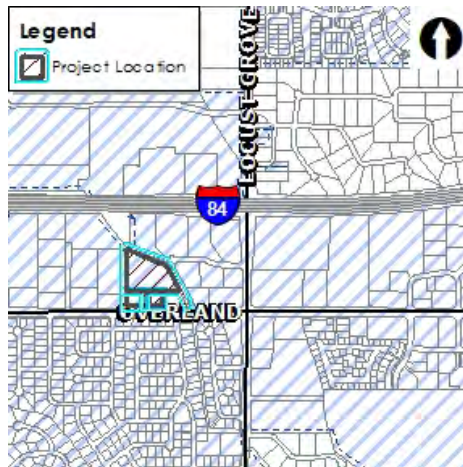
HEARING DATE: 2/17/2022

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner

SUBJECT: H-2021-0085
Meridian U-Haul Moving and Storage

LOCATION: 1230 and 1270 E. Overland Rd. and Parcel # R8257510015, at the northwest corner of E. Overland Rd and S. Locust Grove Rd.



I. PROJECT DESCRIPTION

Request for a Conditional Use Permit to allow self-storage, vehicle and equipment rentals with outdoor display, and ancillary retail on 6.86 acres in the C-G zoning district, by Gurnoor Kaur, Amerco Real Estate Company. A Development Agreement Modification regarding this development was approved by the City Council on February 3, 2022.

II. SUMMARY OF REPORT

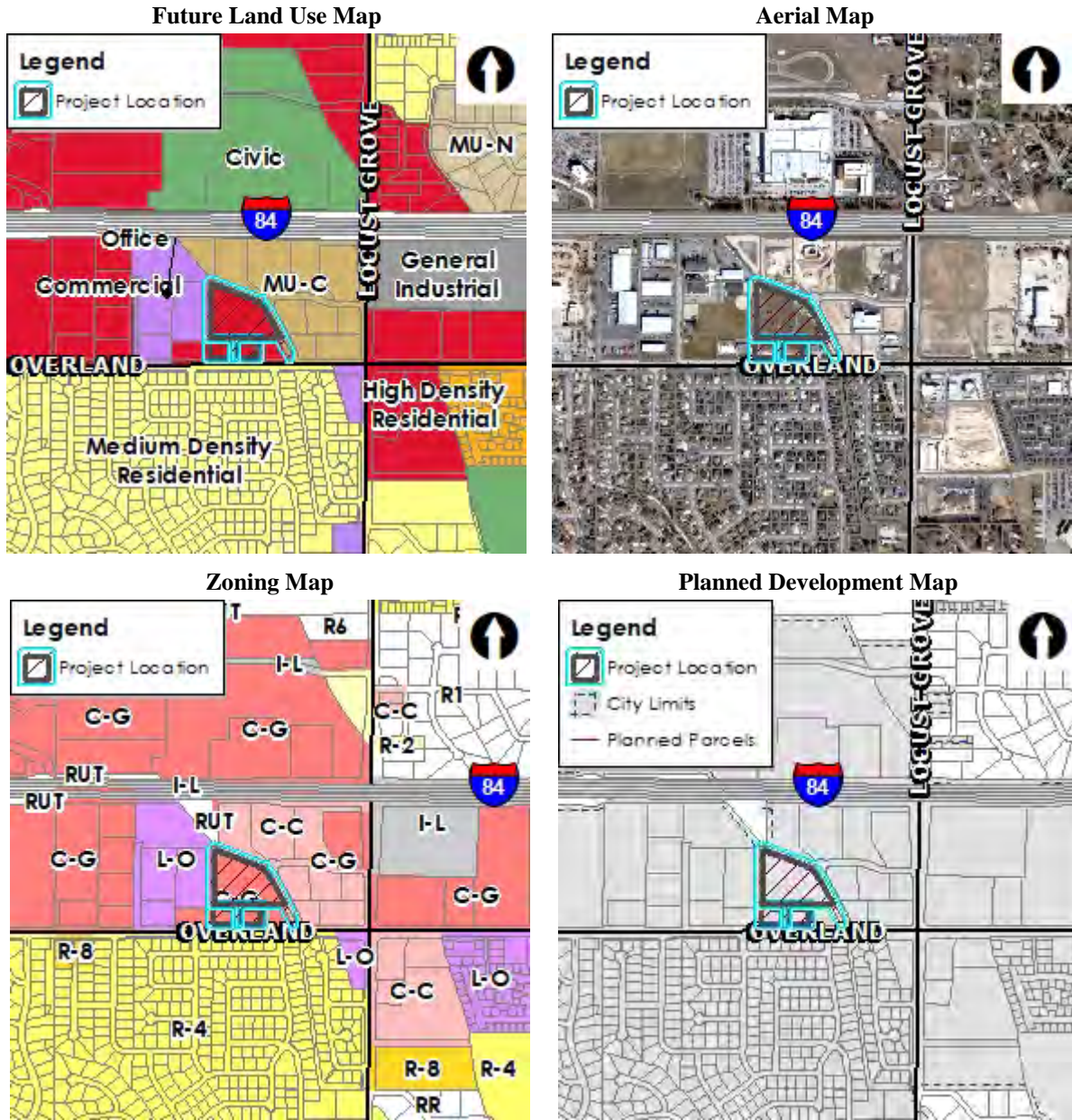
A. Project Summary

Description	Details	Page
Acreage	6.86	
Future Land Use Designation	Commercial	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Self-Storage, Equipment and Vehicle Rental with Outdoor Display, Ancillary Retail	
Lots (# and type; bldg./common)	3 existing lots	
Physical Features (waterways, hazards, flood plain, hillside)	Nine Mile Creek is just off the property to the east.	
Neighborhood meeting date; # of attendees:	October 13, 2021; No attendees	
History (previous approvals)	Annexation AZ-99-018, DA Instr. # 100029704, Preliminary Plat PP-99-015, FP-00-005, CUP 99-033, MDA H-2021-0101	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	There is existing access from E. Overland Dr; site plan shows an additional access from S. Labrador Wy	
Stub Street/Interconnectivity/Cross Access	A cross access easement exists with the property at 1322 E. Overland Rd	
Existing Road Network	E. Overland Rd and S. Labrador Wy	
Existing Arterial Sidewalks / Buffers	There are existing 5 ft. sidewalks along E. Overland Rd. and S. Labrador Wy.	
Proposed Road Improvements	None	
Fire Service		
<ul style="list-style-type: none"> No comments 		
Police Service		
<ul style="list-style-type: none"> No comments 		
Wastewater Comments		
	<ul style="list-style-type: none"> No comments 	
Water		
<ul style="list-style-type: none"> Distance to Water Services 	0	
<ul style="list-style-type: none"> Pressure Zone 	4	
<ul style="list-style-type: none"> Water Quality 	No concerns	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> There are no utilities shown in this record. Public Works will need to review and approve the utility plan. There are no changes to the water infrastructure in this record. There are existing water stubs along the southern property line that either needs to be used or abandoned. A utility plan needs to be reviewed and approved by Public Works. 	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant / Representative:

Gurnoor Kaur, Amerco Real Estate – 2727 N. Central Ave, Ste 500, Phoenix, AZ, 85004

B. Owner:

Adler AB Owner I, LLC – 8665 W. Emerald St. Ste 200, Boise, ID, 83704

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	1/18/2022	
Notification mailed to property owners within 300'	1/14/2022	
Applicant posted public hearing notice sign on site	1/28/2022	
Nextdoor posting	1/14/2022	

V. STAFF ANALYSIS

This is a proposal for a conditional use to allow self-storage, rental and outdoor display of vehicles and equipment, and ancillary retail to allow a U-Haul business. The project includes 8 buildings ranging in size between 117,000 sq. ft. to 1,400 sq. ft. with an outdoor rental display area directly along E. Overland at the south perimeter of the property. A development agreement modification was approved by City Council on February 8, 2022.

The property consists of three lots totaling 6.86 acres. It was annexed into the City in 1999 as the Overland Storage Annexation (AZ-99-018, DA Instr. # 100029704, Preliminary Plat PP-99-015). The development agreement allows the construction, development and use of only a ministorage facility consisting of eight buildings of various sizes and one caretaker unit pursuant a conditional use permit. A Conditional Use Permit (CUP-99-033) was approved for this use in October of 1999 and a final plat was recorded in 2002 (Pack it Up Subdivision, FP-00-005). The approved self-storage facility was never developed.

Staff and the applicant have had numerous discussions regarding the location of a new facility, and due to the location, surrounding uses, and C-G zoning this particular location was selected. However, in addition to self-storage, as is typical for a U-Haul facility, the applicant intends to display U-Haul trucks and equipment for rental. A conditional use permit is required for these uses in the C-G zone district. As the existing development agreement is very specific to allowed uses, the applicant has recently received City Council approval on a development agreement modification to allow the outdoor display and ancillary retail, however the amended DA has not been approved and recorded.

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

Commercial – This designation will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses.

The subject site is zoned General Retail and Service Commercial District (C-G). This allows a broad range of commercial uses. The property is bordered by a daycare to the east, roofing business and contractor’s yard to the west, climbing gym, church and industrial business to the north. There is existing single family residential across E. Overland Rd to the south (Sportsman Pointe Subdivision).

The description of commercial in the comprehensive plan does not specifically mention storage or equipment rental. However, the property is already zoned C-G which allows self-storage, and vehicle and equipment rental by conditional use subject to specific use standards. The retail component is a principally permitted use and is not subject to any specific use standards.

B. Zoning

The property is already zoned C-G, which allows self-storage, and equipment and vehicle rental by conditional use subject to the specific use standards as listed below.

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

- “Permit new development only where urban services can be reasonably provided at the time of final approval and development is contiguous to the City.” (3.01.01F)

City services are available and will be extended by the developer to the proposed lots upon development of the site in accord with UDC 11-3A-21.

- “Require all commercial and industrial businesses to install and maintain landscaping.” (2.01.03B)

Landscape buffers and parking lot landscaping is required to be provided with development of this property in accord with UDC 11-3B. As mentioned in the specific use standards section below, staff is also recommending additional perimeter treatment along E. Overland Rd.

- Maintain integrity of neighborhoods to preserve values and ambiance of areas (3.05.02).

If the applicant complies with the design guidelines outlined in the ASM, conditions of approval listed in this staff report, UDC design standards and specific use standards, staff is of the opinion the proposed use should maintain the integrity of the neighborhood.

- Require appropriate landscape and buffers along transportation corridors (setback, vegetation, low walls, berms, etc.) (3.06.02F).

The subject property abuts E. Overland Rd. (arterial) and S. Labrador Wy (local). The UDC requires a minimum 25 ft. landscape buffer along arterial roads and 10 ft wide landscape buffer along local roads. The landscape plan reflects a 30 ft. wide buffer along E. Overland Rd. and 40 ft. wide buffer along S. Labrador Wy. The landscape plan also indicates a 40 ft. buffer adjacent to the C-C-zoned properties at the north and 10 ft. wide buffer to the L-O zoned properties to the west.

- Plan for a variety of commercial and retail opportunities within the Impact Area (3.05.01J).

This is an area of Meridian characterized by industrial and commercial uses and residential across E. Overland Rd. Self-storage and equipment rental, sales, and service is allowed by conditional use in this location.

- Ensure development provides safe routes and access to schools, parks and other community gathering places (3.07.02N).

Seven-foot wide attached sidewalks currently exist along E. Overland Rd. and S. Labrador Wy. in accord with UDC 11-3A-17.

D. Existing Structures/Site Improvements:

The property is presently vacant.

E. Proposed Use Analysis:

The proposed uses are defined as “storage facility, self-service”, “equipment rental, sales, and service”, and “vehicle rental” in the Unified Development Code (UDC). These uses are allowed by conditional use in the C-G zoning district per UDC Table 11-2C-2. These uses are also governed by the specific use standards listed in UDC 11-4-3-15, 11-4-3-38 and 11-4-34. The retail use is principally permitted use and is not subject to any specific use standards.

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

UDC 11-4-3 lists the specific use standards for self-service storage facilities, vehicle sales and rental, and equipment rental, sales and service. Standards for self-service facilities include storage units not being used as dwelling units, distance between structures being 25 ft., facility being completed fenced, walled or enclosed and screened from public view, and secondary emergency access. Specific use standards for equipment rental, sales and service require repair activities to occur within an enclosed structure, and outdoor display areas are prohibited in the required landscape buffer. In addition, the standards for vehicle rental states inoperable or dismantled motor vehicles shall be stored behind a closed vision fence, wall, or screen or within an enclosed structure and shall not be visible from any street.

Storage units will not be used as dwellings, and secondary access will occur on S. Labrador Wy. All repair of equipment will occur at a different location, or within the office. All storage is enclosed within one of the storage buildings.

There are several buildings that do not appear to meet the minimum spacing requirement of 25 ft. This includes between the northeast corner of Building C and southwest corner of Building G, between Buildings G and H, and possibly between the northwest corner of Building A and the southern side of Building C. The site plan will need to be revised accordingly.

In addition, due to the high visibility of the site and the residential uses directly across E. Overland Rd to the south, staff has concerns regarding trailers and other associated moving equipment being littered throughout the site. Although staff believes display of operable moving vehicles is acceptable along the southern property line, as a condition of approval, staff recommends all trailers and other moving equipment be stored behind a closed vision fence, wall, or screen or within an enclosed structure and not be visible from any street. Screening fences or walls should be designed to be consistent with building architecture in accord with UDC 11-4-3-33 and details of these walls, fence or screen shall be submitted at time of CZC.

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

The C-G zoning district requires a 25 ft. landscape buffer from arterial roads, 10 ft. buffer from local roads, and allows building heights of up to 65 ft. The landscape plan reflects a 30 ft. wide buffer along E. Overland Rd. and 40 ft. wide buffer along S. Labrador Wy. The landscape plan also indicates a 40 ft. buffer adjacent to the C-C-zoned properties at the north and 10 ft. wide buffer to the L-O zoned properties to the west. The building elevations indicate the highest building is approximately 39 ft. in height. More detailed review will occur at the time of the Certificate of Zoning Compliance (CZC).

The property is comprised of three different lots, and it appears the proposed buildings straddle internal lot lines. As a condition of approval, the applicant will be required to complete a parcel boundary adjustment to merge all lots into one property.

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

The Pack It Up Subdivision Plat allows access via a shared drive from E. Overland Rd and there is a second access proposed at the end of a “knuckle” on S. Labrador Wy. The site plan reflects these two accesses. Meridian Fire supports this configuration, and staff has not received comments from ACHD.

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

UDC 11-3C-6 states in all commercial districts self-service storage facilities shall only require parking based on the gross floor area of the office space. With the office and retail area being

shown at 3,000 sq. ft., 6 parking spaces are required, whereas the site plan shows at least 26 parking spaces along the south perimeter and 10 more directly adjacent to the office.

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

No pathways are shown on the master pathways plan for this site or provided with this development.

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

There are already 7 ft. wide attached sidewalks along E. Overland Rd. and S. Labrador Wy.

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

As mentioned above, the landscape plan reflects a 30 ft. wide buffer along E. Overland Rd. and 40 ft. wide buffer along S. Labrador Wy. The landscape plan also indicates a 40 ft. buffer adjacent to the C-C-zoned properties at the north and 10 ft. wide buffer to the L-O zoned properties to the west. This exceeds the landscape buffer requirements of UDC-11-3B. It does appear that the parking spaces shown along the southern perimeter exceed 12 spaces without a landscape planter of at least 50 sq. ft. and planting area of no less than 5 ft. in dimension per UDC 11-3B-8-C-2.

The subject property is located directly on E. Overland Rd. in a very visible location with established residential directly across E. Overland Rd to the south (Sportsman Pointe Subdivision). Accordingly, staff believes this development should reflect high quality design. Staff also has concerns regarding the impacts to adjacent residences associated with the headlights from moving trucks during early morning picks-ups as well as security lighting for moving equipment. **As a condition of approval, staff recommends a combination of a landscaped 4 ft. high undulating berm, decorative walls and evergreen shrubs along the entire front perimeter of the property. Staff also recommends all pole lighting along the front of the property be limited to 12 ft. in height and directed to the north, away from adjacent residences.**

The site plan indicates a concrete irrigation structure along the southern property line. Per UDC 11-3B-5-J, if any utility easement precludes required trees, the width of the required buffer shall be increased five feet to accommodate the required trees.

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

As mentioned in the specific use standards above, UDC 11-4-3-34 requires outdoor storage of equipment (other than operable vehicles) to be incorporated into the overall design of buildings and site landscaping so that the visual impacts of these functions are fully contained and screened from view of adjacent nonindustrial properties and/or public streets by a solid fence and/or wall with a minimum height of six (6) feet. Such fence and/or wall shall be constructed of complementary or of similar design and materials of the primary structure.

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

The Pack It Up Subdivision Plat and provided site plan shows a 40 ft. wide sewer easement along the north and east property lines which presently contains a sewer main, as well as irrigation easements. The applicant should coordinate with public works to ensure a service road is maintained within this area. The plat also reflects a 20 ft. wide sewer easement bisecting the property through the middle as well as east – west at the southern portion of the property. The site plan reflects buildings encroaching into these easements. As a condition of approval, the applicant shall vacate or relocate these easements as approved by Public Works. If these easements are not recorded under separate instrument numbers, vacation through a public hearing at City Council is required.

As mentioned in the landscaping section, if the irrigation easement along the southern property line precludes required trees, the width of the required landscape buffer shall be increased 5 feet to accommodate the required trees in accord with UDC 11-3B-7.

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

The applicant has submitted building elevations for all 7 buildings. The elevations include materials such as cement board, stucco, brick and metal paneling for accents.

Overall, staff does believe the combination of materials, colors, canopies, columns and fenestration results in a storage facility that is of higher quality. However, staff believes there could be some elements that do not meet the requirements of the Architectural Standards Manual (ASM). ASM 3.1B requires buildings to have horizontal modulation every 30 feet or 50 feet, depending on whether the building is greater than or less than 150 feet in length. Based on the site plan, staff is unsure all sides of the buildings visible from a public street meet modulations requirements. Also, ASM 3.2A requires for at least 30% of applicable façades use any combination of concrete, masonry, stone, or unique variation of color, texture, or material, at least 10-inches in height, around the base of the building. Staff is also unable to ascertain if this is satisfied. Complete design review will occur at time of Certificate of Zoning Compliance.

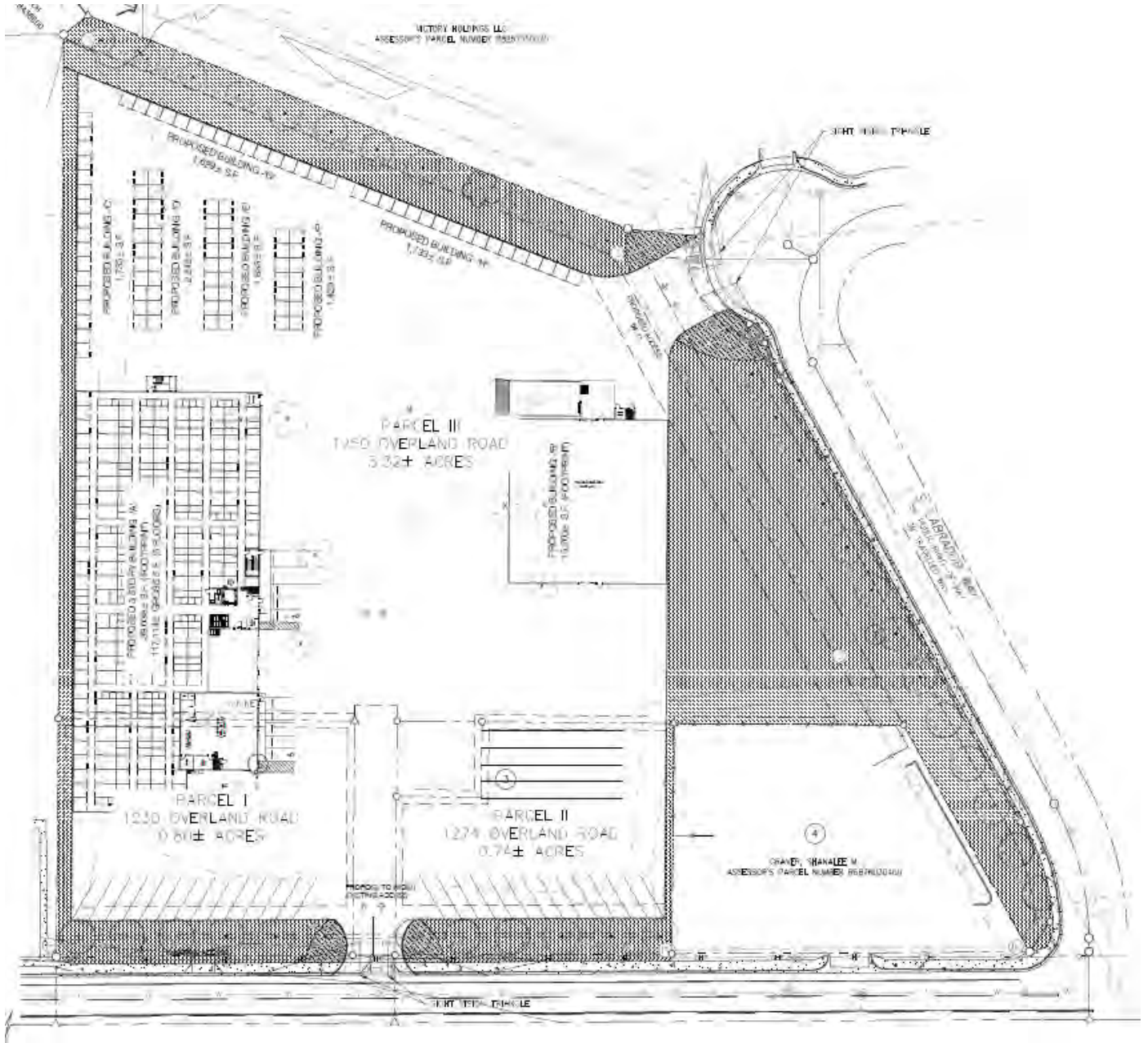
Due to the high visibility of this project from E. Overland Rd. and the existing residences at the south, staff believes there should be additional design considerations. Staff has concerns with the exposed stairs on the south side of Building A both for visual impacts and potential maintenance issues with these stairs being exposed. Staff recommends either the stairs be removed from southern and eastern locations visible from E. Overland Rd., or screened in a stairwell or similar architectural element comprised of materials consistent with the exterior field materials of the building. Also, staff recommends the roll up doors on the south and east sides of Building A and south side of Building be better integrated into the building design through use of color, architectural detailing, overhangs, door frame treatments, etc. Also, the applicant has only submitted elevations for Buildings A & B. Full elevations of all four sides of all eight buildings will be required at time of certificate of zoning compliance and design review.

VI. DECISION

A. Staff:

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

B. Landscape Plan (date: 8/12/2021)



C. Building Elevations (date: 6/1/2021)



1.230-1.230 E. Overland Rd. Meridian, IL 61042



EAST ELEVATION: BUILDING A
Scale: 1" = 25'



SOUTH ELEVATION: BUILDING A
Scale: 1" = 25'



NORTH ELEVATION: BUILDING A
Scale: 1" = 25'



WEST ELEVATION: BUILDING A
Scale: 1" = 25'



SOUTH ELEVATION: BUILDING B
Scale: 1" = 20'



EAST ELEVATION: BUILDING B
Scale: 1" = 20'



NORTH ELEVATION: BUILDING B
Scale: 1" = 20'



WEST ELEVATION: BUILDING B
Scale: 1" = 20'

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING CONDITIONS

1. A Certificate of Zoning Compliance and administrative design review application is required to be submitted to the Planning Division and approved prior to submittal of building permit applications. The applicant will either meet all architectural requirements of the Architectural Standards Manual (ASM) or apply for a design exception as part of the CZC submittal. A CZC and DES application shall not be submitted until the amended DA is executed as approved with H-2021-0101.
2. The Applicant shall have a maximum of two (2) years to commence the use as permitted in accord with the conditions of approval listed above. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension.
3. The site plan prepared by AMERCO Real Estate, dated August 12 2021, is approved as submitted, with the revision that all buildings shall maintain at least 25 ft. of separation per UDC 11-4-3-34.
4. The landscape plan prepared by Kimley Horn, dated November 12, 2021, is approved as submitted, with the revisions that in addition to the required landscape buffer per UDC 11-2B-3, a combination of a landscaped 4 ft. high undulating berm, decorative walls and evergreen shrubs shall be installed along the entire front perimeter of the property. Details of all walls and / or screen fencing shall be submitted at time of Certificate of Zoning Compliance / Design Review.
5. Outdoor storage of materials, equipment, inventory, and/or supplies shall be incorporated into the overall design of buildings and site landscaping so that the visual impacts of these functions are fully contained and screened from view of adjacent properties, the railway corridor, and public streets by a solid fence or wall with a minimum height of six (6) feet. Such fence and/or wall shall be constructed of complementary or of similar design and materials of the primary structure as required by UDC 11-3A-14.
6. Per UDC 11-3B-7, where the required street landscape buffer is encumbered by easements or other restrictions, the buffer area shall include a minimum five-foot wide area for planting shrubs and trees.
7. The elevations prepared by A&M Associates on December 3, 2021 shall be modified as follows:
 - a. All stairs that are visible from E. Overland Rd. shall be within the building or screened in a stairwell or similar architectural element comprised of materials consistent with the exterior field materials of the building.
 - b. Roll up doors that are visible from E. Overland Rd. shall be integrated into the building design through use of color, architectural detailing, overhangs, door frame treatments, etc.
8. Elevations for all four sides of all buildings shall be required at time of CZC and DES. Elevations should be architecturally consistent with the approved elevations for Buildings A & B.
9. Operable moving vehicles may be displayed along the south perimeter of the site, outside of the required landscape buffer. All trailers and other moving equipment shall be stored behind a closed vision fence, wall, or screen or within an enclosed structure and not be visible from any street. Screening fences or walls must be designed to be consistent with building architecture.

10. All pole lighting along the E. Overland frontage of the property shall be limited to 12 ft. in height and directed to the north, away from adjacent residences.
11. If any structures encroach into platted easements, the applicant shall submit a vacation application for review and approval prior to the issuance of a building permit.
12. The development shall comply with the specific use standards listed in UDC 11-4-3-15 for equipment rental sales and service, UDC 11-4-3-34 for storage facility, self-service and UDC 11-4-3-38 vehicle sales or rental and service.
13. The project is subject to all current City of Meridian ordinances and previous conditions of approval associated with this site (AZ-99-018, Preliminary Plat PP-99-015, FP-00-005, CUP 99-033, MDA H-2021-0101)

B. PUBLIC WORKS CONDITIONS

Site Specific Conditions of Approval

1. A public utility plan must be submitted for review and approval prior to any construction of utilities.
2. There are existing water service stubs along the southern property boundary that must be utilized or abandoned.
3. A site geotechnical should be provided for review with the first building permit application.
4. No permanent structures can impede on a new or existing utility easement including but not limited to trees, shrubs, fences, buildings, carports, trash enclosures, infiltration trenches, etc.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. 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 (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized,

the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. All improvements related to public life, safety and health shall be completed prior to 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, prior to 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 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.

17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
19. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. NAMPA MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250047&dbid=0&repo=MeridianCity>

D. ACHD

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250801&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=249448&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. CONDITIONAL USE PERMIT (UDC 11-5B-6)

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

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

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

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

As analyzed in the Comprehensive Plan section above, Staff finds this proposed will be harmonious with the Comprehensive Plan per the analysis in Section V of this staff report.

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

The subject site is within an industrial and commercially zoned area. Single family residential exists to the south across E. Overland Rd. If staff's recommendations are followed, staff finds the proposed use should not change the character nature of the area.

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

If staff's recommendation regarding additional landscape treatment, screening of rental equipment and additional architectural requirements are followed, staff finds the proposed use should not adversely affect other properties in the vicinity.

