



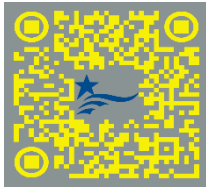
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, November 17, 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/89153921862>

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

Webinar ID: 891 5392 1862

ROLL-CALL ATTENDANCE

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

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes from the 11-3-2022 Planning & Zoning Meeting](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

2. **Public Hearing** for Sessions Parkway (H-2022-0046) by KM Engineering, LLP, located at 2700 N. Eagle Rd.

Application Materials: <https://bit.ly/H-2022-0046Sessions>

A. Request: Development Agreement Modification on the existing Development Agreement (Inst.#104129529) to remove the subject property from the agreement in order to enter into a new Development Agreement for the proposed project.

B. Request: Preliminary Plat consisting of 5 building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of an access via N. Eagle Rd./SH-55.

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

Application Materials: <https://bit.ly/H-2022-0072>

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

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

Application Materials: <https://bit.ly/H-2022-0070>

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

ADJOURNMENT



AGENDA ITEM

ITEM **TOPIC:** Approve Minutes from the 11-3-2022 Planning & Zoning Meeting

Meridian Planning and Zoning Meeting

November 3, 2022.

Meeting of the Meridian Planning and Zoning Commission of November 3, 2022, was called to order at 6:03 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Steven Yearsley, Commissioner Maria Lorcher, and Commissioner Mandi Stoddard.

Members Absent: Commissioner Nate Wheeler and Commission Patrick Grace.

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

ROLL-CALL ATTENDANCE

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

Seal: Good evening and welcome to the Planning and Zoning Commission meeting for November 3rd, 2022. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the city attorney and clerk's offices, as well as the city's 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@meridiantcity.org. 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 meridiantcity.org/live. With that let's begin with the roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: Okay. First item on the agenda is the adoption of the agenda. File No. H-2022-0013 for Promenade Cottages Subdivision will be opened for the sole purpose of continuing to a regularly scheduled meeting. Be open for that purpose only. So, if there is anybody here tonight to testify for this application we will not be taking testimony on them this evening. Can I get a motion to adopt the agenda as amended?

Lorcher: So moved.

Yearsley: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the October 20, 2022 Planning & Zoning Commission Meeting**
- 2. Findings of Fact, Conclusions of Law for Denial of a Conditional Use Permit for Bridge at The Village at Meridian (H-2022-0069) by Meridian CenterCal, LLC, located at 3210 E. Longwing Ln.**
- 3. Findings of Fact, Conclusions of Law for the Conditional Use Permit (CUP) for EICU Ten Mile Branch (H-2022-0068), for a new drive-through for a financial institution located within 300 feet of a residential use on approximately 1.23 acres of land in the C-G zoning district, by Steven Peterson, CLH Architects & Engineers**

Seal: Next item on the agenda is the Consent Agenda. We have two things on the -- three things on the agenda. First is to approve the minutes of the October 20th, 2022, Planning and Zoning Commission meeting. We also have Findings of Fact, Conclusions of Law for the denial of a conditional use permit for the Bridge at Village -- Bridge at the Village at Meridian, file number H-2022-0069, as well as Findings of Fact, Conclusions of Law for a conditional use permit for the EICU Ten Mile Branch, H-2022-0068. Can I get a motion to accept the Consent Agenda as presented?

Yearsley: So moved.

Lorcher: Second.

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

MOTION CARRIED: FOUR AYES. TWO 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 to public testimony. Each person will be called on only once during the public testimony. The clerk will call the names individually of those who have signed up on the website or in advance to testify. You will, then, be unmuted in Zoom or you can come forward to the microphones in chamber. You need to state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation to the meeting it will be displayed on the screen and you can run the presentation yourself. 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, meaning other people are willing to give their time to you, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in Chambers or if on Zoom press the raise button app -- or raise hand button on 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 the extra devices so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have any questions for you, you will return to your seat in Chambers or be muted on Zoom and you will 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 Commissioners will have an opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed.

ACTION ITEMS

- 4. Public Hearing for Promenade Cottages Subdivision (H-2022-0013) by Steve Arnold, A-Team Consultants, located at 403 E. Fairview Ave.**
 - A. Request: Rezone of approximately 0.535 acres of land from the R-8 zone to the C-G zoning district, 0.326 acres of land from the C-G to the R-40 zoning district and 6.284 acres of land from the R-8 zone to the R-40 zoning district (6.61 acres of R-40 total).
 - B. Request: Preliminary Plat consisting of 30 single-family townhome lots, 5 multi-family lots, 2 commercial lots and 8 common lots on 7.64 acres of land in the requested R-40 and C-G zoning districts.
 - C. Request: Conditional Use Permit for 90 multi-family units and 30 townhomes on approximately 4.65 acres in the requested R-40 zone and to allow the continuance of the non-conforming use of a mobile home park for an extended period of time in the requested R-40 zone.

Seal: So, at this time I would like to open the public hearing for Promenade Cottages Subdivision, H-2022-0013, for continuation to December 15th.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher.

Lorcher: I move that Promenade Cottage Subdivision, H-2022-0013, be awarded their continuance for the date -- hearing date of December 15th.

Yearsley: Second.

Seal: It's been moved and seconded to continue file number H-2022-0013 to the date of December 15th, 2022. All in favor say aye. None opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

5. Public Hearing for Prairiefire Subdivision (H-2022-0053) by Patrick Connor, located at 3539 N Locust Grove Rd., near the northwest corner of E. Ustick Rd. and N Locust Grove Rd. Recommend

- A. Request: Annexation and Zoning of 3.16 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 22 building lots and 1 common lot

Seal: Okay. At this time I would like to open file number H-2022-0053 for Prairiefire Subdivision and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commissioners. The applicant is here to present the Prairiefire Subdivision. The applications are for annexation, zoning and preliminary plat. The site consists of 3.1 acres of land, zoned RUT in Ada county, located at 3539 North Locust Grove Road. There is no history on the property. The Comprehensive Plan FLUM designation is medium density residential. The applicant proposes to annex in 3.16 acres of land with an R-8 zoning district. The property is designated as medium density residential in the FLUM contained in the Comprehensive Plan. This designation allows for units at a gross densities of three to eight dwelling units per acre. The preliminary plat was submitted showing how the property is proposed to be subdivided and developed with 22 single family residential detached dwelling units at a gross density of 6.96 units per acre, which is within the desired density range of the medium density residential designation. The subject property is an enclave surrounded by existing single family residential detached homes to the north -- is Quenzer Commons, West is Heritage Grove, east is Summerfield and the church to the south and office park to the north. The development is proposed to be an age restricted -- restricted 55 plus community and the applicant's narrative states that they have an agreement in place to merge this development with the Heritage Grove HOA. Access is proposed from the extension of the existing local sub street along West Prairiefire Street on the west. Access is prohibited from North Locust Grove Road. ACHD is requiring the applicant to increase the radius of

the cul-de-sac from 45 feet to 50 feet per district standards. The project is conditioned to comply with all ACHD's conditions of approval. The -- the only landscaped buffer that's required for this project is a 25 foot wide buffer that's required along the North Locust Grove Road. Because the site is below five acres in size open space and site amenities are not required per UDC 11-3G-3A. However, the applicant is providing 0.37 acres of common area to provide pedestrian access to the commercial -- to the commercial properties located to the north in North Locust Grove Road. This area will be landscaped with trees, shrubs and include a five foot micro path. Staff recommends that the applicant remove Lot 11, Block 1, along the northern property boundary. The micro path connection on the northern portion of the common lot adjacent to the commercial development is hidden behind Lot 11, Block 1, creating a potential safety issue for pedestrians. Pedestrian pathways and common lots shall be designated to reduce the incidence of crime and improve the quality of life. The applicant has provided us with six conceptual building elevations to demonstrate the style of homes proposed for this development. A mix of single story and single story with a bonus room homes are proposed. However, staff believes the proposed -- proposed elevations are not consistent with the Heritage Commons Subdivision development. Staff has included a few sample elevations -- actually, there is one sample here -- to demonstrate the style of -- style of homes in the Heritage Grove development. So, staff is recommending that the applicant submit revised elevations that are consistent with the homes in the Heritage Commons Subdivision prior to the Council hearing. The only written testimony that we have is from Doug Sayers and he had concerns pertaining to the excess traffic through the Heritage Grove Subdivision. With that said, staff recommends approval of this project with the requirement of a DA that contains the provisions in the staff report and I stand for any questions that you may have.

Seal: Okay. Thank you. And welcome to Planning and Zoning.

Hersh: Thanks.

Seal: All right. At this time would the applicant like to come forward? Good evening, sir. Just need your name and address for the record and the floor is yours. Either one will work.

Connor: Thank you very much. My name is Patrick Connor. My address is 701 South Allen Street, Meridian, Idaho. I think Stacy's going to pull up the PDF presentation. Stacy, do I have control of the -- can you make it -- can you make it full size?

Starman: Madam Clerk, could you restart the clock, please? Thank you.

Connor: Thank you. Good Evening, Commission. And welcome, Stacy, to -- to staff. I know we are all happy to have you here. It's been a pleasure working with you so far since meeting you. Tonight representing Prairiefire Subdivision. It is a -- an in-fill property, 3.16 acres, in this heart of Meridian. It currently fronts on North Locust Grove, but it shares a boundary on its western side with the Heritage Grove Subdivision. Tonight we are requesting zoning of R-8 and 22 single family lots and one common lot. As you

can see it is an in-fill project. There is a lot of projects that are completely built out around it. Like I mentioned, Heritage Grove is a 55 plus community to our west. Heritage Commons is a traditional community to the north. There is commercial uses to the north. There is a pediatric clinic and a preschool day school to our north, an LDS church to the south and the fire station is along the eastern side. In the Comprehensive Plan map, as Stacy mentioned, it is a medium density residential and this map shows the -- the zoning around the property. So, this one shows a little bit clearer, but there is significant R-8 to the north, R-15 at Heritage Grove, and, then, limited office to the south and to the north with -- R-8 is what we are proposing tonight. When we first started talking to the city about, you know, what sort of product would fit best here, we initially came in talking about doing potentially townhomes to fit in with the commercial uses and -- and sort of this in-fill higher density potential property. The more we talked to the city they encouraged us to look more at single family use here and the more that we talked to the communities nearby we settled on single family lots in this particular project. As you see in front of you the preliminary plat we are showing 22 single family lots, with about 11 percent as open space. As Stacy said, it's less than five acres, no open space is required, but we wanted to show and connect to the pathway to the north and the pathways along Locust Grove. So, that's why you see the green as shown. And when we had our neighborhood meeting there was a very strong turnout and there was a lot of real concerns brought forward with the impact of this community. So, we worked a lot over the past summer with the HOA board, which is present here tonight, and -- and I will ask the HOA president to come forward and -- and speak a little bit on this, but from the beginning we were trying to find a win-win partnership between us and the neighboring community. Some of the issues brought forward was that we were creating sort of an island community if we were just to do a standalone HOA and a regular single family neighborhood. Their hope was that potentially we could come into their HOA and join them and be a 55 plus community to help alleviate some of the impact of a single family community there. So, we started talking about how that would work. Some of the concerns that were brought up were increased number of kids and traffic and they were trying to get away from that sort of impact. So, we were able to accommodate that by agreeing to do a 55 plus community in this particular subdivision. There is also some concerns about incongruent architectural details between our project and their project. As part of our annexation to their HOA we will be held to certain architectural restrictions to make sure that we are in line with their current housing product. Most of our architectural restrictions match theirs, but there is just some things here and there that we want to make sure that we can accommodate. Lastly -- and this is kind of getting into the weeds of -- of development -- but our -- our pressurized irrigation system there doesn't exist it. We have a flood irrigation setup with our water -- water right. So, it's a real challenge to have on demand pressurized irrigation. Heritage Grove does have a -- have a pressurized irrigation service and in talking with them they can attach us onto their current system. We can dedicate our water rights to that system and, then, we will pay for any sort of upsizing or pump upgrades that would need to happen to connect to that. So, that was a big thing that we were trying to work with and figure out how we are going to do it. We didn't want to have to connect to the city's domestic water line, so this was a real win for -- for us to provide irrigation water to -- to our future residents. Before I move on to some of the issues in the -- in the staff report that I want to talk about, I do want to invite Michael Ford, he is the

president of the HOA, to talk a little bit about the conversations that we have had and -- and some of the progress that -- that he had in getting approval for the annexation for us into his HOA.

Seal: Do you want to have him come up separately? Because this cuts into your 15 minutes.

Connor: I do want to have him come up.

Seal: Okay. That's fine. Just wanted to make sure that was clear.

Connor: Thank you.

Seal: Good evening, sir. I need your name and address for the record as well. And, please, speak right into the microphone. I know you are a taller gentleman, so -- we don't have extenders on them.

Rusnack: My name is Michael Rusnack. 3302 North Sheephorn in this fine city. Part of the Heritage Grove Subdivision. I'm representing the board as the board president of our community. Very short statement if I may then. Upon hearing of the Prairiefire development with the Hubble team, our board immediately began just -- began discussions. In fact, it was here we were first introduced to the program. At that time we began discussions with -- with the Hubble team on inclusion of that group into our development. In June the Heritage Grove drafted -- Heritage Grove Board drafted a proposal that was presented to our community and was presented for a vote to our entire community. The balloting of our community resulted in overwhelming support. In fact, greater than 90 percent of our community voted in favor of the terms and conditions laid out by the board for annexation of that portion of the community. With the community mandate the board, then, began further discussion working with the Hubble team and -- the Hubble team to finalize the annexation process and this is expected -- the detail of this will be ironed out. There were some minor terminology things as we learned of -- we called it Hubble in our document -- we called it Heritage Grove in our document and it needed to be labeled Prairiefire. More legal for you folks. As Patrick pointed out, a couple of details that we needed to iron out and cast into our CC&R architectural group of the accommodation for their architectural needs that met more particularly their lots in size. But in this agreement we have laid out to our community again overwhelming support from our community and we anticipate and we expect to have this agreement finalized very shortly. Appreciate the opportunity to give the portion of -- our representation of the Heritage Grove community.

Seal: Thank you, sir.

Connor: Thank you. There are a couple things I do want to talk about. Conditions two -- two conditions in particular that are in the staff report. We do have a connection going north to the limited office property. It's a pediatric clinic and a -- and a daycare. Part of the problem is the current stub road or stub pathway comes in at kind of an awkward

location in the property and so we were forced to kind of jog a lot or -- or kind of come into the lot and it made that pathway not visible from the street. I spoke to the HOA president of the -- of the commercial property to the north and they are open to shifting or allowing us to move that stub -- stub sidewalk to make it accommodate our -- our green spaces there a little bit better, makes it more visible from our cul-de-sac, to alleviate the concerns that Stacy brought up in her staff report about safety. I think it will also kind of make it look a little better, make it more -- make a lot of sense. He did bring up the fact that he doesn't really want the connection between the two sites given they currently have a pediatric clinic and a daycare there at -- for -- in his perspective it does make kind of a conflict point, a potential safety hazard in the future. It is a condition of -- it was a condition of their approval to have that pedestrian connection to the south. I just wanted to bring that forward, that there will be some working with their HOA to ensure that we make that pathway connection. Again, that -- this sort of connection point can be done over time and -- and will be still defined on final plat, as long as it is a -- a condition of approval to have that connection point there. In Stacy's recommendation she said to eliminate that -- that lot completely and, then, add square footage to the remaining lots in the north. I think we can accomplish within that 20 -- 20 feet of green space there to the pathway that runs north and -- and keep the lot count as it is. The next item that I kind of want to discuss was the condition of providing house renderings that match Heritage Grove. I don't have a problem doing that and we are updating our product anyway for this 55 plus community. It's a different sort of market, different sort of buyer. We are entering an architectural agreement with the HOA board to make sure that we match our -- our houses appropriately with architectural elements. I just think it can get a little tricky sometimes if we are having them approve certain architecture and, then, you guys are also approving architecture and we are trying to design architecture -- I just personally think that we have a good relationship between us and the architectural committee and the board and I feel like that sort of decision making design can happen between those -- those two parties, rather than the connection between us and the city. I -- I don't -- I don't -- I personally just don't think it's appropriate for extraordinary architectural restrictions to put on this property when we already have it kind of built in with the HOA. So, with that I will conclude it. Thank you for considering this application for annexation and preliminary plat. It is an in-fill project that matches the adjacent land uses, providing much needed pedestrian connections to Locust Grove and we really have tried -- worked really hard, we have made a lot of headway and a lot of concessions from our end becoming a 55 plus community. It's a -- we are shrinking our buyer pool in a market where buyers are very hard to find these days -- to a certain 55 plus market. That was an accommodation that I kind of fought for, that Michael and his team really fought for to make a win-win situation. I think this will be a great addition to Heritage Grove and -- in the long -- in the long run it's going to be one seamless community, which I'm -- I'm happy that we were able to get there after a very -- a very heated neighborhood meeting initially. We are following all zoning parameters and city ordinances within the R-8 code. So, I'm happy to work with you all on that. With that I will stand for any questions.

Seal: Any questions for staff or the applicant?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: In regard to your landscaping of the actual home sites -- so a lot of 55 communities have -- the subdivision takes care of that. Is that your plan or is each individual house responsible for their front and back yards?

Connor: That is a good question. We will follow how Heritage Grove does it. We will have to touch with Michael how that works. We typically try to do -- or -- or try to do kind of more lower upkeep with the front yard landscaping. I believe these will be traditionally maintained. But, again, I will -- we will fall in with however Heritage Grove does it. I don't know exactly how they -- how they maintain their -- their front yards. I'm sure the folks here can chime in on that. But we will follow the -- the -- how they do it at Heritage Grove.

Lorcher: The only reason I ask is that -- like you had said, you have flood irrigation and you have to tap into somebody else's pressurized irrigation system. If there is more control from the subdivision, as opposed to individuals, you might have better luck with this -- you know, having the water equally distributed. You know -- I know in my subdivision they say only Tuesdays and Thursdays and Saturdays, but I see a guy watering three times a day. So, there is no control on that.

Connor: Yeah.

Lorcher: But if you had control -- if you were in charge of the landscaping and mowing the lawns and, you know, making sure that's all taken care of, then, you can control when the water goes on.

Connor: Yeah. Again -- again, I'm sure Heritage Grove has certain watering days and they make sure that folks are trying to follow the rules and -- and I'm sure there is a process with saying -- talking about people over watering and -- I mean it's -- water is a precious resource, you got to make sure it's like that. So, we will be connected to the PI system and, then, integrated into the system. So, they will probably have to revise their watering schedule a bit to accommodate for these 22 houses and, then, folks will -- will follow -- follow suit and -- and, again, it will kind of just be another phase in their current community.

Lorcher: Okay. Thank you.

Seal: A question more for staff probably. Is this -- this will have to go through a CZC before it goes to City Council; is that correct?

Hersh: No. It just gets put on the -- it goes to City Council.

Seal: Okay.

Hersh: There is no CZC before.

Seal: Okay. I was just wondering if it was -- there was a -- an opportunity for you to correspond with the HOA and, then, have that submitted as far as the elevations to make sure that they were compatible, but --

Hersh: So, he is going to submit elevations to me. We did condition that prior to City Council. So, I will have those going to City Council.

Seal: Okay. Yeah. Thank you for bringing up the fact that the -- the property to the north -- part of their CUP condition is the fact that they do have to have that path open and that's -- that is a requirement, so --

Connor: Stacy pointed it out to me. I didn't actually know that.

Seal: Okay. That's -- it's an important distinction in there to make sure that that -- you know, we do have walkability in there. I understand what they are saying, but at the same time that is a condition. So, that's how they operate in there and that's one of the conditions of being able to operate in there for sure. If there is no other questions from the applicant we can move on to public hearing. Thank you, sir. Appreciate it.

Connor: Thank you.

Seal: Okay. At this time I will take public testimony.

Hall: Ron Dietzler.

Dietzler: Okay. I just have --

Seal: Ma'am, we will need your name --

Dietzler: Judie Dietzler. 1318 East Prairiefire Street. Judie Dietzler. I'm right -- our house is right next to where it's going to be built and we primarily have just some questions. One is that Hubble is proposed -- was proposing a single level housing development, but since, then, I have heard that it could be -- they could have a loft, which is a two-story, and I'm not sure -- I need clarification on that. The problem with that is because it's only three acres, so if you have a loft they are going to look down in the bedrooms, in the living rooms of -- of the Heritage Grove that's surrounding it and the Heritage Commons that surrounds it and so that would be a problem. One level was no -- no problem, but two level becomes a problem. My next one is I'm sure that Hubble has worked really hard with Heritage Grove and we appreciate that. We haven't seen the contract -- the residents haven't seen it, so we are not sure exactly what it is that we are obligated to, but -- so, we would at some point like to see that. Also is it true that the contractors that put in the streets and everything around there can come in off of Locust Grove? Because we are in over 55, we have people with walkers, we have people with -- that walk slowly and all of the traffic through there could -- could be detrimental to their health. So, we were told that the workmen could come off of Locust Grove. The residents that -- that buy in there, they will come into our subdivision. But I was just wanting clarification on that. And, then,

once that it's approved through Planning and Zoning, then, it's in concrete, nothing can be changed, is that correct? I think that covers it.

Seal: All right. Thank you very much. So, do we want to address any of those now or keep rocking and rolling?

Parsons: Mr. Chair, Members of the Commission, certainly there have been projects or instances in the city where we have had the applicant work with ACHD on a temporary construction entrance off of an adjacent roadway until such time as the subdivision is completed and landscaping's put in. So, currently the project is not conditioned that way. But let's see where the public testimony leads us and where your deliberations go. But certainly that's -- it's not really a city issue, it's more of an ACHD issue to allow that to happen.

Seal: Okay. Thank you, Bill. Madam Clerk.

Hall: Kevin Emery.

Emery: Good evening. My name is Kevin Emery. Address is 3530 North Heritage View Avenue in the Heritage Grove Subdivision. I really don't have any questions. I wanted to publicly voice my support of the request by Hubble and also extend my gratitude to them for their willingness to negotiate with our board. In my opinion it's a win-win situation and -- and from a -- a 55 and older community standpoint we couldn't ask for anything better than what's being proposed. I agree that I would like to see, if possible, the current Locust Grove access be used from a construction standpoint, as long as reasonably possible until it's developed to the point where they need to close that for landscaping and such. But that's all I have to say.

Seal: Okay. Thank you, sir.

Hall: Willie Uhrig.

Seal: Good evening, sir. I just need your name and address, please.

Uhrig: My name is Willie Uhrig and my address is 1214 East Summerplace Street -- and that's in Heritage Grove. I just have a couple of comments and maybe a question. First I want -- I really do want to say that I think the staff did a great job. When I went in and read their analysis I thought they did a very good job of identifying issues and -- and just looking at the whole situation. One comment I want to make is I don't think that the -- the residents of Heritage Grove were aware that there was a plan to connect this subdivision to our water. Our water situation has been the -- the -- what we have is something different than probably anybody has out there in any of your subdivisions. It's controlled centrally. So, the homeowner has no control at all over the water. It comes on whenever. We don't know when it comes on. And we have no control over how much it waters. So, if you want to plant something that needs a lot of water or something that doesn't need water, yeah, you have difficulty determining what's going to happen with that and the fact

that that has been very problematic -- it breaks down every summer. There hasn't been a summer gone by that that system has not broken down. So, that is a concern that that needs to be really looked at closely if phase five is going to be hooked into our water system. The other -- the other issue that I want to comment on is the elevations and that was picked up on by the staff and Judie commented on it. It really appears like it could be that Hubble could build two -- two story homes -- full two story homes if they wanted to. There has got to be some control over that. The elevations in Heritage Grove -- there are no two story homes in there. There are no -- there are no -- there are no homes with a loft. They are one story homes. So, if they are planning on building homes -- a number of homes with lofts, they don't fit the character of Heritage Grove and the last comment -- after I viewed the -- the homes that Hubble said that -- some of their models, I question whether two of the -- the models they just showed could be built on the footprint that they have. It really looks like on the footprint that they have to build homes, the only way they are going to build homes on those is you would have a garage with an A-frame over it and you would have to go around them on a path to get to your home, because there is no width there. You don't have the width to build the garage and I don't know how many feet they had on some of those -- okay. Anyway, I have got a concern about that. I don't think they would fit on that -- those -- that kind of a footprint.