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

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

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

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

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

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

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

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



AGENDA ITEM

ITEM TOPIC: Public Hearing for Eagle Road Daycare Facility (H-2022-0007) by 814 Development, LLC, Located at 3060 S. Eagle Rd.

A. Request: A Conditional Use Permit for a daycare center providing childcare for up to 216 children in the C-C zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: March 3, 2022

Topic: **Public Hearing** for Eagle Road Daycare Facility (H-2022-0007) by 814 Development, LLC, Located at 3060 S. Eagle Rd.

A. Request: A Conditional Use Permit for a daycare center providing childcare for up to 216 children in the C-C zoning district.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)



STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: 3/3/2022
TO: Planning & Zoning Commission
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: H-2022-0007
Eagle Road Daycare Facility – CUP
LOCATION: 3060 S. Eagle Rd., in the SW ¼ of Section 21, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

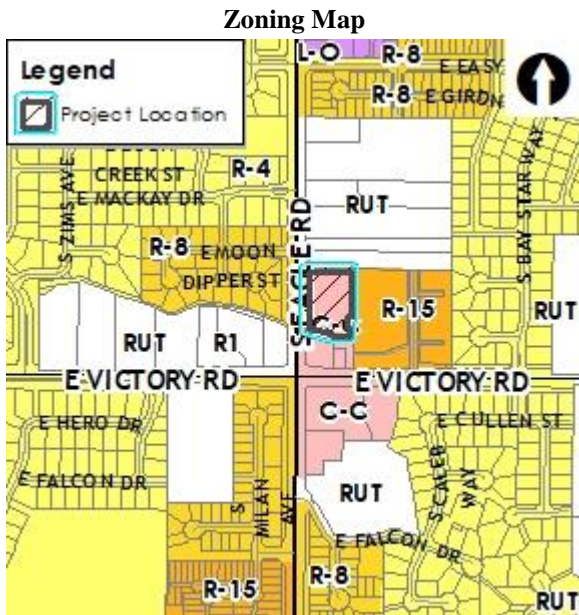
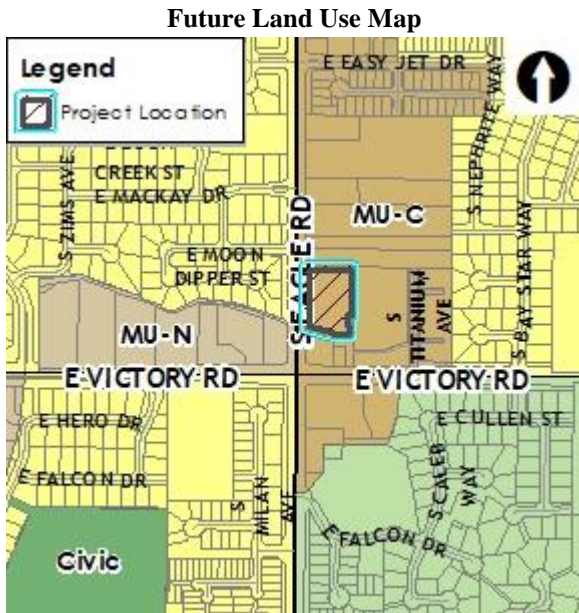
Conditional use permit (CUP) for a daycare center providing childcare for up to 216 children in the C-C zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.15-acres (future Lot 3)	
Future Land Use Designation	Mixed Use – Community (MU-C)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Daycare center	
Current Zoning	Community Business District (C-C)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	12/9/21	
History (previous approvals)	H-2019-0090 (Inglewood Place Sub. AZ, PP – Development Agreement Inst. # 2019-124424); FP-2021-0037 (Inglewood Sub. 2); H-2021-0095 (DA modification – in process)	

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Samantha Kozlowski, 814 Development, LLC – 1695 Twelve Mile Road, Ste. 100, Berkley, MI 48072

B. Owner:

James Petersen, SEC 098, LLC – 197 W. 4869 S., Salt Lake City, UT 84107

C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	2/15/2022
Radius notification mailed to properties within 300 feet	2/14/2022
Site Posting Date	2/21/2022
Next Door posting	2/14/2022

V. STAFF ANALYSIS

A 13,660 square foot daycare center is proposed in the C-C zoning district which is designed to accommodate a maximum of 216 children and 24 staff members. A daycare center requires Conditional Use Permit (CUP) in the C-C zoning district as set forth in UDC [Table 11-2B-2](#) and is subject to the specific use standards listed in UDC [11-4-3-9](#).

Childcare and early education is proposed to be provided for children age 6 weeks to 6 years with after-school programs for children up to age 12; see [application](#) for more information on the proposed curriculum.

A modification to the existing Development Agreement (DA) was recently approved by City Council to update the conceptual development plan approved for the site to allow for development of the proposed use and the site layout ([H-2021-0095](#)) but has not yet been recorded. The proposed site plan is consistent with the updated conceptual development plan and uses approved with that application. **The amended DA and final plat for Inglewood Subdivision No. 2, within which this site is located, must be recorded prior to submittal of a Certificate of Zoning Compliance application for the proposed use.**

Specific Use Standards: The proposed use is subject to the specific use standards listed in UDC [11-4-3-9](#) – Daycare Facility, as follows:

- 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. *The applicant proposes to provide childcare for up to 216 children; because the daycare plans to provide care for more than 12 children, it's classified as a daycare center.*
 - 2. On site vehicle pick up, parking and turnaround areas shall be provided to ensure safe discharge and pick up of clients. *On-site vehicle pick-up, parking and turnaround areas are provided; however, there is a driveway going through the parking area that will serve as a backage road to Eagle Rd. and will provide access to properties to the north and south. For safety, Staff recommends the row of parking on the east side of the*

driveway is restricted to Staff members only and signed accordingly.

3. The decision-making body shall specify the maximum number of allowable clients and hours of operation as conditions of approval. *The maximum number of allowable clients should be limited to those specified in this application (i.e. 216).*
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 prior to 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. *The Applicant shall provide this information to the Planning Division as required.*
5. In residential districts or uses adjoining an adjacent residence, the hours of operation shall be between 6:00 a.m. and 11:00 p.m. This standard may be modified through approval of a conditional use permit. *A residential use exists on the abutting property to the north, zoned RUT in Ada County, and residential uses are planned on the abutting property to the east, zoned R-15. However, the proposed hours of operation are Monday through Friday from 6:00 am to 6:30 pm, which will not exceed those hours.*
6. Prior to submittal of an application for an accessory daycare facility in a residential district, the applicant or owner shall hold a neighborhood meeting in accord with subsection 11-5A-4.B of this title. Notice of the neighborhood meeting shall be provided to all property owners of record within one hundred (100) feet of the exterior boundary of the subject property. *Not applicable*

The applicant shall not exceed the maximum number of clients as stated in the approved permit or as stated in this title, whichever is more restrictive.

B. Additional standards for daycare facilities that serve children.

1. All outdoor play areas shall be completely enclosed by minimum six-foot non-scalable fences to secure against exit/entry by small children and to screen abutting properties. *A 4- to 6-foot tall steel fence is proposed, which does not meet this standard; the fence should be non-scalable, a minimum of 6-feet tall and provide screening of the play area.*
2. Outdoor play equipment over six (6) feet high shall not be located in a front yard or within any required yard.
3. Outdoor play areas in residential districts adjacent to an existing residence shall not be used after dusk.

Compliance with these standards is required.

C. Additional standards for family daycare facilities conducted as home occupation accessory uses.

1. In no way shall the family daycare emit lighting, noise, fumes, smoke, dust, odors, vibrations, or electrical interference that can be observed outside the dwelling. A sign may be displayed for advertising the family daycare facility in accord with the standards set forth in subsection 11-3D-8.B of this title.
2. Off-street parking shall be provided as set forth in [section 11-3C-6](#) of this title, in addition to the required off-street parking for the dwelling.

These standards are not applicable.

Based on the above analysis, Staff deems the proposed use to be in compliance with the specific use standards as required *if* the Applicant complies with the conditions of approval in Section VIII.A.

Dimensional Standards: Future development should be consistent with the dimensional standards listed in UDC Table [11-2B-3](#) for the C-C zoning district.

Access: A right-in/right-out driveway access is proposed via S. Eagle Rd. at the southwest corner of this site as shown on the site/landscape plans consistent with that approved with the subdivision. Access is also available via an access easement depicted on the plat through the adjacent properties to the south and east via S. Titanium Ave., a local street off E. Victory Rd.

An access easement is required to be provided to the property to the north (Parcel No. S1121336276) in alignment with the north/south driveway on this site; a copy of the recorded easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application for the subject property. Alternatively, the easement could be depicted on the Inglewood Subdivision No. 2 plat and recorded.

Parking: Off-street parking is required to be provided in accord with the standards listed in UDC 11-3C-6 for non-residential uses which requires one (1) space per 500 square feet of gross floor area. Based on 13,600 s.f., a minimum of 27 spaces are required; a total of 29 spaces are proposed, including two (2) ADA compliant spaces.

Although the proposed parking exceeds the minimum standards by two (2) and the number of staff members on-site at any one time will likely fluctuate, Staff is concerned that *if* the facility is at full capacity and up to 24 staff members are on-site at any one time there may not be adequate parking or pick-up/drop-off area for the proposed use. Therefore, Staff recommends a shared use agreement for parking is required with the property to the south in accord with the standards listed in UDC [11-3C-7](#). A recorded copy of the agreement should be submitted prior to issuance of a Certificate of Occupancy for the site. *Note: If the Commission finds the parking is inadequate or if the Applicant is not in favor of a shared parking agreement, the number of children cared for during the day could be reduced, which would also reduce the number of staff members that would need to be on-site.*

A minimum one (1) bicycle parking space is required to be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). **A bicycle rack capable of holding a minimum of one (1) bicycle should be provided in accord with this requirement and depicted on the site plan. A detail of the bicycle rack should be submitted with the Certificate of Zoning Compliance application that demonstrates compliance with the standards in UDC 11-3C-5C.**

Pedestrian Walkways: A continuous internal pedestrian walkway that is a minimum of 5-feet wide is required to be provided from the perimeter sidewalk to the main building entrance and should be distinguished from vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4. **The site plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard. An internal walkway should also be provided to the residential care facility to the east for interconnectivity with adjacent uses as desired in Mixed Use – Community designated areas. *Note: The narrative submitted with the DA modification application (H-2021-0095) states walkways would be provided from the daycare to the senior living facility as part of the plan is for the children to visit (performances, arts, crafts, etc.) the seniors.***

Landscaping: Parking lot landscaping is required to be provided in accord with the standards listed in UDC [11-3B-8C](#) as shown.

A 25-foot wide landscape buffer is required to be provided to adjacent residential uses in the C-C zoning district per UDC [Table 11-2B-3](#); landscaping is required to be installed within the buffer in accord with the standards listed in UDC [11-3B-9C](#). A residential use exists to the north and a residential care facility has been approved to the east. Per this requirement, a 12.5' wide buffer to total 25 feet should be provided along the eastern boundary of the site measured from the back of the adjacent garages; and a 25-foot wide buffer should be provided along the northern property boundary adjacent to the residential use to the north. For the northern buffer, provide trees and shrubs within the southern 10 feet of the buffer as no plantings other than grass are allowed within the northern 15-feet due to an ingress-egress easement (Inst. #7907119) that runs along the northern boundary of the site that benefits the adjacent property to the north. **The site/landscape plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard.**

A reduction to the buffer width required on C-C zoned property adjacent to residential uses may be approved by City Council at a public hearing with notice to surrounding property owners as set forth in UDC 11-3B-9C.2. A reduction to the buffer width shall not affect building setbacks; all structures shall be set back from the property line a minimum of the buffer width required in the district.

Street buffer landscaping along S. Eagle Rd. is required to be installed with the Phase 2 subdivision improvements.

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

Building Elevations: Conceptual building elevations were submitted for a single-story building as shown in Section VII.C that incorporate a mix of materials consisting of hardie panel board and batten siding with stone veneer accents and metal roofing.

Final design is required to incorporate some of the same or similar design elements and materials as those in the residential portion of the development per the development agreement and shall comply with the design standards listed in the [Architectural Standards Manual](#).

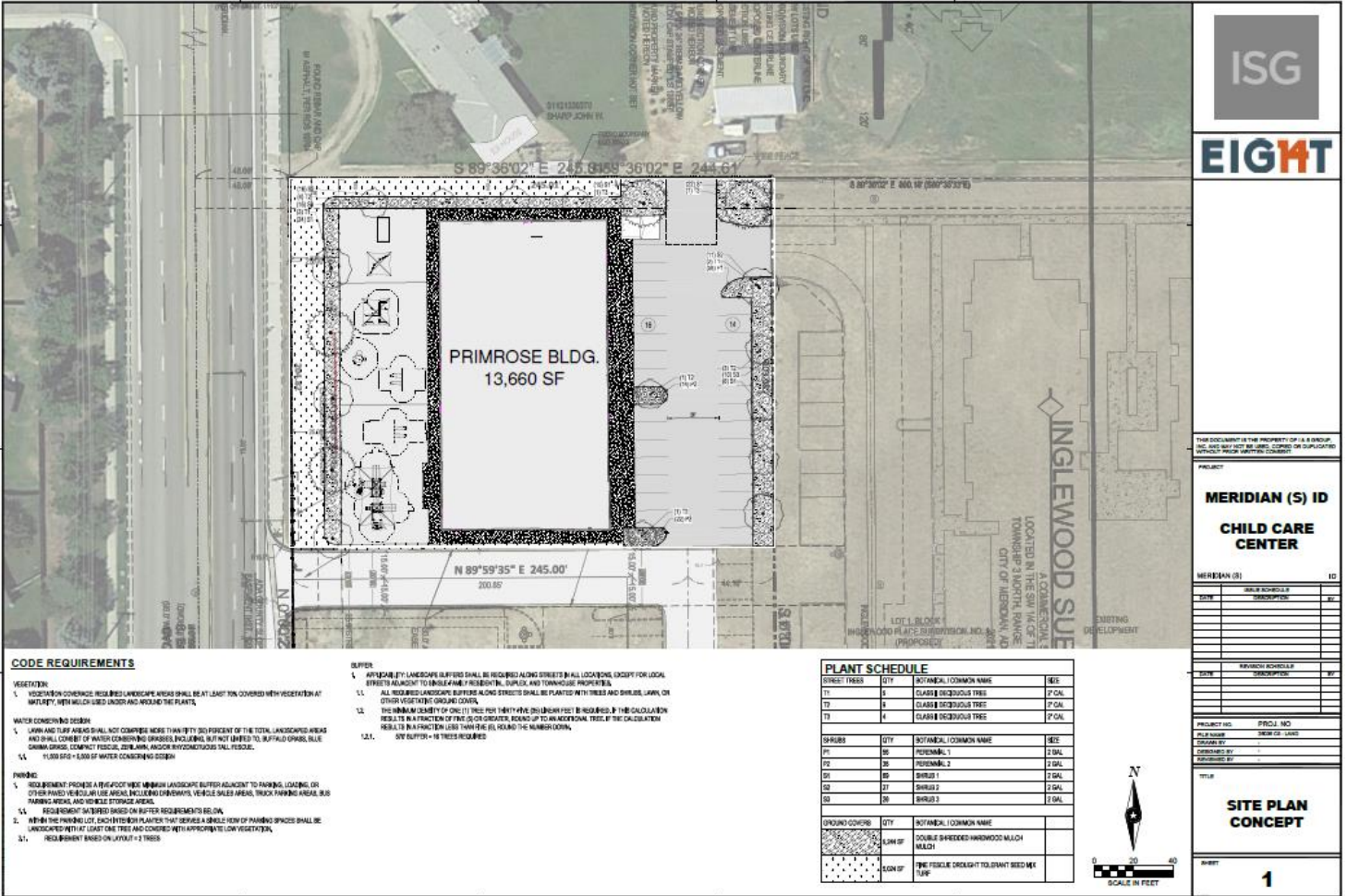
Certificate of Zoning Compliance & Design Review: A Certificate of Zoning Compliance and Design Review application is required to be submitted for the proposed use prior to submittal of a building permit application to ensure consistency with the conditions in Section VIII, UDC standards, design standards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

VI. DECISION

A. Staff:

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

B. Proposed Landscape Plan



C. Building Elevations

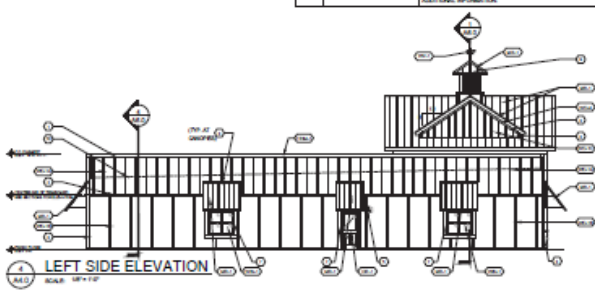
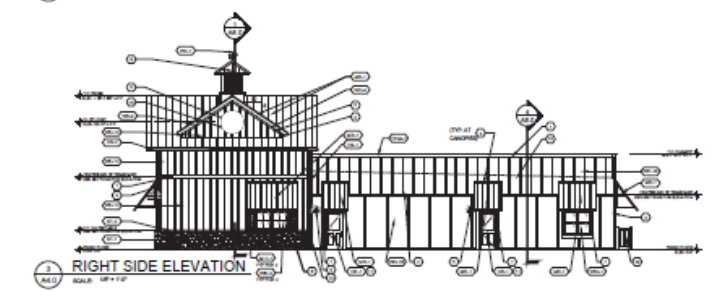
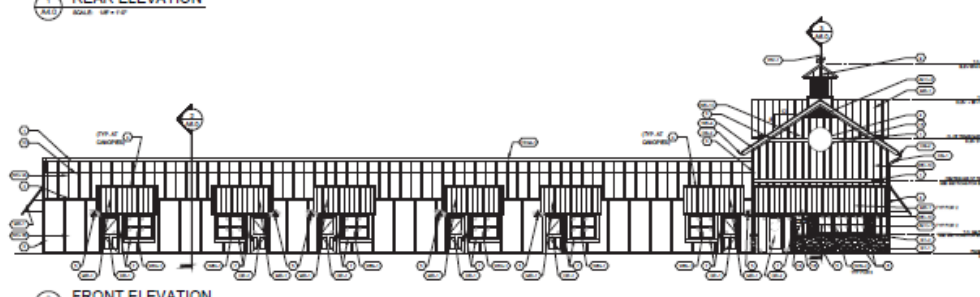


ELEVATION KEYED NOTES

1. SEE #1 THROUGH #10.
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20. SEE #1 THROUGH #10.

PRIMROSE 12-CLASSROOM EXTERIOR FINISH/ACCESSORY LEGEND

ITEM	DESCRIPTION	MANUFACTURER COLOR
001	ROOFING	SEE SPECIFICATIONS
002	ROOFING	SEE SPECIFICATIONS
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EXTERIOR ELEVATIONS
A4.0

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement (DA) (Inglewood Place Sub. AZ, PP [H-2019-0090](#) – DA Inst. #[2019-124424](#)); [FP-2021-0037](#) (Inglewood Sub. 2); [H-2021-0095](#) (amended DA – in process) and the conditions contained herein.
2. The amended development agreement shall be recorded prior to submittal of an application for Certificate of Zoning Compliance for the proposed use (H-2021-0095).
3. The final plat that includes the subject property shall be recorded prior to submittal of a Certificate of Zoning Compliance application for this site (FP-2021-0037 Inglewood Subdivision No. 2).
4. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
 - a. All outdoor play areas shall be completely enclosed by minimum six-foot non-scalable fences to secure against exit/entry by small children and to screen abutting properties in accord with UDC 11-4-3-9B.1; depict fencing accordingly. *Note: The proposed wrought iron fence does not meet this standard.*
 - b. All mechanical equipment on the back of the building and outdoor service and equipment areas should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).
 - c. Depict the location of the bicycle rack and a detail of the bicycle rack that demonstrates compliance with the design standards in UDC [11-3C-5C](#).
 - d. Depict a continuous internal pedestrian walkway that is a minimum 5-feet in width from the perimeter sidewalk along Eagle Rd. to the main building entrance in accord with UDC 11-3A-19B.4; and to the residential care facility to the east and to the future commercial uses to the south for interconnectivity with adjacent uses as desired in Mixed Use – Community designated areas. Where the pathway crosses vehicular driving surfaces, it shall be distinguished through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#).
 - e. Depict a minimum 12.5-foot wide buffer along the eastern property line to total 25-feet, measured from the back of the garages on the adjacent residential property, in accord with UDC Table 11-2B-3, which requires a 25-foot wide buffer on C-C zoned property adjacent to a residential use and/or district. Depict landscaping in accord with the standards listed in UDC [11-3B-9C](#).
 - f. Depict a minimum 25-foot wide buffer along the northern property line adjacent to the residential property as set forth in UDC Table 11-2B-3 for the C-C district, unless a reduced width is approved by City Council at a public hearing with notice to surrounding property owners. Depict landscaping within the southern 10 feet of the buffer in accord with the standards listed in UDC [11-3B-9C](#); no trees/shrubs or plantings other than grass shall be planted within the northern 15-feet as there's an access easement that runs along the northern boundary of the site that benefits the adjacent property to the north.
5. Compliance with the standards listed in UDC [11-4-3-9](#) – Daycare Facility is required.
6. 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 prior to 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.

7. The maximum number of allowable clients shall be 216 as proposed with this application.
8. The business hours of operation shall be limited to the hours between 6:00 am 11:00 pm in accord with UDC 11-2B-3B.
9. Outdoor play equipment over six (6) feet high shall not be located in a front yard or within any required yard in accord with UDC 11-4-3-9B.2.
10. The driveway access via S. Eagle Rd. is restricted to a right-in/right-out access per the Development Agreement.
11. An access easement shall be provided to the property to the north (Parcel No. S1121336276) in alignment with the north/south driveway on this site; a copy of the recorded easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application for the subject property. Alternatively, the easement could be depicted on the subdivision plat and recorded.
12. The row of parking on the east side of the north/south driveway shall be restricted to staff member parking only and signs shall be erected accordingly.
13. A shared use agreement for parking shall be required with the property to the south in accord with the standards listed in UDC [11-3C-7](#). **A recorded copy of the agreement shall be submitted prior to issuance of a Certificate of Occupancy for the site.**
14. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC [11-3A-19](#); the design standards listed in the *Architectural Standards Manual* and with the Development Agreement. *The Development Agreement requires some of the same design elements to be incorporated in the commercial portion of the development as in the residential portion.*
15. 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. Streetlights for Inglewood Subdivision No 2 must be installed and operational, with approved record drawings submitted, prior to any form of occupancy of this building.
2. No Public Works water or sewer main infrastructure is proposed, if any changes to City utilities is needed, Public Works Engineering must review and approve that work prior to construction.
3. Fire flow was modeled at 1500 gpm, contact Public Works Engineering if more than 1500 gpm is required.

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252119&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=253133&dbid=0&repo=MeridianCity>

IX. FINDINGS

Conditional Use (UDC 11-5B-6)

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

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

Staff finds the site is large enough to accommodate the proposed development and meet all dimensional and development regulations of the C-C zoning district.

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

Staff finds the proposed daycare center is harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.

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

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

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

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

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

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

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

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

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

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

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)
Staff finds the proposed use will not result in the destruction, loss or damage of any such features.
9. Additional findings for the alteration or extension of a nonconforming use:
 - a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,
This finding is not applicable.
 - b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.
This finding is not applicable.



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from February 3, 2022 for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

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



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: March 3, 2022

Topic: **Public Hearing** Continued from February 3, 2022 for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

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

Information Resources:

[Click Here for Application Materials](#)

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



City Council Members:

Treg Bernt
Joe Borton
Luke Cavener

Brad Hoaglund
Jessica Perreault
Liz Strader

February 18, 2022

MEMORANDUM

TO: Planning and Zoning Commission

CC: Wendy Shrief, JUB Engineers; Dave Yorgason, Primeland Investment Group

FROM: Joseph Dodson, Current Associate Planner

RE: Verona Live/Work – CUP (H-2021-0080)

Dear Commissioners,

Verona Live/Work CUP (H-2021-0080) was continued per the request of the Applicant from the December 16, 2021 hearing to the January 20, 2022 hearing in order to meet with Staff and work through some of the concerns brought up within the staff report. Prior to the January 20th hearing, the Applicant requested a continuance in order to provide Staff enough time to receive and analyze any revised plans. At the February 3rd meeting, the Commission continued the application to the March 3, 2022 Commission hearing to give the Applicant a chance to respond to concerns brought up at the meeting.

Since the hearing, Staff has received revised floor plans and has analyzed them against code and previous versions of the plans. The revisions made to floor plans include removing any interior access between the commercial and the residential and for the larger units (noted as the B-units), the commercial space has become one larger suite by the removal of a dividing wall.

Staff finds the revised floor plans to be in compliance with code, more in line with the intent of Vertically Integrated Residential Projects specific use standards and definition, and consistent with changes discussed by the Commission. The revised floor plans do not constitute any changes to the conditions of approval. Staff has attached the revised floor plans to this memo for your convenience and has kept the previously recommended changes to the conditions of approval for transparency.

Previously recommended revisions to the conditions of approval:

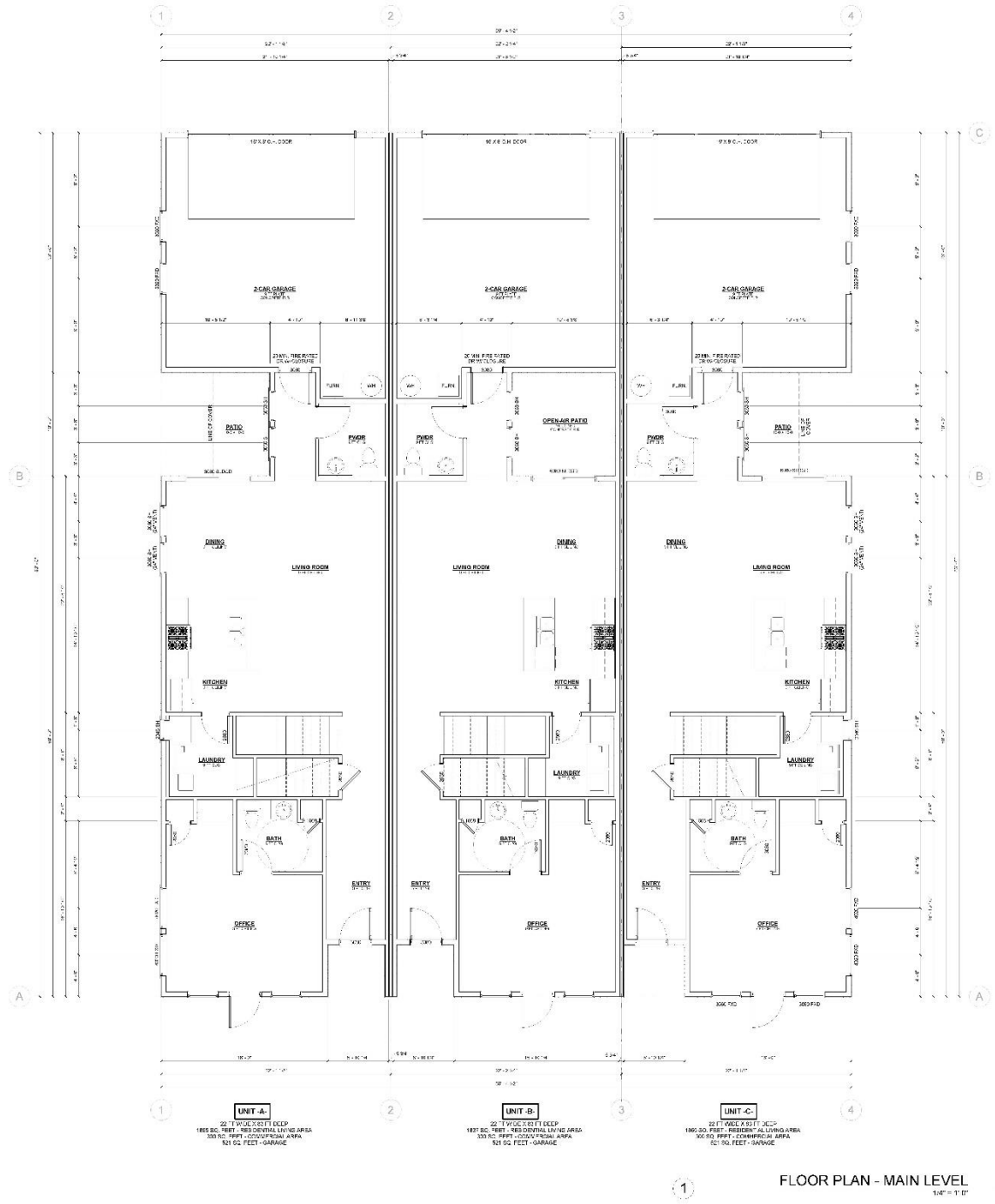
- Modify A.1 – The Applicant shall substantially comply with the revised and approved site plan, landscape plan, and ~~generally comply with the~~ conceptual building elevations ~~approved~~ in this report as depicted in Section IX and revised per Section X.A.

- Modify A.5 – The site plan(s) shall be revised as follows prior to submitting for Certificate of Zoning Compliance approval ~~the Planning and Zoning Commission hearing~~:
- Modify A.5b – For the facades facing W. Milano Drive and N. Cortona Way, depict additional 5-foot wide sidewalks connecting from these building entrances to the existing sidewalks along the public streets, similar to what is shown in the submitted color site plan image.
- Strike A.5c – ~~Remove the two units framing the corner of W. Milano Drive and N. Cortona and add a shared plaza space with outdoor seating and shade structures.~~
- Strike A.5d – ~~Remove the two units not along the adjacent streets in lieu of additional parking and some usable common open space for the development.~~
- Strike A.6d – ~~Depict the shared plaza as noted above with appropriate landscaping elements.~~
- Strike A.7 altogether.
- Strike A.8 altogether.
- Add Condition to A.5 – Move the northern four (4) units approximately three (3) feet to the north to accommodate an extension of 5-foot wide sidewalk and 5 feet of landscaping along the south side of this building from Cortona Way to the plaza area in the interior of the site.

Exhibits:

- A. Revised Floor Plans (February 2022)

A. Revised Floor Plans (February 2022)



LIVE-WORK

NO BLOCK

PRELIMINARY

LOT BLOCK

ENCOMPASS
 DESIGN
 ARCHITECTURE & INTERIORS

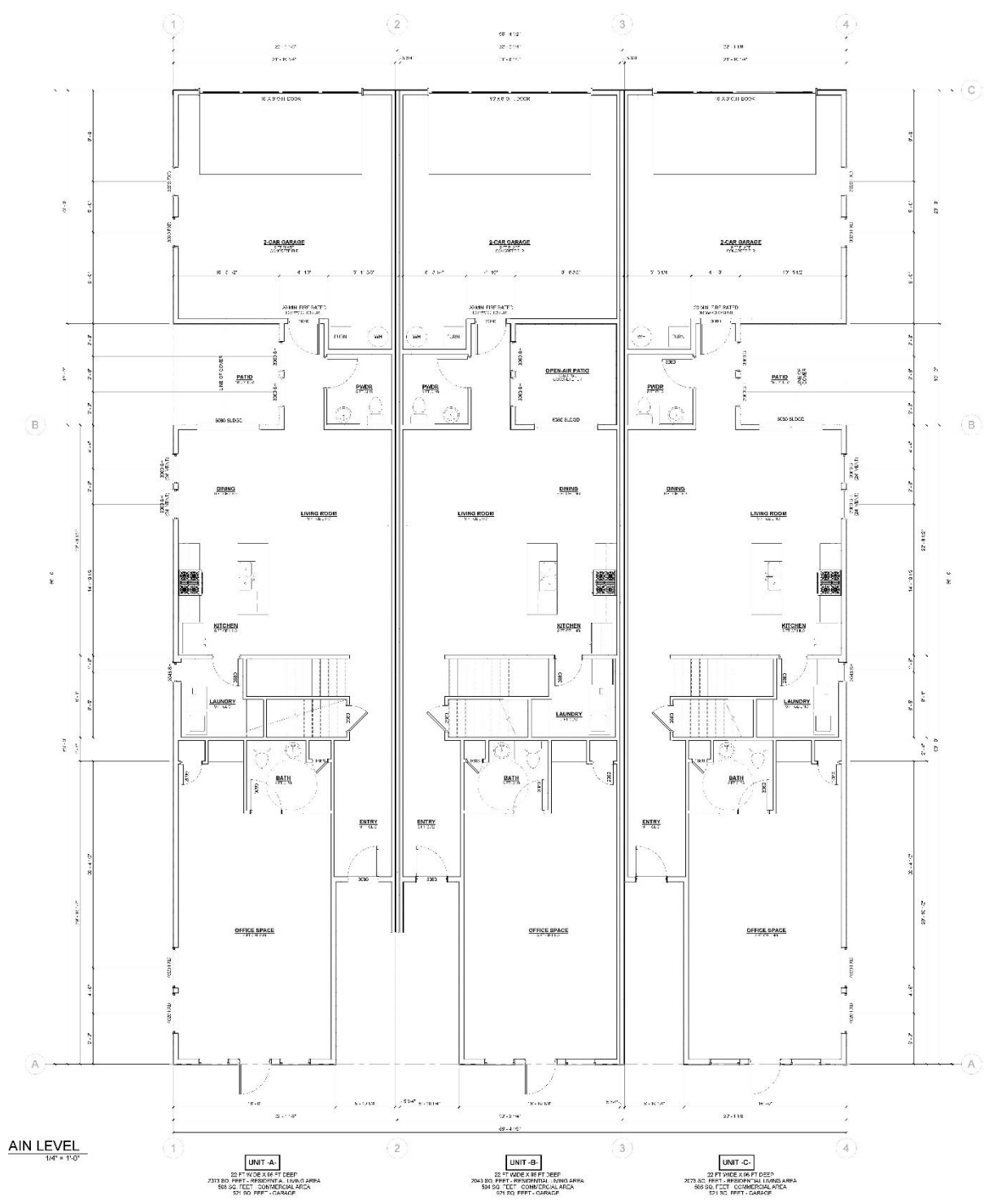
H HAMMETT • HOMES

SCALE: 1/4" = 1' 0"

JOB NO. 210468

PLAT DATE:
 2/9/2022 1:55:24 PM

FLOOR PLAN - MAIN LEVEL
A2.0



LIVEWORK - B

NOT FOR CONSTRUCTION PURPOSES

LOT BLOCK

ENCOMPASS DESIGN
ARCHITECTS & ENGINEERS

HAMMETT • HOMES

SCALE 1/4" = 1'-0"

JOB # 210408

PLT DATE 2/9/2022 1:53:32 PM

FLOOR PLAN - MAIN LEVEL

A2.0

ALL WORK TO BE PERFORMED BY LICENSED CONTRACTORS UNDER THE SUPERVISION OF TRADE PROFESSIONALS IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF LOS ANGELES AND COUNTY ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL NOT BE RESPONSIBLE FOR OBTAINING ANY OTHER PERMITS OR LICENSES WITHOUT THE WRITTEN CONSENT OF ENCOMPASS DESIGN.



HAMMETT • HOMES

City Council Members:

Treg Bernt
Joe Borton
Luke Cavener

Brad Hoaglund
Jessica Perreault
Liz Strader

January 28, 2022

MEMORANDUM

TO: Planning and Zoning Commission

CC: Wendy Shrief, JUB Engineers; Dave Yorgason, Primeland Investment Group

FROM: Joseph Dodson, Current Associate Planner

RE: Verona Live/Work – CUP (H-2021-0080)

Dear Commissioners,

Verona Live/Work CUP (H-2021-0080) was continued per the request of the Applicant from the December 16, 2021 hearing to the January 20, 2022 hearing in order to meet with Staff and work through some of the concerns brought up within the staff report. Prior to the January 20th hearing, the Applicant requested one more continuance in order to provide Staff enough time to receive and analyze any revised plans. Staff received a revised site plan, landscape plan, and revised floor plans and elevations in response to the staff report and following the meeting held with the Applicant team.

The revised plans have resulted in a number of recommended changes to the conditions of approval as some of the conditions have been met, some should be modified, and new conditions are now applicable based on the revisions proposed. The revisions made by the Applicant are noticeable and provide for an improved project overall, in Staff's opinion. The revised plans show the following changes made by the applicant:

- **Reduction in unit count** – Staff had voiced concerns within the staff report regarding the livability of the original site plan where no green space was proposed. In response, the Applicant removed two units that were internal to the site and is now proposing additional parking and green space with a shared plaza in place of the two (2) internal units. Staff believes this addition alone changes the landscape of this project and would provide more livability within the site.
 - Staff is recommending a revision to the site plan to further add to the pedestrian access of the plaza by adding additional sidewalk from Cortona Way to the plaza.
- **Revision to the north four (4) units** – Staff voiced concerns about the amount of commercial area shown within the proposed live/work floor plans. In conjunction with the loss of the two internal units and in response to Staff's comments, the Applicant has

revised the floor plan of the northern 4 units to be extended further west to accommodate an additional office space on the east side of the units facing Cortona Way. This has doubled the nonresidential area for these 4 units; the nonresidential area on the remaining 10 units has not changed.

- **Revision to the conceptual elevations for the first floor façade for the nonresidential portion of the project** – Applicant revised the first floor façade of all of the buildings to include some of Staff’s recommended revisions noted in the conditions of approval in the staff report. Staff finds these revisions should add to the visibility and viability of the commercial spaces of the proposed units. Staff fully supports these revisions:
 - First floor façade now includes a dedicated commercial entry door in addition to the internal shared access.
 - Façade incorporates nonresidential style awnings and shows area that would allow for signage space for future tenants/businesses.
 - Applicant added taller windows on the first floor façade adjacent to the new commercial entry door to create more of a storefront consistent with nonresidential buildings; Staff finds this is an improvement from the original elevations that largely looked 100% residential.
- **Additional sidewalk connections** – Although the revised site plan and landscape plan do not show additional sidewalk connections, the Applicant provided a color image of the site plan and confirmed via email that additional sidewalks from the proposed buildings to the existing sidewalk facilities along the public roads are also proposed. Staff has included this image in this memo for reference.

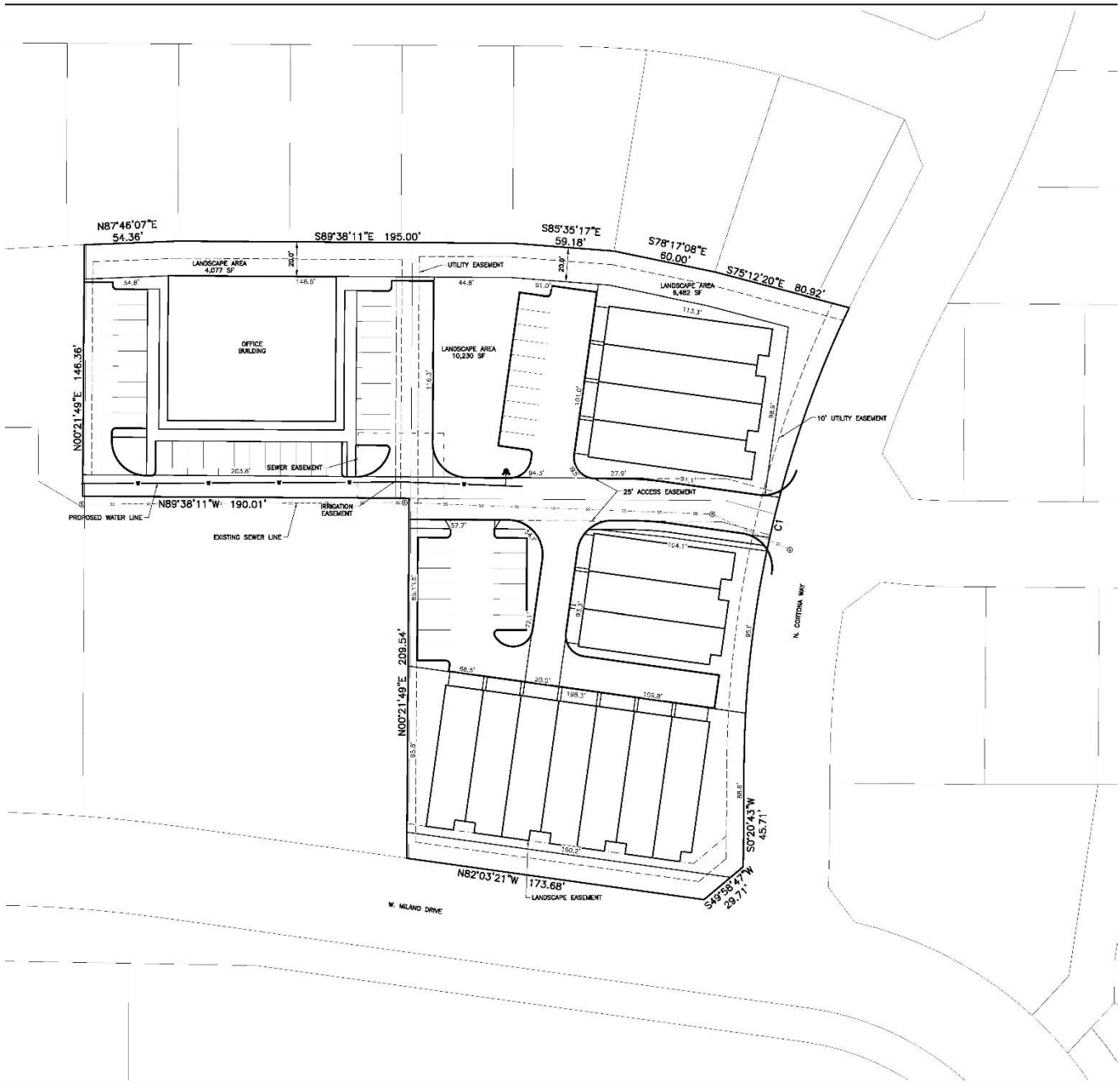
After review of the revised plans Staff recommends the following changes be made to the staff report by the Planning and Zoning Commission, noted with ~~strikeout~~ and underline changes below:

- Modify A.1 – The Applicant shall substantially comply with the revised and approved site plan, landscape plan, and ~~generally comply with the~~ conceptual building elevations ~~approved~~ in this report as depicted in Section IX and revised per Section X.A.
- Modify A.5 – The site plan(s) shall be revised as follows prior to submitting for Certificate of Zoning Compliance approval ~~the Planning and Zoning Commission hearing~~:
- Modify A.5b – For the facades facing W. Milano Drive and N. Cortona Way, depict additional 5-foot wide sidewalks connecting from these building entrances to the existing sidewalks along the public streets, similar to what is shown in the submitted color site plan image.
- Strike A.5c – ~~Remove the two units framing the corner of W. Milano Drive and N. Cortona and add a shared plaza space with outdoor seating and shade structures.~~
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- Strike A.8 altogether.
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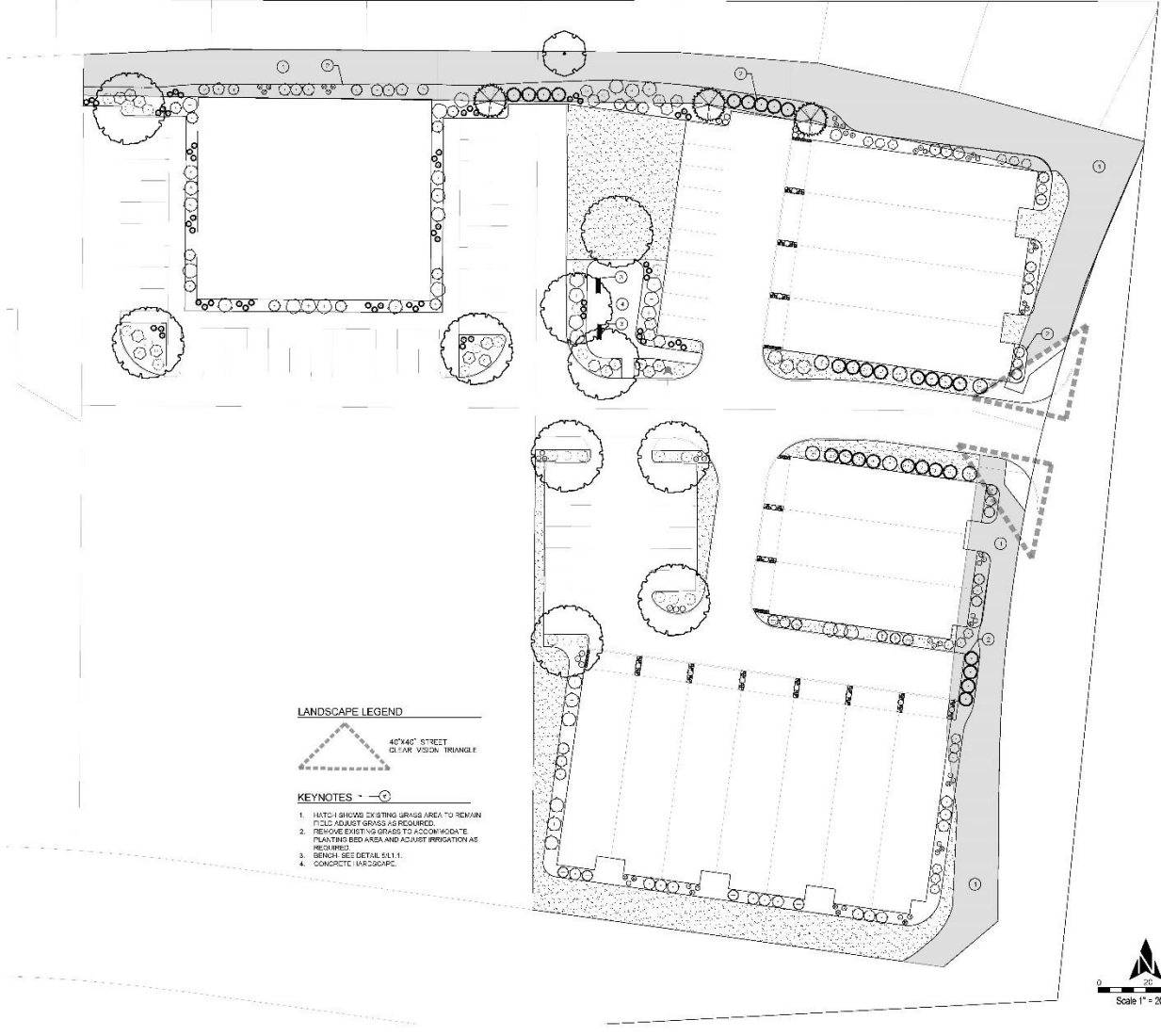
Exhibits:

- A. Revised Site Plan
- B. Revised Landscape Plan
- C. Revised Conceptual Elevations and Floor Plans

A. Revised Site Plan



B. Revised Landscape Plan



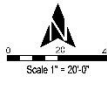
BAER DESIGN GROUP, LLC
 greg@baergrp.com
 Ph. 208.859.1980

Verona Live Work 1

Meridian

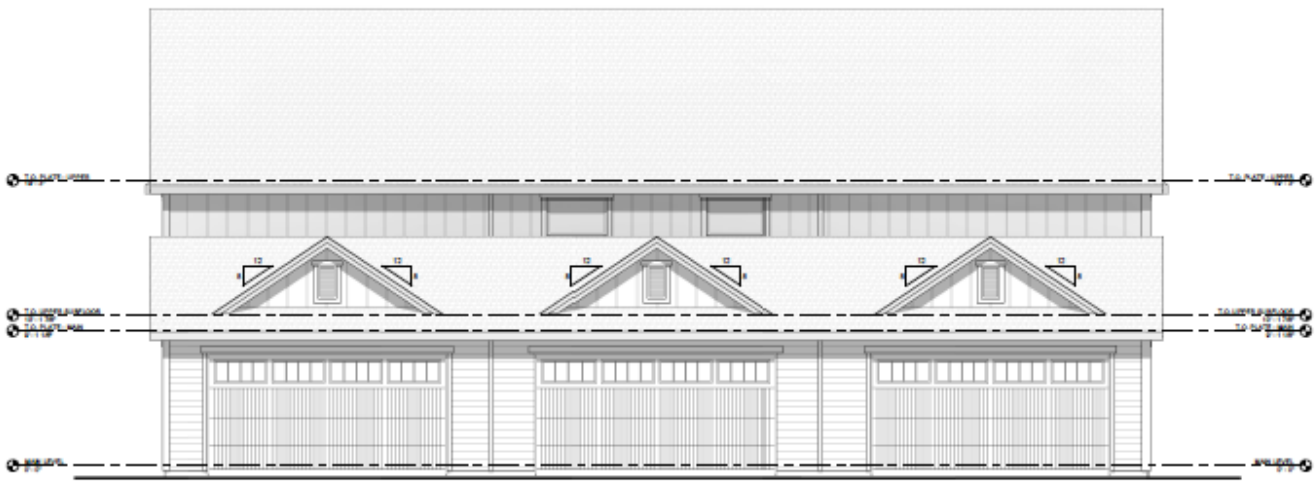
City of Meridian Landscape Plan

Project Name:	2016
Drawn by:	WT
Checked by:	CB
Date:	1-11-16
Sheet No.:	L1.0

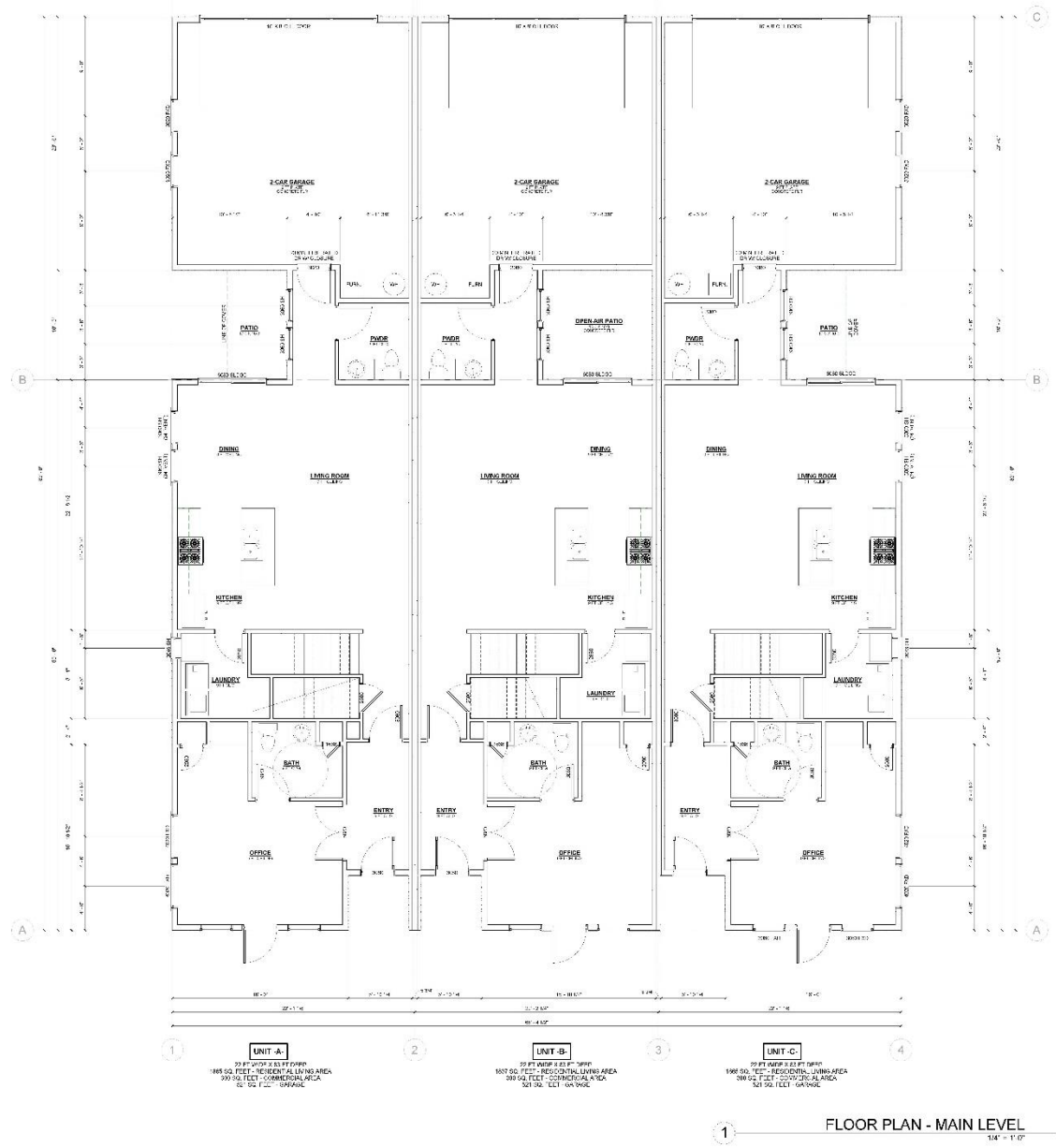




① FRONT ELEVATION
1/2" = 1'-0"



② REAR ELEVATION
1/2" = 1'-0"



CONSULT WITH THE PROJECT ARCHITECT FOR ALL CONTRACTS TO BE ENTERED INTO AND FOR ALL MATERIALS, METHODS, EQUIPMENT, AND TOOLS TO BE USED. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND THE CONTRACT DOCUMENTS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF ANY OTHER WORK OR FOR THE CONSTRUCTION OF ANY OTHER WORK.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

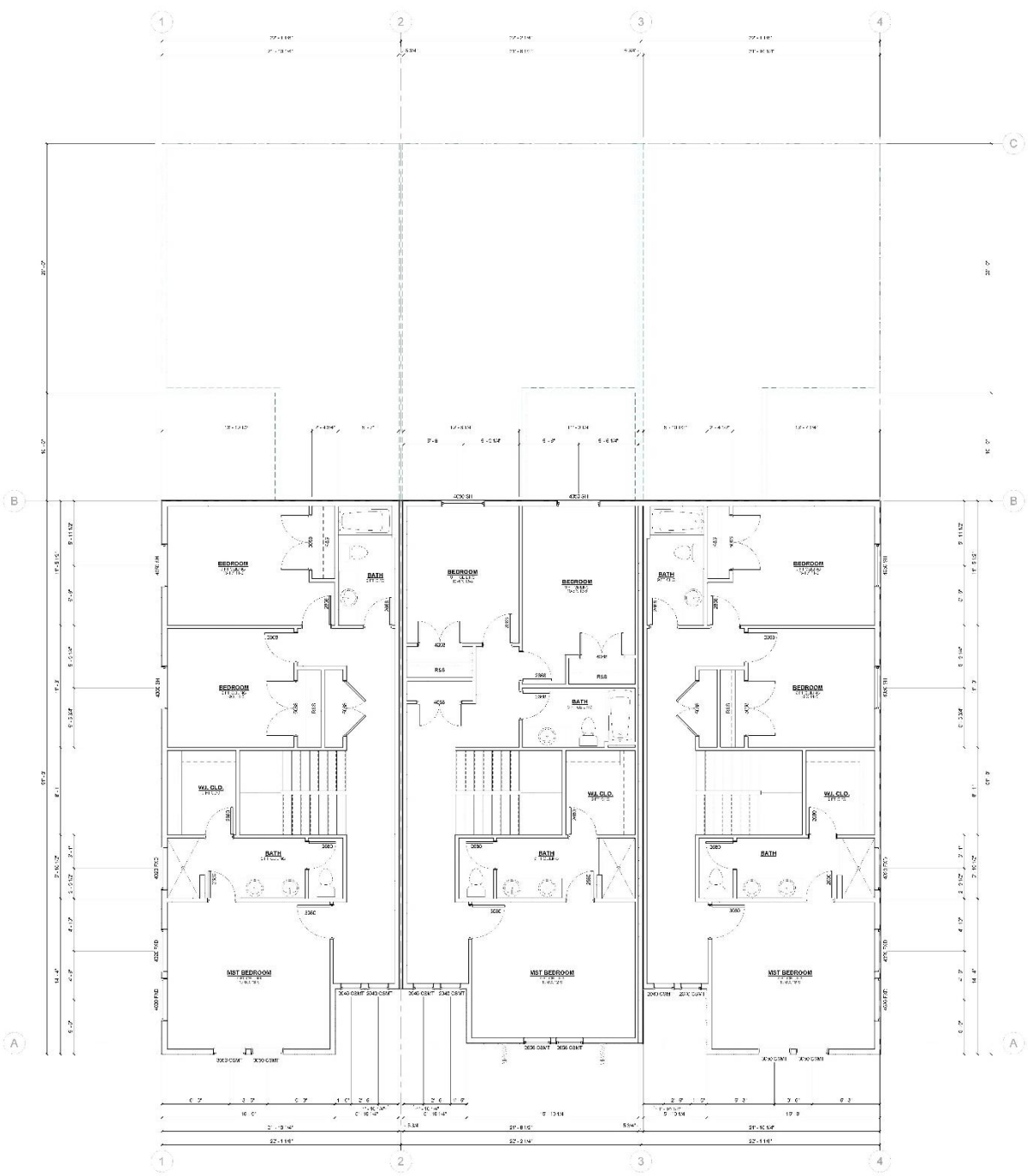
LOT BLOCK

ENCOMPASS DESIGN
 ARCHITECTS & ENGINEERS
 1000 17TH AVENUE, SUITE 100
 DENVER, CO 80202

HAMMETT • HOMES

SCALE: 1/4" = 1'-0"
 JOB #: 210408
 PLOT DATE: 1/7/2022 11:12:13 AM
 FLOOR PLAN - MAIN LEVEL
A2.0

Item 4.