Seal: Thank you, sir.

Hall: I'm not sure how to pronounce this name. I'm going to give it my best shot. Moscelene Sunderland. Sorry.

Seal: Ma'am, we will -- we will need your name pronounced correctly and -- and your address, please.

Sunderland: My name is Moscelene Sunderland. I live at 3581 North Lilyturf, which is also in Heritage Grove.

Seal: Okay. You can pull that microphone right down at you there.

Sunderland: All right. Thank you. My number one complaint or at least question at this point is the elevation, too. It's the second story. And I just want to point out to the board that, you know, we have all -- in our neighborhood we have left our single family homes with lots of room and lots of yard and the privacy we had was in the room we had between us and our neighbors. In this neighborhood we had to adjust to losing a great deal of that and the original subdivision is designed to give what little ground we have and I do mean little. As much privacy as possible, even down to where windows are placed in your neighbor's house, so that they are not intrusive into your little piece of paradise such as it is. Second story lofts or second stories in general will rob us of what little privacy that we have left and I just would really ask you to consider that when you are looking at this, that it really is an important issue to people of our age who have already had to change our lifestyles dramatically just because we are getting older and we really don't want to have to give up what little privacy we are left with and I would really appreciate you considering that in your deliberations. Thank you.

Seal: Thank you.

Hall: Doug Brown.

Seal: Good evening, sir. Name and address and the floor is yours.

Brown: Doug Brown. 1409 East Legacy View Drive in Heritage Commons. Anyways, I'm here to comment on the proposed house designs and also the recent documents provided by the city that was uploaded into the documents the other night. The recommendation of the applicant to remove Lot 11, Block 1, along the northern property of the lots to be widened for a better transition and to provide more visibility on the pathway connection to the commercial development. Now, my property is -- or is going to be bordering Lots 2 and 3 and the border is actually right in the middle of my lot, almost about a 60/40 of that. I'm -- my comment is I would still love to see Lot 11 be eliminated and to use that -- that width to widen several of those homes that are going to be bordering Heritage Commons, because, you know -- you know, I have lived there for eight years, I have had -- you know, I have had open fields. It's been nice, but now with the new properties it's going to be -- I'm going to be losing a lot of visibility, you know, it's -- and I'm certain -- you know -- and everyone else's position, if it was happening to your guys' properties or -- or anyone else's, they would want to make sure that the lots are complete transitional lot for lot as best as possible. So, I would love to see that -- is their recommendation and requirement that the border -- that properties bordering Heritage Commons are matching transitional lot to lot that is as best as possible.

Seal: Thank you, sir. Appreciate that.

Hall: Gerard Gladu.

Gladu: Hello. Good evening. Thank you. My name is Gerard Gladu and I live at 1461 East Legacy View Drive and that is in the Heritage Commons Subdivision. So, my -- my comment and concern is -- as of what has already been mentioned is the elevation as well and not having two story, you know, houses built, because my -- my property I'm going to have -- I think Lots 5, 6, 7 and 8. So, I'm going to have four of those houses backed up against my -- my fence line, so -- and it looks like that Hubble has done -- they have listened to a lot of us, so -- as far as like accommodating the 55 and older community that's already there. So, really, obviously, with -- with the two stories it's going to be a big -- for me it's going to be a big issue. I don't want a bunch of houses looking down into my backyard. And, then, the traffic as well that is going to be generated because there is only one way in and one way out of that subdivision that they are proposing. So, they are either going to go out -- and the 55 and older, they are going to come out and go through the -- our Heritage Common Subdivision. So, really, I -- I mean that's -- that's all that I have. So, I appreciate you guys' time. Thank you.

Seal: Thank you.

Hall: That is all that is signed up.

Seal: Okay. At this time would anybody else like to testify? If so just raise your hand and we will call you on up here. No? Anybody online? You can hit the raise hand button. All right. Yes, sir.

Rusnack: My name is Michael Rusnack. 3302 North Sheephorn, representing the Heritage Grove community and the board as board president. I wanted to address a couple of the points that were raised. In our community we do have a single home with a loft in our community already and it's a trend and, in fact, that was discussed with Hubble and there -- is it -- we don't want -- we want to make sure we refer to it as a single family with a loft. We do have one in Heritage Grove. It looks just like the rest of them. With respect to the water system, the water system we consulted with our landscape management company. We have that water system that is fully managed by the landscape company and they agreed that we have plenty of margin with our water system to manage that. It is fully automated as noted with a computer system and we manage each home to that value. The elevation shown by Commons -- I mean, sorry, by Hubble Homes and the -- the home we do have in our development looks out the front for that elevation. It -- it looks just like the rest of the homes. We would -- you would be hard pressed to tell that it even does have a loft. So, those are my comments. Again, the landscape system is completely accomplished by us. We do all the landscaping, all the landscape maintenance as part of our -- our dues that we charge and that was agreed to. That was a question raised by you folks with the landscaping and the water system. The fact that the system had failed twice -- we had one year where we had a -- the developer had miscalculated and improperly installed an elbow. That was repaired. That was several years ago over 4th of July. Just this year over one of the holidays we had a pump go down. A hundred and fifty dollars to know which button to push to reset the pump. It was accomplished over a holiday weekend, which is a rule we have. It only fails Friday night of a holiday weekend. So, those are my comments from representing the -- our communities. Thank you.

Seal: Thanks, sir. Appreciate that. All right. If anybody else wants to testify, please, raise your hand. Going once. Going twice. Okay. Commissioners, do we have any other questions, comments, before we close the public hearing? We should probably have the applicant come back up and address this. True. I was getting in a hurry there. Sorry about that.

Connor: Thank you. I just want to address some of the comments brought forward. There is -- there is -- there is kind of three main things here, so some of the comments from Ms. Dietzler and Mocalene and Mr. Brown and Mr. Gladu talked about the effect of two story and losing privacy. I completely understand that. As Michael alluded to, all of our plans that have lofts or these bonus rooms, if there are any -- the windows that do exist face the street, rather than the sides and the rear, which I think is a -- like Michael said, it's hard to even tell if there is a second story loft. A lot of times those second story windows are -- are oftentimes just decorative on some houses. So, that's the way that -- that we build them. They are also built within the roof trusses, so there is not a whole new like eight or nine foot plate. So, the lofts -- the side walls only go up about six feet and, then, they are up at a peak there. So, that's why their -- their lofts are bonus rooms.

So, the -- the -- the nervousness about privacy and things like that, it's a completely valid concern, but the fact that it faces the front of the street, rather than peering down on neighbors, I think they will be well -- they will -- they will be good neighbor houses in those situations and we want to be able to provide that -- that second story loft and -- and not be constrained, because it's an opportunity to have a bonus room for a craft room or if grandkids come over or just have some extra storage space. We want to be able to -- to provide that. The PI issues that -- that Mr. Uhrig brought forward is -- as Michael alluded to as well, we deal with PI issues all the time. Always in the summer and it's always on Fridays before a holiday like he said and part of our agreement is that any sort of upgrades or things that need to be changed on the PI agreement -- on -- on the PI system will be upgraded by us when the time comes. So, we will assess the needs of their current pump and the current system and then -- and move forward from there. We work all over the valley in adding different PI systems together and making sure they work well. There is always going to be issues, because you never really know what's in the water, debris, things like that. So, it's just part of the deal. Also I just want to touch on -- I know your point before, it is a fully automated system. It's scheduled times. I think that's -- that works out really well and it -- and it makes for a very uniform landscape community. Some of the questions about the lots lining up one to one. Some of those lots along the north of the property, while they are a little bit wider on Mr. Brown's property, it's half of a house and half of a house, so it's not a true one to one, but might as well be. It's hard not to make -- it's hard to get anything to match up exactly perfectly with two different things and a similar sort situation exists with Heritage Grove and Heritage Commons in that the Heritage Grove lots are slightly smaller than the ones in Heritage Commons and further down the street they have a similar situation where you have multiple houses that back up to a single house. So, there is a little bit of presence there with different size lots and different communities kind of coming together in this kind of in-fill area. Again, the -- the privacy thing, I really understand that and -- and, hopefully, not having the windows out the back will alleviate some of the concerns of privacy. And I appreciate the folks that have come in support of the project and talked about us working with the neighbors. I will say I have never worked so long and hard on a very small 22 lot community and so -- but it's -- it's -- it's been a -- a real pleasure work with Michael and Maureen and -- and Frank and their team to hopefully make this a win-win community and ten years from now you won't be able to tell the difference between the two. So, that's our hope and that's our intent, so -- any other questions you all have let me know.

Seal: Just a quick question on the -- it sounds like the -- all the lawn maintenance and everything is included and so that's going to be part of the -- what you do for this community as well?

Connor: Correct. It will be the same that they -- that they have.

Seal: Okay.

Connor: And I understand it's on a -- the watering system is set on a master control and then -- and, then, all the landscaping, like talking about bringing in different plants and

things like that, they will have to follow the same landscaping requirements that already exist.

Seal: Okay. Any questions, concerns, comments? Okay. Thank you very much. I appreciate it. Okay. Can I get a motion to close the public hearing for file number H-2022 -- whoa. Wait a minute. Yeah. H-2022-0053, Prairiefire Subdivision.

Yearsley: Mr. Chair, I move that we close the public hearing on file number H-2022-0053.

Lorcher: Second.

Seal: It's been moved and seconded to close public hearing on file number H-2022-0053. All in favor, please, say aye. No opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Okay. Who wants to go first?

Yearsley: Mr. Chair?

Seal: Go right ahead.

Yearsley: I do appreciate the -- the -- the developer to work so closely with the adjacent homeowners association to match the style. I think they have done a great job. I do agree with the staff that -- that I think they ought to lose that one lot. I think it provides many benefits to the subdivision by maybe spreading out some of those other homes to minimize the amount of spacing between the two and provide better access and safer access to the property to the north and I -- I agree, I think we need to have new renderings of the new homes. They can -- I -- I -- I -- I'm surely convinced that they can come up with a homestyle that will match the adjacent homeowners association style, but actually bring it to Council for review and to be included in that. So, I don't see any issues with what staff has recommended.

Seal: Okay. Thank you. Commissioner Lorcher?

Lorcher: Staff, do we need to condition anything?

Hersh: Mr. Chair, Commissioner Lorcher, no. Everything's already included in the agreement for them to bring new elevations --

Lorcher: Okay.

Hersh: -- and to lose the lot.

Seal: Yeah. Well, I was going to say if they -- the only thing that we would need to provision is if we say to keep the lot and move the path, but if everybody is in agreement

that that doesn't need to happen and that's the way the motion goes, then, we don't need to provision that.

Yearsley: You have no comments?

Seal: I'm done.

Yearsley: All right. I will make a motion then.

Seal: Commissioner Stoddard, do you have anything to add?

Stoddard: Nope. I do not.

Seal: Thank you.

Parsons: Mr. Chair, before we get to a motion --

Seal: Yes, Bill.

Parsons: -- just curious on the construction access where the Commission is landing on that. Off of Stoddard. Or excuse me. Off of Locust Grove.

Seal: Yeah. Did we -- good questions about that.

Yearsley: Do we -- I guess do we need to condition that? I'm -- I'm almost certain that -- that construction access is going to want to come off of Locust Grove. I didn't know if that was something that -- I didn't feel like it was that important, but I can add that to my motion if -- if -- if we think we -- that's necessary. I would be interested in you guys' thoughts.

Seal: I -- I would say that's fine, as long as we provision it with a comma, because we don't want to get in a match with ACHD over -- yes, you can, no, you can't.

Yearsley: Right. And that's how I would word it is just that they work with them to try to maintain good access for construction. Okay. All right. Thank you. Mr. Chair?

Seal: Go right ahead.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2022-0053 as presented in the staff report for the hearing date of November 3rd, 2022, with the following modifications: That the applicant work with ACHD to try and obtain a construction entrance off of Locust Grove for -- during construction.

Lorcher: Second.

Seal: It's been moved and seconded to approve item number H-2022-0053, with the aforementioned modifications. All in favor say aye. None opposed, so the motion carries. Thank you all very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Thank you all for showing up and being polite and good neighbors. I very much appreciate that.

Dodson: Before I start mine, Mr. Chair, I will let the room clear out.

6. Public Hearing for Hadler Neighborhood (H-2022-0064) by Laren Bailey, Conger Group, located at 7200 S. Locust Grove Rd., approximately 1/2 mile south of the Locust Grove and Lake Hazel intersection on the east side of Locust Grove Rd.

- A. Request: Annexation and Zoning of approximately 20.5 acres of land from RUT to the R-15 zoning district.
- B. Request: Preliminary Plat consisting of 145 building lots (52 single-family attached lots & 93 detached single-family lots) and 11 common lots on

Seal: Appreciate that. Ready? Okay. At this time I would like to open the public hearing for file number H-2022-0064, for Hadler Neighborhood. We will start with the staff report.

Dodson: Thank you, Mr. Chair. As noted, the first one for me tonight, one of two, is going to be for Hadler. The site consists of 20 acres of land, currently zoned RUT in the county, located at 7200 South Locust Grove, which is approximately half mile south of the Locust Grove and Lake Hazel intersection. It is designated as medium density residential in the future land use map, which allows residential uses at three to eight dwelling units per acre as a gross density. The request before you tonight is for annexation and zoning of approximately 20 and a half acres, with a request for the R-15 zoning district. It also includes a preliminary -- preliminary plat consisting of 145 building lots and 11 common lots on approximately 20 acres in the requested R-15 zone. Of the 145 building lots, 52 are single family attached and 93 are detached single family. The subject 20 acres currently contains a large home and other outbuildings, with access being from a private driveway to Locust Grove that is in the location of the future Via Roberto land that is proposed along the north boundary. The subject site is abutted by an arterial to the west, which is Locust Grove, and a future collector street along the north Via Roberto Way. Sorry. Via Roberto Lane. Access to the site is proposed via a new local street to Via Roberto in alignment with an approved access on the north side of this street within the Apex Southeast Subdivision. Abutting the property to the east and south are large county parcels that share the same future land use designation of MDR. The city's newest park Discovery Park abuts the property at the northeast corner of the site, offering close proximity to one of the largest parks in Meridian. The applicant is proposing 145 lots on

20 acres within the R-15 district, which constitutes a gross density of 7.25 units per acre, which is near the maximum of eight for the MDR designation. The average lot size is approximately 3,600 square feet. Staff finds that the proposed project complies with all UDC dimensional standards and generally complies with the Comprehensive Plan. However, this project does lie just outside of the West Ada School District boundary and is, instead, within the Kuna School District boundary. Unfortunately, there are conflicting reports regarding the capacity at the Kuna schools, specifically the high school. City staff has reached out to Kuna School District and according to these interactions the high school is over capacity and cannot accommodate additional children. Staff will further clarify this point prior to City Council, but notice that the city of Kuna has not stopped approving applications based on the school capacity and the district has accommodated -- accommodated recent growth. The applicant is proposing two housing types within this project. Single family detached and single family attached units. So, the single family attached are two units attached with a common lot, but they are on separate lots, so they are not a duplex. The addition of different sizes and housing types is a plus for the project and the general area as it introduces two different housing types in this area. However, staff has had some concerns with overflow parking, because of the combination of the proposed density, the building lot frontage as being relatively small, 32 to 38 feet wide, when you account for a 20 foot wide driveway and because the applicant is proposing a 27 foot wide street section that allows parking on one side of the street versus both on a typical street section. I will note that the 27 foot wide street section, as well as 33 foot in other street sections, are still considered standard street sections by ACHD. Staff has recommended that the applicant provide a parking exhibit showing where on-street parking would be available and they have provided this here. According to this exhibit there appears to be space for at least 82 additional on-street cars. Staff finds that this exhibit shows that there is adequate on-street parking for the development and appreciates that it is not located in just one area of the project. Staff has discussed within the staff report adding an additional stub street -- well, I will use this old map. Additional stub street and location of Lots 28 and 29, Block 2, for the dual purpose of increasing visibility on Lot 30 and adding an additional pedestrian and vehicular connection in this area. After discussing with the applicant staff is recommending that the condition, which is 8.2A, be modified to reflect adding Lot 29 to the open space area and adding an additional micro pathway for future pedestrian connectivity, removing the requirement for the vehicular connection. The applicant has revised the landscape plan to reflect this change and staff is supportive of this revision. Staff has met with the developer of the adjacent property to the southeast and they do plan to add open space adjacent to this area, which is why staff wanted this area to be opened up and not be tucked behind lots, as well as include an additional pedestrian connection. The proposed project is approximately 20 acres in size and requires a minimum amount of open space based on the zoning. Per the R-15 zone, the project requires a minimum of 15 percent qualified open space. Further calculations. The minimum amount required is three acres. According to the submitted plans the applicant is proposing approximately three and a half acres of qualified open space or 17.45 percent, which exceeds the minimum amount. The qualified open space consists of half of the arterial street buffer to Locust Grove, the full collector street buffer to Via Roberto, the large central open space, as well as the smaller open space at the southeast boundary already noted. However, staff is not sure

if the landscape buffers to the adjacent public streets meet the enhanced buffer requirements outlined in 11.3G3B to count towards the open space. Previously these areas qualified towards the minimum open space automatically, but this is no longer the case with the latest open space updates. The -- the newest updates desire for more than the minimum to be included within the buffer in order for the -- this area to count towards the overall qualified open space. The applicant appears to comply with the two required points, but may not comply with the last two, which are enhanced amenities with social interaction characteristics and enhanced context with the surroundings. The burden of proof proposed for the proposed common open space two qualify does fall on the applicant and not on staff. Staff does recommend that the applicant provide evidence that these buffers are enhanced beyond the pathway trees and grasses. For example, with additional boulders, additional vegetation, decorative elements, decorative fences and walls, additional pathway connections, et cetera. Those examples are pulled exactly from code. If these buffers do not count, the minimum qualified open space -- they do not count towards the minimum qualified open space, approximately one acre would be -- need to be removed from the calculation, leaving approximately two and a half acres of qualified open space under the minimum requirement. Therefore, the applicant should provide that the proposed street buffers are qualified or apply for alternative compliance to reduce the amount of qualified open space required due to the proximity to Discovery Park, which I guess on the record at this point staff is amenable to that option, but understands if the applicant wants to provide evidence that the existing proposed open space is fully qualifying. The project size of 20 acres also requires four amenity points, one point for every five acres. This is also part of the new open space and amenity code. According to the submitted plans the narrative -- and the narrative, the applicant is proposing the following qualifying amenities. A picnic area, playground, a water feature that's a fountain and two segments of the multi-use pathway equaling approximately a half mile in length. The proposed amenities are worth 11 amenity points, exceeding UDC requirements. Further, staff does note, again, that Discovery Park is easily within walking distance to the northeast and will offer multiple additional recreational opportunities for the project. On the screen here are the two recommended revisions. One being the 8.2A regarding the Lots 28 and 29, which now should be just 29 and, then, the second one -- I forgot to add this, that's my fault, into the staff report regarding the temporary emergency access out to Locust Grove. There was no written testimony on this as of about 3:00 o'clock this afternoon and so I will stand for any questions.

Seal: Thank you, Joe. The question I have is on the street that they are going to enter and exit from, does that street go directly into the park or is -- is there any direct access into the park off that street?

Dodson: Mr. Chair, at this time there is not and this would be between Brighton, the developer on the north side, and this side. This would be the first segment of this collector -- this east-west collector street being constructed. So, currently they cannot drive there. On the east side of the park, the city, as well as the adjacent developer, are working to create the -- finish the half mile of the north-south collector over there. So, we are getting there, but we are not quite there yet to get there by car.

Seal: Okay. I was more focused on bikes, but I just wanted to make sure that there was at least future planning in place in order to have that connectivity directly into the park.

Dodson: Oh, absolutely. Future plans absolutely have that. There should be a multi-use pathway on the south side all the way along -- all the way out to Eagle and it will connect to the -- be adjacent to the collector streets that's going to go east-west as well.

Seal: Okay. Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Joe, when you discussed with the developer about eliminating Lot 29, is it?

Dodson: Yes, ma'am.

Lorcher: Even with my glasses I -- I don't know which one that is, but did you consider some of these tiny little driveways to possibly eliminate those instead? You know, can it be there or does it have to be up top or can they adjust that so we can eliminate some of these private drives?

Dodson: Commissioner Lorcher, are you referring to putting a stub street in place of a common drive? Is that what you are referring to?

Lorcher: Well, I -- I know this particular Commission is not a huge fan of these little private driveways that come off these curves.

Dodson: Uh-huh.

Lorcher: So, the -- the more opportunities we can eliminate those the better it is for the community and being good neighbors. I don't know if that can be adjusted at all or have you discussed it at any time?

Dodson: It was discussed. It was discussed to -- my original recommendation to have the stub street was to replace the common drive in the southeast corner with the stub street, but it doesn't help the pedestrian connectivity or the visibility of the open space on the north part that I was referring to and with the sub street being right here this road -- it's -- it's a private road right now, but likely -- at least some portion of it will be a public road in the future, too, so we didn't see that there was a need to have another stub street there. Having it over here makes a little bit more sense, just because it's further away from this one, as well as where ever this could go to the east, but, again, between the two connections, one to the east, one to the south, we do believe that should be enough connectivity for vehicles in the future, but I do understand your point regarding the common drives.

Lorcher: So, with these three common driveways, the one at the bottom right-hand corner --

Dodson: Uh-huh.

Lorcher: -- are you suggesting that that could be a stub street at some time or is it not wide enough? It would always be a private drive.

Dodson: It would always be a private drive. But I'm saying that it was discussed as an option to request that the stub street -- a new stub street be proposed there instead, but --

Lorcher: Would be the next development that would have to do that then?

Dodson: No. No. What I'm saying with this development as a discussion point with the applicant I noted that we -- we were going to require it there, we discussed moving it up to 28, 29 instead. We settled on Lot 28, 29.

Lorcher: Got you.

Dodson: So, if we requested that or Commission recommended that, that would be done at that location. At least stub it to the property line.

Lorcher: Okay. Thank you.

Dodson: You're welcome.

Seal: Anybody else? All right. Would the applicant like to come forward? Good evening.