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

1/4" = 1'-0" BLOCK

ALL WORK TO BE PERFORMED BY LICENSED CONTRACTORS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO STARTING CONSTRUCTION. ALL TRADES SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO STARTING CONSTRUCTION. ALL TRADES SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

PRELIMINARY

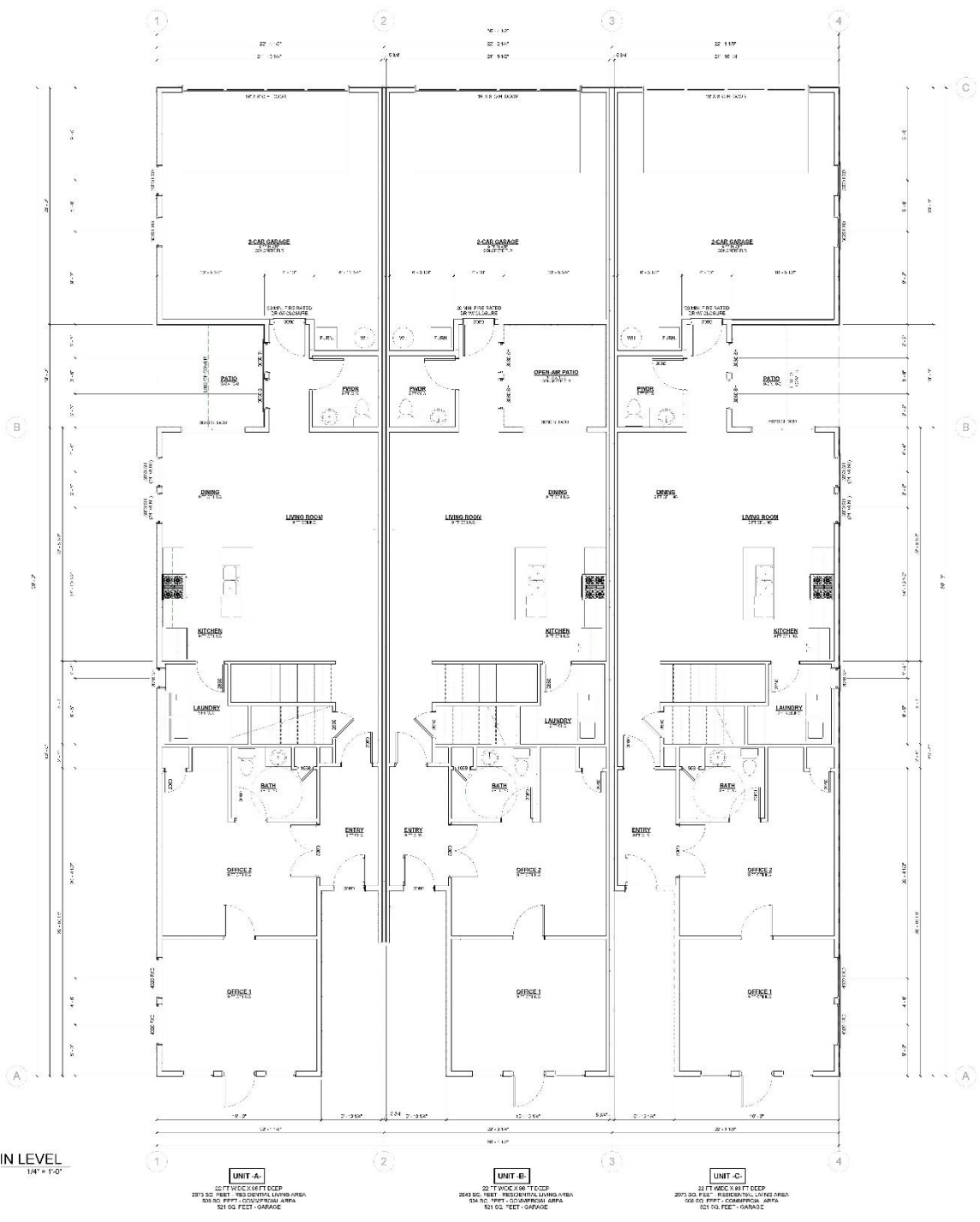
NOT FOR CONSTRUCTION PURPOSES

LOT BLOCK

ENCOMPASS DESIGN GROUP, LLC
1000 S. W. 10th St., Ft. Lauderdale, FL 33304
Tel: 954.576.1111

HAMMETT HOMES

SCALE: 1/4" = 1'-0"
JOB #: 210408
PLOT DATE: 1/7/2022 11:13:17 AM
FLOOR PLAN - SECOND LEVEL
A2.1



LIVE-WORK - B

DATE: 6-2024

ALL WORK TO BE REFERRED TO BY JACOBO CONTINUED CONSTRUCTION WITH THE BEST PRACTICES OF THE BEST AVAILABLE CONTRACTS TO BE USED FOR THE PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS, INSURANCE, AND DISBURSE THE RESPONSIBILITY OF PROTECTING EXISTING UTILITIES AND STRUCTURES.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

LOT BLOCK

ENCOMPASS
DESIGNS LLC
ARCHITECTURE, INTERIOR DESIGN, ENGINEERING

H
HAMMETT • HOMES

SCALE: 1/4" = 1'-0"
JOB #: 210408
LOD DATE: 1/7/2022 2:13:18 PM
FLOOR PLAN - MAIN LEVEL
A2.0

Item 4.



LIVE-WORK - B		76
LOT	BLOCK	
<p>ALL WORK TO BE PERFORMED BY LICENSED CONTRACTORS. CONSULTANT WITH THE BEST PRACTICES OF TRADE INVOLVED. CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE STARTING CONSTRUCTION. ALL PLANS, CHANGES, AND ORDERS ARE THE PROPERTY OF ENCOMPASS DESIGN, LLC AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT WRITTEN CONSENT OF ENCOMPASS DESIGN, LLC.</p>		
<p>PRELIMINARY</p> <p>NOT FOR CONSTRUCTION PURPOSES</p>		
<p>LOT BLOCK</p>		
<p>SCALE: 1/4" = 1'-0"</p>		
<p>JOB #: 210408</p>		
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<p>FLOOR PLAN - SECOND LEVEL</p>		
<p>A2.1</p>		

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



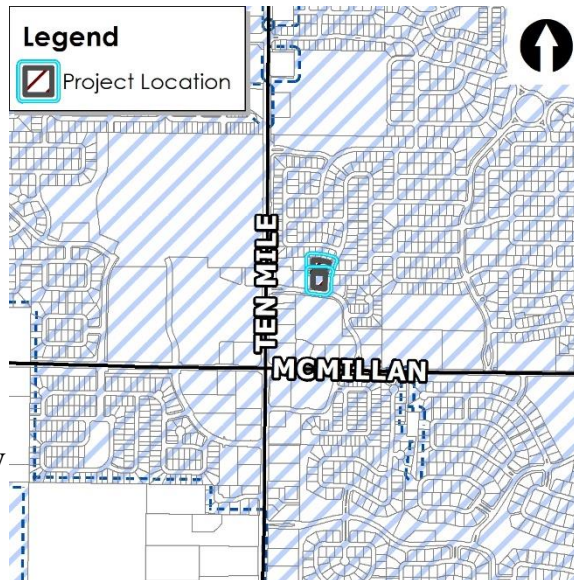
HEARING DATE: December 16, 2021

TO: Planning & Zoning Commission

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

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

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



I. PROJECT DESCRIPTION

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

II. SUMMARY OF REPORT

A. Project Summary

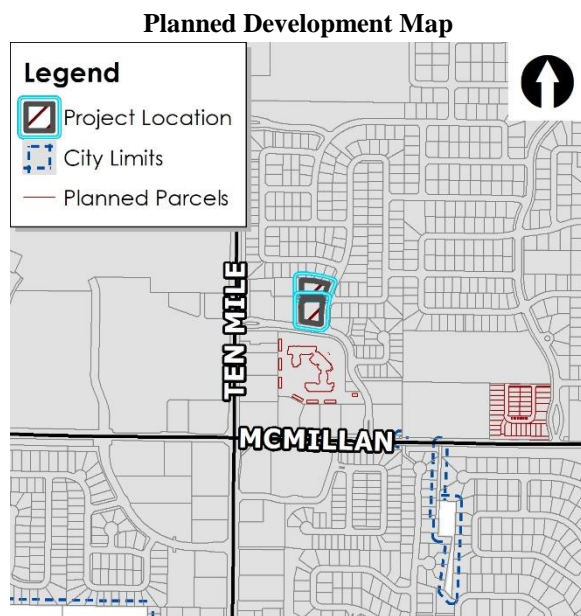
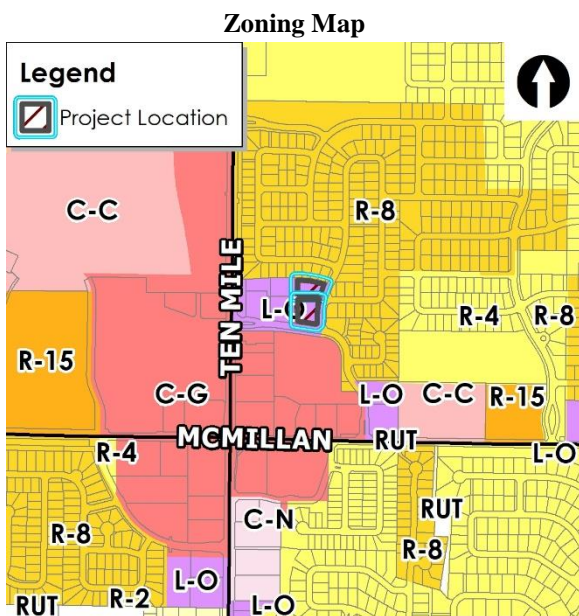
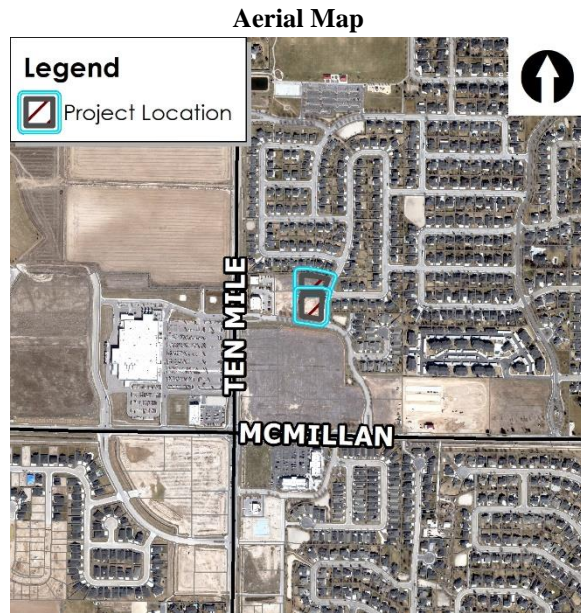
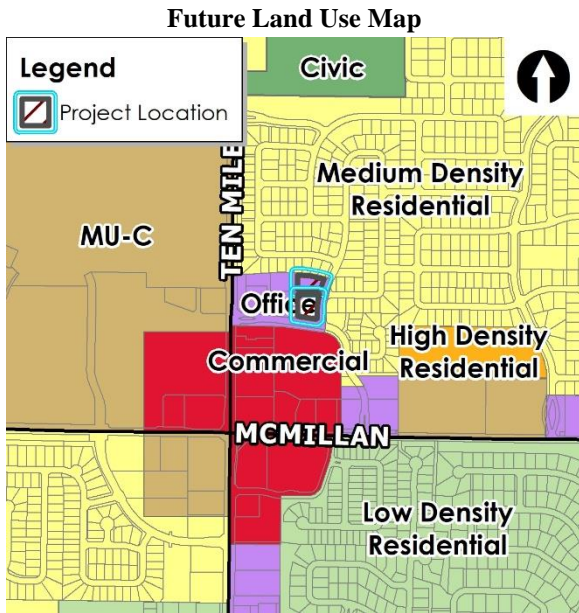
Description	Details	Page
Acreage	1.75 acres	
Future Land Use Designation	Office	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Vertically Integrated Residential Project	
Neighborhood meeting date; # of attendees:	September 9, 2021; at least four (4) attendees	
History (previous approvals)	Verona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

B. Community Metrics

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

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

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

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

C. Representative:

Same as Applicant

IV. NOTICING

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

V. COMPREHENSIVE PLAN (*Comp. Plan*)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VII. STAFF ANALYSIS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

Building Elevations:

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

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

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

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

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

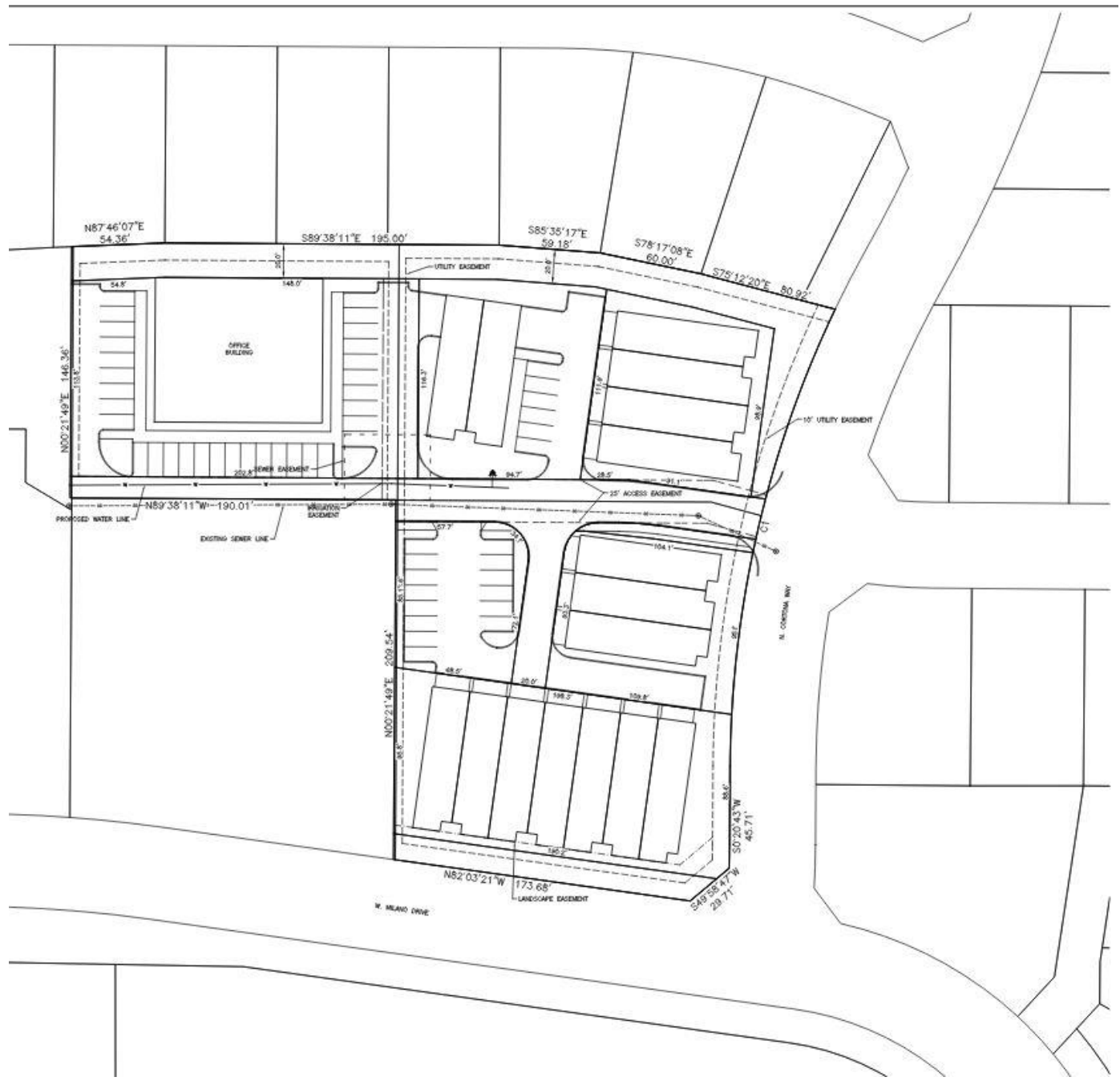
VIII. DECISION

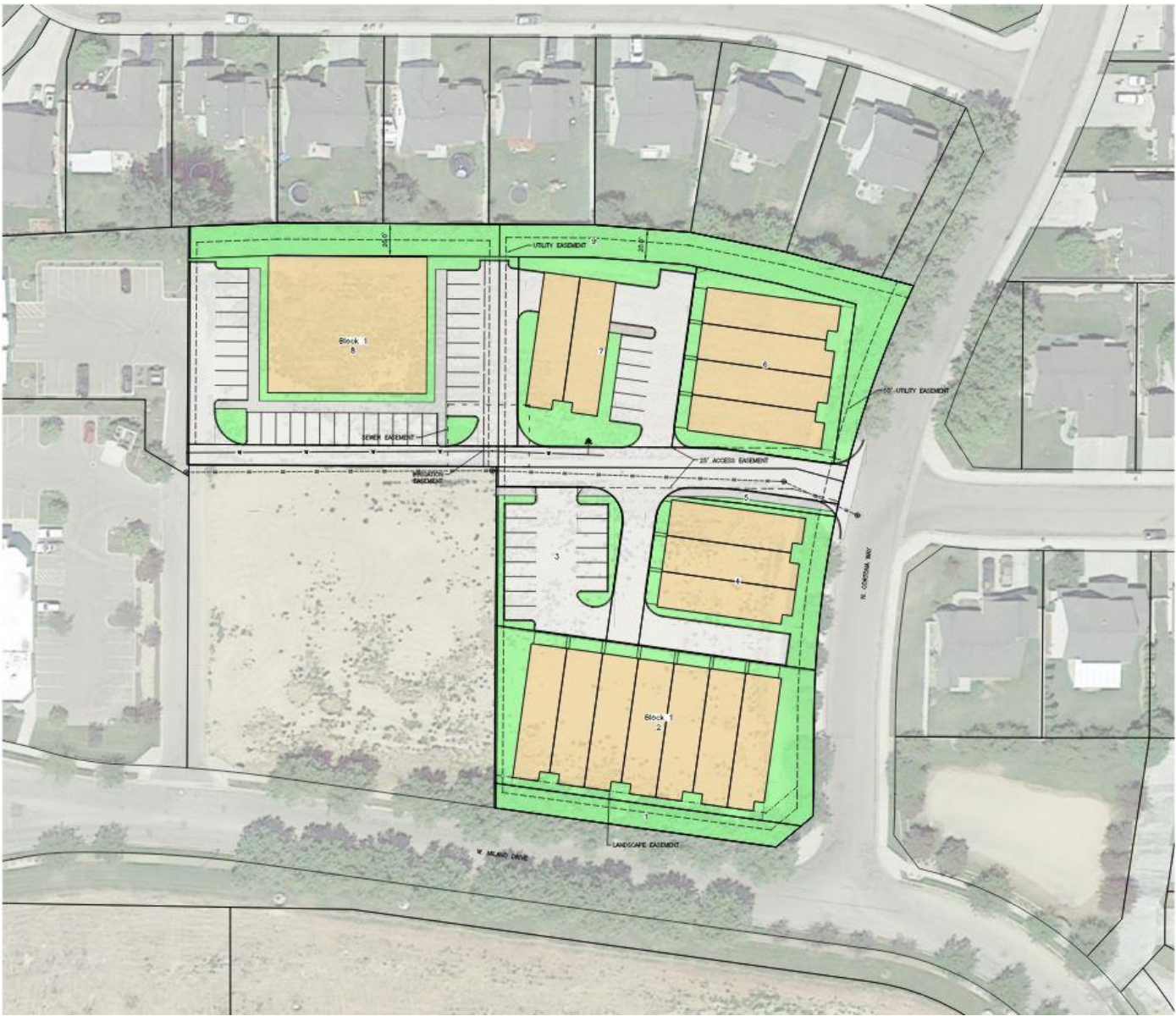
A. Staff:

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

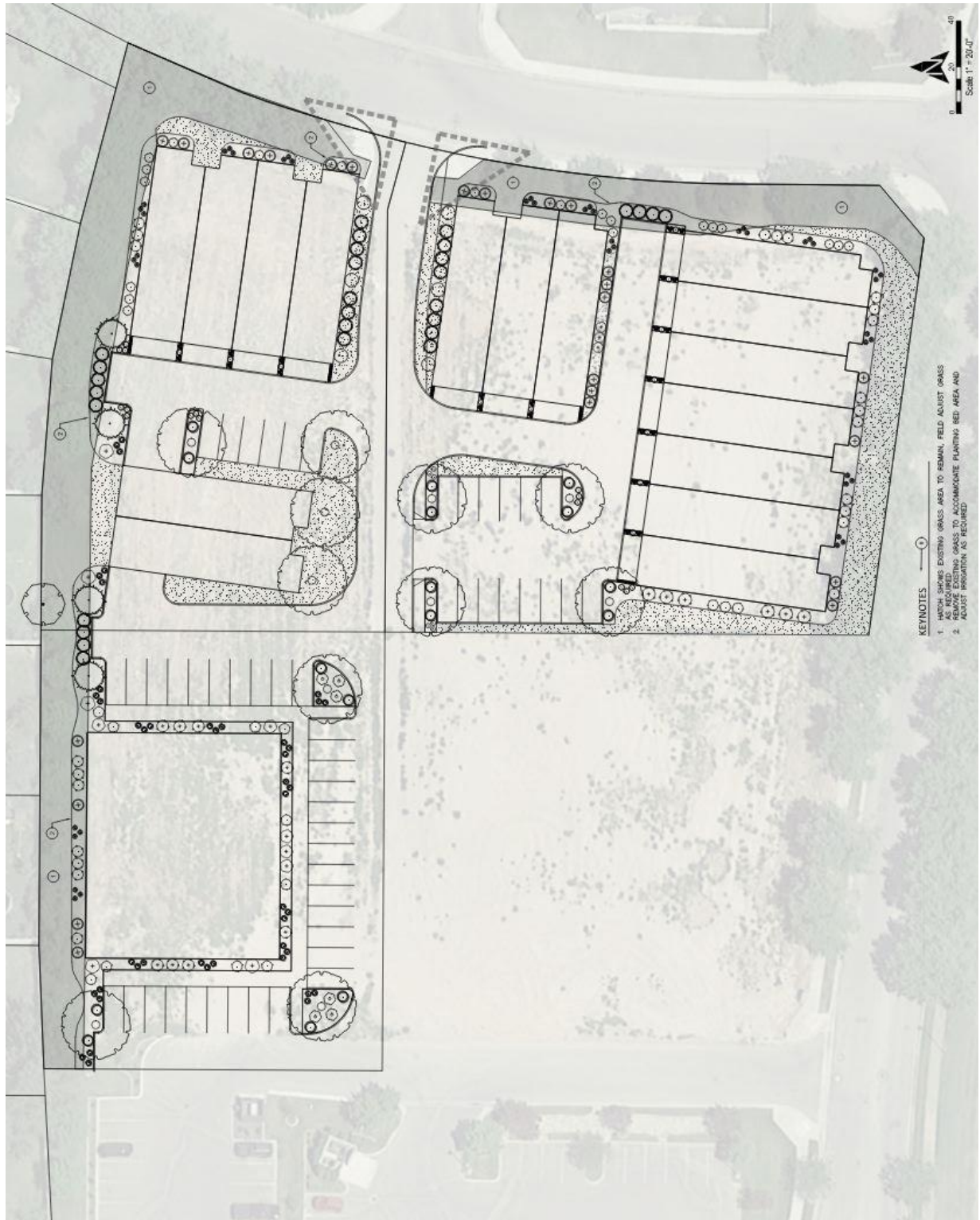
IX. EXHIBITS

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





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



Item 4.