Clark: Hello, Commission. Hethe Clark. 251 East Front Street in Boise with the law firm of Clark Wardle representing the applicant and I will just get my stuff settled here. Okay. Well, I appreciated Joe's presentation and I'm going to just jump right in and start by talking about annexation. Oops. Are we going to come back here? There we go. So, let's talk about that first to kind of give everybody a little context about where the city currently located is -- is located around the project and how the services fit. So, we are firmly within areas that the city has already annexed or -- and are important to the city's growth. It's just south of Lake Hazel, just east of Locust Grove and borders Discovery Park, which you can see in the green. You also have Brighton's Pinnacle Subdivision that's just north of us. It's an area where the city is investing with Discovery Park and with the -- the fire station that's within just a half mile, which you can see on this slide here. The fire station is there in yellow. This has been a very active corridor of development. Again with Discovery Park you have the Gem Prep Academy that's gone in recently. Significant residential development with Lavender Heights, as well as Pinnacle and The Keep. And in addition to that I would point out that there is a wall of city annexed property on our west. So, this is certainly not extending beyond any existing resources that are available for the city. I want to talk briefly about the Comprehensive Plan. As we look at

the approved planning for this project, the Comprehensive Plan shows it under the medium density residential category, which identifies densities between three to eight units per acre and we are squarely within that proposed density with our site plan, which you can see on the screen now. As Joe mentioned, 20 acres, 144 homes, overall density of 7.2 units per acre. So, within what's permitted under the Comprehensive Plan. As Joe also mentioned, we are above the minimum open space requirements at 17.5 percent and -- and I will talk a little bit about those factors that Joe mentioned about the -- the qualified open space here in just a minute when I have another slide. I -- I do want to point out the large kind of Central Park area and I want to note that the -- the zoning that we have proposed at R-15 is what really makes this possible and I'm going to talk about that here in a moment as well. But before I do I kind of want to place this in context. The -- the Commission -- you know, several of you have been around for a little while, you have seen some of the projects that are very similar to this one, so we have done five of these in Meridian, one in -- in Boise. They have been very successful, because in -- in our view they cater to an underserved portion of the market. These are folks who are looking for low -- small lots with low maintenance, high quality finishes, and we -- as we have done these we study them, we follow up and we know what -- who the typical buyer is and the typical buyer is a young professional who is looking for a -- a lock it and leave kind of a situation. They don't want to do yard maintenance on the weekends. They want to go head to the foothills and go mountain biking. It's also empty nesters who are looking to downsize, don't want to take care of that half acre lot any longer and, then, it's also, you know, like the divorced parent who, you know, no longer has the same resources, wants to keep their kids in the same school district, that's -- that's typically who we see in these projects. It's been in high demand since the applicant started doing it about ten years ago and it's been very successful and satisfies a need in -- in the city. So, how do we get there and -- and primarily it's with that R-15 zone. We use that zone's setbacks and dimensional standards and, then, make the project more inviting by increasing the open space and, then, arriving at the -- at the density that we have identified that's within what the Comprehensive Plan calls for. So, we can deliver the small footprint, low maintenance type product, but still respect the Comprehensive Plan's identified density of no more than eight units per acre. Again, we are at 7.2. And what you see on the screen is -- is a screenshot from the Comprehensive Plan confirming the -- the three to eight dwelling units per acre of measurement. So, that R-15 zone is, again, what allows this product to be available. Without it you don't get the small footprint type that folks want and need and particularly now with the -- you know, unfortunately, a recession looming and interest rates spiking, it's -- it's critical that we have a variety of housing types in Meridian to be able to accommodate that and I wanted to point to a few key Comprehensive Plan policies that support that. You know, we need to have a variety of housing types in Meridian, we want to avoid the concentration of any one housing type or lot size in any geographical area. We have also taken into account design in light of the area. We have provided the open space in the center of our project that's just a Frisbee throw literally away from Discovery Park. It will connect as we -- as Joe mentioned, as we understand it, to open space that's being proposed to the southeast of us. The design also includes the -- the regional pathway system. We got about a half mile of new regional pathway that's -- and it also -- and it does connect into Discovery Park, which we think is going to be a great thing for the city. We also have our internal pathways and sidewalks.

Our amenities -- we exceed the project amenities requirements with 11 points. We have the two acre central park. This has seating, play areas and structures, shade area and landscaping and, again, those -- those regional pathways are also very important. So, let's talk about the qualified open space. We do have the 17.5 percent and I don't know if you will recall, but when we were looking at the landscape ordinance -- well, when was that, a year ago or so, to make the modifications, one of the concerns that the development community had and -- and I mentioned on the record was with these four standards for qualified open space, that a lot of us just didn't know what they meant. They are -- they are kind of hard to -- to deal with and I -- and I think that's where this comes from. But as Joe mentioned, there is -- there is four things that you have to qualify for to -- to qualify as qualified open space. You have to have enhanced landscaping. You have to have -- you can have multi-use pathways. And, then, the two that were a little more difficult to interpret were enhanced amenities with social interaction characteristics, which is a huge mouthful and, then, you have enhanced context with the surroundings. So, those are the two that -- that Joe mentioned that we need to approve of. So, when it comes to our landscape buffer, our landscape buffer includes the regional pathway. The -- the staff report is already confirmed that we have landscaping that goes above and beyond what's required. So, if we -- if we -- but if we focus on the regional pathway and the concept of an enhanced amenities with social interaction characteristics, obviously, a regional pathway qualifies for social interaction characteristics. That's where people are going to walk their dogs, they are going to see each other as they head over to Discovery Park, all of that. So, we think that that's pretty clear. And, then, with regard to the enhanced context with the surroundings, again, regional pathway is what does it. It's -- the context of the surroundings is we are right next to Discovery Park. We are in a location where the -- where the regional pathway is contemplated. It -- it satisfies that context planning requirement. So, we think that that 17.5 percent qualified open space should stand. Quickly there is going to be two types of homes in the project, as Joe mentioned. Single story attached against the project to the north and Discovery Park and, then, in the pink internal to the project we have the two-story detached. These are the elevations. And so I -- I just want to wrap up and summarize here real quickly. So, again, we are proposing a product type that's been done before in the city and that's desperately needed. We need more of it. Our density is, again, consistent with what's provided in the Comprehensive Plan. Our annexation is consistent with the growth pattern in the area. There is no issue with public services. They are all already there. The city has invested in the area with the new fire station and the park and, again, we meet the -- the open space standards. And, then, Joe beat me to the punch on this. We are in agreement with the -- the conditions of approval in the staff report. This is the same language that Joe showed on his slide before. We are also in agreement with the additional condition related to the emergency access that he showed on his slide. So, with that I'm happy to answer any questions.

Seal: Commissioner Yearsley?

Yearsley: Mr. Chair. How wide is that regional pathway? I didn't see anywhere on that screen how wide that was planning to be.

Clark: Mr. Chair, Commissioner Yearsley, it's a ten foot pathway.

Yearsley: Okay. That's all I had.

Lorcher: I'm good.

Seal: I will save mine for later.

Clark: Okay. Sounds good. Thank you, everyone.

Seal: Thank you very much. Madam Clerk, do we have anybody signed up to testify?

Hall: We have Robbie Reno.

Seal: Good evening, sir. Just need your name and address for the record.

Reno: Robbie Reno. Kuna School District. 711 East Porter Street, Kuna, Idaho. 83634. We are the school district that staff represent in there and I serve as an agent for our school board that has brought me here because of what has gone on in the city of Kuna where things have been approved and we are at -- we are -- we are over capacity if you go off base on things that are to be -- to be built. The conflicting information about the overcapacity at Kuna High School and the Swan Falls High School is when we -- when we did our capital planning in 2017 to pass a bond we built a CTE high school to take the growth off of Kuna High. Well, those combined schools have a capacity of 1,900, 1,862 was the confirmed enrollment as I checked this morning, because I also serve as the principal of that high school -- of Swan Falls. But we -- we were late in the submittal of a letter, because I think we submitted one to Miranda Carson, who was on jury duty yesterday and so knowing your process, as we are -- we are learning them as being good -- good neighbors. But we simply state now that we -- we just cannot serve that development and being an annexation, we know that city -- commissioners on Planning and Zoning can reject annexations and so we just simply say that we cannot serve this development, even though it is 145 homes, with the -- with the amount of -- of homes that already -- that are already plotted on there, we just cannot serve.

Seal: Okay.

Reno: Stand for questions -- stand for any questions.

Seal: Any questions? No? Okay. Thank you very much. Appreciate that.

Hall: Mr. Chair, there is no one else signed up to speak.

Seal: No one else signed up to speak?

Hall: No.

Seal: Anybody in Chambers want to come up and testify? I see no hands going up in the air. Nobody's raising their hand online. All right. With that would the applicant like to come back up?

Clark: Mr. Chair, Members of the Commission, Hethe Clark. 251 East Front Street. So, it sounds like school is the only thing for me to talk about. So, we had our -- a member of our development team Laren Bailey had met with the school district about a year ago. We had another follow-up meeting with them in the -- the recent past. There has been a number of e-mails back and forth to try to lock down what is actually going on in terms of the -- the capacity for Kuna School District and -- and what, you know, can be accepted now, what may be acceptable in the next ten years. Joe's point about not stopping development in Kuna is -- I think a good one. But I -- this is what I would say. We have attempted to meet with -- with the -- with the school district. Hadn't gotten to that -- that comment that you heard tonight. What we had heard was that there is current capacity, that over the next ten years if there is no development -- or, excuse me, no bonds passed and no additional capacity created, that they would at that point be running out of capacity. What I would suggest to the Commission is let us go and talk to the school district, see if there is maybe an alternative solution that can be identified that -- here on that point and condition us that way and -- that we have a -- that conversation before we get to Council and, then, that way we can report to Council on that issue, because we understand that it's important. I just don't want to hold up the train at this point given kind of the -- the -- the last minute element of this, so --

Seal: Okay. I will give you one more thing to talk about. Can we pull up the parking graphic? So, I will just walk you through it. So, as stated -- and -- and we know you are -- you are well within code for the shared driveways. My concern with this is we have parking on only one side of the street. We have pretty significant density going on in here and we have shared driveways. So, this looks fine, you know, except for probably, you know, mornings, evenings gets a little crowded, then, you throw a Super Bowl party in here and the next thing you know you have no parking. So, why -- why would we go with a street width that's -- like this that doesn't allow parking on both sides of the street, knowing that we have the shared access driveways?

Clark: Yeah. Mr. Chair. So, the shared access driveways, that goes back to a -- a conversation at the same time as the landscape ordinance when the shared driveway ordinance was also updated and we do meet code on the shared driveways. When it comes to parking, the -- another bit of background there is that ACHD is really promoting the use of 27 foot right of way -- or not right -- total right of way -- the 27 foot paved surface for these roadways. There will be signage on it to confirm the parking on the one side of the street, but, then, to your particular question with regard to the -- the proverbial Super Bowl party, which, you know, is an example that we have talked about in -- in other applications here. You are just not -- this type of product doesn't lend itself to the big bash where you are going to have 40 people there. These are 3,600 square foot lots. So, you are not going to have 40 people showing up for a Super Bowl party at one person's house. You may have a couple people show up, but you are not going to have the -- the massive parties that you are talking about here. Now, we have been doing

these for ten years and at prior hearings we have presented studies that we have done with drones where we have gone out at various points of the day and looked at whether there is a -- a parking problem and that has not been our experience on any of these projects -- on any of these projects. So, I -- I would -- I think my response would be that we -- we do meet code and that ten years of experience shows that parking is not an issue, including with the -- the -- the shared driveways, which, in turn, meet code and with the -- the -- the single -- or excuse me -- the parking on a single side of the street.

Seal: Okay. I appreciate that opinion.

Clark: Well, I think -- I mean to your point, Commissioner Seal, there is a -- a question of opinion and a question of code; right? And we do meet code.

Seal: I understand that. It's just the combination of both of these seems to be -- in my mind is a -- is an issue and you have -- you have a smaller street, you have parking available only on one side of that street and you have shared driveways. So, to me that's -- you know, that's a recipe for a lot of contention there and -- and it doesn't have to be a Super Bowl party, it just has to be Halloween. You know, we just went through this. Our streets were packed and we have 30 foot streets.

Clark: I hope they would be on Halloween

Seal: Yeah. And -- and that's -- and that's what I mean. This -- you know, we are -- we are kind of creating a whole lot more contention here than that needs to be to save, you know, a little bit of roadway, so I -- I can't quite wrap my head around why those two things should coexist. You know, again, if the shared driveways weren't here, then, I get it, but with the shared driveways and the limited parking, I -- I just don't see it.

Clark: Can you help me understand the -- the shared driveways? I mean the -- the shared driveways is nine lots that are affected by the shared driveways.

Seal: Sure. Well, you have more than nine lots. I mean there is other lots that are affected by it, because, you know, you are just counting the lots that are right on it, not the ones that -- you know, the other ones that are actually using it. So, there is more than nine that are involved in that and the fact that you have the shared driveways where nobody can park in them, so if anybody comes over to visit them they are going to park out in the -- you know, in the shared parking that's along the street. So, that's going to impact, basically, everybody. So, you know, again, the two -- the two things just in my mind, I -- I would prefer they not coincide.

Clark: And I would just remind you that there is two garage spaces, two spaces in front of the house. So, you have got four spaces meets code and, then, you have 82 additional on-street parking spaces for the entirety of the project. I -- it's -- you know, experiences have shown us that that is more than adequate to address the parking. But we will take you to it.

Seal: Commissioner Yearsley, do you have something?

Yearsley: Well, I was just going to laugh, because out of a 3,200 square foot lot the -- the garage is going to be storage. They are not going to park in that garage, I will guarantee you. So, they have two parking spots in the front of their house and nothing else and so I -- I totally agree. I don't -- I don't like the -- the shared driveways or the number of shared driveways in this facility, so I -- I think it's a recipe for disaster in my opinion.

Seal: Commissioner Lorcher, anything?

Lorcher: Agreed.

Seal: Okay. So, thank you, sir. Appreciate that.

Yearsley: Mr. Chair?

Seal: Go right ahead.

Yearsley: I move we close public hearing on H-2022-0064.

Seal: Do I have a second?

Lorcher: Oh, yes. Second.

Seal: It's been moved and seconded to close the public hearing on file number H-2022-0064 for Hadler Neighborhood. All those in favor, please, say aye. None opposed and motion carries to close the public hearing.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Yearsley: Mr. Chair?

Seal: Go right ahead.

Yearsley: So, I was involved with the Movado Subdivision and I -- I did approve that subdivision and I still think it's a good subdivision. He had multiple different -- I mean it was a huge subdivision that had multiple different type uses. I -- I don't see the -- the same comparison between Movado and the subdivision. I think this is way -- it's a -- it's a -- in my opinion it's a -- how do I say it? How -- how dense can I put the -- how many homes can I put on a -- on 20 acres is my opinion. If this was actually a little closer to other facilities -- this is out in the middle of nowhere and to have this dense of a product way out there in the middle of nowhere where there is no services, there is nothing, I just -- you know, it's -- there is -- there is not a lot of good connecting streets yet. Traffic's going to be horrible. I -- I could go on and on, but I just -- I think this is a horrible location

to put this type of product. If they had more diverse -- you know, some R-8s and R-15s maybe, but 20 acres of R-15 is -- I -- I can't support.

Seal: Thank you. Commissioner Lorcher?

Lorcher: Mr. Chair -- sorry. I'm conflicted on a couple of things. Mr. Clark said empty nesters, young professionals, possibly divorced families were the target market, but they are living across from the largest park in probably Ada county that supports families. So, a product that would be right next to the biggest park I think would want to be one that supports, you know, families with children that are going to play there, play baseball, soccer, whatever amenities that they have, as well as you had 20 acres to work with and you still put shared driveways in there. And, thirdly, as a -- an executive officer of the Idaho PTA I have high concerns with the school capacity. So, I don't know if we want to have them talk to the school board first and have a continuance or deny it and they can go to City Council and, then, kind of work it out. I'm not really sure what to do with that. But we don't know where the money from the legislature -- from the surplus is going to go for the schools. That's not going to be decided until the beginning of the year. Pretty convinced it's not going to go to build buildings. This subdivision is not proposing to have a school built in their community, so -- and I don't know where the nearest elementary or middle school is for Kuna. I know they have the two high schools and the professional high school with all the proposed communities they already have and the worst thing that we can do for our families is provide overcrowding in our schools. So, to me as soon as that gentleman from the school board from Kuna came up, that's a huge red flag for me.

Seal: Okay. Thank you. Commissioner Stoddard, do you have anything to add?

Stoddard: No. I just agree actually with everything that you guys said. I agree that it's a really dense product with a lot of houses crammed into a small area. So, I actually shared a lot of the same concerns.

Seal: Okay. Thank you for that. Yeah. I struggled with this one. You know, as I have shared in previous meetings, I have a son that he can't afford to live in Meridian anymore. He lives in Boise. So, I agree, we need product types like this that are less expensive and he kind of fits the bill. He's the guy that, you know, doesn't want a big yard, doesn't want a lot to maintain and is going to go do other things, you know, outside of work -- work time. I do like the fact that you are putting in the regional pathways along there. You are making it walkable, bikeable, more livable. I -- I do like that. You know, obviously, hearing directly from the school, a lot -- most of the time we hear from West Ada they send us a form letter and say, yep, we are overcrowded, but we can't say no, so -- but hearing directly from the school that, you know, we are overcrowded and we can't take anymore, that's a little bit different for sure. And, then, I do have a lot of reservations about parking. I mean I -- I don't feel that it's -- I feel that you should have one or the other, either reduced parking capability or shared driveways, but the two of them combined, I -- I -- I just don't feel that I can support that. So, there is a lot of good things that are happening in this. I mean your, you know, ability to work with staff and remove the lot and everything is good. The pathways. The product. But again, I just have

reservations about the parking and the schools. And with that if anybody else wants to make a motion or further comment, I'm all ears. Commissioner Yearsley, you want to take a stab at it?

Yearsley: Sure. Mr. Chair, after considering all staff, applicant, and public testimony, I move to recommend denial to City Council of file number H-2022-0064 as presented in the hearing date of November 3rd, 2022, for the following reasons: One, for the city of -- or the Kuna School District's overcrowding. The -- the density of the -- of the subdivision I don't think fits the surrounding areas with lack of access and lack of -- of -- of public services around there, like stores, restaurants, other facility -- you know, facilities. Parking is an issue and -- and just -- just over -- overcrowding of the area.

Stoddard: Second.

Seal: Okay. It's been moved and seconded to recommend -- recommend denial of file number H-2022-0064. All in favor of denial, please, say aye. No opposed. Denial is carried. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: We will take a five minute bio break and we will be right back.

(Recess: 7:37 p.m. to 7:45 p.m.)

- 7. Public Hearing for Alden Ridge Subdivision (H-2022-0059) by Dave Yorgason, Tall Timber Consulting, located at 6870 N. Pollard Lane and three (3) parcels to the north and east, directly east of State Highway 16 and south of the Phyllis Canal at the northern edge of the Meridian Area City Impact**
 - A. Request: Annexation and Zoning of approximately 24.8 acres of land with a request for the R-4 (20.35 acres) and R-8 (4.45 acres) zoning districts.
 - B. Request: Preliminary Plat consisting of 65 building lots and 10 common lots on approximately 21.7 acres of land in the requested zoning district

Seal: Okay. At this time I would like to open public hearing for file number H-2022-0059, Alden Ridge Subdivision, and we will begin with the staff report.

Dodson: Thank you, Mr. Chair. My second and final one tonight. The site consists of 21.7 acres of land, zoned RUT and R-1, located at the northern edge of Meridian's area of city impacts. So, complete opposite end of the previous one. It is directly south of the Phyllis Canal, which, essentially, is our north boundary of our area of impact and directly east of State Highway 16. It is designated as low density residential on our future land

use map. The applications before you tonight are for annexation and zoning of approximately 24.8 acres of land, with a request for the R-4 district and the R-8 district and a preliminary plat consisting of 65 building lots and ten common lots on approximately 21.7 acres. The applicant has also requested alternative compliance to the required landscape buffer adjacent to State Highway 16, which has been approved because it's an administrative application. I will get into more of that later. The subject 22 acres is located at the northern edge of the area of impact as noted and includes four county parcels that contain three rural county homes. The largest home located at the very northeast corner. That is incorrect. At the very northwest corner of the property is proposed to remain, while the other two homes are shown to be removed upon development of the site. As noted, the subject site does abut State Highway 16 on a portion of its west boundary and the Phyllis Canal runs along the entire north boundary, which limits any connectivity to the north or the west. To the east two county residential parcels exist and will remain with their new access being to the south through an approved development Pollard Subdivision. It will be -- their new permanent access will be to the south. The temporary access will be through this subdivision. South of the subject development is the aforementioned Pollard Subdivision, which is zoned R-8 and C-G south of it. This development was approved as a mixed-use development consisting of residential and flex space and commercial uses. The applicant is proposing 65 building lots on approximately 21.7 acres, which constitutes the gross density just under three units to the acre, 2.97, which is near the maximum allowed within the LDR, but overall very low for the City of Meridian. The applicant is proposing two zoning districts within the development to better transition from the existing R-8 to the south. So, they are doing R-8 along the south boundary, just these two blocks of homes, and the remaining area is proposed as R-4. To further help transition to the south, the applicant is also proposing a 30 foot wide buffer with linear open space and a walking path along the entire south boundary. Staff finds that the buffer and the proposed zoning is an adequate transition from the south to the north. Minimum building lot size is proposed as 5,500 square feet, which does exceed the minimum lot size for the R-8 district of 4,000 square feet. Within the R-4 area the minimum building lot size is approximately 8,000 square feet. A number of the perimeter lots are much larger than the minimum lot size of 8,000 square feet within the R-8 zoning -- or R-4 zoning district. Staff finds that the proposed development complies with all UDC dimensional standards and is generally consistent with the Comprehensive Plan. Further, the applicant is providing excess open space, 3.1 acres versus 2.77 acres required, and providing excess amenities, a picnic area worth two points, pathways worth two points, two dog waste stations worth one point total and a swimming pool with changing facilities worth four amenity points. Access to the site is a main point of discussion and analysis within this project. Sorry. Main point of discussion of analysis within this project, as well as with the timing of the development as it's integral to its success, because there are no public streets currently constructed to the subject development. There is existing right of way from the subject site to Chinden, but no physical road within the right of way. This will persist until Brighton constructs Waverton east-west through their site and connects to Pollard Lane at the west boundary. According to the applicant Alden Ridge will connect to Pollard Lane with Brighton's first phase of development for its required public street access. Because of this ACHD has stated on their staff report that they will not approve any final plat for Alden Ridge until the

required public street access is constructed. This same issue does persist for city sewer service, as the adjacent developer to the south also needs to extend sewer services and construct a lift station in their northwest corner in order to provide service to this entire area. Public Works has approved the lift station at this time, but construction of Pollard Subdivision No. 1 has not yet commenced. So, to help people understand the exhibit here, the pink area is the right of way. Pollard Lane, as you can tell here, Asphalt Gray is not part of that right of way, at least not all of it. A portion of it is. Because of that ACHD is saying that there is no public road connection. There is a gap here. Pollard Subdivision No. 1 is approved. It will construct West Waverton all along here. Obviously, they will need to dedicate additional right of way here, but they will construct that and because Pollard Lane exists here, it will be reconstructed as a full public street and, then, Alden Ridge will have their public street access. A portion of the west boundary abuts the ITD right of way for State Highway 16 and requires a 35 foot landscape buffer per the UDC for the R-4 zoning district, because it is an entryway corridor. The applicant is showing a common lot along the west boundary that is 20 feet in width, which does not comply with the required width of 35 feet. To the existing location of the home and mature trees, the required easement by the water company along the rear of those building lots and the relative limited number of homes along the highway, the applicant has requested alternative compliance to the location of the buffer and it's required width on the subject property. To be clear, the applicant is not requesting to reduce the actual buffer width, but to shift it over west of the property line, so that 20 feet is on the site and 20 feet is within ITD right of way. According to the applicant ITD has approved the inclusion of this landscaping within the right of way, as they have excess area that will not be used for future road widening. Staff is supportive of this request because the actual buffer width will be five feet wider than the minimum. It will allow for the existing mature vegetation to remain and will also allow for a wider and more dense berm and landscaping to be placed along this frontage. As with the previous project, there was no written testimony. Staff has recommended approval with conditions and I will stand for any questions.

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

Yorgason: Good evening. I think Joe's going to pull my presentation for me. Perfect. Thanks, Joe. Good evening, Commissioners. My name is Dave Yorgason. Address 14254 West Battenburg Drive, Boise, and I'm here as part of the development team for Alden Ridge Subdivision. Also in the group is Kyle Enzler with me, which I think I can answer all the questions you may have today, but if not he is also part of our group here. He is also planning on being the builder for all or almost all the homes. His home building company has built quite a few here in the City of Meridian and just great to be part of his team for this development moving forward. In my presentation I will just highlight a few points. I will introduce the site. The staff's done a great job kind of going over several items. Talk over the application details and review the staff report with you. As staff has identified, the site is located at the northeast corner of Highway 16 and Chinden, Highway 20-26. Approximately 22 acres in size and it is the north border of the city's area of impact. In fact, you can see to the northwest of the site city of Star has now annexed property and more or less contiguous to this site, which is interesting how the two are growing

together. In our annexation and zoning request we are contiguous to the city limits, as has been stated by staff. The Comprehensive Plan future land use map calls for this site to be low residential -- low density residential and our request for a mix of zoning of R-4 and R-8, still less than the three dwelling units per acre. As staff had mentioned, we really had had a lot of good discussion with the surrounding adjacent neighbors specifically to the south. I have had a lot of discussion in the history of working in the City of Meridian and recognize the importance of transition of lot sizes to future and/or existing developments in the area, of which we are doing this here, too. And so our request is not to really change the density, but to have similar lot sizes adjacent to similar lot sizes and that's where our plan is along the south border only. The rest of which is the R-4 size lots throughout the rest of the development. So, our total density still stays within the range as required or suggested by the future land use map and as I mentioned also we are adjacent to Brighton's development that's soon to be under construction. I will talk about that here in a minute. And staff is supportive of this annexation and zone request. The Alden Ridge Subdivision -- the summary for it is 65 total residential units, all single family detached homes, to be developed in two phases. We will start in the southern area first, south and west and, then, the second phase will be in the northeast area. As I mentioned, we are considering the design for the transitional lot sizes to the south. But also importantly this is not just jam in density, but we also think it's important to have high quality amenities and additional open space, which we are providing in this site. We are providing just over three -- about 3.1 acres of total open space, which is 14.4 percent of the total size qualified, which exceeds the required amount for this development. As noted, only four points is what's required in the amenity table that the city would require. We are actually proposing more than double of that. We have nine total amenity points for this community, including a swimming pool, picnic area, pathway network through and without the development, path -- sorry. The dog waste stations and also the usable park, which I think is an important concept. Sometimes we just have open space and you say it's usable, but this really truly is a spot where you can throw your Frisbee or -- or your -- or your football or whatever in the area just around the -- the community pool. Here is some illustrations of some homes that are planned to be built for this site. Again, all single family detached homes. These are all renderings of homes that have or soon to be built by this builder in -- in the surrounding community and you can see a nice variety of quality custom homes, where they are modern styles -- or some Craftsman style, kind of a mix of -- of a variety of homes for this community. A single story, two story as well. As we go through the process of going through development, we know one thing is important is neighbor feedback. We actually had two on-site neighborhood meetings to meet with our adjacent neighbors and talk about the community. Also had several one-on-one discussions with the neighbors in the area. A lot of comments of support and neutral. A lot of the comments included appreciate the density, the transition that we are proposing, the quality of homes and the amenities for the community. Really only one comment or question was raised of concern -- I will call it a concern, but it's really timing. We are providing a well site to the water company and the developer -- well, the commercial builder -- developer, if you will, to our southwest is Franklin Sensors. They need additional water capacity to expand their commercial facilities and they are looking forward to this well site being provided, so they can have that extra fire flow for their community. So, we are really trying to work together with the community to try to meet those needs and that's

what we are doing here, too. With regard to the staff report, oftentimes they come to the city and say, you know what, I really like these conditions, but can you change one or two? Not today. We are agreeing with all of the conditions as presented by staff. I do want to highlight, as mentioned by Joe, discussed the traffic access, the timing of Brighton's development, as well as the alternative compliance for the buffer. ACHD just, as we all know, provides the conditions of approval for traffic and we agreed to all the conditions of approval, just on the record no -- no change or conditions there also. With regard to Waverton -- in this illustration you see in the bottom right-hand corner of this image, this is actually from Brighton's engineer, KM Engineering. All the areas down at the bottom in the black and white is their first phase and the red lines running east-west would be their future phase two and so we are -- we are collaborating closely with them as to what that will all look like and -- and for the record tonight I have an e-mail statement from Jon Wardle of Brighton if you would like it, but we have worked very closely with them and what they have said is they are starting construction next month in December. They have -- staff has said they already have approval of the lift station for sewer. They are in their second phase of review of construction plans with ACHD. As soon as they have that in the next few weeks they will be under construction. So, the way we see it is their construction will be long complete before we will begin construction with our development. Knowing how long the process takes for not only this phase, but also designing construction plans, construction plan review and approval and, then, before we can finally get there. So, we really don't see a gap in -- in providing access to the development, because all these improvements will be in place. Additionally, secondary access -- if we have more than 30 lots secondary access is required. Brighton's given us permission to build that access. That's the north-south road. I will use -- I don't know if this mouse works. That's right, it doesn't. Anyway, there is -- one of the north-south roads would be where that access is and we have their permission to build that if it's even needed. So, again, closely working with them. Regarding the alternative compliance, I appreciate staff's comments and explanation of it. I will just highlight it quickly. There is a nice home on the north -- northwest corner of the development with large trees and some shops and some things and we really recognize the importance of maintaining existing buffer. Likewise, the commercial to the south of us, which is not that much of a gap in between, they really don't have any landscaping or very little and so we are really kind of tight as to what we can do and our goal is not to provide less, but do more with what we have and so we are going to be building a little bit wider landscape buffer. We have worked with ITD for their approval to just have it straddle a little bit right of way and also on our property. ITD is currently in the process of widening Chinden, Highway 16, and -- and the Highway 16 all the way to Ustick to the freeway and so based on those full build out plans, they still have additional right of way on that common border with us and so we have that arrangement with them and so we agree with -- appreciate staff's support and approval of that and we agree with their conditions. So, in conclusion, this is really a quality development, not high density, it's a lower density development. We are -- we are working closely with the neighbors and working together. We are enabling additional water for expansion for Franklin Sensors when it's needed for them. Closely collaborating with Brighton and with Franklin Sensors for the utilities and access. All the required improvements will be in place prior to our start of construction, as conditioned in this development, and we agree with all staff report conditions of approval. With that we

request your approval tonight with the staff report conditions as stated and stand for any questions you may have.

Seal: Any questions for the applicant? All right. Thank you very much. Appreciate it.

Yorgason: You are welcome. Thank you.

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

Hall: We do. We have Dustin Hadfield.

Seal: Signifying he would not like to testify. So, no one else? Anybody else want to -- sir, come on up. Good evening. I will need your name and address for the record. Please speak right into the microphone.

Peterson: All right. Thank you. My name is John Peterson and my address is 6786 North Pyra Avenue in Meridian, Idaho, and I live in a neighborhood that is adjacent to the proposed, you know, subdivision and I actually really like the way that they have laid it out. I feel like it's very congruent with the lot sizes that are -- you know, that are in that same area. I like how they are all single family lots and it is being built by a builder that builds really nice homes that are congruent with the area. And I think that pretty much everyone that I know would support this development going in because of how nice it is and the nice amenities that they have put in. They are putting in a pool, you know, so they are going above and beyond as far as what they really need to do to build out a neighborhood.

Seal: Okay. Thank you very much. Appreciate that. Anybody else would like to testify? All right. Would the applicant like to come back up? So, it -- it sounds like nothing really to address there, but I will -- the -- the -- the only question I have -- I have for you is as I'm looking at the layout of the -- the common open space where Lot 9 and Block 3 kind of juts down into -- seems like that squeezes that open space and reduces the ability to, you know, have that flow and be a little bit more opening -- open without that being constricted in there. Would you be amenable to squeezing -- you know, making Lot 9 a little bit smaller in order to open that up for --

Yorgason: Yes. Mr. Chairman, for the record Dave Yorgason. Got my friend Dean over here, so he knows who is talking. We actually already looked at that. We already did move it open. So, it's -- it's more than what might be sometimes somebody squeezes like ten foot wide and there is barely enough room for a five foot sidewalk and maybe a tree on one side, maybe it's because the open space is a little bit larger proportionally, but, again, these are a little bit larger lots, so we actually think it's okay as is. If you need us to maybe clip the back corner of Lot 9, we would look at that, but we really don't know that it's necessary. I have built personally in miles of pathways throughout the Treasure Valley, feel very confident with what's here, but if you feel like you need us to review it we will, but we have looked at it, we have already looked at it with staff -- actually more than once and we are -- we think it will work, but --

Seal: Okay.

Yorgason: -- that would be my response. But if there are other questions -- we appreciate the comments tonight. We -- we -- we are excited about this moving forward, but I don't know if that's a direct answer to your question, but we have looked at it and we think it's more than adequate, but if you want us to relook at it, well, we will.

Yearsley: Mr. Chair, just to follow up with that. Looking at it, I'm assuming that that pathway in between is a five foot pathway. So, more than likely you are, what, 20, 25 feet between properties back there?

Yorgason: Mr. Chairman, Commissioner Yearsley, it's a minimum of 20 feet. It might be closer to 25 at a minimum.

Yearsley: Yeah. That's -- that's what I thought. It looked -- looked fairly wide, so --

Yorgason: And you are correct, it's a five foot sidewalk and that is to scale.

Seal: Yeah. On the map it's only this --

Yorgason: You are -- you are right, it is only that.

Lorcher: Mr. Chair?

Yorgason: I promise the sidewalk won't be that big, though.

Seal: Commissioner Lorcher, go ahead.

Lorcher: For the lots that are on the -- the open space, the backyards are facing it. Are you going to have open fencing or are they private vinyl fencing?

Yorgason: Mr. Chairman and Commissioner Lorcher, great question. There is actually a conditioning here that requires us to meet the open fencing standard, which is -- sorry, that's solid part way and open part way. We will meet the open space standard requirements for the City of Meridian.

Lorcher: Okay. I think it's just the drawing that's kind of throwing you; right?

Seal: Yeah. A little bit. Just, you know, to see that space in there just squeezed a little bit where -- you know, I mean as you are saying throw a football, throw a frisbee and things like that, I mean it's a huge area. So, I don't think anybody's going to really have any problems and I mean, to be honest, if you closed it off the other part would have its own function for sure. So, I mean the only other question I have is that Block 1, Lot 22, that seems out of place, I guess, but I understand it, so -- I mean I don't know if I have a question on that, it just seems out of place in the whole thing. I mean I understand where the residence is going to remain, but --

Yearsley: I actually think it fits, because you have the two estate lots on either side and I'm guaranteeing you someone will want that. That's a desired lot.

Seal: Well, I -- I want that.

Yorgason: Maybe we will visit afterwards, Commissioner, but I can't say that on the mic, but --

Seal: I love that lot.

Yorgason: We -- we -- we might already know who is headed that direction, but it's nothing official, of course, until -- but we -- we recognize these would be nice premium view lots all the way through there and it's right up on the rim. It's pretty -- pretty nice up there.

Seal: Yeah.

Yorgason: Thank you.

Seal: Absolutely.

Yorgason: Appreciate that.

Parsons: Mr. Chair, Members of the Commission, if I could just ask Dave maybe another professional opinion on opening that area up a little bit. Just like to give a little commentary on that as well. Are you amenable to maybe just shifting Lots 10, 11 and 12 all the way to the backage of the sidewalk? And it kind of opens that up a little bit more and lose some of that open space along the street there and add it to the other side. Yeah. Shift those lots to the east.

Yorgason: Mr. Chairman and staff, I'm not even going to look over here who was going to help make the decision, I'm going to say, actually, I think that would be less desirable, because north facing backyards are more desirable lots and they back up to open space. So, I would say to the design of this plat, I would prefer what we are presenting tonight. But thanks for asking.

Seal: Okay. Anymore questions, comments? No? All right. Thank you very much.

Yorgason: You are welcome again. Thanks for your comments and your time tonight.

Seal: Thank you.

Yorgason: You are welcome.

Seal: Okay. Can I have a motion to close the public hearing for file number H-2022-0059?

Lorcher: So moved.

Yearsley: Second.

Seal: It's been moved -- excuse me. It's been moved and seconded to close the public hearing for file number H-2022-0059. All in favor, please, say aye. No opposed. The public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley.

Yearsley: So, I guess besides having a -- a really good design and layout, timing is always a benefit to you as well, going from an application that's really really dense to one that's really big. Also provides -- you know, this -- this is really nice. Sorry for that. But I -- I like it. I -- anytime I can get an R-4 I'm -- I'm happy. I -- I -- I apologize, but I'm tired of seeing subdivisions that can try to pack as many homes in as they can. I understand that this is a desirable area and you want the bigger lots and -- and it makes sense to have -- to meet that -- that criteria and I -- I can't say more that I'm -- I'm in very much support of this project.

Lorcher: Mr. Chair?

Seal: Go right ahead.

Lorcher: After considering all staff, applicant, and public testimony, I move to approve to City Council file number H-2022-0059 as presented in the staff report for the hearing date of November 3rd, 2022, with no modifications.

Stoddard: Second.

Seal: Thank you. Okay. It's been moved and seconded to approve file number H-2022-0059 with no modifications. All those in favor say aye. None opposed. Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

- 8. Public Hearing for Turin Plaza (H-2022-0063) by 12.15 Design, located at 3169 W. Belltower Dr.**
 - A. Request: Rezone of 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district.

Seal: Okay. At this time I would like to open the public hearing for file number H-2022-0063, for Turin Plaza and we will begin with the staff report.

Parsons: Thank you, Chair, Members of the Commission. Next item on the agenda is Turin Plaza. The application before you is for a rezone and a short plat. The site consists of 1.62 acres of land, currently zoned R-4 in the city and is located at 3169 West Belltower Drive. This property was annexed in 2001 with the R-4 zoning district. It actually was part of the Bridgetower PUD annexation at that time. It actually had a use exception approved for it, so you see R-4, but it's allowed to develop with office. As part of their recorded development agreement for this property it did require the applicant to go through a rezone process with us before they developed the lot. So, that's kind of the first step of tonight's discussion is rezoning it from R-4 to L-O and, then, the second piece of that is to actually further subdivide the existing lot and block that was created with the subdivision. So, you can see here the applicant has provided a conceptual development plan associated with that rezone to L-O. You can see they are proposing four additional office lots on here. All of the landscaping along Ten Mile Road and the private street along the east boundary has already been constructed, because, again, this is an existing lot in the subdivision already, they are just further subdividing. So, here is the short plat before you. Typically Council acts on the short plat, but because it is concurrent you guys are a recommending body on this particular application. So, as noted in the staff report, because they are further subdividing, we want to make sure that there is adequate parking and cross-access, but between all of these office lots we are -- have recommended a condition of approval that the applicant record a cross-access shared parking agreement for the development. I have looked at the public record, did not see any public testimony. Staff is recommending -- recommending approval with the conditions in the staff report and with that I will stand for any questions.

Seal: Okay. Thank you, Bill. Would the applicant like to come forward?

Parsons: He may be online. Is the applicant online?

Seal: Right here.

Parsons: I thought Jessica was going to be here. My apologies.

Hunter: Well, she -- she's online I think.

Parsons: Okay. Perfect.

Moorhouse: So, I'm here as a backup.

Seal: So, she's -- she's raising her hand it looks like.

Moorhouse: I will let her present.

Seal: Yep. I think so. Thank you.

Hall: Are you there, Jessica?

Petty: I am. Can you hear me?

Hall: Yes, we can.

Petty: Perfect. All right. So, my name is Jessica Petty with 12.15 Design, 1897 South Satellite Way, Boise, Idaho. We are requesting the rezone of the Turin Plaza Subdivision from an R-4 to an L-O zoning district. We feel this would benefit the community and nearby neighborhoods by being able to provide them with new services and new businesses, rather than having the higher density residents built there. We feel it's very consistent with the properties to the north and surrounding it and we think it would, you know, fit in and complement the community really great and we are in full agreement with all the recommendations from the staff to incorporate the -- the -- the property line change or shifting the building and for a larger buffer on the side there and, then, to do the shared parking agreement is not a problem for us. So, we are -- we are on board with everything and we appreciate it.

Seal: All right. Thank you very much, Jessica. Does anybody have any questions for the applicant or staff? No? All right. With that we will open the public hearing, if anybody has signed up to testify, Madam Clerk.

Hall: We have a David Moorhouse.

Moorhouse: I'm David Moorhouse. 3536 West Ryder Cup. I'm the owner of the property and I just signed up in -- just in case there was questions in addition to the -- what was presented, so --

Seal: Okay.

Moorhouse: I didn't have anything other to add, unless there is questions.

Seal: Commissioners?

Yearsley: No.

Lorcher: No.

Seal: All right. Thanks, sir. Appreciate it. All right. Would anybody else like to testify? If so raise your hand. No? All right. Does the applicant have anything else to -- to add before we close the public hearing?

Petty: No, I -- I don't have anything. Thank you.

Seal: All right. Thanks very much. Commissioners, anything from you?

Yearsley: No.

Seal: No? All right. Can I get a motion to close the public hearing on file number H-2022-0063?

Lorcher: So moved.

Yearsley: Second.

Seal: It's been moved and seconded to close the public hearing for file number H-2022-0063. All those in favor, please, say aye. All right. The ayes have it. The public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Would anybody like to discuss or throw a --

Yearsley: I don't know that --

Seal: -- a motion or -- yeah.

Yearsley: It's -- it's a pretty straightforward simple project and I think it fits the area. So, I agree with the zoning.

Seal: Okay. I would take -- gladly take a motion.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: After considering all staff and applicant and public testimony, I move to recommend approval to -- are we recommending to City Council? Okay. Recommend to City Council for file number H-2022-0063 as presented in the staff report for the hearing date of November 3rd, 2022, with no modification.

Yearsley: Second.

Stoddard: Second.

Seal: It's been moved and seconded to approve file number H-2022-0063 with no modifications. All those in favor, please, say aye. Okay. No opposing, so motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

9. Public Hearing for McDermott Village (H-2022-0056) by Boise Hunter Homes, located at 3235 N. McDermott Rd. at the northwest corner of W. Ustick Rd. and N. McDermott Rd.

- A. Request: Annexation of 40.05 acres of land with R-15, R-40 and C-G zoning districts.
- B. Request: Preliminary Plat consisting of 85 building lots (81 townhome, 1 multi-family, 3 commercial lots) and 8 common lots on 40.05 acres of land in the R-15, R-40 and C-G zoning districts.
- C. Request: Conditional Use Permit for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district.

Seal: Okay. And last, but not least, we will open the file H-2022-0056 for McDermott Village and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. The last item on the agenda this evening before we adjourn is the McDermott Village project. It's an annexation and zoning, preliminary plat, and conditional use permit. You can see here on the future land use map that the subject property is mixed-use regional on the Comprehensive Plan and you can see on the zoning map the current boundary of the city limits. There is no application history per se for this particular project, as they are actually here to talk with you tonight about it. The property is located on the southeast -- or excuse me -- the southwest corner of Ustick and McDermott Road. This -- this project is unique -- if you can imagine. You probably saw in that graphic there that there is actually State Highway 16 that goes through this property and bisects it. In the staff report I think city staff did a great job of explaining the situation of why we are supporting this application this evening, just for the fact of the uniqueness of having a state highway run through this property. I would mention to the Commission that the applicant was in front of City Council and asked for the specific land use designation as part of the Comprehensive Plan update in 2019. The requested zoning with the annexation request includes R-40, which is approximately 15.85 acres of land. We have a C-G piece of property, zoned 7.08 acres and across -- or the east side of the future State Highway 16 the applicant is proposing R-15 of approximately 17.12 acres of land. Here is the conceptual development plan submitted with that application. Again, you can see how the intersect -- the state highway intersects the property. So, it's really almost a -- a tale of two projects in -- in a sense with the way this works out and so in our -- in our analysis of the Comprehensive -- Comprehensive Plan for this particular project we couldn't find that it was entirely consistent with all the mixed-use regional standards, but what -- given the circumstances we felt it was generally consistent with the Comprehensive Plan and what I mean by that is Sonya did a great job of laying the foundation that the project on the west did integrate a little bit more with the surrounding developments because of what had been approved and developed on that particular side of the road and, then, as you transition to the other side of the road this provides a buffer to the state highway and transitions on that side of

the road as well. So, I think overall staff is supporting this project with the two residential -- or the two land use types that are proposed before you. So, we have, essentially, commercial, some office and, then, townhome development and a commercial -- or excuse me -- and a multi-family development. I appreciate the applicant also showing you some of the other developments in the area here on the graphic to the -- to the right. It gives you that overall comprehensive view of what's been approved along this corridor thus far, so I -- I think it -- it kind of tells the tale of what's actually happening and I think this Commission is aware of all the growth that's occurring in this area. You will also note on the concept plan here that access to the west -- western portion of the development is coming off of Ustick Road here. This is -- this will be a public street and constructed with the subdivision and, then, also ties into Aviator Springs development to the north. So, this is the primary spine road adjacent to an arterial or the state highway and it will provide that necessary secondary access that we are looking for in this particular area. The applicant is proposing, again, a preliminary plat consisting of 85 buildable lots. So, one -- one would be a multi-family lot, three commercial lots and, then, 81 townhome lots. Again you can see the west half of this green is the west side of State Highway 16 and, then, the townhome portion is the east side, which has 81 townhome lots. You can also see that the applicant is proposing to phase the project. So, phase one will commence with the multi-family and I'm sure the road that comes into the development to serve it. Phase two is across the other side of the roadway, which is the townhome development and, then, phase three will be the commercial development. I would also note to the Commission that at this current time there are no plans for any commercial development, meaning there is no end user to -- to locate on this site. It's really speculative. The applicant -- we worked with the applicant through numerous meetings to try to get something that was consistent with the Comprehensive Plan. They felt this was there -- and, again, given the -- the -- the look at this and seeing that there is a highway going through, it's just really challenging to get a regional draw on something that's going to be bisected by the state highway. So, really, if you look at this project approximately 26 acres of this site is on the -- the east side -- or, excuse me, the west side of the roadway and the remainder falls across the east side of the road. So, again, as I mentioned to you it's -- it's a little disjointed, just because of the highway, so we -- we tried to lay the -- lay the foundation for you as best we could. But, again, staff is supporting this project. So, both projects -- can't call them both projects. But this project has to require -- comply with open space requirements. This is their proposed landscape plan. The highlighted areas show the areas that can count towards the required open space. So, then, again, the multi-family portion and commercial portion are highlighted in red here on the west and, then, on the east side you see the additional open space that's proposed. In the staff report staff did make the finding that the project does comply with the open space standards, not only for multi-family standards, but also the single -- single family standards, which is happening or occurring on the east side of the roadway and, then, as part of the mixed-use regional standards, the applicant's required to provide some open space as part of that project -- that portion of the development as well and you can see here there is a central plaza that's built or proposed in between two of those commercial structures. So, staff has made that a recommended DA provision as well for that to occur with the development of the commercial project with phase three. Staff also noted that the amenities proposed for the -- both the multi-family and the single family met city code.