89

C. Conceptual Floor Plan

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

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

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

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

LIVE WORK

1/4" = 1'-0"

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

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

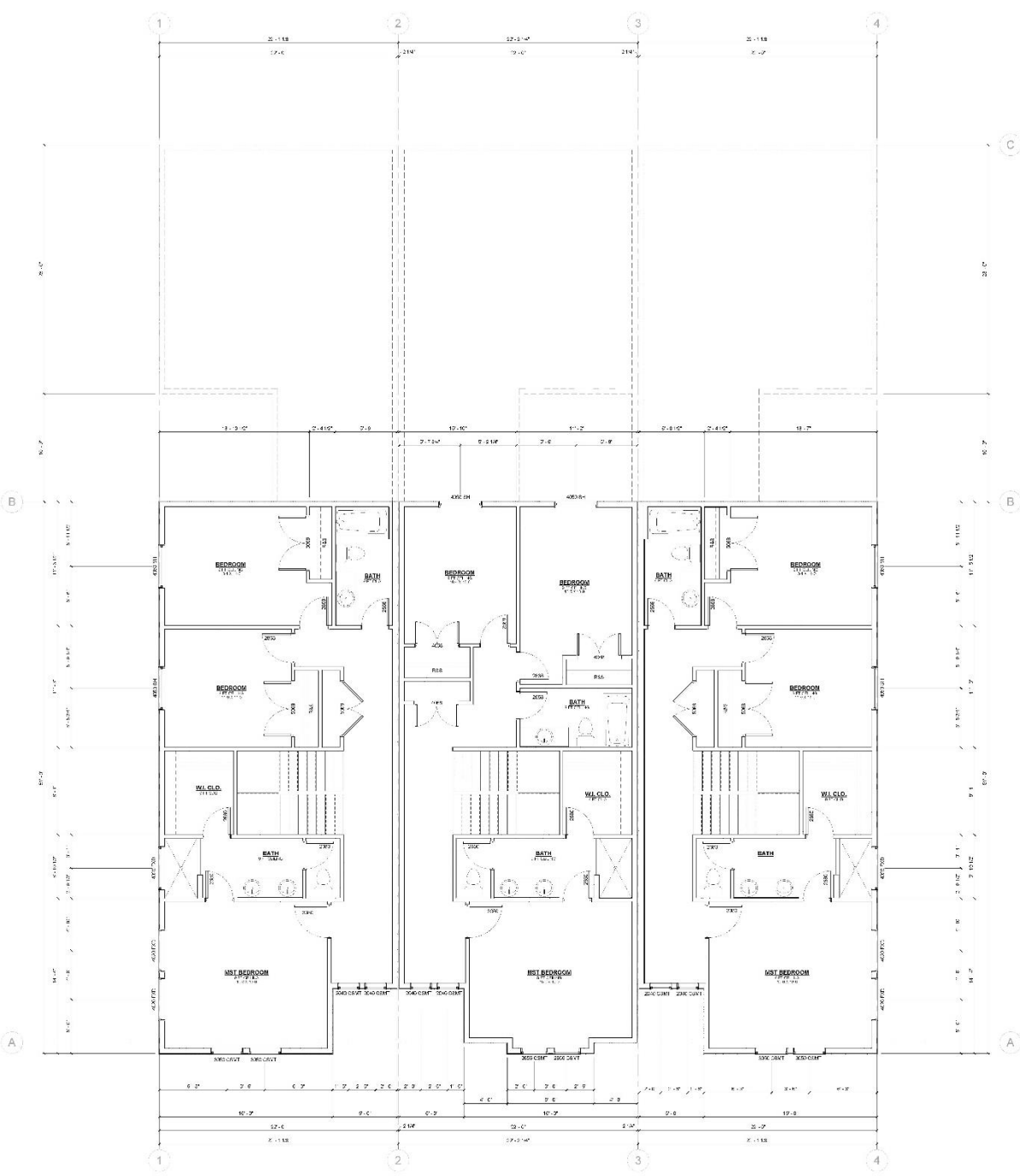
LOT BLOCK

ENCOMPASS
DESIGNS, LLC
11111 15TH STREET, SUITE 100, HAMMETT, CA 92543
(951) 251-1111

H **HAMMETT - HOMES**

SCALE: 1/4" = 1'-0"
JOB #: 210408
PLOT DATE: 01/02/2021 11:16:44 AM
FLOOR PLAN - MAIN LEVEL
A2.0

Page 13



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

LIVE-WORK	
LOT	BLOCK
<p>ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE BEST PRACTICES OF THE TRADE AND SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY ENGINEER AND THE COUNTY ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.</p>	
<p>PRELIMINARY</p>  <p>NOT FOR CONSTRUCTION PURPOSES</p>	
<p>LOT BLOCK</p>	
	
	
<p>SCALE: 1/4" = 1' 0"</p> <p>DATE: 06/20/2021 11:16:46 AM</p> <p>FLOOR PLAN - SECOND LEVEL</p> <p>A2.1</p>	

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



X. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

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

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

B. Ada County Highway District (ACHD)

No staff report has been submitted at this time.

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

C. West Ada School District (WASD)

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

D. Department of Environmental Quality (DEQ)

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

XI. FINDINGS

A. Conditional Use Permit

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



AGENDA ITEM

ITEM TOPIC: Public Hearing for Pinedale Subdivision (H-2022-0001) by Pine Project, LLC,
Located at 3275 W. Pine Avenue (Parcel #S1210417400)

A. Request: Annexation and Zoning of 1.22 acres of land with a request for the R-15 zoning district.

B. Request: A Preliminary Plat for 12 building lots and 2 common lots on 1.22 acres in the requested R-15 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: March 3, 2022

Topic: **Public Hearing** for Pinedale Subdivision (H-2022-0001) by Pine Project, LLC,
Located at 3275 W. Pine Avenue (Parcel #S1210417400)

- A. Request: Annexation and Zoning of 1.22 acres of land with a request for the R-15 zoning district.
- B. Request: A Preliminary Plat for 12 building lots and 2 common lots on 1.22 acres in the requested R-15 zoning district.

Information Resources:

[Click Here for Application Materials](#)

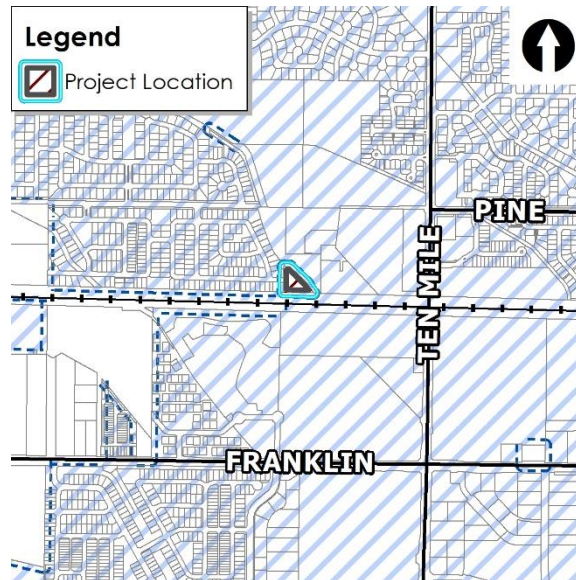
[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/3/2022
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0001
 Pinedale Subdivision

LOCATION: The site is located at 3275 W. Pine Avenue (Parcel #S1210417400), at the east terminus of W. Newland Street in the Chesterfield Subdivision, in the NW 1/4 of the SE 1/4 of Section 10, Township 3N, Range 1W.



I. PROJECT DESCRIPTION

Annexation and Zoning of 1.22 acres of land with a request for the R-15 zoning district and a Preliminary Plat for 12 building lots and 2 common lots on 1.22 acres in the requested R-15 zoning district, by Pine Project, LLC.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.22 acres	
Future Land Use Designation	Mixed-Use Community (6-15 du/ac)	
Existing Land Use(s)	County Residential	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	12 total lots – 10 residential building lots; 2 common lots	
Phasing Plan (# of phases)	1 phase	
Number of Residential Units	10 single-family units	
Density	Gross – 9.83; Net – 12.1	
Open Space (acres, total [%]/buffer/qualified)	Approximately 8,000 square feet of open space (approximately 15%)	
Amenity	Seating area; micro-path connection to future multi-use pathway at north end of property	
Neighborhood meeting date; # of attendees:	November 5, 2021 – 1 attendee	

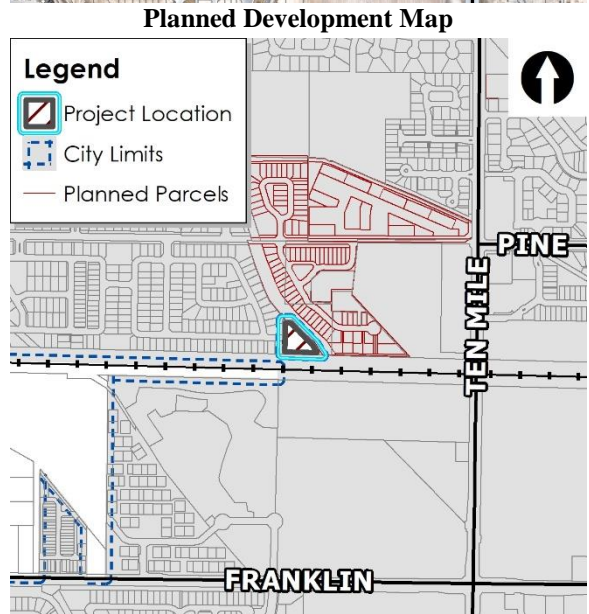
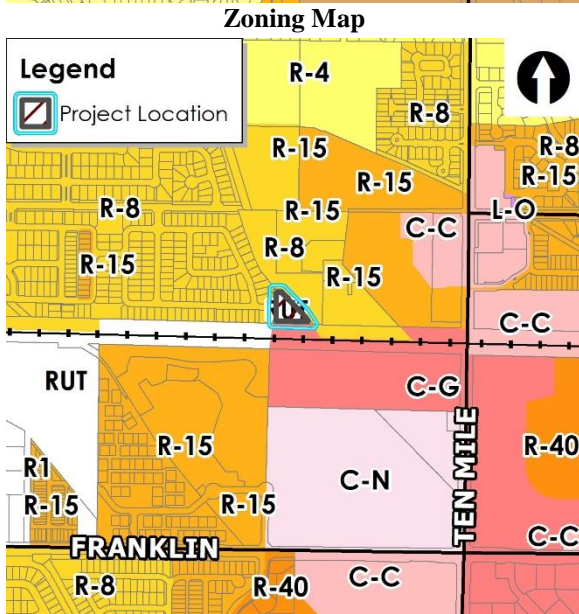
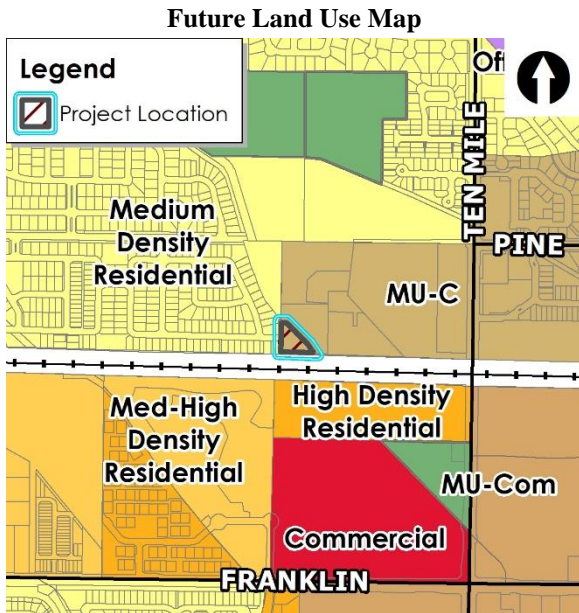
Description	Details	Page
History (previous approvals)	No application history with the City	

B. Community Metrics

Description	Details	Page
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	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via extension of the existing stub street, Newland Street; it is proposed to be extended into the site as a cul-de-sac.	
Stub Street/Interconnectivity/Cross Access	No opportunity for further public street extension; Newland Street will terminate within the site.	
Existing Road Network	No	
Proposed Road Improvements	The Applicant is only required to extend Newland Street into the site. No other road improvements are proposed or required.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	2.8 miles from Fire Station #2.	
<ul style="list-style-type: none"> Fire Response Time 	The project currently lies <i>outside</i> of the Meridian Fire response time goal of 5 minutes. Once Pine Avenue is constructed over the Tenmile Creek, the project will lie <i>within</i> the response time goal window.	
<ul style="list-style-type: none"> Resource Reliability 	Fire Station #2 reliability is 85% (above the goal of 80%)	
<ul style="list-style-type: none"> Risk Identification 	Risk Factor 2 – Residential with hazards (Tenmile Creek along east boundary)	
<ul style="list-style-type: none"> Accessibility 	Proposed project meets all required road widths, and turnaround dimensions. Cul-de-sac is required to be signed “No Parking,” per Fire Department regulations.	
Police Service		
	No report – see online record for any comments from MPD.	
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	0’	
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes	
<ul style="list-style-type: none"> WRRF Declining Balance 	14.26	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Flow is committed See Public Works Site Specific Conditions 	

Description	Details	Page
	<ul style="list-style-type: none">Additional 510 gpd flow was committed to model	
Water		
<ul style="list-style-type: none">Distance to Services	0'	
<ul style="list-style-type: none">Pressure Zone	2	
<ul style="list-style-type: none">Project Consistent with Water Master Plan	Yes	
<ul style="list-style-type: none">Water Quality Concerns	None	
<ul style="list-style-type: none">Impacts/Concerns	See site specific conditions in Section VIII.B	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Antonio Conti, Ackerman-Estvlod – 7661 W. Riverside Dr., Suite 102, Garden City, ID 83714

B. Developer:

Bruce Hessing, Pine Project LLC – 2338 W. Boulder Bar Drive, Meridian, ID 83646

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	2/15/2022	
Radius notification mailed to properties within 500 feet	2/14/2022	
Site Posting	2/21/2022	
Nextdoor posting	2/15/2022	

V. STAFF ANALYSIS

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

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 (residential dwellings are allowed at a gross density of 6-15 du/ac). The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged.

The subject 1.2 acres is designated as mixed-use community but is part of a larger, 30-acre mixed-use designated area to the east that is west of Ten Mile and south of the future Pine Avenue extension (more MU-C acreage exists on the east side of Ten Mile as well). However, this site is physically separated from this MU-C area by the Tenmile Creek that abuts the east boundary of the subject site with only a future pedestrian connection available for any connectivity between this site and the MU-C parcels to the east. Because of the physical separation and the lack of connectivity to the east, Staff believes this project and site is more consistent with the existing subdivision to the west, Chesterfield Subdivision, than it is with any mixed-use project to the east (Foxcroft or Mile High Pines). Chesterfield and all of the residential to the west and northwest of this site is in the Medium Density Residential (MDR) future land use designation and contemplates residential development in the density range of 3-8 du/ac such as the proposed Pinedale Subdivision. Because of these facts, Staff finds it appropriate to analyze the subject project against the MDR designation instead of the MU-C designation by floating that designation to this site, as allowed per the Comprehensive Plan.

Since the original project description was published, the Applicant and Staff have worked together to revise the plat and remove two (2) lots so the total building lots proposed with this plat is now ten (10). Ten lots on 1.22 acres of land has a gross density of 8.19 du/ac, at the maximum allowed within the MDR designation. Therefore, the Applicant is proposing a project consistent with both the MU-C and the adjacent MDR future land use designations. Due to the site being at the end of an existing stub street, the only vehicular connection is via extension of the stub street (Newland Street) into the property which is required to terminate within the site as a full cul-de-sac, requiring a large portion of the site to be reserved for right-of-way and reduces the buildable area of the project. Because the buildable area is greatly reduced by the required cul-de-sac, the Applicant is proposing lot sizes smaller than those within Chesterfield to the west which requires the R-15 zoning district; the adjacent Chesterfield homes are within the R-8 zoning district.

Original discussions with the Applicant contemplated 15 building lots on the subject site but the Applicant submitted the preliminary plat with 12 lots after Staff voiced concerns over the proposed density, lot sizes, and overall livability of the project. Other discussions occurred following submittal of the subject applications and the Applicant reduced the number of building lots to 10. This allows the project to comply with the MDR designation by rounding 8.19 du/ac down to the allowed 8 du/ac. However, due to the requested zoning and proposed density not matching Chesterfield to the west, Commission and Council should determine if a further reduction in density is necessary. If the Commission or Council desires less density, Staff would recommend Lot 1 be removed in lieu of additional usable open space along the west boundary and to allow the lots to shift west around the cul-de-sac and remove a driveway connection to the cul-de-sac, reducing the amount of concrete and asphalt at the end of this street.

An additional recommendation made by Staff that the Applicant has shown on the latest preliminary plat is to include some shared driveways in the project. Staff did not recommend multiple common drives as one is already proposed. Instead, Staff is recommending as many lots as possible utilize shared driveways on their shared property line to further eliminate driveway connections to the cul-de-sac. This recommendation would likely require at least some of the homes to have a side-loaded garage instead of a front loaded garage; Staff notes for the benefit of the Applicant that if a parking pad is required to meet minimum off-street parking standards, a minimum 20-foot by 20-foot parking pad may be required and would need to be measured in front of the garage even if it is side-loaded. The Applicant should ensure their desired home design is viable with this recommendation. Specific setback analysis would be analyzed with future building permit applications.

Furthermore, the subject site is surrounded by existing City zoning in all directions with existing development to the south, west, and northwest and entitlements on the land to the east and northeast. Therefore, Staff believes annexing this land into the City to remove this small county enclave is in the best interest of the City so long as the Applicant adheres to Staff's recommended DA provisions and conditions of approval.

Staff finds the proposed project to be generally consistent with the Comprehensive Plan, as discussed above. Specific Comprehensive Plan policies are discussed and analyzed below.

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

NOTE: Upon application submittal and initial review, there was miscommunication between Staff and the Applicant and the Applicant was required to revise the Annexation boundary to include area that is already annexed into the City (within the railroad right-of-way). There is no need to rezone this area in conjunction with this annexation so Staff is recommending the Applicant submit a revised Annexation and Zoning legal description and exhibit map that encompasses only the area not currently annexed and matches the plat boundary.

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

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics. Staff is not analyzing the project against any mixed-use policies but is instead analyzing the project against general policies as the project is being reviewed with the MDR designation.

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The proposed project offers a density most consistent with the projects to the east, however the submitted plat does not match the lot size and density of the Chesterfield Subdivision adjacent to the west. The subject site is encumbered by the requirement to construct a cul-de-sac entirely on this relatively small site so matching the lot sizes and the same look of Chesterfield would be difficult to attain. The impediments on this site allow the Applicant to propose a smaller building lot which subsequently allows a smaller home to be constructed than what exists in the surrounding area; this should add to the housing diversity in this area.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *All public utilities are available for this project site due to the existing stub street on its west boundary. Road improvements currently under construction (i.e. Pine bridge over the Tenmile Creek) will place this project within the Fire Department response time goal and Fire has approved the accesses for the proposed plat. West Ada School District has not sent a letter regarding this application but with a relative low number of homes a large number of school aged children is not anticipated to be generated by this development. Furthermore, Chaparral Elementary is within walking distance of this development should any elementary aged children live within this site.*

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

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *Because the property is less than 5 acres, the Applicant is not required to provide any qualified common open space. However, the Applicant is showing a connection to a future multi-use pathway at the north boundary and has chosen to include an open space plaza area near this connection point for future residents to enjoy. This area is tucked away behind the building lots so all adjacent fencing will need to be open vision or semi-private fencing. Staff anticipates this area being utilized as a quiet oasis due to its location. Staff is not aware if this site and future building lots will be part of the Chesterfield HOA for residents to access the amenities and open space within that project. However, Fuller Park is approximately ½ mile to the north of the subject property which offers acres of open space and amenities within walking distance.*

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). *Proposed project is extending the attached sidewalks along Newland Street and is proposing a micro-path connection to the north boundary to connect to a multi-use pathway segment from the Foxcroft Subdivision on the east side of the Tenmile Creek. Furthermore, the Applicant is preserving a potential connection point to the railroad corridor should the City ever decide to construct a regional pathway south of the site. All of these pedestrian facilities allow this small site as well as the existing development to the west to have multiple links together and promotes neighborhood connectivity.*

“Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction.” (2.02.02F). *As discussed, the Applicant is proposing lot sizes smaller than the adjacent Chesterfield Subdivision to the west largely because of the requirement to terminate Newland Street within the site as cul-de-sac. The proposed lots directly abutting the existing homes do not match in lot size but they are abutting 1:1 in terms of lot to lot so the existing residents should not feel as though there is slightly higher density directly to their east. Furthermore, because the property is at the end of an existing street and it will terminate on the subject site, Staff anticipates the project will feel cohesive in its livability despite not matching lot sizes and density of Chesterfield. Should Commission determine a further reduction in lot count is necessary, Staff recommends one of the lots taking access from the cul-de-sac be*

removed in lieu of additional usable open space and help remove the number of driveway connections to the cul-de-sac.

“Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C). *The Applicant is required to and is proposing to extend Newland Street into the site by constructing a cul-de-sac wholly on this property, terminating Newland Street. This is the only access point into the site and connects this project directly to the abutting Chesterfield Subdivision that has access up to Pine Avenue, a residential collector street that will be extended from west to east over the Tenmile Creek to Ten Mile Road.*

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

C. Existing Structures/Site Improvements:

According to GIS imagery, there appears to be an existing residential structure and an out-building on the subject site. Any and all structures and debris are proposed to be removed upon development of this project. Furthermore, the existing access for this site is via vehicular bridge over the Tenmile Creek at the very north property boundary that connects to a private drive that is essentially Pine Avenue. This access will be closed upon development and the vehicular bridge should provide access for a regional pathway Foxcroft subdivision is constructing to the east.

D. Proposed Use Analysis:

The proposed use is detached single-family residential with an average lot size of 3,363 square feet and a minimum lot size of 3,099 square feet, based on the latest submitted plat (Exhibit VII.B). This use is a permitted use in the requested R-15 zoning district per UDC Table 11-2A-2 and all lots meet the minimum lot size requirement of 2,000 square feet. The Applicant has not noted if this is a phased project, however Staff anticipates it to develop as one phase due to the size of the proposed project.

As discussed in the Comprehensive Plan analysis, the proposed use is the same as the existing detached single-family to the west in Chesterfield Subdivision but is proposed with smaller lots and subsequently smaller homes. According to the Applicant, the goal is to construct smaller homes at a lower price point to add more affordable options to the area and market.

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

The residential lots appear to meet all UDC dimensional standards per the submitted plat. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). *The proposed preliminary plat and submitted plans appear to meet all UDC requirements except for the number of lots taking access from a common drive. Per UDC 11-6C-3D, no more than three (3) lots can take access from the same side of a common drive and the proposed plat depicts four (4) lots taking access (Lots 4-7) from the common drive because of Staff’s recommendation to have shared driveways where possible. The Applicant will be required to show Lot 4 taking access from the cul-de-sac instead of showing it shared with Lot 5 and on the common drive.*

The common drive is shown as 20 feet wide and is less than 150 feet in length meeting Fire turnaround and UDC requirements. Furthermore, the Applicant is showing a 6-foot wide sidewalk attached to the common drive from the proposed attached sidewalk around the cul-de-sac to the southern boundary to assist the Parks Department in reserving a pedestrian facility through the site in the event the City constructs a regional pathway system within the railroad corridor to the south of the property. This 6-foot area appears to be shown as a sidewalk on the latest plat but is shown as landscaping on the landscape plan (this landscape plan does not match

the latest plat). The Applicant should clarify what the intended purpose of this area is in order to comply with UDC 11-6C-3D.5 as well as the Parks Department condition of approval. The landscape plans should be revised to comport to the revised preliminary plat prior to the City Council hearing.

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

The Applicant submitted conceptual building elevations for the proposed detached single-family homes. Note that detached single-family homes do not require Design Review approval therefore Staff does not review these for compliance with any architectural standards.

However, the submitted elevations depict a number of different architectural and design styles with all of the elevations depicting two-story homes with two-car garages. The elevations depict varying field materials of lap siding, brick, fiber cement board and stucco with differing accent materials, roof profiles, and overall varying home styles. Staff finds the conceptual elevations should be adhered to closely in order to offer an array of potential home designs for this small subdivision.

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

Access is proposed via extension of W. Newland Street (an existing residential local street) into the site and is proposed to terminate within the site as a full cul-de-sac. ACHD has approved the proposed access with the additional condition that the radius be widened to 50 feet instead of 49 feet as currently shown. Further, according to the latest plat, four (4) lots are shown to take access from a 20-foot wide common drive in the southeast corner of the site. As discussed above, the Applicant will be required to revise the plat to show Lot 4 taking access from the cul-de-sac instead of the common drive to comply with code unless Alternative Compliance is requested and approved.

The existing access across Tenmile Creek and up to the private segment of Pine Avenue will be closed upon development of the site.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. In addition, it is important to note that no parking is allowed along the perimeter of the proposed cul-de-sac nor on the proposed common drive. So, there is no opportunity for any on-street parking within this subdivision because it includes a cul-de-sac as its public access.

One of the reasons behind Staff's recommendation to reduce the number of lots proposed in this development is based in the lack of available on-street parking within the site due to the only public street access being a cul-de-sac. In response, the Applicant removed two lots, as previously noted. An additional solution to this potential issue would be to require the Applicant to provide an area of off-street parking in lieu of one of the building lots for guest parking. Staff is not specifically recommending this but is calling this out as an option should Commission or Council find it necessary. However, should this be a requirement, additional lot shifting will likely be needed to accommodate for 19-foot deep parking stalls and a 25-foot wide two-way drive aisle for access.

Staff also recommends the inclusion of shared driveways in order to promote side-loaded garages and further help with the potential off-street parking issue. This type of design can force longer driveways that go deeper into each site which allows for more off-street parking. This design also creates an opportunity for the living area of each home to be moved closer to the street as the

living setback is 10 feet while the garage setback is 20 feet; this allows for more buildable area than is shown on the submitted plat (i.e. specifically for Lots 3, 4, and 9). Staff is recommending a specific DA provision to require a number of shared driveways and to help mitigate this potential issue. However, Staff notes the building lots may not be wide enough to accommodate the required parking pad for side-loaded garages. The Applicant should work to mitigate these issues and revise the plat accordingly.

I. Sidewalks/Pathways (*UDC 11-3A-17; UDC 11-3A-8*):

A 5-foot wide attached sidewalk is proposed along the Newland Street cul-de-sac, consistent with UDC and ACHD requirements. In addition, the Applicant is proposing a 5-foot wide micro-path on the north side of the cul-de-sac for the purpose of providing a connection to the future multi-use pathway approved with Foxcroft Subdivision on the east side of the adjacent Tenmile Creek. The proposed sidewalks meet UDC 11-3A-17 and ACHD standards. The micro-path lot does not meet UDC 11-3A-8 standards—this lot is shown as ten (10) feet wide but code requires a minimum of a 15-foot wide common lot for increased visibility and to allow 5-feet of landscaping on both sides of the micro-path. The Applicant should revise the plat to show compliance with this standard and show the required number of trees adjacent to the path in accord with UDC 11-3B-12.

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

The required landscaping regulated by code within the proposed development is the common open space and micro-path areas around the north and eastern perimeters. The submitted landscape plans shows landscaping in these areas as proposed but does not match the latest plat. The Applicant should update the landscape plan prior to the City Council hearing.

The Applicant is proposing the micro-path lot as 10-foot wide instead of the required 15-foot minimum but is currently shown with two trees abutting the path, exceeding code due to its length being approximately 100 feet (trees are required at the ratio of 1/100 linear feet, per UDC 11-3B-12). Furthermore, this micro-path lot opens up to a common open space area shown with a seating area, grass, and a few trees for shade. This landscaping shows compliance with code requirements for the number of trees and other vegetative ground cover for common open space.

The Applicant may be required to modify the plat and landscape plan to accommodate the required Tenmile Creek easement and satisfy UDC 11-3A-6 to include the irrigation easement within a minimum 20-foot wide common lot. This common lot would be required to be vegetated per UDC standards as well as meet the irrigation districts standards but the creek itself may be left natural because it is listed as a natural waterway within the UDC.

K. Qualified Open Space and Amenities (*UDC 11-3G*):

The proposed preliminary plat area is approximately 1.22 acres in size in size which does not require a minimum amount of open space nor an amenity, per UDC 11-3G-3. The Applicant is proposing a common open space area that is approximately 2,500 square feet in size to include a seating area and a micro-path connection to the north boundary for future connectivity to a regional pathway segment.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7 and 11-3A-6. Fencing is proposed as shown on the landscape plan and does not meet UDC standards.

6-foot tall wood fencing is proposed through the site despite being adjacent to common open space areas that are tucked away and adjacent to an open waterway, the Tenmile Creek. With the final plat submittal, the Applicant should revise the landscape plan to show open-vision fencing

or semi-private open vision fencing along the rear property lines of Lots 1-7 and the side property lines abutting the micro-path lot for Lots 1 & 2. In addition, the Applicant should clarify if any fencing is proposed along the Tenmile Creek and coordinate with Nampa Meridian Irrigation District on where they would like any fencing located within their easement.

Furthermore, the landscape plan appears to show solid fencing along the east property line of Lot 8, abutting the proposed common drive. According to UDC 11-6C-3D.5, if solid fencing is proposed abutting a common drive, at least 5-feet of landscaping is required between the common drive and the buildable lot. The latest preliminary plat does not appear to comply with this but the landscape plan does show landscaping. So, the Applicant should clarify which plan is accurate AND revise the landscape plan to show the proposed fencing type. According to the document provided by the Parks Department, the required pedestrian easement for a future connection from the south boundary to the north boundary of the subject site can overlap the common drive and essentially utilize the common drive as the pathway. This would allow for the required 5 feet of landscaping on the west side of the common drive adjacent to Lot 8 to allow for solid fencing.

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

The subject site directly abuts the Tenmile Creek along its entire eastern boundary. According to Nampa Meridian Irrigation District (NMID), the easement width for this facility is 50 feet on either side of the centerline of the “drain.” The submitted plat doesn’t appear to depict the required 50-foot easement. Staff is concerned that this may severely limit the viability of the buildable lots along the creek (Lots 2-7, Block 1). Furthermore, UDC 11-3A-6 requires a minimum 20-foot wide common lot if more than 10 feet of an irrigation easement encumbers the buildable lots. Under this code section the applicant can ask that the easement be placed on the buildable lot rather than in a common lot. However, the width of the easement may impact buildable area of the lots if the irrigation district will not allow any structures to encroach in the easement. Prior to the Commission hearing, the applicant should graphically depict the easement on the plat and contact NMID to determine if any encroachment would be allowed in the easement. If encroachments are allowed, staff recommends the applicant provide an exhibit that demonstrates how homes on these lots would comply with NMID requirements.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and preliminary plat applications with the requirement of a Development Agreement if the recommended revisions in Section VII of this report are adhered to per the Findings in Section IX of this staff report.

B. Commission:

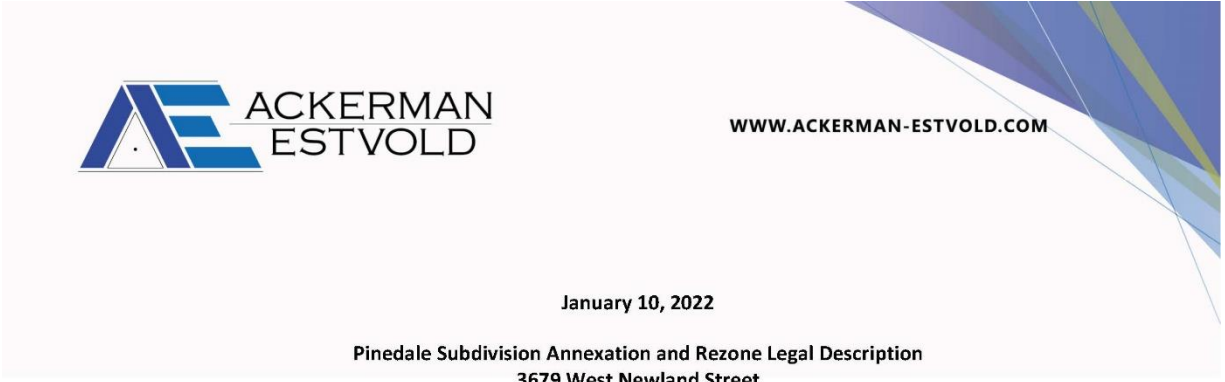
Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

VII. EXHIBITS

A. Annexation and Zoning Legal Description and Exhibit Map (NOT APPROVED)



A parcel of land being a portion of the SE ¼ of Section 10, T. 3N, R.1W, Boise-Meridian, Ada Couty, Idaho, more particularly described as follows:

BEGINNING at a 5/8" iron pin marking the southeast corner of Chesterfield Subdivision Number 4; thence along a line perpendicular to the Union Pacific Railroad centerline South 01°34'46" West a distance of 100.00 feet to a point on said centerline; thence along said centerline South 88°25'14" East a distance of 311.32 feet; thence leaving said centerline along a line perpendicular to said centerline North 01°34'46" East a distance of 100.00 feet to a point on the westerly edge of Tenmile Creek; thence along said westerly edge of Tenmile Creek North 32°49'09" West a distance of 120.21 feet; thence North 48°06'05" West a distance of 101.97 feet; thence North 43°31'33" West a distance of 144.27 feet; thence leaving said westerly edge of Tenmile Creek North 88°25'56" West a distance of 66.78 feet to a point on the easterly boundary of Chesterfield Subdivision Number 4; thence along said easterly boundary of Chesterfield Subdivision Number 4 South 00°52'04" West a distance of 267.00 feet to the **POINT OF BEGINNING**.

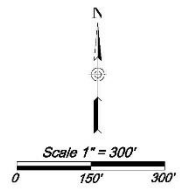
The above described parcel contains 1.93 acres, more or less.



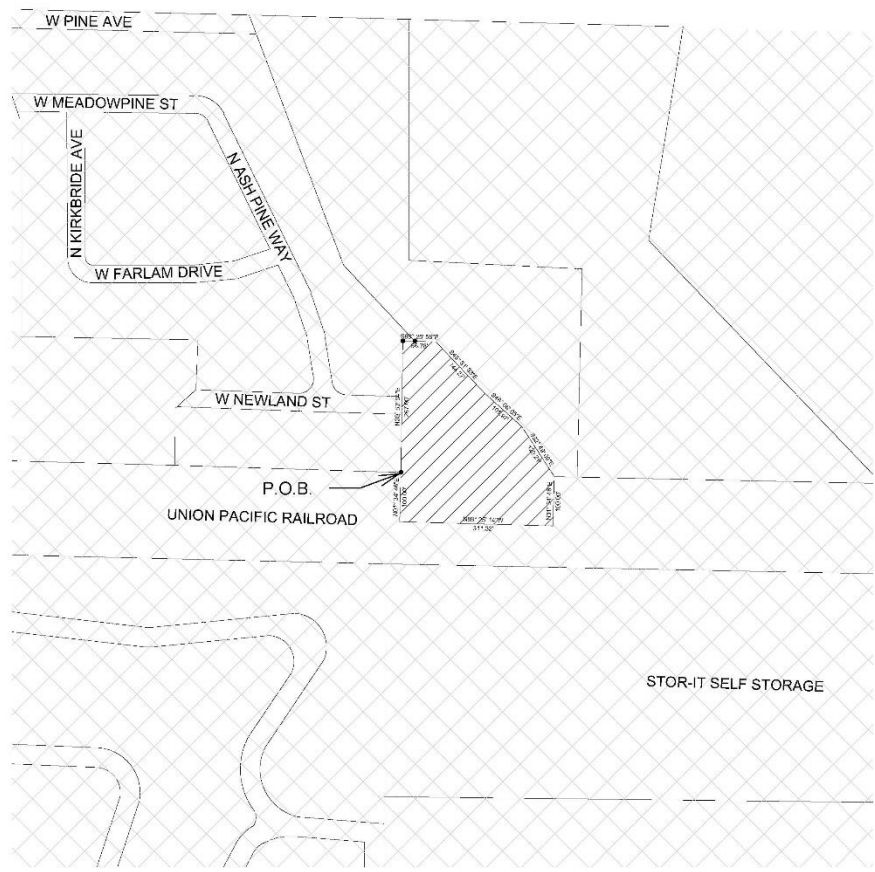
<p>HEADQUARTERS 1907 17TH ST SE MINOT, ND 58701 701.837.8737</p>	<p>4165 30TH AVE S SUITE 100 FARGO, ND 58104 701.551.1250</p>	<p>3210 27TH ST W SUITE 200 WILLISTON, ND 58801 701.577.4127</p>	<p>7661 W RIVERSIDE DR SUITE 102 GARDEN CITY, ID 83714 208.853.6470</p>
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ANNEXATION EXHIBIT B

PORTION OF THE SE 1/4 OF SECTION 10,
1.3N., 1R1.W., BOISE MERIDIAN, CITY OF
MERIDIAN, ADA COUNTY, IDAHO.



BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.



- FOUND MONUMENT
- B.O.B. BASIS OF BEARING
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ☐ CITY OF MERIDIAN
- ▨ AREA TO BE ANNEXED

JOB No: R21228

**ACKERMAN
ESTVOLD**
7661 West Riverside Drive, Ste. 102 - Garden City, ID 83714
208.853.6470 - www.ackerman-estvold.com
Minot, ND | Fargo, ND | Williston, ND | Boise, ID



WWW.ACKERMAN-ESTVOLD.COM

January 10, 2022

**Pinedale Subdivision Legal Description
 3679 West Newland Street
 Meridian, ID 83642**

A parcel of land being a portion of the SE ¼ of Section 10, T. 3N, R.1W, Boise-Meridian, Ada Couty, Idaho, more particularly described as follows:

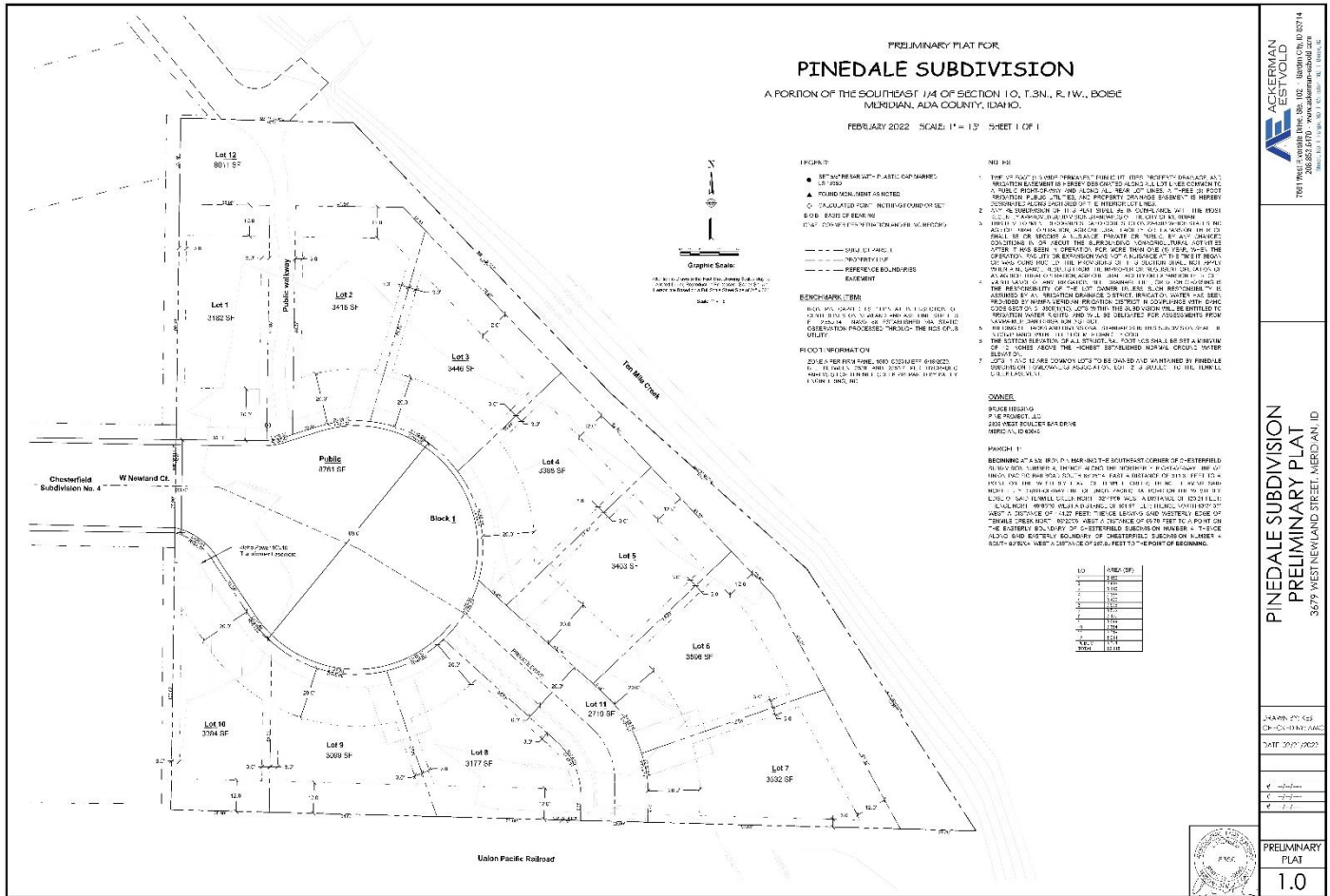
BEGINNING at a 5/8" iron pin marking the southeast corner of Chesterfield Subdivision Number 4; thence along the northerly right-of-way line of Union Pacific Railroad South 88°25'14" East a distance of 311.32 feet to a point on the westerly edge of Tenmile Creek; thence leaving said northerly right-of-way line of Union Pacific Railroad on the westerly edge of said Tenmile Creek North 32°49'09" West a distance of 120.21 feet; thence North 48°06'05" West a distance of 101.97 feet; thence North 43°31'33" West a distance of 144.27 feet; thence leaving said westerly edge of Tenmile Creek North 88°25'56" West a distance of 66.78 feet to a point on the easterly boundary of Chesterfield Subdivision Number 4; thence along said easterly boundary of Chesterfield Subdivision Number 4 South 00°52'04" West a distance of 267.00 feet to the **POINT OF BEGINNING.**

The above described parcel contains 1.22 acres, more or less.

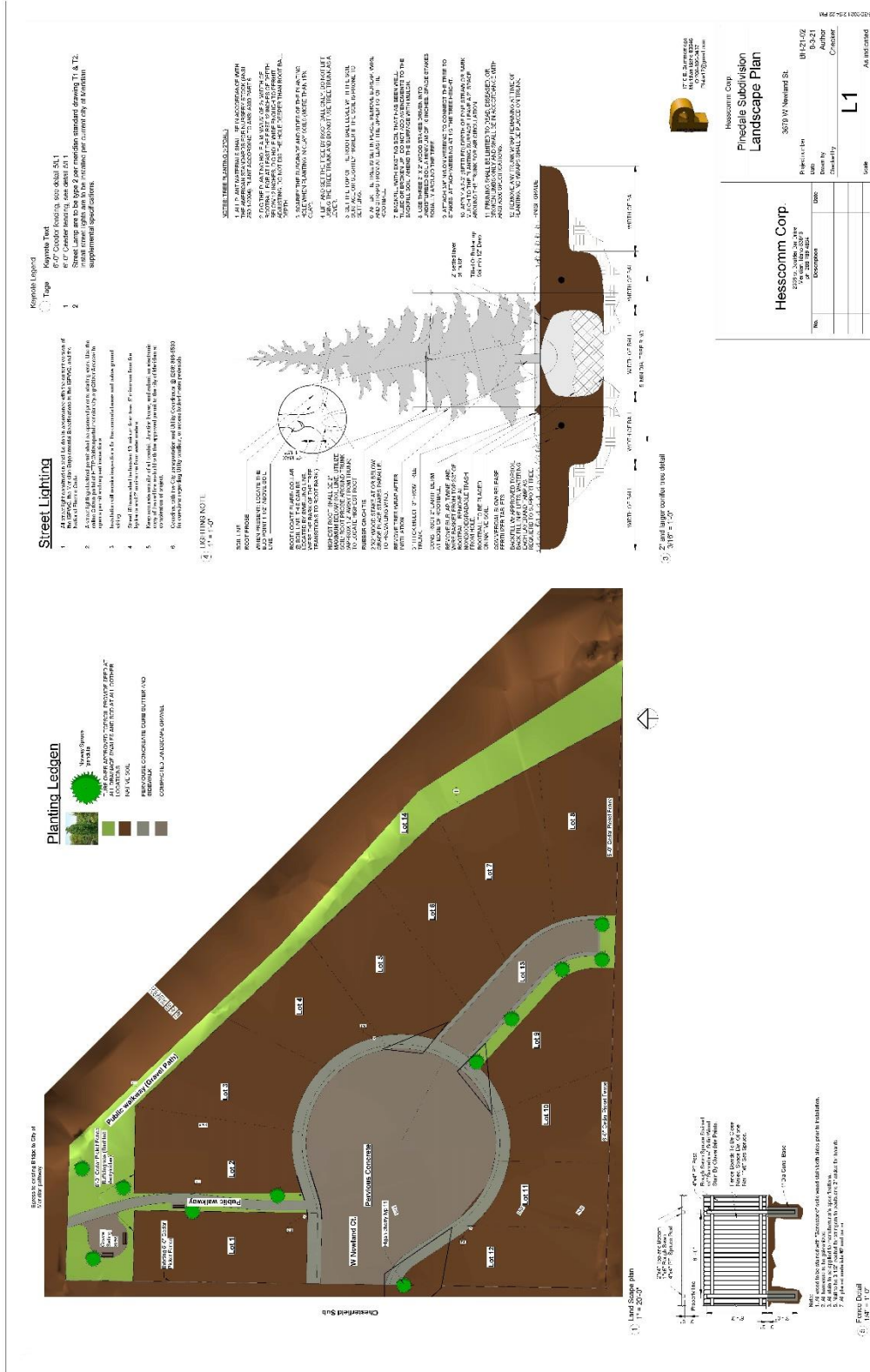


<p>HEADQUARTERS 1907 17TH ST SE MINOT, ND 58701 701.837.8737</p>	<p>4165 30TH AVE S SUITE 100 FARGO, ND 58104 701.551.1250</p>	<p>3210 27TH ST W SUITE 200 WILLISTON, ND 58801 701.577.4127</p>	<p>7661 W RIVERSIDE DR SUITE 102 GARDEN CITY, ID 83714 208.853.6470</p>
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B. Preliminary Plat (dated: 2/21/2022)



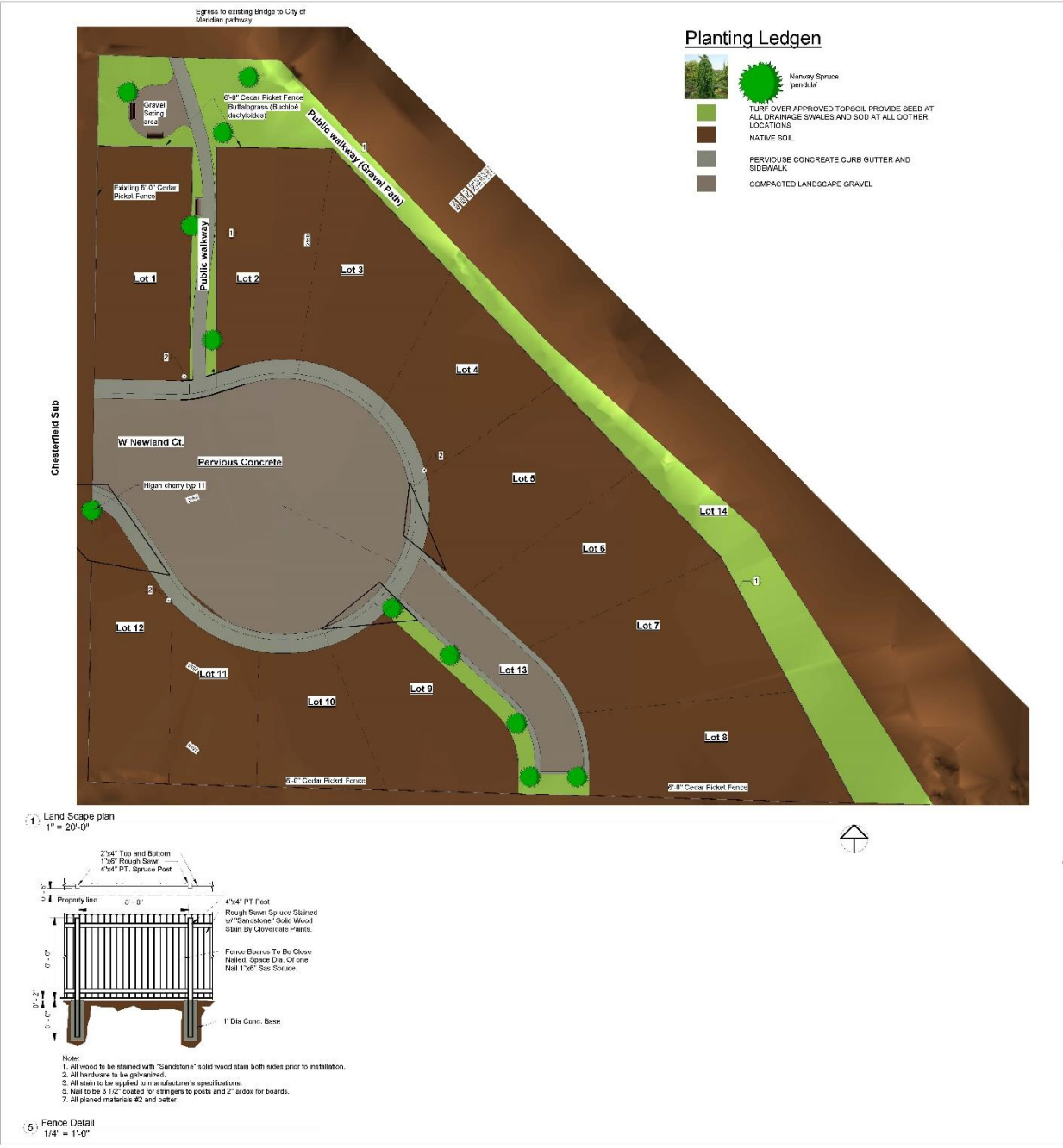
C. Landscape Plans (date: 8/3/2021)



Hesscomm Corp
 3630 W. Newland St.
 Pinedale, CA 95369
 (916) 335-1111
 www.hesscomm.com

Project Info
 Project No: B-12-102
 Date: 8/3/2021
 Drawn By: [Name]
 Checked By: [Name]

Scale
 L1
 As Indicated



D. Conceptual Building Elevations







VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation; **Applicant shall provide a revised Annexation and Zoning legal description and Exhibit Map to exclude the railroad right-of-way area.** The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, and conceptual building elevations included in Section VII and the provisions contained herein and shall be obligated to install and maintain the open space and amenity as proposed on the approved plans.
 - b. The Applicant shall include shared driveways to help remove the number of driveways proposed, especially for those lots taking direct access from the cul-de-sac, W. Newland Court.
2. Prior to the City Council hearing, the Applicant shall provide revised Annexation and Zoning legal description and Exhibit Map to exclude the railroad right-of-way area.
 3. The preliminary plat included in Section VII.B, dated February 21, 2022, shall be revised as follows prior to the City Council hearing, except as noted:
 - a. Show the entrance to the open space lot (Lot 12) containing the micro-path lot to be at least 15 feet wide, per UDC 11-3A-8 standards.
 - b. Lot 4 shall take access from the cul-de-sac and not from the common drive in accord with UDC 11-6C-3.
 - c. Prior to the Commission hearing, the applicant should graphically depict the Tenmile Creek easement on the plat and contact NMID to determine if any encroachment would be allowed in the easement. IF encroachments are allowed, staff recommends the applicant provide an exhibit that demonstrates how homes on these lots would comply with NMID requirements.
 4. The landscape plan included in Section VII.C, dated August 3, 2021, shall be revised as follows prior to submitting for Final Plat approval:
 - a. Revise the plan to match the latest preliminary plat.
 - b. Lot 12, Block 1 shall be a minimum of 15-feet wide and landscaped in accord with UDC 11-3B-12.
 - c. If solid fencing is proposed on the east property line of Lot 8, show the required 5 feet of landscaping between the property line and the common drive (Lot 11) in accord with UDC 11-6C-3D.

5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
7. The Applicant shall comply with all ACHD conditions of approval.
8. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
9. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
10. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. Water main alignment may need to be adjusted to enable perpendicular service lines to appropriate locations- specifically at the edge of right-of-way at the entrance to the private drive.
2. No sewer utilities provided in Record. Public sewer infrastructure must be reviewed and approved by public works.
3. Sewer main shall not run-down private driveways that serve 4 or fewer lots. For lots 6, 7, and 8, run sewer service in the driveway only.
4. Ensure no sewer services pass through infiltration trenches.
5. A portion of this development is in the Floodplain Overlay District and floodplain development permit is required for land development. This property is in a FEMA "A" Zone without Base Flood Elevations. A hydraulic analysis has been completed for Foxcroft Subdivision. Applicant will need to compare base flood elevations for existing conditions in this analysis to the existing conditions survey on 3725 W Pine. This should form the basis for a Letter of Map Amendment (LOMA) application to remove the entire property from the floodplain. The quicker LOMA process is started the better, otherwise we will need floodplain permits and elevation certificates for any development in the current flood zone. If fill this property is not eligible for a LOMA, fill may be added for a FEMA LOMR-F application. In this case, floodplain permits and elevation certificates will be required for each structure in this zone.
6. As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection, there are shallow cemented soils across the site. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. This may include the installation of foundation drains, and the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. Foundation drains are not allowed to drain into the sanitary sewer system, nor the trench backfill for the sewer and/or water service lines.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.

10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-7 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.
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the

Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251084&dbid=0&repo=MeridianCity>

D. PARKS DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251081&dbid=0&repo=MeridianCity>

E. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251841&dbid=0&repo=MeridianCity>

F. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251854&dbid=0&repo=MeridianCity>

G. NAMPA/MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252550&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252743&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Annexation and Zoning (UDC 11-5B-3E)

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

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

Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-8 zoning district and Rezone a portion of the project from R-4 to the R-8 zoning district with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.

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

Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-8 zoning district and is consistent with the purpose statement of the requested zone.

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

Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.

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

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

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

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

B. Preliminary Plat Findings:

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

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

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

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

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

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

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

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

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

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

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has offered their support of the proposed development with the proposed road layout in mind.

- 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.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Aviation Subdivision (H-2021-0096) by Jadon Schneider of Bronze Bow Land, Located at Parcel #S1210325951, near the northeast corner of N. Black Cat Rd. and W. Franklin Rd., north of Compass Charter School

A. Request: Preliminary Plat or 48 building lots (37 single family attached lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot.

B. Request: Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: March 3, 2022

Topic: **Public Hearing** for Aviation Subdivision (H-2021-0096) by Jadon Schneider of Bronze Bow Land, Located at Parcel #S1210325951, near the northeast corner of N. Black Cat Rd. and W. Franklin Rd., north of Compass Charter School

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 - B. Request: Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.
-

Information Resources:

[Click Here for Application Materials](#)

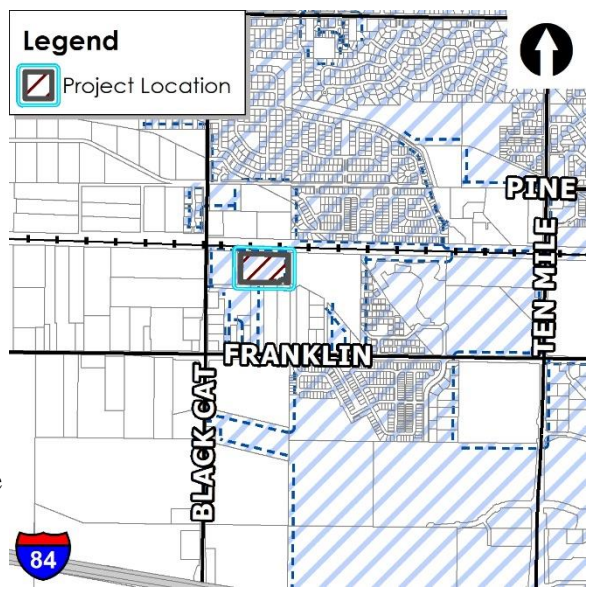
[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: March 3, 2022
 TO: Planning & Zoning Commission
 FROM: Joseph Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2021-0096
 Aviation Subdivision

LOCATION: The site is located near the northeast corner of N. Black Cat Rd. and W. Franklin Rd., to the north and northeast of Compass Public Charter School, in the SW ¼ of the SW ¼ of Section 10, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

Preliminary Plat for 48 building lots (6 single family attached lots, 31 townhome lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot and a Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	9.8 acres	
Future Land Use Designation	Medium-High Density Residential (8-12 du/ac)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Attached Single-Family Residential (SFR), Detached SFR, Townhomes, and Multi-family Residential	
Lots (# and type; bldg./common)	48 building lots (37 single-family attached, 2 detached single-family, 9 multi-family); 8 common lots; 1 other lot (irrigation pump house)	
Physical Features (waterways, hazards, flood plain, hillside)	Purdam Gulch Drain runs diagonal through site from the southeast corner to the northwest corner. Applicant proposes to tile this drain and realign it along the east and north boundaries to make better utilization of the property.	
Neighborhood meeting date; # of attendees:	September 16, 2021, no attendees	
History (previous approvals)	H-2018-0048 (Compass Charter School AZ, CPAM; DA Inst. #2018-079763); H-2020-0111 (Aviator Sub. CPAM, MDA, RZ; DA Inst. #2021-067235).	