There was a little back and forth with the applicant as far as the amenities proposed for the multi-family project. There were some misunderstandings about the commercial kitchen component of the conditional use permit. I had a chance to work with the applicant or at least talk over that condition with them today. So, again, the Commission can either strike the word commercial and just leave the outdoor kitchen as part of an amenity or just strike that amenity altogether, because based on the amenity package that they are proposing for the multi-family, they are in excess of UDC standards. But as you know, once you get over a certain unit count for multi-family developments, it's up to your purview to determine whether or not the applicant is -- is proposing the right number of amenities for the size of the development. In this particular case the conditional use permit is for 250 units. Staff also asked for further clarification on the amenities for the single family portion of the townhome portion and that's what this graphic on the right represents. So, the applicant does meet -- or exceed the -- the amenity points required by the UDC. I will skip over this slide. I think you are aware there is multiple structures, 250 units. Again, the site plan complies with the parking ratios and they meet the open space and amenity requirements per code. And, then, as far as conceptual building elevations, here is what the applicant is proposing for not only the townhomes, but also the multi-family. We believe that it does kind of blend in with the surrounding developments. Any further refinement would occur with administrative design review with a certificate of zoning compliance -- application and design review application I should say. No conceptual elevations were submitted for the commercial portion. So, again, that's fine, they don't have an end user, they don't know what it's actually going to look like yet. They want to keep that portion of the site someone flexible until they have somebody that can locate there. So, looking at the record it looks like we did have somebody that provided testimony. They didn't give a name, so we labeled it Meridian residents. They are concerned with overcrowding at schools and just the continuing growth happening in Meridian. And, then, Todd Tucker, the applicant's representative, did provide a response to the staff report and he's requested that condition A-10K be removed, which is reference to that commercial kitchen as I mentioned and, then, staff is recommending a revision to DA Provision F and that's on your hearing outline. So, basically, we just want to add the name of a street and just clarify in the development agreement that the multi-use pathway required along that roadway can occur on the west side and not directly on the east side adjacent to the state highway. And also after looking at the staff report as well, I would also note that that same condition is condition of approval 3-B as well. So, I will also make sure that that language gets added to that condition as well as we transition to City Council. With that, again, staff is recommending approval and I will stand for any questions you may have.

Seal: All right. Thank you, Bill. At this time would the applicant like to come forward? Good evening, gentlemen. We need one of your names and address for the record and --

Hunter: Yeah. Sure thing. My name is Travis Hunter with Boise Hunter Homes, 923 South Bridgeway Place, Eagle, Idaho. So, we are the principal partner in the McDermott Village Subdivision here before you guys tonight and we are grateful for another opportunity for a unique project in the City of Meridian. Having the right team is really the

key piece to any successful development project and I couldn't be more excited for the team we have put together for this project, as it's so dynamic. So, as this project blends multi-family, commercial, and for sale housing, we have partnered with the Pacific Companies, which are some of the country's best multi-family developers and if you are not familiar with their work, one of their projects is actually right across the street from here, the Old Town Lofts development. Working on the architecture side, we have partnered -- and the -- and the landscape architecture side we have partnered with GGLO and Pivot North and both of them have produced high quality projects, both locally and regionally. The McDermott Village project offers the City of Meridian a timely and low risk development that utilizes the Meridian comp plan to develop a critical 40 acre piece that is adjacent to the existing Owyhee High School and the future Highway 16 extension, which is coming fast. I will now turn over the details of the application to Josh Evarts, the development manager with the Pacific Companies.

Evarts: Yeah. Good evening, Commissioners. Josh Evarts, 303 East State Avenue, Old Town, Meridian. 83642. Hey, I appreciate you guys having us here tonight. This one is a labor of love. This is not easy to do. So, this project -- I won't burden you with the order of events. We are going to talk about the property. We are going to talk about what the ask is and, then, we will get into some of the details and -- and challenges of this guy. The property was 40 acres that was bought back in 2006 by the Hunter family, a family that develops single family homes. This property was in the path of growth and saw an opportunity to develop that in the future. In 2017 ITD redefined the final five miles of Highway 16 and we ended up with a property that had some unique characteristics associated with it. So, what we are looking at is we felt that the reason that we went to City Council during that comp plan is that we really felt that Owyhee High School would become that regional draw and we felt like we could wrap a project on this property, even with the highway dividing it, and have a mixed-use regional draw element product that we could put in place for the City of Meridian in this area. So, what we are asking for tonight is, obviously, the annexation of the property. It is designated mixed-use regional and -- which is a mix of employment, retail, residential dwellings, six to 40 units per acre. We are proposing 12 and a half units per. We definitely wanted to keep with kind of an open design that can be kind of a transitional element from -- from some of these open spaces into some of its higher density partners that exist around it. We need a rezoning request. We have the R-40, the R-15 and the commercial that's down below and we will go into some details on that and, then, obviously, the preliminary plat for each of those 250 dwellings multi-family the Pacific Companies will be building 81 townhomes that will be the responsibility of Boise Hunter Homes and, then, the commercial that we are going to do cooperatively. We think that there is some really strategic things that we can go after that really does make this -- even though it feels like separate projects that can really make this a mixed-use project that can be delivered to the region. We do need a conditional use permit for the Unified Development Code for the multi-family, so that's one little add-on that we need there. So, let's talk about the challenge. So, Highway 16, we make the decision, right, or transportation makes the -- department makes the decision to initiate this extension going from State Highway 44 all the way to Highway 84, so -- or Interstate 84. Phase one was completed in 2014. The design for this last five miles was finished in 2020, funded in '21 and is in the process of working through different

sections of that right now, even though they haven't gotten to our piece of property in -- in particular. So, our solution was, number one, we kind of had to conduct an assessment. We really had to sit down as a team. I think that the Hunter family in their wisdom started bringing some bright people together, Pivot North, GGLO, Pacific Companies to go, okay, what does this look like? What can we offer. What -- what's something that we can do here? And approach the site comprehensively, not look at this as a divided piece of property, but look at it as a project that we can deliver. Building that team. And, then, we have actually leaned in to try to be a good partner, knowing at the end of the day this road is going through. So, on our own volition and dollars we did put in a north sewer main and south sewer main to support development that would happen on either side of this and get that done and, then, we also granted a water line easement to the City of Meridian along the entire southern border of the project and we just felt like it was important for us to -- to lean into this and be -- be a good partner with the city. So, McDermott Village, what is it? It's a mixed-use regional program development. We are leveraging Owyhee High School as our primary draw here. I did want to make note of the one comment that came in earlier about the impact of West Ada. I know we talked about it with Kuna earlier. The letter was actually submitted from West Ada, the planners on this project. They are estimating that we are going to add about 73 students and they didn't express any concerns. Their only concerns were that we were giving access from the development to Owyhee High School, which we have done in three areas. Just an additional data point. Multi-family lifestyle community, we -- we really leaned into amenities here and what we would be able to offer on this site, especially in such close proximity to the -- the high school. Single family townhomes. This was, as staff reported, the more challenging of the two sides to -- to develop a product. There are some unique things. You will notice that there is a -- a cul-de-sac at the end of McDermott. So, that doesn't exist today, but as soon as the highway goes in that does get cul-de-sac'd at the end of that. So, there are just some unique access challenges, but I think we came up with a great concept to do these single family townhomes, which we think are going to be at a price point that has a -- a great amount of affordability associated with it, which we think fits with this whole transitional model of going from the regional draw, the multi-family, some very affordable townhomes and then -- and, then, leading into the rest of the region as we have laid it out. Retail and office amenities and, then, lots of integrated green space. Just felt that that was very very important. So, the comp plan. This is -- this is what guided a lot of our development. This is the mixed-use regional sample laying out the single family residences, the retail office, hospitality and integrated plazas. So, our take on this as we look at kind of the data overlay and the colors here, is on the east side of the project we have the 81 townhomes. You can see the green space of the pickleball courts in the north, as well as the big open green space that's in the middle of the project. We have the 250 apartments that are in the yellow. You will see all the green space that's in the middle of that. The amenity space. For the entire project we are at 32 percent, which includes plazas, pickleball courts, walking paths -- specifically walking paths that are also connected to Owyhee High School. In the front in the commercial we have 15,000 square feet of office retail space that we think that -- we don't have specifics. We do have some things that we are wanting to target in that space that we think fit with being off of a -- a access point off the Interstate and, then, we just have amenities specific to the multi-family, 9,000 square foot clubhouse that does have a full indoor kitchen, big accordion

doors that open up into the public space, outdoor barbecue, pool, lots of fun stuff to do there on site. So -- why didn't that not advance? Oh. Elevations. So, this gives some idea as to what we are looking at. So, this is looking north at the multi-family commercial. You notice we have kind of reflected. We do think one of the natural fits for this, given the fact that it's right off of the state highway or Highway 16, is a fuel convenience store option. We have done a lot of time looking at Rocky Mountain High School and looking at a lot of the successful businesses, the grab and go food. We also think in order to drive more jobs we are looking and -- and just amenities that would be specific to the multi-family, we are looking at dentists, optometrists, things of that nature, that would be things of sports doctors, things that we could see students that are at the high school that are going to be in walking distance, that they would be able to take advantage of. Looking west at the multi-family, again, you can see some of the buffer and -- and -- and landscaping that exists, how we set those buildings back to make sure that those buffers exist and, then, the high school in the background. If we look at this public plaza this is one of the big things that we focused on. I think GGLO and -- and Pivot North did a great job of -- of really creating these kind of environments that are walkable, that are -- that are going to be friendly to kind of the -- the -- the region and, excuse me, finally, the townhome elevations. Again, wanting to fit -- I think like staff reported wanting to fit in with some of the designs and -- and -- and things that were happening in the region and -- and not be developing something that was outside the norm and we know that there are challenges with this, so we wanted to make sure we were being very careful with -- with some of those design things to fit in. So, some staff comments that we wanted to address. So, there was a request -- staff was looking to require a ten foot wide multi-use pathway within the Highway 16 buffer. So, all this pink area, this is the pathways on the property. I will just point out the blue circles on the west side of the property, those directly go into Owyhee High School. That's some pretty neat points right near baseball fields and stuff that's going on. The path to the north of the multi-family ties right into the subdivision, the single family community above us. So, we are providing that multi -- or that ten foot wide path on the multi-family side of the project. Where we run into issues is we are providing that ten foot path on the east side of the townhomes. There just wasn't enough room with the buffers and things that we had to provide to -- to squeeze that ten foot pathway on the east side of the property. So, we moved that to the west side on the -- on the townhome side of the project. Requiring a 25 foot landscape buffer between the commercial lots and the residential lots to the west is the Flowers' property. Flowers' properties -- if you look at this drawing, the easement that we were given by ACHD -- or access that we were given by ACHD, that -- that parking or that -- that driveway that goes in-out, we are only 24 feet off the property line to get to the middle of that. So, it really is impossible for us to do a 25 foot and -- and, ultimately, because that Flowers property is designated mixed-use commercial on the future land use map, it wouldn't be a requirement to have a 25 foot element there. So, it would be asking for a -- a variance to not have to do that. We -- we just would lose the southern access to this -- to this property. We can't move that -- that -- that driveway or that access point any further east. Requiring a 35 foot wide buffer along Highway 16 and McDermott Road, code does allow for a ten percent variance option. So, on, again, the multi-family side we are right there. We are currently at 33 feet, so -- so, no issues at all there. On the other side of the project where it squeezes down on the far north, we get down to a 26 foot buffer between the

westernmost lot on the north of that project. So, even with that ten percent variance where it's -- it's not sufficient to -- to meet that 30 foot -- 30 foot wide buffer, so we are looking for some consideration there. If you look at the on ramp, the 50 foot buffer, there is a retaining wall on the east side of the buffer and the 26 feet that we are providing, we feel that at 76 feet that's -- that's -- that's sufficient and we are really trying not to lose lots in order to make sure that -- that these still maintain, you know, affordability. It really is going to cost us about the same amount whether we have that one extra lot or more and -- and so it really does impact the -- the -- the -- the cost of these properties ultimately to a buyer later on. Requiring the 30 foot wide buffer along McDermott Road, this really isn't -- it -- this won't be a thing. So, this -- as soon as this gets terminated as a cul-de-sac it will no longer be an entryway corridor. So, we won't have a requirement to have that 30 foot wide -- 35 foot wide buffer on that side. So, we are -- we are asking to not have to put that in, since that is going to get ended. And, then, finally, requiring all townhomes to be a minimum 2,000 square feet. So, one of the things that the code does allow for is a variance can be given to relieve an undue hardship because of the characteristics of the site, as long as we are not detrimental to the public health, safety, and welfare. Just given the nature of this Highway 16, we also have in the green spaces and that's in the middle, that's the hundred foot wide Sky Pilot drain easement that we can't touch that we have to maintain. We really did try to program as much as we could in this piece of property, so that we could get to a product -- these townhomes that were -- that were the right price point and the -- and the -- and the right product in this area. We are not far off of this, but if we do have to comply and get to that 2,000 square feet, we are going to lose about ten percent of the available units, so we are estimating nine units, which is negating a portion of that whole affordable spirit of the development. So, with that I am open to any questions and thank you for your consideration. And staff.

Seal: Commissioners, any questions? No? All right. Thank you very much.

Starman: Mr. Chairman, can I take care of some housekeeping real quick?

Seal: Absolutely.

Starman: And if I missed this I apologize, but Commissioner Lorcher and I had a discussion a little earlier today that she may have a conflict of interest relative to this project. If that's the case -- I'm not sure if you made your decision about that, but if that's so I was just reconfirming you do need to make an announcement on the record and we have already talked about you could not participate in deliberations or voting, but if you have decided that you are going to recuse -- I -- I guess I would recommend now that you, you know, make that comment and explain why and, then, refrain from participation in -- you know, participating in deliberations or voting on the item.

Lorcher: So, based on counsel today, because I am a neighbor of this particular project, my farm is just adjacent to it to the east, I am going to recuse myself this evening.

Seal: Okay. Thank you. Appreciate the reminder on that. All right. Madam Clerk, do we have anybody signed up to testify?

Hall: Ron Hopper.

Seal: Good evening, sir. Need your full name and address for the record, please.

Hopper: Name is Ron Hopper. My address is 3510 North McDermott Road. I live right across from this proposed project. I only have a couple of concerns. It looks like a good project, but all this traffic is going to dump on McDermott Road and Ustick. Those roads are two lane roads. They weren't designed for an additional 500 cars a day. So, is the developer going to maintain the road? Is he going to put in a turn lane? Is he going to build up the aprons? This is what my concern is. And also the traffic. The kids. I have got two kids -- grandkids that go to Owyhee High School and so now you are going to be dumping all these cars on Ustick. You are creating an accident is what you are creating. So, just think about it. If some kid gets hit by a car, remember that, okay? I mean it's a nice project, but you need to have more access or better control. That's my comments. Thank you.

Seal: All right. Thank you, sir. Appreciate that. Anybody else signed up?

Hall: Rod Green.

Seal: Good evening, sir. Name and address for the --

Green: Good evening. Yeah. Excuse me. My name is Rod Green. My wife and I -- my wife Bonnie over there, we live at 3560 North McDermott Road. We are right next and behind Ron who just spoke and right across from the east part of this development. We have the same concern about the traffic. If you do a quick calculation based on a little over two cars per townhouse and maybe three trips per day, you are going to have almost a trip every minute during the nine hours of your working day. Now, the problem with that is traffic isn't evenly distributed throughout the day as you well know. You have a lot of congestion in the mornings, a lot of congestion during the evenings and at other peak times of the day. So, it's going to be really hard to get in and out of our properties is what I'm saying. Our driveway for our property lines up almost directly across from the northern access to -- there is -- there is two access points. Let me try to describe it a little better to this eastern portion of this development for McDermott Village. Okay. The northern entrance to that property lines up almost directly across from our driveway. We think that's going to be a problem. Why? Because I think most of the traffic in and out of this eastern portion of this development is probably going to go through that northern access point. There is not much point for all of those people to turn out of their townhomes and go south and get on McDermott and come back up north to get to the drive around point to get to Ustick on north to McMillan. It just looks like it's going to be a problem situation right there and right across from our driveway. So, we have a lot of concern about that. Otherwise, we have I think a general concern for the total amount of build out that you have got going in this part of the -- of your city. The Aviator Springs -- I think it's Aviator Springs to the north -- looks like there is a lot of apartments there and it doesn't look good. I don't know if you have driven out that way and looked at it. It just looks like a big bunch of stacked multi-story apartments. Is that really what we want? Is that -- is that a good

transition to the rural environment that we have had out there? We moved there in 2004, you know, and loved the peace and quiet. That's why we bought there. We are not going to have that anymore. We have got Highway 16. We have got all this other development going on. Have we been compensated in any way for what we have lost? No. Will we even have access to the utilities that you are bringing in to this development, such as natural gas, high speed Internet, water if we should need it at some point or sewer? I doubt it. Just because of our location we probably won't have that. So, those are our concerns. Thank you for your time, Mr. Chairman, Council Members. Thank you. That's it.

Seal: Thank you very much. Appreciate it.

Hall: Bonnie Green.

Seal: All right. Anybody else would like to testify? Sir, come on up.

Elam: My name is Paul Elam. I live at 5127 North Assisi Road, Meridian. I have been here before in relation to the Bridgetower complex and -- and as much as I hated that one, this is much worse. I would say this is garbage. Complete garbage. Twelve three story buildings. I don't know if people have really taking that in. Our daughter goes to Owyhee High School and right now it's a freak show in the mornings and I'm sad to hear that Commissioner Lorcher is going to not vote on this, because I actually think she would give the most valuable opinion, because she is nearby and could say exactly what that area is like. In the morning this week they have been putting in a gas line on -- on McMillan, which is right on the opposite side. You have two main streets going in toward McDermott. One is Ustick and one is McMillan. As you continue on down to the Storm Avenue I think it's called, then, they -- that road goes all the way between both of them on Owyhee High School. This is adjacent to it. It's literally -- when you go there for games it will block out the sky. I mean it's tragic. I wish I had never bought here to see this kind of thing go in and the only reason they are going to get away with this in some ways is because nobody knows. These fine people over here are nearby and they see it, but the 500 yard -- I think it's 500 yards or something like that where they send out the cards, well, there are a lot of farms in there and, then, they should send out a card to everybody who has a student going to that school, because, frankly, the comprehensive report is completely out of date and the planning team seems to approve almost everything that goes through as far as I can see. It was done in 2019 and in 2019 there was a completely different Meridian. It's nothing like what we live in today and it's tragic in what has happened. All along McMillan from where we live near Walmart all the way down to Owyhee there is buildings going in on all sides, which are homes. Granted they are homes, I can't stop that, but also there is a new school going in there, which means that all the traffic will be going back and forth and if you can believe the estimated 71 students -- I won't even describe what that really is. There is no way -- Marci Horner who does West Ada's form letter that sends out for every application says the same thing, which is basically that these three schools that are -- that these students would funnel into -- one of them is in our community and Bridgetower, is already at capacity. It's max. The parents are fuming every day, because they can't even hire teachers to go in that school. So,

what I would ask is that closing -- I'm sure my time is running out soon -- is that Kurt read again what they did at the Bridgetower conditional use permit time was all the reasons why you can deny this claim and I will give some examples of them real quick. Some of the examples on how you can deny this claim are in the code of ordinances, findings, which include that -- that the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood. There is no support services anywhere near this area. They will have to drive either to Nampa or into Meridian on either Ustick or on McMillan to get to everything they want to do. Very few people will jump right on 16. Is it -- it's an existing or intended character or the general vicinity that such use will not adversely change the essential character of the same area. This project will adversely change the whole area. There is nothing even remotely like it anywhere near it, except if you go up 16, going towards State Road, you will see there there is three story apartment buildings that also block out the sky. Is that the kind of experience that we want for our students at Owyhee High School is they look up and they can't even see the mountains that their school was built -- was built to view? It's unbelievable to me. Going on. Some other reasons to deny would be that the proposed land, if it complies with the conditions of the approval imposed, will not adversely affect the other property in the vicinity. I think we all know that if you build a bunch of apartments right next to the school it will directly adversely impact those other properties in that vicinity. Number five. That the proposed use will be served adequately by essential public facilities and services, such as highways, streets, schools, parks, police, fire protection, drainage structures, refuse disposal, water and sewer. I think we can all agree that the information sent over by those different agencies is not adequate and won't fundamentally explain the true nature of that area. I know I'm going over my time. Finally, I will just add that a nearby neighbor applied to be on this Commission in one of the open spots and I would like to go on the record in saying that nobody, either Andrew Seal, nor the Mayor followed up with them for -- it's been over a month now and it seems like having more opinions on the Commission would be a better way to really project what we want to build in Meridian for our families. Thank you very much for your time.

Seal: All right. Thank you. Anybody else like to testify? No? All right. Would the applicant like to come back up?

Tucker: Mr. Chairman, Members of the Commission, Todd Tucker, Boise Hunter Homes. 923 South Bridgeway Place, Eagle, Idaho. I just wanted to address a few of the comments that were made. You know, there is always concerns about traffic with any development that comes in. One of the unique situations that we have here -- and I understand the concerns from the residents on the east side as far as traffic on McDermott. We have to remember McDermott will be cul-de-sac'd. So, the amount of traffic that you see now that travels on McDermott is going to be dramatically reduced when that road is cul-de-sac'd. There just won't be that much traffic traveling up and down McDermott, because you can't get to Ustick, you have to -- you have to go to the east a mile or a half a mile, then, back down a mile or half a mile, I can't remember the distance, to Ustick Road. So, I think the -- the -- the overall traffic is going to be reduced on McDermott Road, just because that road is going to be cul-de-sac'd. As far as the concern of Mr. Green, the alignment of the road that -- the northern access road and the

townhomes aligning with his driveway, ACHD actually has a policy, they like things to align. It actually makes for safer intersections when -- when roads and driveways align with each other. So, if you look at ACHD's policy manual they actually like things to align or be offset by certain distances, because it makes safer intersections and so that drive -- that -- that street aligning with their driveway is actually what ACHD would -- would prefer. Aviator Springs does not have any multi-family. There are no apartments in -- in Aviator Springs. I believe it's all single family homes that this Commission and Council just recently -- recently approved. As far as the destruction of the rural environment that is there now, the properties to the east side of McDermott Road are in the county, but they are within Meridian's area of impact and Comprehensive Plan and identified as mixed-use interchange, which would have much higher uses than what is there now. Our development -- we really -- as -- as Josh mentioned earlier, we tried to -- to kind of step down or transition that density from being next to the high school with the higher density stuff and the -- the commercial on the -- on the west side of Highway 16 and, then, transitioning down to some single family homes on the east side to kind of transition to that lower density that exists right now on the other side of McDermott Road. As far as the last gentleman that testified, I have a unique situation. My daughter also actually happens to go to Owyhee High School and when I was talking with her the other day I was actually driving her to a practice at -- at school and she said, you know, I thought of something the other day, because we were talking about different businesses. This was out of the blue. I didn't prompt anything. She said I have determined that if a business wants to be really successful they need to be next to a high school and I thought, well, interesting you say that, because the very next week I have a project going forward. So, her and all of her friends are actually very excited about this project. Right now she told me that most of the kids are late to class coming back from lunch, because they actually drive all the way to Walmart. They go to Walmart. They go to the Marco's Pizza that's there. The Panda Express. They -- the -- the gas station that's over there. So, they are leaving Owyhee High School driving three miles to go to eat something at lunchtime, because it's not cool to eat lunch at school, you got to leave, and so we think this is going to be a very positive aspect for the high school. The students that I interact with are actually very excited about this. Insinuating that the comp plan is out of date, it's three years old. That is very new as far as comprehensive plans go. So, I would -- I would say that it is not out of date. Talking about how there is -- it's incongruous with the area, I think our development is very -- actually very -- fits in very well with the existing development and with what has been planned by the City of Meridian with the -- The Fields master planned area that's located directly -- not directly, but located to the west of this, west of Owyhee High School. The city went through an extensive master planning process to plan that area. This -- this area of town is ripe for development. It is going to be more dense in certain areas. I think Meridian is on the right track with the way they have their Comprehensive Plan laid out and identified what the uses should be. Public facilities. We are bringing water, we are bringing sewer, we are handling drainage. The school district, there -- there is a -- directly north of Owyhee High School there is an elementary school that's going to be located there. So, there will be -- it's not there now, but the -- it's five or seven acres, maybe ten acres directly north of Owyhee High School, that big open field, there will be an elementary school there. That's what it's -- that's what it's planned for. So, more school will be in this area to alleviate some of that -- that

pressure on the schools that are around. But, again, we have a letter from West Ada, they -- they didn't really express any concerns about the -- the amount of students that will be produced. So, I think that -- I think hopefully that answers a lot of the questions or the concerns that were brought up by the residents. We had a neighborhood meeting at Owyhee High School. I thought it went very well. A lot of interaction with the -- the residents, the folks that did show up. We are -- again, just to reiterate, we are very proud of this project. We think it fits in well. We have really tried to do the best that we can with the hand that we have been dealt with -- with a -- a -- a state highway bisecting your property right through the middle at a -- we are at an awkward angle. We have got a large drain that runs through the middle of it with a hundred foot wide easement and we have got another canal that runs at an angle across the top of the northern portion of the property. So, again, this is a project we are really proud of. We think it fits in very well with the -- the community. We think it fits in very well with the Comprehensive Plan. We are excited -- we were excited to get a favorable staff report from -- from your staff. We have been working with them for two years on this project, a lot of back and forth and we landed on something that I think we are happy with and we are happy that the staff is happy with it. So, with that I think that we can answer any question -- other questions that you might have, but we are -- we are happy with the -- with the -- the project the way it is.

Seal: Okay. Thank you. Commissioner Yearsley, do you have --

Yearsley: Mr. Mayor. So, do you know when they plan to start construction of that interchange, that -- that area of Ustick for the highway?

Tucker: Mr. Chairman, Commissioner Yearsley, the construction of Highway 16 has actually already begun. So, they are actually constructing it in two different kind of segments I guess. They are starting from the north and working south and they are starting from the south and working north and both of those projects have already started and they are meeting somewhere near our property. So, as far as when actually the interchange or the portion of Highway 16 that's constructed on our -- through our property, I'm not sure when that will be, but I'm going to say it's within the next year, because they literally have already started the -- the -- that -- that work right now. It started maybe two months ago.

Yearsley: When -- when do you -- you have to go through all your entitlement process and stuff like this and, then, get your design plans. I'm just trying to figure out timelines of when Ustick will be improved, you know, because I imagine they will have to improve portions of Ustick with the interchange, how that fits in with your project. You know, are you a year out, two years, what are you -- what's your plan for your phase one?

Evarts: Yeah. I will take this one, yeah, because this is the Pacific Company side. Yeah. So, on the multi-family side, yeah, that is phase one and we would be continuing with -- you know, if -- if -- if you guys recommend it, if City Council approves it, we would be pressing on with all of our plans and submissions to the City of Meridian and wanting to break ground as soon as possible. There is not any reason to delay any of this. We have

the capacity and resources and the need is there, you know, to -- to -- to provide this. Especially with escalating interest rates and stuff like that, we have just seen an evaporation of -- of people, you know, at that starter level, right, teachers that are working at the school, firefighters, law -- that they -- they don't have resources and they need housing options. So, we would be starting very quickly. But I think Highway 16 will beat us in terms of our completion. So, I think those improvements will be done before people would be moving in and -- and we have actually had a lot of conversations about the commercial, even though we have that as like a phase three. Just based on some of the feedback we have been getting I won't be surprised if that ends up being a phase two, because I just think that there is an appetite and -- and -- and there is a gap right now that exists with Owyhee High School as that big regional draw. It's a great option to have there.

Yearsley: Well, I agree, because, you know, I -- I have to laugh that -- you talked about what's successful businesses around high schools and at Rocky Mountain it's all the fast food restaurants that are right there. So, I could see that being a good fast food location. I guess follow on. So, with McDermott going to a cul-de-sac there, is there an alternate route that's being proposed to Ustick and -- and is that part of ACHD's construction? I -- I wasn't quite sure. It looked like in your -- your plans that you guys had, it looked like they kind of showed a -- kind of a bypass road back around that.

Tucker: Mr. Chairman, Commissioner Yearsley, we don't have an exhibit that actually shows the full breadth of it, but if you look at the -- the screen now, on the northern portion of the -- of the screen, that gray, that is actually the road that will head to the -- to the east. It goes approximately a mile and, then, it turns south and -- and -- and intersects with Ustick Road and, then, it also has another mile south from there and, then, a mile to the west to reconnect with McDermott south of Ustick. So -- so, McDermott is going to be cul-de-sac'd on the north side and on the south side of Ustick Road and you have to do a bypass around to get it. So, that is ACHD. I believe they acquired that right of way already. If you look at current maps that has already shown -- that that route is already shown as being under the ownership of ACHD. So, I believe they have acquired that -- that -- that circuitous route already. But, yeah, there will be a connection to Ustick, it's just going to be approximately a mile -- maybe it's a half a mile to the east.

Yearsley: Okay. So -- so, with that is the state highway going to -- when -- when Ustick goes through with the state highway through there, will they cul-de-sac that at the same time or is that ACHD cul-de-sac --

Tucker: Mr. Chairman, Commissioner Yearsley, that's going to be more than likely a combo effort. ITD and ACHD are working very close together on this. Because McDermott Road is an ACHD road, not a state highway, my guess is ACHD is going to be the one doing the work, but -- but maybe not. I'm not sure how that works. But that will be part of that interchange that goes in when -- when the interchange at Ustick Road is -- is under construction that's when McDermott will be cul-de-sac'd.

Yearsley: Right. And so the reason why I'm asking all this is we actually had one of the Commissioners from ACHD come in and talk about State Highway 16 and all the things that Ada County Highway District was supposed to do, but was unfunded, and so my concern is all these proposed improvements on ACHD right of way and stuff are they unfunded or are they being funded by the state? And -- and maybe you don't know, I was just kind of curious, you know, how that's all playing out.

Tucker: Yeah. Mr. Chairman, Commissioner Yearsley, I did -- I did see that -- or I have read the -- the report and the -- the -- the -- the news article about it as well, talking about how some of that funding got left out of the grant money that was supposed to be with this and so maybe it's going to be delayed a year, but for the most part this is all going to be one big -- big package when it's -- when it's -- when it's completed. But to give you a definite answer, we don't know for sure when or how, but the intent is that all of this will be done at the same time.

Yearsley: Okay. Thank you.

Seal: When -- when do you think it will -- I mean when -- when do you anticipate having occupancy in the -- the multi-family?

Tucker: I will let Josh handle that. When he said like we are -- we are -- we are not planning on slowing down at all. We -- we do have to go through some approval process -- well, I guess I said I would let Josh --

Evarts: Yeah. No. No. No. No. Let me -- let me jump in. I will tell you, because we -- we -- we are six, 18 -- I -- I think we would have it done in two years, to be realistic, because I think we would have our plans in -- I'm giving ourselves six months for all design review and -- and stuff like that and, then, be able to turn dirt and I think 18 months is a reasonable development time for -- for a project of this size. I don't -- I don't see anything keeping us from -- from leaning in on it. So, we -- we have definitely increased our capacity here for a lot of the projects that we are doing already, so there is no disruption on our end. So, in fact, our -- our -- our site for doing the manufacturing of all the units is sitting in Nampa. So, it's -- this is all very proximate to what we do.

Seal: Okay. Yeah. And the reason I ask is because I -- I mean my issue isn't necessarily with what you are building out, it's just the -- the -- the lack of road infrastructure when that comes in the from of Ustick and -- and McMillan. I mean they are already -- they are a mess. They are -- they are a nightmare for sure. So, part of Ustick is going to be improved here in the next -- they have got signs up to even start it. Luckily they wanted to build a facility on Ustick Road, so we can hold their feet to the fire on it. But it -- unfortunately, it doesn't go out to this neck of the woods until 2026. So, I mean we have got a state highway that's coming in and, then, we have got, you know, essentially, two lane country, you know, back roads that are there to support all of this stuff, so -- and we are already feeling that. I mean you are right, all the kids go elsewhere for lunch. Well, good luck trying to get on those roads at lunchtime, so --

Evarts: Yeah.

Seal: That's -- that's -- you know, that's an issue for me as far as the timing of this to where it would be nice if all this would kind of congeal at the same time. 2026 is when ACHD is going to attack Ustick, you know, State Highway 16 is going to go in supposedly before that, so, I don't know, it just seems like our agencies are not coordinating very well to make this happen.

Tucker: Yeah. Commissioner Yearsley, also along -- along those lines, a lot -- I don't want to say most, but most street improvements actually occur with development. So, we will be improving McDermott Road, Ustick Road, providing a connection to the Aviator Springs Subdivision to the north to provide some of that connectivity through the area. Hopefully when the property to the -- to the -- to the west of us, the Flowers' property, when that begins to redevelop, which I think as more development comes that's going to speed that process up, we are going to get Endeavor Road that -- that is stubbed to the Flowers' property hopefully connected through and connected to this -- this project and so a lot of the development or a lot of the infrastructure actually occurs when development happens. The developers build these -- these roads and make these street improvements as they are adjacent to our property. Occasionally we have to do off-site improvements, but usually it's adjacent to our -- our project and so, yeah, some of the bigger projects that ACHD tackles, some of that can be sped up if development happens along that road and so we just view it as, yeah, we understand that their traffic is always an issue and a concern, but as development occurs, although it -- it contributes some to the traffic, it also makes the improvements to the road that we all want to see happen.

Evarts: So, Chairman, Commissioners, the people that are much smarter than me said realistically we are going to be at three years for -- for actual move in dates for people. So, if we are not even considering, you know, approval through City Council until December, January, you know, we are really at that 2026 probably for actual move-ins and density for the project. So, we have got construction to do, but I don't think we are very far off from -- from some of these things happening, so --

Seal: Okay. Appreciate that.

Evarts: Yeah.

Seal: Anything further?

Yearsley: No.

Seal: Commissioner Stoddard, do you have anything?

Stoddard: No. I just share the same concerns about the traffic.

Seal: Okay.

Yearsley: So, I guess before we close --

Seal: Go ahead.

Yearsley: -- close the public hearing, you have asked for a lot of conditions. Can we walk through those conditions?

Evarts: Yeah.

Yearsley: Since I more than likely we will have to make this -- this -- this motion.

Parsons: Mr. Chair, Members of the Commission, before we get into the -- the variance discussion, I just want to make a point that there is no variance application submitted for even the Council to act on. So, that's one step of the process. If -- if they truly feel they need to go through that variance process there is another application that needs to be a companion application as they transition to City Council. Two. Some of the landscape requirements can be modified through the alternative compliance process, which is not -- it's staff level approval, not necessarily City Council action. As far as the buffer requirement along the west side of the road for the western portion of the development, the road is the buffer. I'm not sure why we required a 25 foot landscape buffer when they are going to dedicate right of way. It's -- historically the code says when you abut a residential district -- well, when you have a road there you are not abutting anything, it's -- you are adjacent. So, it -- it may not be -- it may not be required at this time. So, I just want to be cognizant of that and as far as the -- the entryway corridor, that may not change. That is a comp plan requirement. So, the Comprehensive Plan delineates entryway corridors on it, regardless of the roadway designation. So, the code dictates the -- the width of the buffer and any entryway corridor -- corridor regardless of the road -- road -- roadway classification is going to be 35 feet. So, I don't want to give the applicant the impression that they may not have to lose lots or they may have to potentially pick a different zone to -- to get smaller lot sizes, rather than go through that variance process, but it -- there is a lot of moving parts there that we have to think about as we transition, because it's not as simple as we will go to a variance and get ten percent exception. It -- it's a little more complicated than that. We need to have a discussion to understand that a little bit more with the applicant, so that we can send them down the right avenue.

Yearsley: Well -- and -- and to be honest with you, the only thing that I was looking for condition wise is the one access off of Ustick that they are proposing, not to have that buffer there. That was the only one that I was really willing to -- to give, so -- so --

Parsons: Perfect. If it's a public street, it's probably a non-issue.

Yearsley: Okay. And, then, I guess for your condition was there a condition that we need to change on your side?

Parsons: I think that's up for discussion, debate, too, Mr. Chairman, Commissioners. As I mentioned -- I know the intent of the applicant is to have the outdoor barbecue area. I mean maybe just have a different terminology than outdoor kitchen. I think that's probably a better way to -- either strike it from the condition or just change what it actually will function as, which I think is an outdoor barbecue.

Tucker: Yeah. I think we -- we agree with -- with Bill on that. The -- the -- the word to be struck I think is commercial, because it says it needs to be a commercial outdoor kitchen. We are providing what we think is a very robust outdoor barbecue area. It's not just a -- a barbecue that you would buy at Home Depot and put a propane tank there. They are multi-thousand dollar barbecue grills set into concrete countertops with stainless steel prep area, again, right -- covered adjacent to a full commercial kitchen that's inside that has giant accordion doors that open and that makes it one big area. So, our -- our real concern was just the term commercial outdoor kitchen. We can't provide that, but we can provide a very robust outdoor covered barbecue area that is directly adjacent to -- and, again, I -- I don't know -- I think we meet all of the -- the -- the amenity requirements for a multi-family development anyway. I don't know that that's even -- we are not deficient in that area to make that a requirement.

Yearsley: Right. Well, I just -- I just want to make sure I get this correctly, just -- can I just say that we are just going to change the -- the words for the commercial kitchen -- outdoor commercial kitchen to outdoor barbecue or -- okay. Awesome. So, just glad to kind of walk through that before we close the public hearing and I have to fumble through this. So, thank you guys.

Evarts: Thank you, guys.

Seal: Thank you very much.

Yearsley: Mr. Chair, I move we close the --

Seal: Yeah.

Yearsley: -- public hearing for file number H-2022-0056.

Seal: Nope. Commissioner Stoddard, do I get a second?

Stoddard: Yeah. Second. Sorry.

Seal: Okay. It's been motioned and seconded to close the public hearing for file number H-2022-0056. All in favor say aye. The public hearing is closed for file number H-2022-0056.

MOTION CARRIED: THREE AYES. ONE ABSTAIN. TWO ABSENT.

Yearsley: So, Mr. Chair, I -- for the residents that came here to testify, I -- I -- I do -- it's -- it's -- it's heartbreaking to see all this farmland to be chopped up into development and -- and the state highway did not do any of you guys any favors and, you know, where -- you know, where there is access you will -- they will -- they will build and so you guys are just kind of getting stuck into this area and I -- I feel for you, I honestly do. I grew up in a rural area of eastern Idaho and -- and watching it get chewed up is -- is really heartbreaking. That being said, this is an area with -- along the state highway where this type of a development is actually adequate or -- or -- you know, it -- it fits and -- and, unfortunately, we have so much rural around it is -- is -- is -- it's a tough situation. So, I -- I do think it's actually a good development. I think it's something that I think fits close to the state highway, close to the school. I think their commercial is going to want to be one of the first things built, to be honest with you, because I think the demand there is -- is there for some sort of fast food or some convenient foods type situation, so -- so, for that I'm -- I am in favor with it -- of the -- of the application.

Seal: Yeah. And I have got mixed feelings on it, so -- I mean I -- you know, I mean we have seen enough of these come through that there is -- you know, there -- whether people want to admit it or not, there is -- there is a need for housing types like this out here. So, the fact that it's going to eat up a whole lot of land that's farmland right now, just like people have property rights for their individual properties, people have property rights to sell it and develop it. So, that's the flip side to -- to all of this. So, you know, I mean I grew up in Baker, Oregon, so this is all very foreign to me on a lot of scale for sure. So, you know, that said, it is what's coming and happening here. So, the -- the only problem that I have with it and -- and I do agree, because of Highway 16 and the way that that's going to develop, that it does fit when that gets done. So, again, my -- the issue that I have with it right now is, you know, Ustick is already -- it -- it's just very overtaxed. I mean, again, we were able to kind of hold ACHD's feet to the fire when they presented their -- you know, their development that they want to put in in order to provide for ACHD facilities on Ustick Road to expand that. Unfortunately, it only went to Black Cat. So, with the high school coming in that's presented -- it's made things very unique out there. So, it's doing exactly what they want it to do. They put in a high school. It's drawing a lot of -- you know, a lot of development out in that area. So, unfortunately, it's happening faster than I think the roads can put up with at this point. So, I mean if we could really know that this wasn't going to have occupancy until, you know, the roads are improved in 2026, I wouldn't have an issue with it, but, you know, again, it's coming, it's going to happen here, but I just -- I question the timing of it, so -- I mean my -- my -- my fear is, you know, that they get in on the -- you know, they are on the -- the leaner side of it in 18 months and all of a sudden we have all of this in here, we have occupancy -- occupancy going on and we still have Ustick Road the way it is today. There is no way, especially with the -- you know, the way you have to come in and out of this, that Ustick Road is going to be able to support that very well.

Yearsley: Right. And that's why a lot of the questions I had initially was -- was timing and with -- with the -- with the interchange as well. So, I -- I do believe I knew -- I know that this project is funded. They are moving forward with it. It's just which one comes first.

Seal: Uh-huh.

Yearsley: So --

Stoddard: Mr. Chair?

Seal: Commissioner Stoddard, yeah, go ahead.

Stoddard: I just kind of share a lot of the same feelings as you. I have -- I have mixed feelings on the project as well. I think the timing of it might be a little off. I use Ustick Road everyday driving by there and I know how much it gets used and so it's a tough one for me. I -- I agree that I think we need, you know, some options out there for commercial stuff, but -- but my biggest concern, again, is the timing on the traffic. I completely agree with you and share your sentiments on that, just because, like I, said, I use it every single day and I see the traffic on there and I see how taxed it gets, especially with that high school right there, when, you know, they are going in and out of there, it's -- it's a nightmare right now.

Seal: Yeah. It's a tough one for sure, so -- there is only three of us talking about it tonight.

Yearsley: And unfortunately. Mr. Chair, after considering all staff, applicant, and public testimony I move to recommend approval to the City Council of file number H-2022-0056 as presented in the staff report for the hearing date of November 3rd, 2022, with the following modifications: That the term outdoor commercial kitchen be stricken and replaced with outdoor barbecue and that the road buffer off of Ustick Road on the west side of the facility, that buffer be reduced, so they can provide that access.

Seal: Okay. Commissioner Stoddard, do you want to second?

Stoddard: No.

Seal: Okay. So, since the chair can neither make nor second motions, we are stuck here, so --

Starman: Mr. Chairman, you are allowed to second. It's customary the chair person does not do that, but you are allowed to second if you wish to bring the item to a vote.

Seal: I will second it. So, it's been moved and seconded to approve item number H-2022-0056 with the aforementioned modifications. All in favor say aye. Commissioner Stoddard?

Stoddard: I'm not giving an aye.

Seal: I would say if it's not an aye, it's an nay.

Stoddard: Okay. Nay.

Seal: Okay. Motion passes.

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

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher.

Lorcher: May I motion to adjourn.

Yearsley: I will second that motion.

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

MEETING ADJOURNED AT 9:25 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Public Hearing for Sessions Parkway (H-2022-0046) by KM Engineering, LLP. located at 2700 N. Eagle Rd.

Application Materials: <https://bit.ly/H-2022-0046Sessions>

A. Request: Development Agreement Modification on the existing Development Agreement (Inst.#104129529) to remove the subject property from the agreement in order to enter into a new Development Agreement for the proposed project. B. Request: Preliminary Plat consisting of 5 building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of an access via N. Eagle Rd./SH-55.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



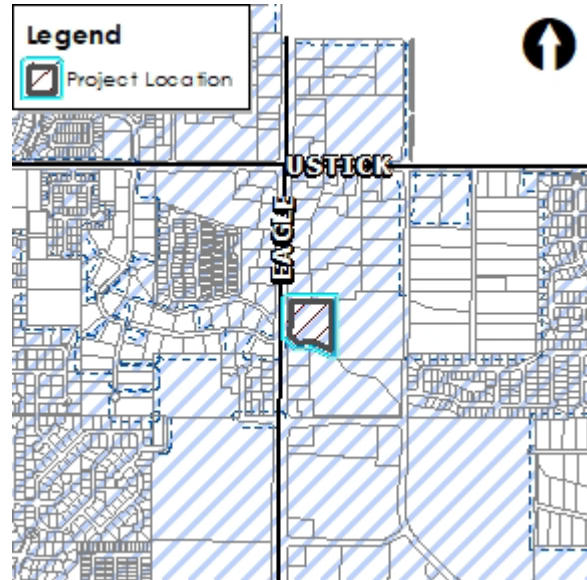
HEARING DATE: November 17, 2022
 (Continued from: October 6, 2022)

TO: Planning & Zoning Commission

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

SUBJECT: H-2022-0046
 Sessions Parkway – MDA, PP

LOCATION: 2700 N. Eagle Rd., in the NW 1/4 of
 Section 4, T.3N., R.1E.
 Parcel # S1104233650



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (DA) (Inst. #2017-0121321, re-recorded as Inst. #2022-065403) to remove the commercial portion of the property from the agreement and enter into a new DA for the proposed project with an updated conceptual development plan; and Preliminary Plat consisting of five (5) building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of a right-in/right-out driveway access via N. Eagle Rd./SH-55.