B. Community Metrics

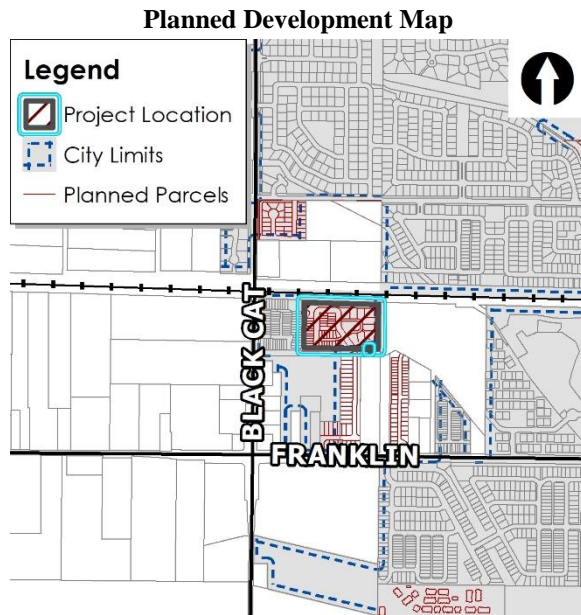
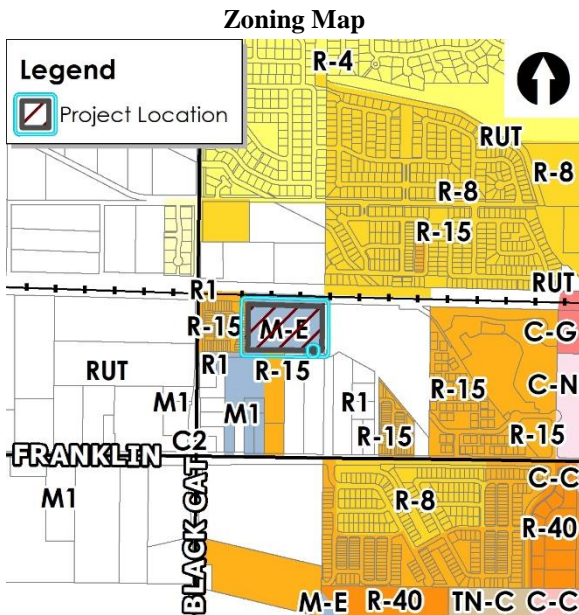
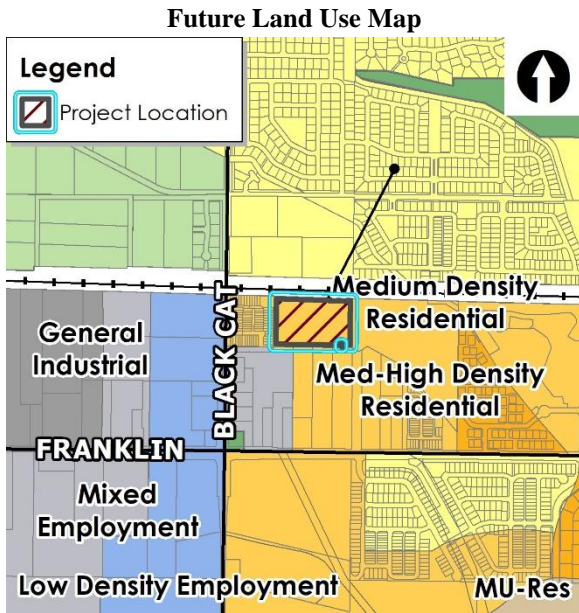
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	<p>Access is proposed via extension of W. Aviator Street, designated as a towncenter collector street on the Master Street Map (MSM) and within the TMISAP (two travel lanes and on-street bike lanes).</p> <p>Access to the lots within the subdivision are proposed via a new local street that loops through the site and connects to Aviator in two places; multi-family drive aisles are proposed to connect to this local street for access to those units.</p>	
Traffic Level of Service	<p>Black Cat Road (0' of frontage) – Better than “E” (474/575 VPH)</p> <p>W. Aviator Street – no known traffic counts were given by ACHD.</p>	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to extend W. Aviator Street and bring it through the subject site and stub it to the eastern property boundary north of the irrigation district pump station in the southeast corner of the site.	
Existing Road Network	W. Aviator ends in a temporary turnaround approximately 200 feet along the property’s southern boundary. Next closest street is N. Black Cat Road, an arterial, and is in the ACHD CIP for widening in 2031-2035.	
Proposed Road Improvements	<p>W. Aviator extension through the site to the east property boundary.</p> <p>ACHD – CIP</p> <p>Black Cat is listed in the CIP to be widen to 5-lanes from Franklin to Cherry between 2031-2035.</p> <p>Black Cat is listed in the CIP to be widen to 5-lanes from Overland to Franklin between 2036-2040.</p> <p>Franklin Road is listed in the CIP to be widen to 5-lanes from McDermott Road to Black Cat between 2026-2030.</p>	
Distance to nearest City Park (+ size)	Fuller Park (21.96 acres) – 1.3 miles by foot; approximately 1.7 miles by vehicle.	
Fire Service		
<ul style="list-style-type: none"> • Distance to Fire Station 	2.5 miles from Station #2	
<ul style="list-style-type: none"> • Fire Response Time 	Falls outside of the 5-minute response time goal	
<ul style="list-style-type: none"> • Resource Reliability 	85% (above the goal of 80%)	
<ul style="list-style-type: none"> • Accessibility 	As submitted, plat does not meet all requirements – Site needs secondary emergency access.	
<ul style="list-style-type: none"> • Additional Comments/Concerns 	<ul style="list-style-type: none"> • Because project is at a dead-end road with no secondary access, ALL single family units constructed will be required to be built with fire sprinklers. • Aviator Street is currently shown without a turnaround at its terminus; Applicant will be required to terminate Aviator with a Fire and ACHD approved turnaround. 	

Description	Details	Page
Police Service		
• Distance to Station	Approximately 4.2 miles from Meridian Police Department	
• Response Time	Approximately 4 minute response time to an emergency.	
• Call Data	Between 12/1/2019- 11/30/2021, the Meridian Police Department responded to 2,591 calls for service within a mile of the proposed development. The crime count on the calls for service was 234. Between 12/1/2019- 11/30/2021, the Meridian Police Department responded to 52 crashes within a mile of the proposed development.	
• Additional Concerns	Traffic congestion at the intersection of Black Cat and W. Aviator during peak times at the nearby charter school.	

Wastewater	
• Distance to Sewer Services	Directly adjacent
• WRRF Declining Balance	14.26
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/concerns	<ul style="list-style-type: none"> • Flow is committed • Additional 7,500 GPD of flow committed to model • See Public Works Site Specific Conditions

Water	
• Distance to Water Services	Directly adjacent
• Pressure Zone	1
• Estimated Project Water ERU's	See application
• Water Quality	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	See Public Works Site Specific Conditions

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jadon Schneider, Bronze Bow Land – 3625 N. Carr Lane, Garden City, ID 83714

B. Owner:

Larry Jacobson, Sandrock Development – 1468 James Road, Gardenville, NV 89460

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	2/15/2022	
Radius notification mailed to properties within 500 feet	2/14/2022	
Public hearing notice sign posted on site	2/17/2021	
Nextdoor posting	2/14/2022	

V. STAFF ANALYSIS

A. COMPREHENSIVE PLAN/DEVELOPMENT AGREEMENT

The subject 9.8 acres were annexed into the City of Meridian in 2018 with the Compass Charter School application and also received CPAM approval at that time to change the underlying land use from medium-high density residential to mixed employment. Later, this 9.8 acre parcel was no longer a part of the long-term plan for the school and was subsequently sold. In 2020, a new application for a Comprehensive Plan Map Amendment, Development Agreement Modification, and Rezone were requested and approved to allow for residential zoning and uses instead of Mixed Employment or other industrial uses desired in the previous mixed employment designation. With these approvals, the property was returned to its original future land use of Medium-High Density Residential (MHDR) and included a new concept plan with a residential development and the proposed and preferred location of the Aviator Street extension.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity. Per the Ten Mile Interchange Specific Area Plan (TMISAP), MHDR designated areas should include a mix of housing types such as row houses, townhouses, condominiums, alley-loaded homes, and apartments with higher densities near MU-C and Employment designated areas transitioning to smaller-scale and lower density buildings as the distance increases from higher intensity uses.

The Applicant is requesting a Preliminary Plat and Conditional Use Permit to construct a mix of single-family and multi-family residential units. The Applicant is proposing 73 total residential units on the subject 9.8 acres in the R-15 zoning district which constitutes a gross density of 7.44 du/ac. This density does not comply with the minimum density required within the DA nor the future land use designation which requires a minimum of 8 du/ac. The Applicant should revise the plat to include at least one more dwelling unit to meet the minimum density requirement. Furthermore, the existing DA includes conceptual floor plans that depict front loaded single-family homes with recessed garages to create a more porch and pedestrian dominated front façade on the public local streets. The submitted conceptual elevations with this application do not comply with the elevations and floor plans included in the DA. Therefore, the Applicant should submit a DA Modification to revise the existing elevations and floor plans in the DA OR revise their proposed building design to be more consistent with the existing DA. Staff believes the floor plans within the DA should be maintained and would not be supportive of a DA Modification to remove them from the DA because they are more consistent with the Ten Mile Plan.

In addition to the subject parcel, surrounding development should be taken into account, directly west of this site, Hensley Station is currently under construction as a medium-high density residential subdivision and less than a half mile to the east of the subject site additional high-density residential projects are currently underway. In addition, south of Franklin Road is a larger area of the Ten Mile Plan with a mix of residential, commercial, employment, and industrial zoning. This site is part of a large area of MHDR that is slowly redeveloping from both the west and the east and development of the subject is a logical direction of development in this area in terms of density and road improvements. However, the transportation element of this area of the Ten Mile Plan is important and there are known traffic issues in this area caused by the adjacent Compass Charter School, most notably at typical pick-up and drop-off times in the morning and afternoon.

The congestion associated with the school creates traffic along the entire Black Cat corridor between Franklin and Cherry and significantly impedes the intersections of Aviator and Black Cat and Black Cat and Franklin during the peak times noted above. Staff notes that applications for the site to the east are likely forthcoming which would connect Aviator from Black Cat to N. San Marco Way within the Entrata Farms Subdivision to the southeast. This east-west connection would create the needed secondary access for Fire as well as provide a different connection to Franklin Road for this area. To help mitigate this issue as well as the overall phasing element of the site, Staff is recommending conditions of approval around the phasing of the project in relation to the construction of W. Aviator Street.

If the project is revised per Staff's recommended conditions of approval, Staff finds the project to be generally consistent with the Comprehensive Plan. Specific general comprehensive plan policies are analyzed below.

Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use and development of this property (staff analysis in *italics*):

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

The proposed development contains multiple types of housing units (multi-family, attached single-family, townhouse, and detached single-family) that will contribute to the variety of residential categories in the Ten Mile area as desired.

- “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 in accord with UDC 11-3A-21.

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

Four (4) housing types are proposed in this development, as noted above, which contributes to the variety of housing types in this area. The Applicant is proposing 16 units to front on green space and provide for an alley loaded product while the remaining 23 units are front-loaded. In addition, the Applicant is proposing 9 multi-family buildings that contain 4-units each. The proposed development provides a number of housing types within one concentrated area and within the Ten Mile area as a whole.

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

The proposed residential dwellings and site design should be compatible with existing and planned development on adjacent properties that are also designated for MHDR uses.

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

The proposed plat depicts a large amount of usable common open space along the entire north and east property boundaries due to the requirement to reserve a 100-foot wide irrigation easement for the rerouted Purdam Gulch Drain. Because of irrigation district standards, no amenities are proposed in this area but it should provide for a large open area for residents to utilize for recreation and activity. The Applicant is also proposing other open space within the site that contains children play equipment and pathways. All of the sidewalks proposed within the site are detached from the roadways, which provides for safer pedestrian connectivity throughout the site. There is ample connectivity from the site to the detached sidewalk along the extension of Aviator Street.

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

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

- “Require 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 is required to be provided with development as proposed.

In addition to the general Comprehensive Plan, the following sections of the Ten Mile Interchange Specific Area Plan (TMISAP) should also be used to analyze the project (Staff analysis is in *italics*):

Street Network (3-17): The Transportation System Map included in the TMISAP depicts a towncenter collector street planned on this site that continues to the east through an adjacent site. *The Applicant is proposing to extend W. Aviator, the collector street, from its current location to the east property boundary. According to the submitted plat, the Applicant is showing a small portion of this road extension on a property to the south that is not part of this application and is not annexed into the City of Meridian. It is not typical of road extensions to utilize area not on the subject property but it allows the Applicant to have more usable land area that is significantly reduced due to the existence of the Purdam Gulch Drain and its 100-foot wide easement.*

To ensure the proposed road layout is adhered to, Staff is recommending the Applicant provide a copy of a formal agreement between land owners that allows this Applicant to utilize a portion of the adjacent property for the Aviator extension; this agreement should be presented to staff prior to the City Council meeting. If the Applicant cannot reach an agreement with the adjacent property owner, the submitted plat will have to be revised in order for the Applicant to make those revisions with the requirement of extending Aviator wholly on the subject site. Further analysis of the Aviator extension is below in the Access section, including analysis on the ACHD staff report. A final plat for this project will not be accepted until an agreement has been formalized and the right-of way is dedicated to allow the construction of the off-site portion of Aviator Street.

Connectivity (3-17): *Connectivity to adjacent parcels is proposed by extending W. Aviator through the site. Because of the railroad corridor along the north boundary and the requirement to cross the Purdam Drain at least once, there is limited opportunity for other points of vehicular connectivity. Furthermore, there is also no stub street or pedestrian connection along the west boundary to Hensley Station.*

Therefore, Aviator Street and the proposed detached sidewalks throughout the site provide the needed connectivity between existing and planned sites.

Access Control (3-17): In order to move traffic efficiently through the Ten Mile area, direct access via arterial streets is prohibited except for collector street connections. *The subject site has no arterial access except via W. Aviator Street, a collector street. The project complies with this policy.*

Complete Streets (3-19): The TMISAP incorporates the concept of “complete streets,” meaning all streets should be designed to serve all users, including bicycles and pedestrians unless prohibited by law or where the costs are excessive or where there’s clearly no need. *The proposed development includes detached sidewalks and parkways throughout the entire site for pedestrian use and on-street parking along the new local street. W. Aviator, the collector street, is required to be constructed with two lanes of travel and on-street bicycle lanes which helps create a network of complete streets.*

Streetscape (3-25): All streets should include street trees within the right-of-way. *The proposed development incorporates tree-lined streets with detached sidewalks throughout the site.*

DESIGN:

Street-Oriented Design – Residential Buildings (3-33): Usable porches should be a dominant element of these building types. Porches should be located along at least 30% of the front façade of the buildings (the façade facing the primary street) although a higher percentage is recommended as is porches on one or more facades as well. When possible, garages should be loaded from a rear alleyway. **Where garages must be accessed from the front, the garages must be located no less than 20’ behind the primary façade of the residential structure.**

The proposed alley-loaded units (taking access from a public, minor urban-local street) have porches along the street frontage or face green space entirely (i.e. Lots 7-13, Block 2); all of the remaining front-loaded townhomes have a garage dominated façade facing the internal local street. As discussed above, the front-loaded garages are not located 20’ behind the primary façade of the structure and do not comply with the approved conceptual elevations and floor plans in the DA. However, with the noted site constraints and the current lot configuration, full compliance with the garage setback requirement may not be possible – the lots would need to be widened and the number of units would need to be reduced to comply. The Applicant is required to increase the number of units to comply with the minimum density requirements in the DA and the MHDR designation so losing additional lots is not viable under the terms of the approved DA unless the DA is amended. Therefore, Staff recommends the Applicant explore alternate design options to be more consistent with this requirement while maintaining a gross density of at least 8 units per acre; an alternate floor plan and revised elevations in compliance with the recorded DA should be submitted in accord with this provision prior to the City Council hearing.

NOTE: The proposed 4-plex multi-family buildings are not required to comply with this provision as they are not proposed with any garages.

Buildings to Scale (3-34): The key elements to consider are the continuity of building sizes, how the street-level and upper-level architectural detailing is treated, elements that anchor and emphasize pedestrian scale, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, other open space and public parking. Human-scale design is critical to the success of built places for pedestrians. *Staff believes the proposed 2-story homes demonstrate continuity of building sizes within the development. However, the street level and upper level architectural detailing does not appear to correspond with each other to unify the design and do not provide for enough modulation in wall plan nor roof height. Further, the Applicant could add decks to the second level that are closer to the street to help comply with the street-oriented design provision.*

The use of stone along the first story facades closest to the tree-lined streets help anchor and emphasize the pedestrian scale of the development as desired.

Neighborhood Design (3-36): In the Ten Mile area, all residential neighborhoods should be developed in consideration of traditional neighborhood design principles and concepts, which include mixed housing stock, architecture and design, streetscapes and streets. *A mix of housing stock is proposed consisting of single-family attached, townhomes, two single-family detached dwellings, and multi-family 4-plexes which contribute to the diversity of housing stock desired in this area. The public street proposed within this development loops through the site and has a minor urban local street connecting the two streets that will function as an alley. Therefore, the proposed block lengths are relatively short and provide for ample pedestrian connectivity. The proposed parkways add to the project's consistency with the neighborhood design element of the Ten Mile Plan.*

As noted above, if the project is revised per Staff's recommendations, Staff finds the project to be generally consistent with the Ten Mile Interchange Specific Area Plan. In general, Staff finds the project to be generally consistent with the City of Meridian Comprehensive Plan, per Staff's recommended revisions.

B. PRELIMINARY PLAT (PP)

The proposed preliminary plat consists of 48 building lots (6 single family attached lots, 31 townhome lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot on 9.8 acres of land in the R-15 zoning district. The minimum lot size proposed is 2,050 square feet and the plat is currently proposed to develop in one phase. However, the phasing of building construction will likely occur east to west, per the Applicant, in order to allow the development of properties to the east that would further extend Aviator Street and allow the Applicant to construct the single-family portion of the project without fire sprinklers. Staff has included a condition of approval surrounding the timing of development in coordination with Meridian Fire Department.

Existing Structures/Site Improvements:

There are no existing structures on this site, the site is vacant/undeveloped.

Dimensional Standards (UDC 11-2):

The proposed subdivision and subsequent development are required to comply with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 district. Staff has reviewed the proposed plat and it complies with these standards. **Zero lot lines should be depicted on the plat where single-family attached and townhome structures are proposed.**

Access (UDC 11-3A-3):

Access for the project is from two new local street connections to W. Aviator Street, a collector street the Applicant is required to extend into the site and stub to the east boundary; Aviator is the projects only connection to an arterial (Black Cat). Vehicular access for the single-family portion of the project is via construction of a new local street that loops through the site. In addition, access to the multi-family portion of the project is via two 25-foot wide drive aisle connections to the eastern local street. ACHD has approved all of the ingress and egress points and their offsets. ACHD has noted the proposed design of Aviator Street does not meet district policy and should be revised—the Applicant will need to revise the street section to be 1-foot wider and include detached sidewalk on both sides of the street.

Access to the “alley-loaded” units that front on the collector street buffer and internal green space of the site are via a 28-foot wide minor urban local street, according to the latest plat submitted. It appears that ACHD reviewed this street section on a previous version of the plan where the street was 24 feet wide instead; Staff and the Applicant will verify with ACHD the proposed road width still complies with ACHD standards.

There is no secondary access to the site because Aviator will still be a dead-end street after its extension with this project. As noted above, the Fire Department requires a secondary access for each access that has more than 30 units taking access from it (Hensley Station to the west takes up the 30+ units already). Thus, the construction phasing of the project plays a role in how Staff must address this issue as all of the structures will need to be sprinklered if the single-family is constructed first (the multi-family is required to be sprinklered). There is an anticipation of a project being constructed on the property to the east that would extend Aviator to their east boundary and connect to an existing stub street in Entrata Farms and provide for the required means of secondary access in the future. To date, the City has not received an official application for that property. Therefore, this project must comply with all Fire Department requirements.

The Applicant has stated their plan is to extend Aviator into the site to the point of no more than 150 feet past the eastern local street connection to avoid the need of a temporary turnaround (the local street within the project would be constructed at the same time). This complies with the technical requirements of the UDC and Fire code but is not consistent with general practice of requiring public streets to be extended to-and-through sites with the first phase of development (prior to or in timing with the first buildings being constructed). However, the Applicant is continuing to work with ACHD on a plan to construct Aviator as noted and road trust for the remaining portion so it can be extended with any future road project that occurs on the parcel to the east. Staff is supportive of this option as the road would be a dead-end street and constructing a temporary turnaround would be both wasteful of space and would need to be located on top of the Purdam Drain which could further hinder the Applicant's ability to develop the site due to complications with the irrigation district. In conversations, ACHD has noted an openness to this option but did not include it in their staff report specifically. So, Staff has included a condition of approval to encompass both potential outcomes of the Aviator Street extension.

Pathways (UDC 11-3A-8):

There are no pathways depicted on the Pathways Master Plan for this property. However, Staff believes the Applicant should work with the irrigation district to install a micro-path through the large open space lot containing the Purdam Drain. The addition of a meandering 5-foot wide pathway in this open space lot could connect in multiple places throughout the site and allow for a pedestrian connection near the northeast corner of the property for future pedestrian connectivity to that parcel. The exact location of this connection should not be set in stone and should instead be coordinated with the adjacent land owner once a more solid plan is known for that parcel.

Sidewalks (UDC 11-3A-17):

Detached sidewalks are proposed along the internal local street that loops through the site (shown as N. Duplicate Avenue, W. Topeka Street, and N. Stronghold Avenue) with 8-foot parkways throughout. In addition, the Applicant is showing a 5-foot wide detached sidewalk on the north side and a 5-foot wide attached sidewalk on the south side of the W. Aviator Street extension. This does not meet ACHD nor UDC standards for sidewalks along collector streets. Therefore, the Applicant is required to construct 5-foot wide detached sidewalks along both sides of the Aviator Street extension. The Applicant is proposing 5-foot wide sidewalks within the multi-family portion of the project that connect to the local street sidewalks. *Overall, the proposed sidewalk network for this development meets and exceeds UDC requirements except for those noted along Aviator.*

Parkways (UDC 11-3A-17):

8-foot wide parkways with street trees are shown along both sides of the proposed local street that loops through the site. **All parkways within the site adjacent to detached sidewalks shall be landscaped per the standards listed in UDC 11-3B-7C.** With the future final plat application, the Applicant should add data to the plan to demonstrate compliance with these standards.

Landscaping (UDC 11-3B):

A 20-foot wide street buffer is required along the extension of W. Aviator Street (measured from back of curb), landscaped per the standards in UDC Table 11-3B-7C. A 20-foot wide common lot is shown on the north side of Aviator on the submitted plat in accord with UDC standards. The common lot along the south side of Aviator that is on the property is wider than 20 feet but is shown with an attached sidewalk instead of a detached sidewalk. Further, there are no trees shown on the south side of Aviator as required by the UDC. Per the plat condition noted, the Applicant should revise the landscape plan to show the required buffer trees on the south side of the Aviator extension.

Note, the alignment of Aviator street along the southern boundary allows for a buffer area that is wider than code requirements as a segment of the street does not lay within the subject site. Therefore, the submitted landscape plan shows a buffer on the north side of Aviator as approximately 30 feet wide, measured from the back of curb to the building lot lines with the required trees at the edge of the property.

According to the submitted landscape plan, some trees are included in the common open space areas due to the parkway trees along the local street. Staff is recommending an additional tree be placed in the center of the open space lot within the single-family portion of the project (Lot 6, Block 2) to add an area of shade in the center of this open space lot.

Staff has excluded the open space area that has the Purdam Drain irrigation easement within this calculation as the irrigation district does not generally allow trees within their easement. **However, Staff recommends the Applicant coordinate with the irrigation district to see if some trees could be placed strategically in order to provide some areas of shade in this area closest to the buildings, so this area could count towards qualified open space.**

In addition to the proposed open space areas, the Applicant is platting a common lot along the west boundary that contains a private drainage lot developed for the charter school across the street, the previous land owner. This drainage area has been in place for years coinciding with the development of the school. The plat should address who is responsible for maintaining this drainage and open space area; Staff has included a condition of approval regarding this.

Qualified Open Space & Site Amenities (UDC 11-3G):

The area of the preliminary plat is 9.8 acres within the R-15 zoning district. According to the standards listed in UDC 11-3G-3, a minimum of 15% qualified open space should be provided. However, the applicability section of this code would only apply to the single-family portion of the project and not the entire site overall because a portion of the project is proposed with multi-family residential and is subject to specific use standards (UDC 11-4-3-27). NOTE: The Applicant has stated that all of the open space within the development will be shared and Staff finds the amount of open space is more than sufficient for the project. However, for the purpose of calculating the minimum amount of open space required, Staff has split the project into two areas, one for the single-family and one for multi-family.

The single-family area is approximately 5 acres in size and the multi-family area is approximately 4.8 acres in size (total property size is 9.8 acres). Therefore, the minimum amount of qualified open space required to meet UDC 11-3G-3 for the single-family portion of the site is 0.75 acres, or approximately 32,700 square feet. The minimum amount of qualified open space that is needed to satisfy the multi-family specific use standards (UDC 11-4-3-27) is an amount per unit based on the size of the units—the provision in this section of code to require a minimum 10% in addition to the per unit amount is not applicable as the multi-family area of the site is not greater than five (5) acres. According to the Applicant, each unit will be approximately 1,500 square feet requiring 350 square feet per unit of qualified common open space. Therefore, with 36 units proposed, the minimum amount of qualified common open space for the multi-family development is 12,600 square feet. So, in total, the amount of open space provided should be at least 45,300 square feet, or 1.04 acres.

According to the submitted plans, the Applicant is proposing approximately 155,200 square feet (3.56 acres) of common open space within common lots (not all of this is qualified). However, this area is still not fully accurate as some of the Purdam Drain easement area is located on buildable lots and the open space calculation does not include the parkways that are qualifying open space. This shows the actual open space area is even greater. If only the two central open space lots, the Purdam Drain common lot (excluding the area on the buildable lots), and the common lot in the southeast corner of the site is taken into account, the amount of qualified open space is approximately 2.5 acres. Therefore, the proposed open space vastly exceeds the minimum amount required by code for both the single-family and the multi-family portions of the project.

Based on the size of the single-family area of the plat, one (1) point of site amenity is required to meet UDC 11-3G-3 standards. According to the submitted plans, the Applicant has not provided an amenity to satisfy these requirements. The Applicant should revise the landscape plans to include an amenity worth at least one amenity point within the single-family area of the project (i.e. a picnic area). The amenity analysis for the multi-family portion of the development is provided below.

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-6 and 11-3A-7. It is unclear if any fencing is proposed for this project. Staff will verify compliance with UDC standards with the future Final Plat application.

Parking: On-site parking for each unit is required per the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit. Two car garages with two (2) parking pads per unit are shown on the proposed plans in accord with UDC standards for up to 4-bedroom homes. A number of on-street parking spaces are also available due to the design of the project.