II. SUMMARY OF REPORT

A. Project Summary

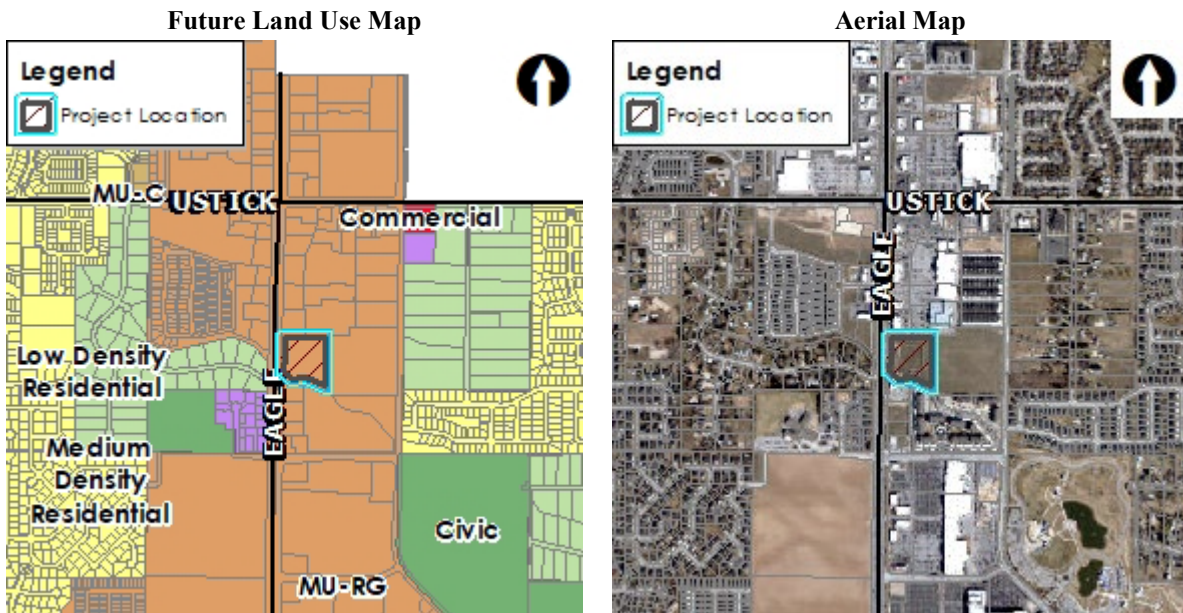
Description	Details	Page
Acreage	5.32	
Existing/Proposed Zoning	C-G (General Retail and Service Commercial)	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use(s)	Vacant/undeveloped land	
Proposed Land Use(s)	Commercial pads with a fuel sales facility	
Lots (# and type; bldg./common)	5 building/0 common	
Phasing Plan (# of phases)	None (to be constructed in one phase)	
Number of Residential Units (type of units)	0	
Physical Features (waterways, hazards, flood plain, hillside)	The Finch Lateral runs along the southern boundary of the site within an 80’ wide easement (40’ from centerline each side) as depicted on the plat.	
Neighborhood meeting date:	3/23/22	

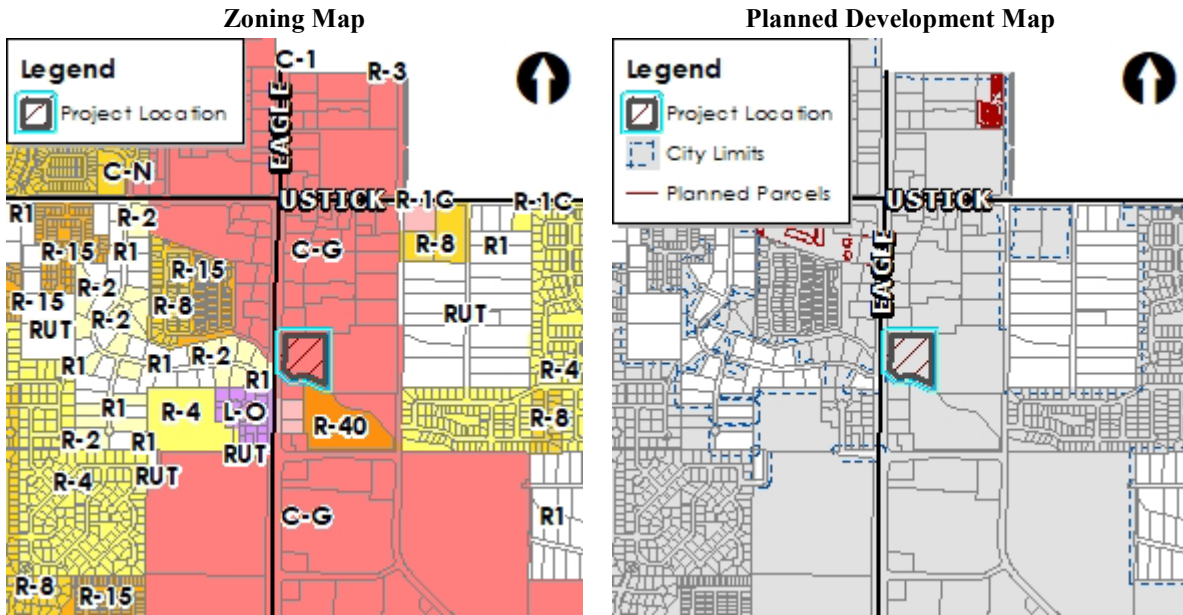
Description	Details	Page
History (previous approvals)	AZ-03-021 ; AZ-15-012 ; MDA-15-011 ; DA Inst. #2022-065403 ; A-2020-0115 (PBA ROS #12423)	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
West Ada School District	No comment have been received.	
Police Department	No comment have been received.	
Fire Department	No comments have been received.	

C. Project Area Maps





A. Applicant:

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

B. Owners:

Meridian Investments, LLC – 74 E 500 S, Ste. 200, Bountiful, UT 84010-0000

C. Representative:

Same as Applicant

III. NOTICING

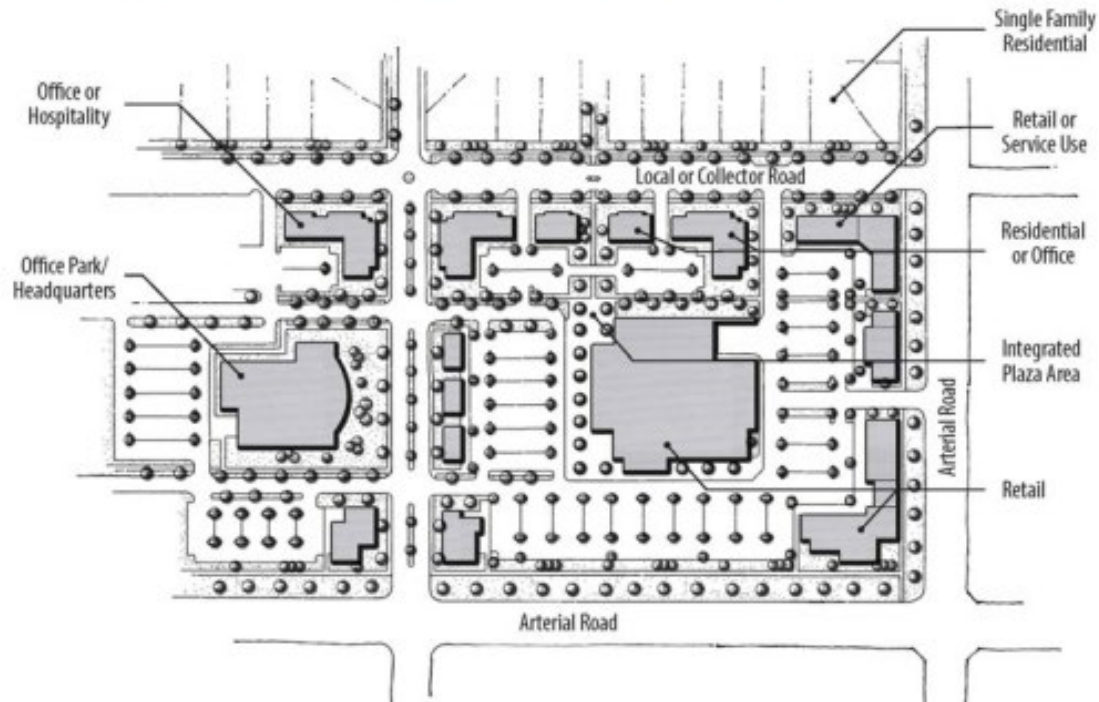
	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	9/21/2022	
Notification mailed to property owners within 300 feet	9/15/2022	
Applicant posted public hearing notice on site	9/21/2022	
Nextdoor posting	9/15/2022	

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

Land Use: The Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#) designates this property, and many of the surrounding properties in this vicinity along the Eagle Road corridor, as Mixed Use – Regional (MU-R). The purpose of this designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. For example, an employment center should have supporting retail uses; a retail center should

have supporting residential uses as well as supportive neighborhood and community services. The standards for the MU-R designation provide an incentive for larger public and quasi-public uses where they provide a meaningful and appropriate mix to the development. The developments are encouraged to be designed consistent with the conceptual MU-R plan depicted in Figure 3D of the Comprehensive Plan as shown below.

FIGURE 3D: MIXED USE REGIONAL CONCEPT DIAGRAM



The applicant has submitted two (2) conceptual development plans. The first proposed conceptual development plan depicts five (5) commercial building pads, including one for a fuel sales facility and one for a drive-through establishment, totaling 32,625 square feet (s.f.) of building area. The second conceptual plan also depicts the fuel sales facility and drive-through, eliminates the three commercial pad sites in favor of a 51,670, 4-story hotel. The applicant desires to have two concept plans attached to the new development agreement to allow for greater flexibility. Additional uses may develop on the site as allowed by UDC [Table 11-2B-2](#) in the C-G district. Multi-family residential uses (i.e. Village Apartments A-2021-0231) by the same developer have been approved and are in the development process on the parcel directly to the east.

Vehicle interconnectivity is proposed between the commercial and residential uses to the east at the north and south boundaries of the site. Safe pedestrian access should also be provided between the commercial uses within the site and to the future residential uses.

The proposed development should provide a variety of commercial and retail uses in close proximity to residential uses. Kleiner City Park exists within a ¼ mile of this site to the southeast, which is considered a Civic use. The site is located along N. Eagle Rd./SH-55 within ¾ of a mile of a major arterial intersection at E. Fairview Ave. and N. Eagle Rd. Although not anchored by uses that have a regional draw, the existing and proposed uses contribute to the variety of uses within this overall MU-R designated area as desired and should provide services to nearby residents.

Originally, staff raised concerns that the proposed commercial development was not integrated with the future residential development to the east, nor was there a common usable gathering

area with a plaza or green space as desired in mixed use designated areas. Further, the rear of the fuel facility/convenience store faces the backage road and the rear of Buildings C, D and E face the residential development which creates a wall effect. This concern is less relevant with the second concept plan because the building placement is farther from the shared property line. Both plans have been updated to include some form of open space as desired by the Plan and the applicant has provided pedestrian circulation plans to demonstrate pedestrian movements between the commercial and future multi-family development to the east, which more closely aligns with the development guidelines in the Comprehensive Plan for Mixed Use and MU-R designated areas as noted below. However, with concept plan 1, labeled as EX1.0, some or all of the buildings along the eastern boundary should be rotated and/or relocated and a shared plaza area/green space added to a more central location within the development for better integration, including a central pathway connection to the open space and front pad sites. If the site develops consistent with concept plan 2, staff recommends that the applicant construct a 5-foot sidewalk on the east boundary and provide a decorative crosswalk across the drive aisle of the multi-family portion of the development to enhance pedestrian connectivity.

In reviewing development applications, the following items will be considered in all Mixed-Use areas: *(Staff's comments in italics)*

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

The larger overall mixed-use designated area includes a mix of residential, commercial, office and civic uses. This project may only include commercial (i.e. retail, restaurant, etc.) and residential uses (Village Apartments) as proposed, which may be adequate because it's a smaller site.

- Where appropriate, higher density and/or multifamily residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.

Multi-family residential uses (i.e. Village Apartments) were approved on the parcel directly to the east, which provide housing options for the commercial and employment uses along the Eagle Road/SH-55 corridor.

- Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed-Use designation.

A new conceptual development plan is proposed to replace the existing plan in the development agreement approved with the annexation.

- In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.

The proposed conceptual development plan does include common usable area but it is not central to the development and is located along the southern drive aisle.

- The site plan should depict a transitional use and/ or landscaped buffering between commercial and existing low- or medium-density residential development.

No low- or medium-density residential uses abut this site; however, a minimum 25-foot wide buffer, landscaped per the standards in UDC 11-3B-9C, is required along the eastern boundary of the site in the C-G district adjacent to future residential uses.

- Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.

No community-serving facilities are proposed with this development; however, these uses do exist within a fairly close proximity to the site and this is a smaller development.

- Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.

Open space and plaza areas have been added to both concept plans.

- **Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.**

Specific details for the integrated plaza areas have not been provided. The applicant should provide an exhibit that demonstrates compliance with this goal.

- All mixed-use projects should be accessible to adjacent neighborhoods by both vehicles and pedestrians. Pedestrian circulation should be convenient and interconnect different land use types. Vehicle connectivity should not rely on arterial streets for neighborhood access.

*The proposed development is accessible to the adjacent future residential development to the east (i.e. Village Apartments) by vehicle via two (2) driveways, one at north end and one at the south end of the site. **Separate pedestrian walkways should also be provided for pedestrian safety that provides a connection to the multi-use pathway along Eagle Rd. and between buildings within the commercial development. The applicant has provided an exhibit that demonstrates how pedestrian movements are achieved through the development. Staff recommends additional pedestrian connections as noted above.***

- A mixed-use project should serve as a public transit location for future park-and-ride lots, bus stops, shuttle bus stops and/or other innovative or alternative modes of transportation.

Public transit isn't available in this vicinity.

- Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.

The three (3) eastern building pads back up to a drive aisle with a row of parking on either side associated with the multi-family development.

- Because of the parcel configuration within Old Town, development is not subject to the Mixed-Use standards listed herein.

This guideline is not applicable as the property is not in Old Town.

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

- Development should generally comply with the general guidelines for development in all Mixed-Use areas.

See analysis above.

- Residential uses should comprise a minimum of 10% of the development area at gross densities ranging from 6 to 40 units/acre.

Between this site and the adjacent site to the east being developed by the same developer, residential uses exceed 10% of the development area at a gross overall density of 20.12 units/acre.

- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.

The Applicant is unsure at this point what commercial uses will develop on this site other than a fuel sales facility and convenience store and a drive-through establishment.

- Retail commercial uses should comprise a maximum of 50% of the development area.

To ensure retail commercial uses don't exceed 50% of the development area and for a transition in uses, Staff recommends the concept plan is revised to depict non-retail commercial, office and/or civic uses for a minimum of 50% of the development area between the residential and retail commercial uses. The plans have not been updated to reflect this request however, the second concept plan does depict a hotel site which could limit the amount of retail that could develop on the site. The new DA should restrict the amount of retail on this site unless Commission and Council find this development shouldn't be further restricted because this property is part of a larger MU-R designated area.

Where the development proposes public and quasi-public uses to support the development, the developer may be eligible for additional area for retail development (beyond the allowed 50%), based on the ratios below:

- For land that is designated for a public use, such as a library or school, the developer is eligible for a 2:1 bonus. That is to say, if there is a one-acre library site planned and dedicated, the project would be eligible for two additional acres of retail development.
- For active open space or passive recreation areas, such as a park, tot-lot, or playfield, the developer is eligible for a 2:1 bonus. That is to say, if the park is 10 acres in area, the site would be eligible for 20 additional acres of retail development.
- For plazas that are integrated into a retail project, the developer would be eligible for a 6:1 bonus. Such plazas should provide a focal point (such as a fountain, statue, and water feature), seating areas, and some weather protection. That would mean that by providing a half-acre plaza, the developer would be eligible for three additional acres of retail development.

No public or quasi-public uses are proposed with this development. If the concept plan is revised to include such uses, the developer may be eligible for additional area for retail development (beyond the allowed 50%).

Sample uses, appropriate in MU-R areas, include: All MU-N and MU-C categories, entertainment uses, major employment centers, clean industry, and other appropriate regional-serving most uses. Sample zoning include: R-15, R-40, TN-C, C-G, and M-E. *The proposed commercial/retail/restaurant and fuel sales facility uses are allowed uses in the existing C-G zone, although they are not "regional serving" uses.*

The following Comprehensive Plan Policies are also applicable to this development: (*Staff's analysis in italics*)

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

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

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

The proposed commercial uses should be compatible with adjacent commercial uses to the north and south; and with the future multi-family residential uses to the east if non-retail, office and/or civic uses are provided as a buffer and transition in uses as recommended.

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

The proposed commercial uses and fuel sales facility should provide nearby services and employment options to the residents of the adjacent multi-family developments, reducing vehicle trips on area roadways.

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

A. Development Agreement Modification (MDA):

The Applicant proposes a modification to the existing Development Agreement (DA) for Village Apartments ([AZ-15-012](#); [MDA-15-011](#) – DA Inst. [#2022-065403](#)) to remove the commercial portion of the property, consisting of 5.32 acres of land, from the agreement and enter into a new DA for the proposed project with two (2) updated conceptual development plans.

The existing conceptual development plan depicts three (3) retail/commercial building pads along the frontage of N. Eagle Road, two (2) of which are drive-through establishments, and one (1) larger retail building east of the building pads fronting on Eagle Rd. totaling 28,500 square feet (s.f.). A driveway is depicted at the northeast corner of the site for vehicular connectivity with the residential development to the east. A driveway is not depicted to the property to the south (fka Great Wall) because when that property developed, access was not required to be provided to this property because of the Finch Lateral, a large irrigation facility that separates the two properties. The properties to the south of the Finch Lateral were to have a backage road along their east boundaries for access via E. River Valley St.

Since that time, this developer and the property owner to the south have been working together to construct a backage road between the two properties along Eagle Rd. and the Finch Lateral has been piped. A new access via Eagle Rd./SH-55 is proposed with this application, which will replace the existing temporary access on the Great Wall/Copper Canary property, if approved by the City and ITD. The temporary access was allowed to remain until such time as access became available from the south via E. River Valley St. If non-residential uses develop on the property to the south of the Copper Canary (fka Great Wall) property at 3280 E. River Valley St. as currently entitled, the backage road will extend to E. River Valley St.; however, if residential uses develop on that property, only an emergency access will be provided from the north to that property per the development agreement (Copper Canary Inst. [#2022-048293](#)).

As noted above, the applicant has submitted two (2) conceptual development plans. The first proposed plan depicts five (5) building pads totaling 32,625 s.f. A fuel sales facility with a convenience store is proposed on the northwest pad, a drive-through is proposed on the pad directly to the south, and three (3) other pads are proposed along the east boundary of the site adjacent to the future multi-family residential development to the east. The second plan still depicts the fuel sales facility with convenience store and drive-through but in lieu of the three other pads, a hotel is proposed. **As noted above in Section IV, Staff recommends changes to both concept plans for better integration between uses in accord with the mixed use and MU-R guidelines in the Comprehensive Plan.**

One driveway access is proposed at the north boundary which will serve as a backage road along Eagle Rd. and will connect to the property to the south. Two (2) driveways to the east are proposed for interconnectivity with the future residential development. Typically, Staff would prefer the alignment of the backage road to be more linear and direct but the access points to the north and south are not in alignment. The “jog” in the roadway will result in traffic calming and reduced speeds, which is desired, especially if the access via Eagle Rd. is approved which will intersect the backage road.

A cross-access easement (Inst. #[2016-003980](#)) exists with the property to the north for access via Eagle Road for this property. **A reciprocal cross-access easement should also be recorded granting cross-access between the subject property and the abutting property to the south (Parcel #S1104233802); and the abutting property to the east (Parcel #S1104233730). Copies of the recorded agreements should be submitted to the Planning Division prior to signature on the final plat by the City Engineer.**

Staff has reviewed the provisions of the existing DA and finds provisions #5.1f, which requires a buffer to residential uses; #5.1g, which requires pedestrian connections to be provided between the residential portion of the site and future commercial development; and #5.1h, which requires traffic calming to be provided between the residential and commercial development, still apply to development of the subject property. Therefore, Staff recommends these provisions are carried over to the new DA along with new provisions as noted herein and in Section VIII.A.

B. Preliminary Plat (PP):

A Preliminary Plat is proposed consisting of five (5) building lots on 5.32 acres of land in the C-G zoning district. As part of the plat, the Applicant requests City Council approval of an access via N. Eagle Rd./SH-55, located on the abutting property to the south (Parcel #S1104233802). *Consent has been granted from the abutting property owner for this request as part of this application.*

Existing Structures/Site Improvements:

There are no existing structures on this site; the previous structures have been removed.

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards of the C-G zoning district in UDC Table [11-2B-3](#).

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

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

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

There are two (2) existing accesses on this site associated with the previous residential use(s) and one (1) temporary access on the abutting property to the south via N. Eagle Rd./SH-55 that are

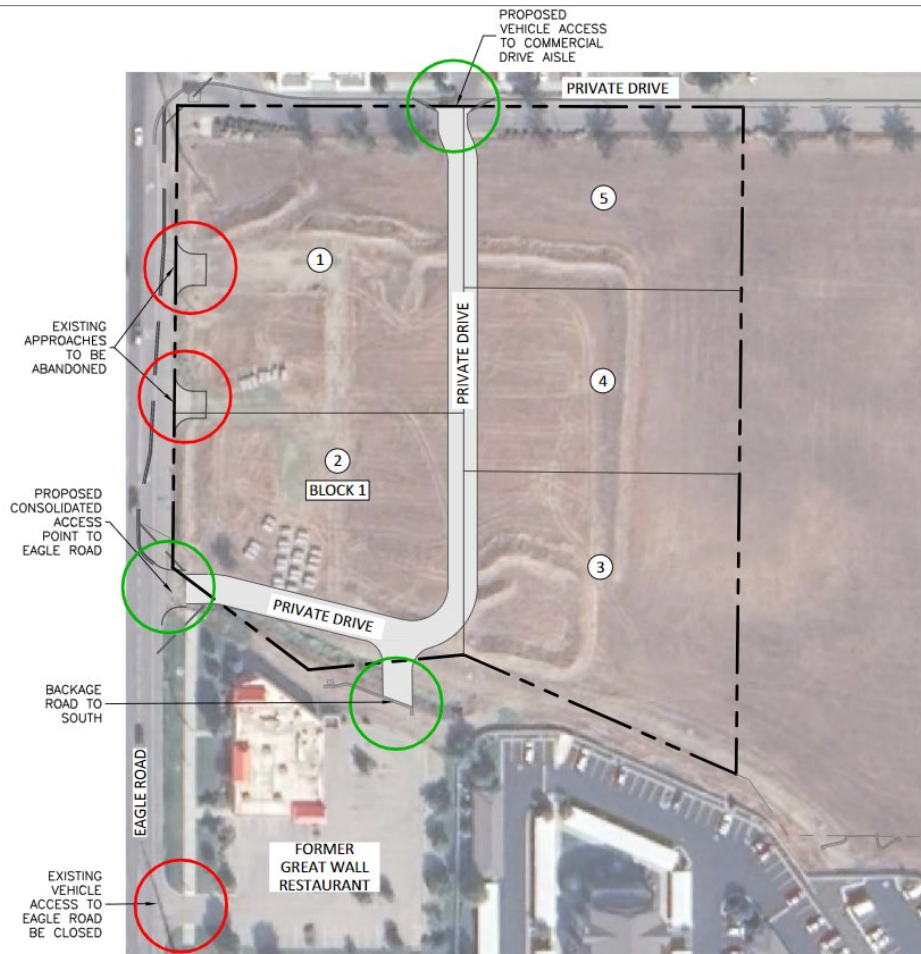
proposed to be removed and replaced with one (1) new right-in/right-out driveway access on the abutting property to the south as depicted on the plans and as shown below.

Per UDC [11-3H-4](#), the use of existing approaches via the state highway are not allowed to continue if the intensity of the use increases. With the change in use to commercial, the intensity of the use will increase; therefore, the existing approaches are not allowed to remain and must be abandoned and removed as proposed. New approaches directly accessing a state highway are only allowed at the section line road and the half mile mark between section line roads, which does not apply in this case. **City Council may consider and approve modifications to the standards in UDC 11-3H-4 upon specific recommendation of the Idaho Transportation Department (ITD) or if strict adherence is not feasible, as determined by City Council.**

ITD issued a [letter](#) of acceptance of the revised traffic striping conceptual drawings, dated November 13, 2019, for SH-55/Eagle Rd. from River Valley St. to approximately 1,500 feet north for the proposed right-in/right-out access via Eagle Rd. The letter states the drawings address all of ITD's safety concerns but only acknowledges the acceptance of the conceptual plan – final approval of the proposed access and associated improvements is determined once all documentation has been provided and the permit is signed. **Final approval of the access has not yet been granted by ITD.**

A [Traffic Impact Study](#) (TIS) was submitted for the Village Apartments and Sessions Parkway developments, prepared by Kittelson & Associates in 2021. The study finds a northbound right-turn lane on Eagle Road into the site as proposed is warranted and should be constructed as proposed.

A curb cut exists at the northern boundary of the site for access via Eagle Rd./SH-55 through an existing vehicular & pedestrian cross-access easement (Inst. #[2016-003980](#)). **A cross-access/ingress-egress easement should be provided to the properties to the south and east for interconnectivity and access. A recorded copy of said agreements should be submitted prior to signature on the final plat by the City Engineer.**



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

A multi-use pathway is depicted on the Pathways Master Plan and required by UDC [11-3H-4C.3](#) along N. Eagle Rd./SH-55. The pathway should be detached from the curb and constructed per the standards listed in UDC [11-3A-8](#). **If the pathway is located outside of the right-of-way, a 14-foot wide public pedestrian easement should be submitted to the Planning Division and recorded prior to signature on the final plat by the City Engineer. Pedestrian lighting and landscaping shall be installed along the pathway consistent with the Eagle Road Corridor Study and comply with the specifications listed in UDC [11-3H-4C.3](#).**

Two pedestrian plans have been submitted that depicts pedestrian walkways between the building pads in the proposed commercial development and the future residential development to the east, and to the commercial properties to the north and south, for safe pedestrian access and interconnectivity. Connectivity is also be provided to the multi-use pathway along Eagle Rd. Pedestrian walkways should be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks in accord with UDC 11-3A-19B.4. As noted above in section IV, staff recommends additional pathway connections to enhance connectivity within the proposed development.