Parking for the multi-family residential component is required at specific ratios according to UDC Table 11-3C-6 based on the number of bedrooms per unit. According to the Applicant, each unit contains 2 bedrooms which requires which requires 72 off-street parking spaces for 36 units (at least 36 must be covered or garage parking) per UDC Table 11-3C-6. In addition, code requires 1 guest space for every 10 units so an additional 4 spaces (rounded up from 3.6) are required bringing the total to 76 off-street parking spaces. According to the submitted plan, the Applicant is proposing 72 parking stalls, 2 per unit, and it is not clear if any are covered spaces as required. **Therefore, the Applicant is not complying with the minimum off-street parking standards.**

Based on the submitted site plan and number of units, Staff recommends some of the units contain 1-bedroom units to help reduce the amount of parking required (1.5 spaces per unit instead of 2 spaces). Furthermore, the site plan shows a few areas where additional off-street parking spaces may be added. Lastly, as noted above, the local street within the site will allow on-street parking along the entire north and east side of the street except for the areas of the multi-family drive aisle. **If the Applicant cannot find the space within the multi-family area to provide the required number of off-street parking spaces, the Applicant could apply for Alternative Compliance to propose alternative parking solutions (i.e. on-street parking in vast excess of minimum requirements) but Staff notes that this is not guaranteed for approval by the Director.**

Waterways: The Purdam Gulch Drain, an NMID facility, bisects the property from the southeast corner to the northwest corner of the site and requires a 100-foot wide easement, wholly on this property. The drain is proposed to be piped and rerouted with this development in a common lot that runs along the entire east and north property boundaries. According to the submitted plat, at least half of the easement area is on some of the multi-family building lots which does not comply with code. Per UDC 11-3A-6, no more than 10 feet of the irrigation easement shall be located on a buildable lot. So, the Applicant should revise the plat to reduce the multi-family building lots so that no more than 10 feet of the Purdam easement is located on those lots (Lots 1-7, Block 4). Any encroachment within this easement will require a License Agreement with NMID. An exclusive NMID access easement will be required and the

HOA will be responsible for maintenance of this lot. **The common lot appears to show grass to help prevent weeds; the Applicant should verify if this is allowed by NMID. If it is not allowed, the Applicant should obtain a letter to that effect from NMID; should this area not be allowed to contain grasses, it may not qualify towards the open space calculation.**

Utilities (UDC 11-3A-21):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances. *See Section VIII.B below for Public Works comments/conditions.*

Pressurized Irrigation System (UDC 11-3A-15):

An underground pressurized irrigation (PI) system is required to be provided for the development as set forth as set forth in UDC 11-3A-15.

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

Conceptual building elevations were submitted for the proposed 2-story townhome structures and the multi-family 4-plex buildings as shown in Section VII.F; conceptual elevations for the single-family attached units and the two detached units were not submitted. See additional analysis in the Comprehensive Plan section above (Section V.A). The conceptual building elevations for the townhomes do not list specific materials but appear to show a combination of stone and stucco field materials. The conceptual elevations for the 4-plex units depict varying designs of board & batten siding with stone accents. As noted above in Section V.A, Staff is recommending changes to the front-loaded townhome units in order to better comply with the Ten Mile Plan. In addition to those recommendations, Staff is also recommending the Applicant provide modulation in the building placement for the townhome buildings, especially those along the west boundary, to ensure the building wall-plane is not a monotonous wall of garages.

Final design is required to comply with the design standards listed in the Architectural Standards Manual and the design guidelines in the TMISAP as stated herein. Submittal and approval of an Administrative Design Review application is required prior to submittal of building permit application(s).

C. CONDITIONAL USE PERMIT (CUP) –

11-4-3-27. - Multi-family development.

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. *Based on the submitted CUP Site Plan, it is unclear if this requirement is met because Staff cannot tell if what is being shown on the site plan are the exact building footprints or merely the potential buildable area. Staff is recommending a condition of approval the Applicant provide a clearer site plan for the multi-family residential part of the site prior to the City Council hearing to ensure compliance with this standard.*
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.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section 11-5B-5 of this title. *The submitted elevations do not clearly depict compliance with this standard and no floor plans were submitted as an additional means of verification. Staff will verify compliance with this requirement with the future Certificate of Zoning Compliance (CZC) application; the Applicant is required to comply with this requirement or obtain Alternative Compliance as noted.*
4. For the purposes of 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 towards the common 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 set forth in chapter 3, "regulations applying to all districts", of this title. *See the parking section in the general analysis above.*
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.

The Applicant is proposing more than 20 units (36 units) so the Applicant is required to comply with these standards. The submitted CUP Site Plan does not appear to show a property management office or a maintenance storage area. Staff is less concerned with the mailbox and directory map location as these items can be easily verified with the future CZC application. However, the Applicant should revise the site plan to show the management office and maintenance storage area prior to the City Council hearing.

C. *Common open space design requirements.*

1. The total baseline land area of all qualified common open space 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 less than 5 acres in size so this portion of the code is not applicable on this project. In general, the Applicant is proposing open space for the entire development well in excess of code requirements due to the open space area that is the Purdam Gulch Drain easement area. See the open space section above for more specific analysis.*
2. All common open space 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 the use of land after all other elements of the development have been designed. Open space areas that has 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 complies 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.
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 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.

The submitted plans depict compliance with this standard in multiple places throughout the site.
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 less square feet of living area.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.

- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

See the common open space analysis above in V.B.

- 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. *N/A*
- 7. 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 (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.

The Purdam Drain open space lot has access to W. Aviator Street, a collector street, because the street must cross the drain in order to stub to the east property boundary. Due to the large area of this lot, its excellent accessibility, and the proposed landscaping along Aviator, Staff finds it applicable to allow this common open space area to count without constructing a berm along the street. Commission and Council may require this if they see fit.

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:
 - 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 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.

For the 36 multi-family units proposed, a minimum of three (3) amenities should be provided to satisfy the specific use standards. According to the submitted plans, one (1) qualifying amenity is proposed, children play equipment. Therefore, the Applicant does not comply with this standard. Prior to the City Council hearing, the Applicant should revise applicable plans to show compliance with this requirement and ensure one amenity from each of the first three categories above is included in the development.

E. *Landscaping requirements.*

1. Development shall meet the minimum landscaping requirements in accord with chapter 3, "regulations applying to all districts", of this title.
2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three (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.

Applicant shall show compliance with this standard for the buildings facing any public street with the future CZC application.

- 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. *Applicant shall comply.*

(Ord. 05-1170, 8-30-2005, eff. 9-15-2005; Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009; Ord. 16-1672, 2-16-2016; Ord. 18-1773, 4-24-2018; Ord. 19-1833, 7-9-2019, [Ord. No. 21-1950](#), § 19, 10-10-2021).

VI. DECISION

A. Staff:

Staff recommends approval of the proposed Preliminary Plat and Conditional Use Permit per the provisions included in Section VIII in accord with the Findings in Section IX.

VII. EXHIBITS

A. Preliminary Plat Legal Description

Description for
Aviation Subdivision
January 12, 2022

A portion of the West 1/2 of the Southwest 1/4 of Section 10, Township 3 North, Range 1 West of the Boise-Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 9, 10, 15, and 16, Township 3 North, Range 1 West, Boise-Meridian, from which the 1/4 corner common to said Sections 9 and 10 bears North 0°38'55" East, 2653.02 feet; thence on the west boundary line of said Section 10, North 0°38'55" East, 1621.66 feet to the south boundary line of the railroad right-of-way; thence on said south boundary line, South 88°26'12" East, 495.23 feet to the **REAL POINT OF BEGINNING**;

thence continuing South 88°26'12" East, 824.15 feet to the east boundary line of the West 1/2 of the Southwest 1/4 of said Section 10;

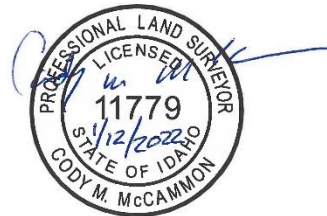
thence on said east boundary line, South 0°36'35" West, 514.83 feet;

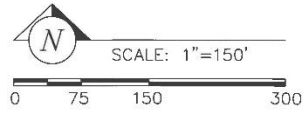
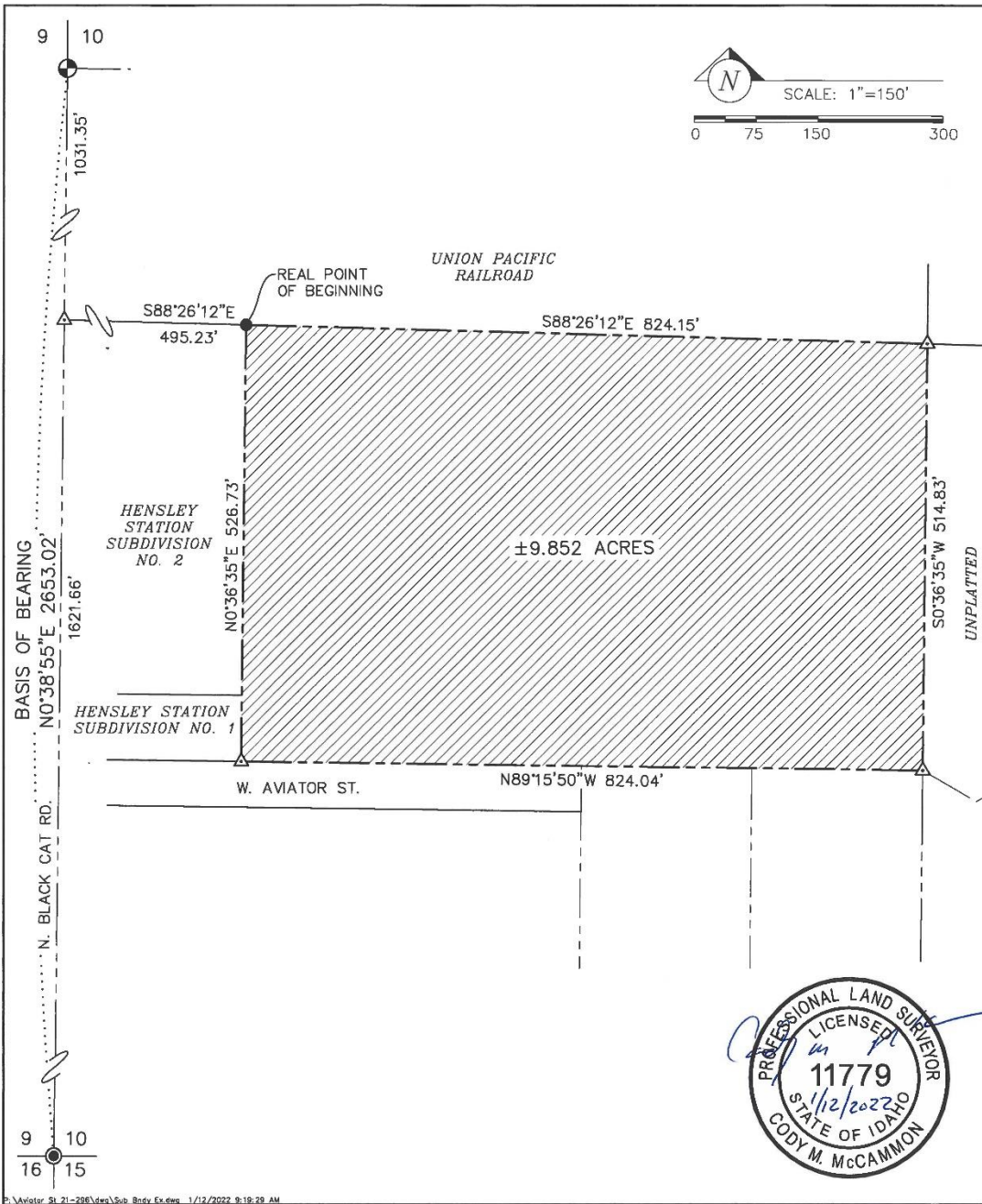
thence leaving said east boundary line, North 89°15'50" West, 824.04 feet to the Southeast corner of Hensley Station Subdivision No. 1 as filed Book 120 of Plats at Pages 18786 through 18789, records of Ada County, Idaho;


thence on the east boundary line of said Hensley Station Subdivision No. 1 and Hensley Station Subdivision No. 2 as filed in Book 121 of Plats at Pages 19058 through 19060, records of Ada County, Idaho, North 0°36'35" East, 526.73 feet to the **REAL POINT OF BEGINNING**.

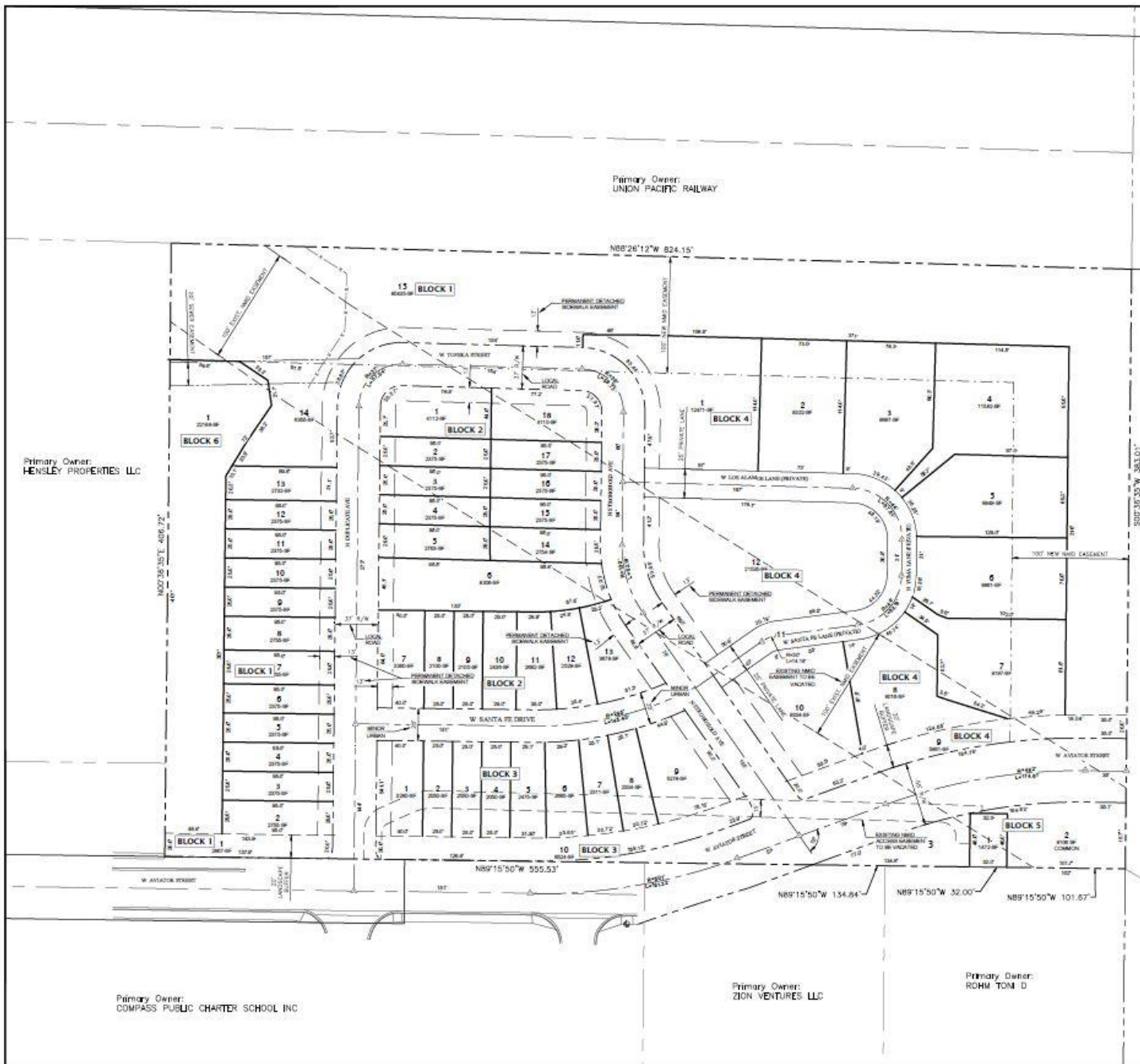
Containing 9.852 acres, more or less.

End of Description.





 IDAHO SURVEY GROUP, LLC <small>9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570</small>	EXHIBIT DRAWING FOR AVIATION SUBDIVISION	JOB NO. 20-347
		SHEET NO. 1
<small>A PORTION OF THE W1/2 OF THE SW1/4 OF SECTION 10, T.3N., R.1W., B.M., CITY OF MERIDAIN, ADA COUNTY, IDAHO</small>		DWG. DATE 1/12/2022



C. Landscape Plan (date: 8/03/2020)

SITE NOTES

1. THE LANDSCAPE PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
2. THE LANDSCAPE PLAN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
3. THE LANDSCAPE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE.
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10. THE LANDSCAPE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

LANDSCAPING INFORMATION

PLANT LEGEND

SYMBOL	PLANT NAME	QUANTITY	NOTES
(Symbol)	PLANT NAME	1	NOTES
(Symbol)	PLANT NAME	2	NOTES
(Symbol)	PLANT NAME	3	NOTES
(Symbol)	PLANT NAME	4	NOTES
(Symbol)	PLANT NAME	5	NOTES
(Symbol)	PLANT NAME	6	NOTES
(Symbol)	PLANT NAME	7	NOTES
(Symbol)	PLANT NAME	8	NOTES
(Symbol)	PLANT NAME	9	NOTES
(Symbol)	PLANT NAME	10	NOTES

DECIDUOUS TREE PLANTING DETAIL

CONIFER TREE PLANTING DETAIL

IRRIGATION & TOPSOIL NOTES

1. THE IRRIGATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
2. THE IRRIGATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
3. THE IRRIGATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
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10. THE LANDSCAPE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

CONTRACTOR'S OBLIGATIONS

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF THE LANDSCAPE PLAN.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF THE LANDSCAPE PLAN.
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10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF THE LANDSCAPE PLAN.

CONTACT INFORMATION

DESIGNER: SANDROCK DEVELOPMENT, 1408 SANDROCK BL, GAITHERSBURG, MD 20878, PHONE: (301) 844-8370, EMAIL: LARRY@SANDROCKDEVELOPMENT.COM

SUBMITTER: EDWARD SURVEY GROUP, 8005 EDWARD ST, SUITE 100, GAITHERSBURG, MD 20878, PHONE: (301) 844-8370, EMAIL: EDWARD@EDWARDSURVEY.COM

ENGINEER: KEITH SCHNEIDER, 1408 SANDROCK BL, GAITHERSBURG, MD 20878, PHONE: (301) 844-8370, EMAIL: KEITH@SANDROCKDEVELOPMENT.COM

PROJECT INFORMATION

PROJECT: AVIATION SUBDIVISION

DATE: 8/03/2020

SCALE: 1" = 10'

SHEET: 13

TOTAL SHEETS: 15



D. Open Space Exhibit



E. Conceptual Building Elevations (**NOT APPROVED**)



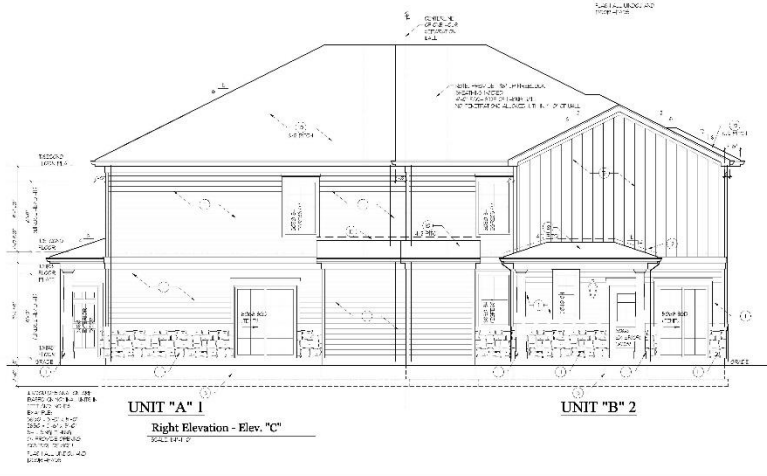
JACOBSON MINOR
SUBDIVISION
FRONT ELEVATION



JACOBSON MINOR
SUBDIVISION
FRONT ELEVATION

ELEVATION NOTES

1. SEE ARCHITECT'S SPECIFICATIONS
2. FINISHES TO BE AS SHOWN
3. MATERIALS TO BE AS SHOWN
4. SEE NOTES ON OTHER SHEETS
5. SEE NOTES ON OTHER SHEETS
6. SEE NOTES ON OTHER SHEETS
7. SEE NOTES ON OTHER SHEETS
8. SEE NOTES ON OTHER SHEETS
9. SEE NOTES ON OTHER SHEETS
10. SEE NOTES ON OTHER SHEETS
11. SEE NOTES ON OTHER SHEETS
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15. SEE NOTES ON OTHER SHEETS
16. SEE NOTES ON OTHER SHEETS
17. SEE NOTES ON OTHER SHEETS
18. SEE NOTES ON OTHER SHEETS
19. SEE NOTES ON OTHER SHEETS
20. SEE NOTES ON OTHER SHEETS



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Preliminary Plat (PP):

1. The Applicant shall adhere to all previous conditions of approval associated with this site (H-2020-0111, Aviator Sub. CPAM, MDA, RZ; DA Inst. #2021-067235).
2. In accord with Fire Code, the Applicant shall construct all dwellings within this site with fire sprinklers unless a means of Fire Department approved secondary access can be obtained through adjacent sites.
3. Prior to the acceptance of any Final Plat application by the Planning Division, the Applicant shall provide proof that the required right-of-way for the extension of W. Aviator Street has been deeded to ACHD as proof the shown location has been accepted by all parties (including the adjacent property owner, Parcel# S1210336450).
4. Applicant shall continue working with ACHD on the extension of W. Aviator Street—the Applicant shall extend W. Aviator to the east property boundary OR construct it to terminate no greater than 150 feet east of the proposed local street (shown as N. Stronghold Avenue) and provide a road trust to ACHD for the remaining portion of Aviator.
5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district and those listed in the specific use standards for multi-family development, UDC 11-4-3-27.
6. The Applicant shall comply with all ACHD conditions of approval.
7. Future development shall comply with UDC 11-3A-7 and UDC 11-3A-6 for any future fencing constructed within the development.
8. The Applicant shall obtain Administrative Design Review approval for the single-family attached units and townhome units prior to building permit submittal.
9. The Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review approval for the multi-family development prior to building permit submittal.
10. The Applicant shall record a maintenance agreement for the multi-family development that states the maintenance and the ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features, in accord with UDC 11-4-3-27.
11. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
12. The submitted preliminary plat, dated February 14, 2022, shall be revised as follows at least 15 days prior to the City Council hearing noted:
 - a. Revise the plat to include at least one (1) additional dwelling unit to meet the minimum density requirements of the Development Agreement and underlying future land use designation (MHDR).
 - b. Depict zero lot lines on the plat where single-family attached and townhome structures are proposed.
 - c. Show 5-foot wide detached sidewalks along both sides of the W. Aviator Street extension.

- d. Revise the plat to show a reduction in the multi-family building lot sizes (Lots 1-7, Block 4) so that no more than 10 feet of the Purdam Gulch Drain easement is located on those lots, per UDC 11-3A-6, OR request a City Council waiver to allow more of the easement to encroach on the building lots if NMID allows it.
 - e. Add a plat note stating who is responsible for the maintenance of the Compass Charter School drain field located on Lot 1, Block 6.
13. The submitted landscape plan, dated December 2021, shall be revised prior to the first final plat submittal, unless otherwise noted:
- a. Work with Nampa Meridian Irrigation District (NMID) to install a 5-foot wide pathway along the south and west side of the relocated Purdam Gulch Drain to further comply with open space and amenity standards; new pathway should provide a pathway stub to the east boundary and connect to the detached sidewalk along W. Aviator and the detached sidewalk along the internal local street near the north end of the site to create a looped walking path.
 - b. Add data to the landscape plans showing compliance with UDC 11-3B-7C for the proposed parkways.
 - c. Show the required street buffer trees within the required 20-foot buffer on the south side of the W. Aviator extension.
 - d. Add an additional tree in the center of the open space lot within the single-family portion of the project (Lot 6, Block 2) to add an area of shade in the center of this open space lot.
 - e. Add a picnic area or other amenity worth at least one (1) amenity point in the single-family portion of the project (Lot 6, Block 2) to comply with UDC 11-3G-3 amenity standards.
 - f. Provide verification from NMID the common lot containing the piped and rerouted Purdam Drain can be vegetated with grasses; if it is not allowed, the Applicant should obtain a letter to that affect from NMID (should this area not be allowed to contain grasses, it may not qualify towards the open space calculation).
 - g. Depict the required minimum of 3-feet of landscaping along the base of the multi-family building facades facing all public streets in accord with the multi-family specific use standards.
14. The submitted conceptual elevations for the townhome and single-family attached units shall be revised as follows at least ten (10) days prior to the City Council hearing:
- a. Applicant shall comply with the design guidelines within the TMISAP.
 - b. Explore alternate design options to be more consistent with the street oriented design standards within the Ten Mile Plan while maintaining a gross density of at least 8 units per acre; an alternate floor plan and revised elevations should be submitted in accord with this provision.
 - c. Revise the elevations to correspond the street level and upper level architectural detailing to unify the design.
 - d. Provide additional modulation in wall plan and roof height variation.
 - e. Depict varying build-to lines for all of the front-loaded townhomes to ensure modulation in the building massing between and along sets of the townhome buildings.

Conditional Use Permit (CUP):

15. The submitted CUP Site Plan, dated December 15, 2021 shall be revised at least 15 days prior to the City Council hearing as follows:

- a. Revise the site plan to show the management office and maintenance storage area as required by the multi-family development specific use standards.
 - b. Clearly depict the building footprint of each 4-plex multi-family building and show the required 10-foot setback between buildings.
 - c. Add at least two (2) additional amenities for the multi-family project and clearly depict their locations on the site plan.
 - d. Depict which off-street parking stalls will be covered carports – ensure compliance with any Public Works easement standards.
16. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
 17. A minimum of 80 square feet of private, usable open space shall be provided for each dwelling unit; this requirement can be satisfied through porches, patios, decks and enclosed yards as set forth in UDC 11-4-3-27.
 18. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
 19. The Applicant shall adhere to and maintain all standards as set forth in the Multi-family Development specific use standards, UDC 11-4-3-27.
 20. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. The water main in West Aviator Street needs to end in a fire hydrant.
2. The water main in West Santa Fe Lane needs to be located on the North side of the centerline.
3. The water main connection to the South needs to be made for a future second connection.
4. Parcel numbers S1210336521 and S1210336450 will need a connection and easement to the water main in West Aviator Street. Coordinate with those parcel owners and/or the future street connection to make these connections as part of this application.
5. Do not locate manholes in sidewalks, because they can become a tripping hazard. Manhole SSMH A.1 does not meet this requirement.
6. Angles of pipes into and out of manholes need to be a 90 degree minimum in the direction of flow.
7. Ensure manholes are not located in gutters to avoid excess water/drainage into the wastewater system. Manholes SSMH C1 and SSMH D1 do not meet this requirement.
8. Manhole SSMH A5 has two outlet pipes, which is not allowed. Each manhole should only have one outlet. SSMH C1 should not connect to this manhole, reconfigure this to remove this connection.
9. Minimum slope for a 10'' diameter main is 0.28%, adjust your 10'' main accordingly so it meets this minimum.

Standard Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2'' x 11'' map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.

20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254129&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=249991&dbid=0&repo=MeridianCity>

E. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251525&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254120&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254121&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254197&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat Findings

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

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

Staff finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan and the specific area plan (Ten Mile Interchange Specific Area Plan) in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

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

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

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

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

Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section V and 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 and has approved the proposed road layout and connections to adjacent parcels.

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. Conditional Use Permit Findings

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

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

Staff finds that the submitted site plan shows compliance with all dimensional and development regulations in the R-15 zoning district in which it resides except for those noted and required to be revised.

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

Staff finds the proposed use of multi-family residential, in conjunction with the other residential housing types proposed, is in accord with the comprehensive plan designation of Medium-High Density Residential within the Ten Mile Plan and the requirements of this title.

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

Staff finds the design, construction, and proposed operation and maintenance will be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same area, if all conditions of approval are met.

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

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

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

Staff finds the proposed use will be served adequately by essential public facilities and services if all conditions of approval are met.

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

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

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

Although traffic will slightly increase in the vicinity with the proposed use, the proposed layout offers the best opportunity for safe circulation and provides opportunity to extend a needed east-west collector street for future connectivity. Therefore, Staff finds the proposed use will not be detrimental to any persons, property, or the general welfare.

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

Staff is not aware of any such features; the proposed use should not result in damage of any such features.