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

In lieu of a detached sidewalk, a detached multi-use pathway is required to be constructed along N. Eagle Rd./SH-55 in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan.

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

A minimum 35-foot wide street buffer is required along N. Eagle Rd./SH-55, an entryway corridor, landscaped per the standards listed in UDC [11-3B-7C](#). **The final plat should depict the buffer in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, or business owner’s association per UDC [11-3B-7C.2a](#).**

A minimum 25-foot wide buffer is required by UDC [Table 11-2B-3](#) in the C-G district along the eastern boundary of the site adjacent to future residential uses, landscaped per the standards in UDC [11-3B-9C](#). This buffer may be installed at the time of lot development. **Landscape buffers are required to facilitate safe pedestrian access between residential and commercial development as set forth in UDC [11-3B-9C.3](#); the plan should be revised accordingly.**

Storm Drainage:

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practices as adopted by the City. The Applicant submitted a [Geotechnical Engineering Evaluation](#) for the proposed subdivision that was prepared in 2015 with the Village Apartments application. Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

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

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15.

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

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21.

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

The Finch Lateral runs along the project’s south boundary and has been piped in accord with UDC 11-3A-6B. The lateral lies within an 80-foot wide easement – 40’ from centerline on each side – structures should not encroach within this easement and trees should be placed outside of the easement. This project is not within the flood plain.

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

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

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

Conceptual building elevations were not submitted for the proposed commercial development. **All structures should comply with the design standards in the Architectural Standards Manual.**

VI. DECISION

A. Staff:

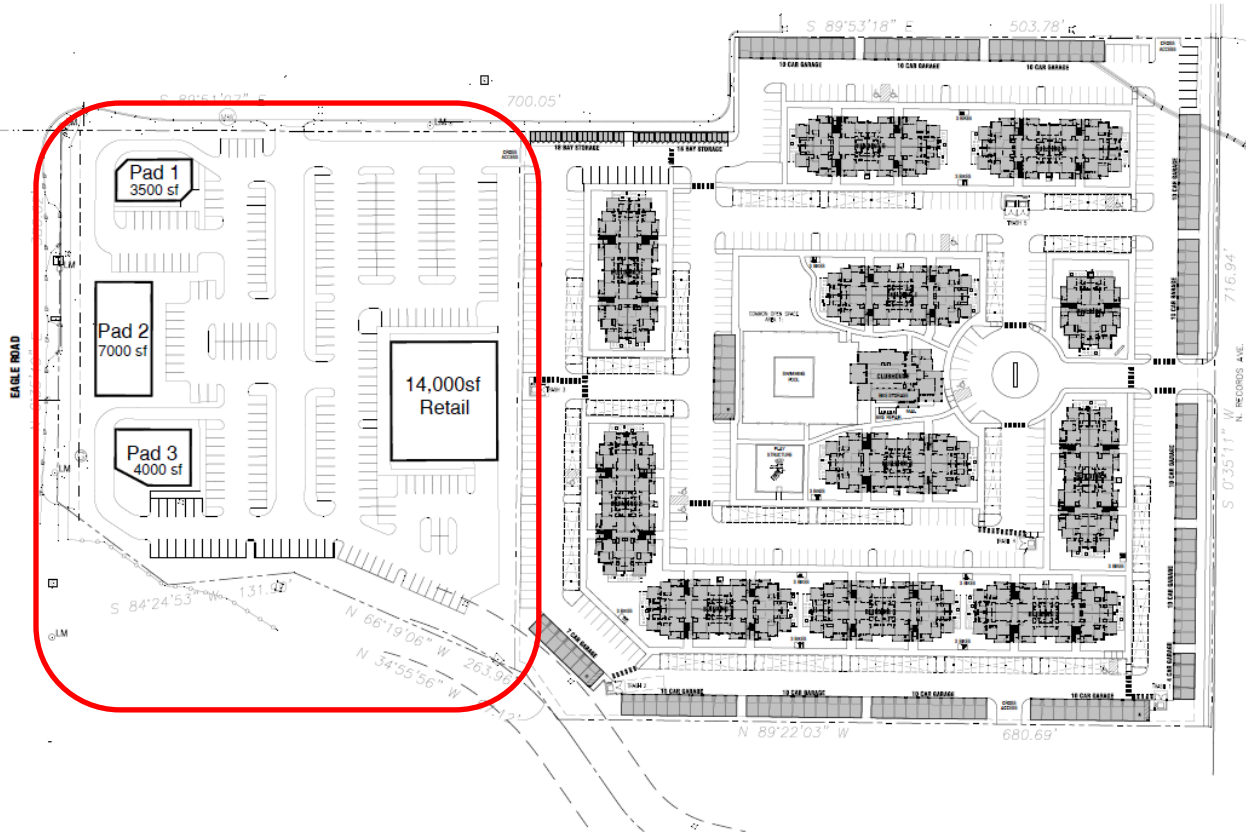
Staff recommends approval of the proposed preliminary plat with the conditions noted in Section VIII, per the Findings in Section IX; and approval of the development agreement modification contingent upon revisions to the concept plan as discussed above and noted in Section VIII.

VII. EXHIBITS

A. Existing Development Agreement Provisions and Conceptual Development Plan

5. CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:

- 5.1 Owner/Developer shall develop the Property in accordance with the following special conditions:
- a. Any existing domestic wells and/or septic systems within this project shall be removed from their domestic service prior to development.
 - b. Development of this site shall be generally consistent with the overall site plan, landscape plan and building elevations included in Exhibit A of the Staff Report attached to the Findings of Fact attached hereto as Exhibit "C" and the conditions of approval included in Exhibit B of the Staff Report attached to the Findings of Fact attached hereto as Exhibit "C"
 - c. The Milk Lateral which crosses the northeast corner of this site shall be piped in accord with UDC 11-3A-6A.
 - d. A 35-foot wide street buffer is required to be constructed along N. Eagle Road, an entryway corridor, with the second phase (commercial portion) of development; and a 20-foot wide street buffer is required to be constructed along N. Records Avenue, a collector street, with the *first* phase (residential portion) of development and prior to issuance of the *first* Certificate of Occupancy for each phase. Landscaping is required to be installed within the buffer in accord with the standards listed in UDC 11-3B-7C.
 - e. A 10-foot wide multi-use pathway is required to be constructed within the street buffer along N. Eagle Road within a public use easement; pedestrian lighting and landscaping is also required to be installed as set forth in UDC 11-3H-4C. These improvements are required to be constructed with the *second* phase (commercial portion) of development and prior to issuance of the *first* Certificate of Occupancy for that portion of the site.
 - f. Upon development of the retail/commercial portion of the property, a 25-foot wide buffer is required to be installed adjacent to the residential uses in accord with the standards listed in UDC 11-3B-9C, unless otherwise modified by City Council.
 - g. Pedestrian connections are required to be provided between the residential portion of the site and the future commercial development on the western portion of this site and the residential developments to the north and south.
 - h. Traffic calming shall be provided within the site between the residential and commercial development and in N. Records Avenue (as allowed by ACHD).



PROJECT
VILLAGE APARTMENTS
 EAGLE ROAD
 MERIDIAN, IDAHO

SEAL
 PRELIMINARY
 NOT FOR CONSTRUCTION

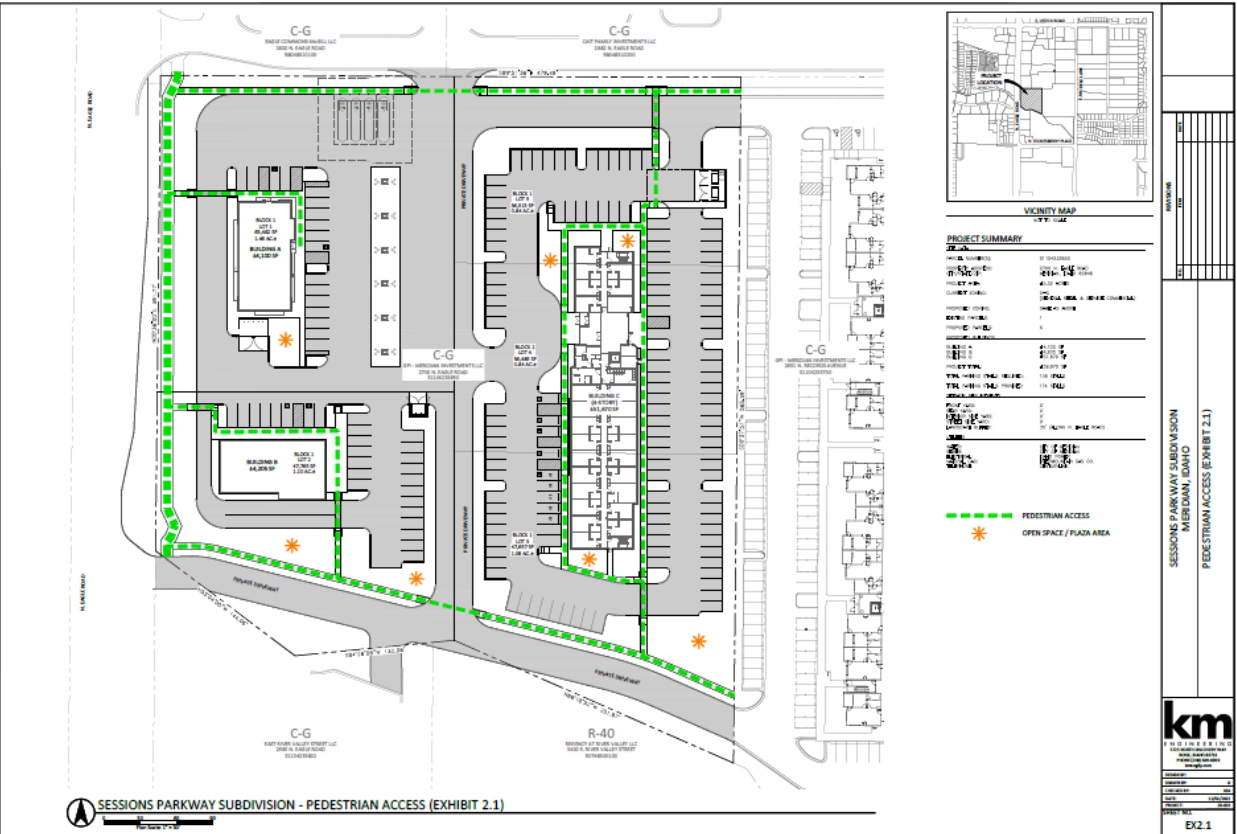
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 TIME: 15:21:41.0
 DRAWN BY: DAVID RUBY, AIA

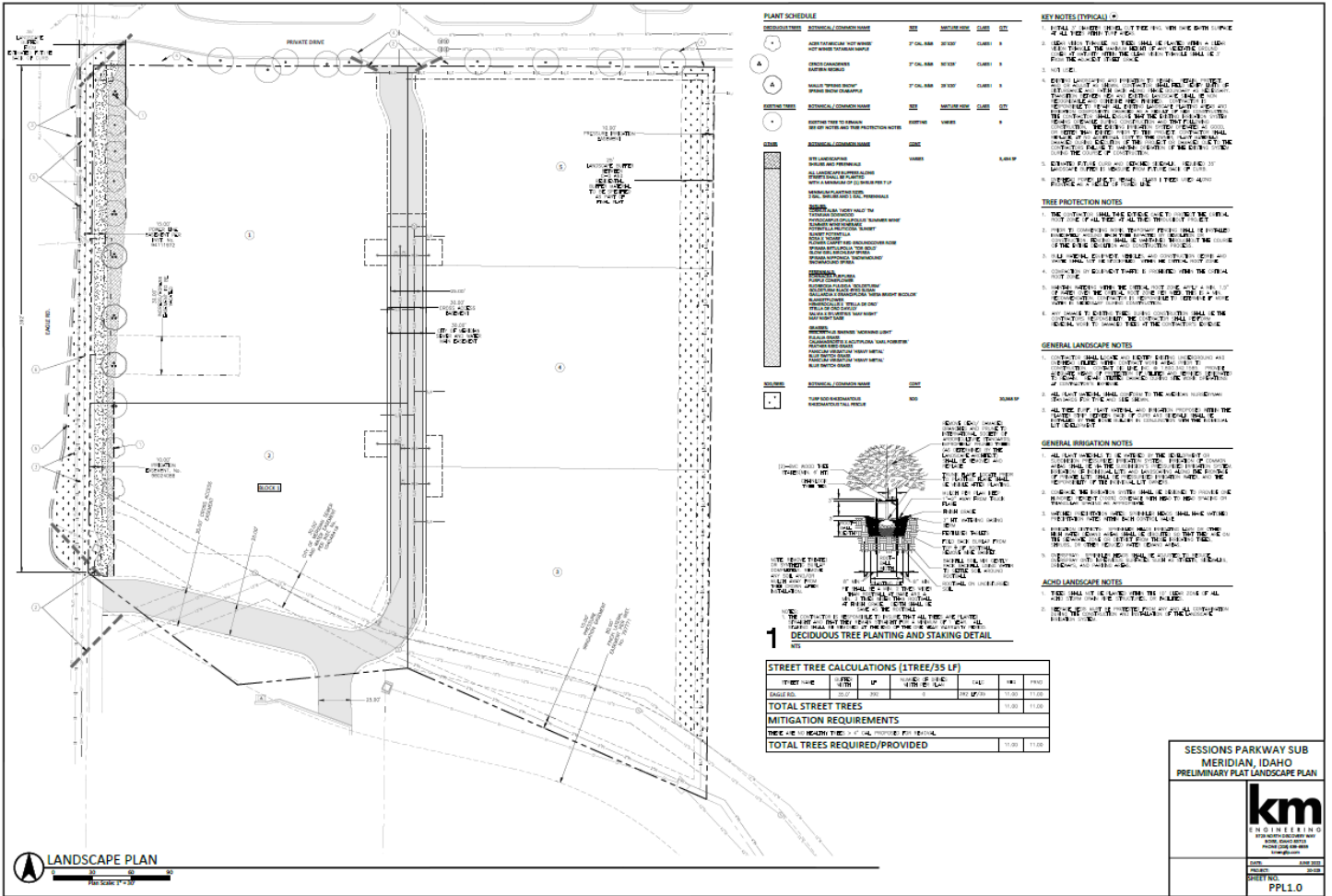
REVISIONS

1 OVERALL SITE PLAN EXHIBIT
 SCALE: 1" = 30'-0"

SHEET
A1.0
 OVERALL SITE EXHIBIT



D. Landscape Plan (date: June 2022)



E. Access Exhibit



SESSIONS PARKWAY SUB
MERIDIAN, IDAHO
VEHICLE ACCESS EXHIBIT

km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmeng@km.com

DATE: JUNE 2022
PROJECT: 20-028

PPEX1.0

F. Legal Description & Exhibit Map for Property Subject to New Development Agreement



May 14, 2020
Project No. 17-169
Legal Description

Parcel B

A parcel of land situated in the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at a found brass cap marking the Northwest corner of said Section 4, which bears N00°36'00"E a distance of 2,611.39 feet from a found brass cap marking the West 1/4 corner of said Section 4;

Thence following the westerly line of said Northwest 1/4, S00°36'00"W a distance of 1385.13 feet;

Thence leaving said westerly line, S89°51'36"E a distance of 70.01 feet to a found 5/8-inch rebar marking the southwest corner of Southeast Corner Marketplace Subdivision No. 1 and being the **POINT OF BEGINNING**.

Thence following the southerly boundary line of said Southeast Corner Marketplace Subdivision No. 1, S89°51'36"E a distance of 479.48 feet to a set 5/8-inch rebar;

Thence leaving said southerly subdivision boundary line, S00°37'57"W a distance of 565.59 feet to a set 5/8-inch rebar on the northerly subdivision boundary line of Bach Subdivision;

Thence following the northerly subdivision boundary line the following two (2) courses:

1. N66°18'52"W a distance of 251.97 feet to a found aluminum cap;
2. S84°26'08"W a distance of 17.13 feet to a found 5/8-inch rebar marking the northwest corner of said Bach Subdivision;

Thence leaving said northerly subdivision boundary line, S84°26'08"W a distance of 114.63 feet to a found 5/8-inch rebar;

Thence N53°04'00"W a distance of 144.06 feet to a found 5/8-inch rebar on the easterly right-of-way line of N. Eagle Road;

Thence following said easterly right-of-way line, N00°36'00"E a distance of 391.77 feet to the **POINT OF BEGINNING**.

Said parcel contains 231,902 Sq. Ft. (5.324 acres), more or less, and is subject to all existing easements and/or rights-of-way of record.

All subdivisions, deeds, record of surveys, and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated in.



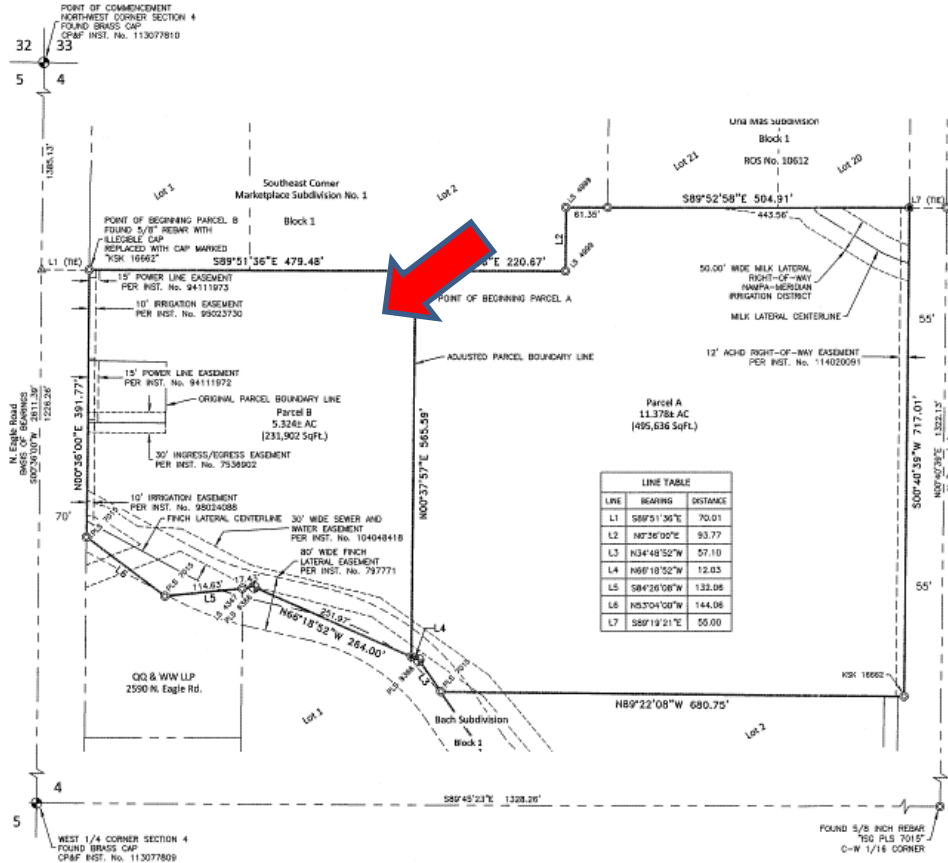
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RECORD OF SURVEY
PROPERTY BOUNDARY ADJUSTMENT FOR
GFI - Meridian Investments, LLC.
 A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4,
 TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO.
 2020

ROS No. 12423



0 100 200 300
 Plan Scale: 1" = 100'



LINE	BEARING	DISTANCE
L1	S89°51'36"E	70.01
L2	N0°36'02"E	93.77
L3	N34°48'52"W	57.10
L4	N86°18'52"W	12.03
L5	S84°20'06"W	132.08
L6	N53°04'00"W	144.06
L7	S89°19'21"E	55.00

- LEGEND**
- ⊕ FOUND ALUMINUM CAP, AS NOTED
 - ⊙ FOUND BRASS CAP, AS NOTED
 - ⊛ SET 5/8-INCH REBAR MARKED "KSK 16662"
 - ⊙ FOUND 5/8" REBAR, AS NOTED
 - FOUND 1/2" REBAR, AS NOTED
 - △ CALCULATED POINT
- PROPERTY BOUNDARY LINE
 --- ORIGINAL PARCEL LOT LINE
 - - - SECTION LINE
 - - - ROAD/IRRIGATION CENTERLINE
 - - - ADJACENT BOUNDARY LINE
 - - - EASEMENT LINE, AS NOTED

- REFERENCES**
- R1. RECORD OF SURVEY No. 9883, RECORDS OF ADA COUNTY, IDAHO.
 - R2. PLAT OF BACH SUBDIVISION, BOOK 113 OF PLATS AT PAGES 1898B-18910, RECORDS OF ADA COUNTY, IDAHO.
 - R3. PLAT OF SOUTHEAST CORNER MARKETPLACE SUBDIVISION No. 1, BOOK 101 OF PLATS AT PAGES 13253-13255, RECORDS OF ADA COUNTY, IDAHO.
 - R4. PLAT OF UNA HAS SUBDIVISION, BOOK 103 OF PLATS AT PAGES 13894-13896, RECORDS OF ADA COUNTY, IDAHO.
 - R5. WARRANTY DEED INSTRUMENT No. 2016-028305, RECORDS OF ADA COUNTY, IDAHO.

CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO } SS
 ADA COUNTY }
 INSTRUMENT NUMBER 2020-0839874

I HEREBY CERTIFY THAT THIS SURVEY FILED AT THE REQUEST OF AT 5:45 MINUTES PAST 12 O'CLOCK P.M. THIS 10th DAY OF July 2020, A.D., IN MY OFFICE AND WAS DULY RECORDED.

Paul McCarone
 EX-OFFICIO RECORDER

DEPUTY
 FEE: 5.00

CERTIFICATE OF SURVEYOR

I, KELLY HEDRER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO DEPICT THE ADJUSTMENT OF EXISTING PARCELS INTO PARCELS A AND B, AS SHOWN HEREON. THIS SURVEY IS BASED UPON THE RETRACEMENT OF RECORD OF SURVEY No. 9883 AND THE PLATS OF BACH SUBDIVISION, SOUTHEAST CORNER MARKETPLACE SUBDIVISION, AND UNA HAS SUBDIVISION, ALONG WITH A FIELD SURVEY OF EXISTING MONUMENTATION. MONUMENTATION RECOVERED WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE RECORD.



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the Development Agreement (DA) (Inst. #[2022-065403](#), MDA-15-012) for Village Apartments and shall instead be subject to a new agreement. The new DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting approval of the amendment. The specific provisions for the new DA are as follows:
 - a. Development of this site shall be generally consistent with the conceptual development plans approved by City Council and the conditions of approval included in Section VIII.A and include the following:
 - Depict non-retail commercial, office or civic uses for a minimum of 50% of the development area on Exhibit EX1.0, unless Commission or Council find this isn't applicable because this property is part of a larger MU-R designated area. This doesn't apply if the property develops with the hotel as proposed in exhibit EX2.0.
 - **Specific details for the integrated plaza/open areas shall be provided with the first certificate of zoning compliance. The applicant can relocate open space/plaza areas depicted on the plan with director approval once specific tenants are known.**
 - **On concept plan 1, labeled as EX1.0, some or all of the buildings along the eastern boundary should be rotated and/or relocated and a shared plaza area/green space added to a more central location within the development for better integration, including a central pathway connection to the open space and front pad sites.**
 - **If the site develops consistent with concept plan 2, labeled as EX2.0, the applicant shall construct a 5-foot sidewalk on the east boundary and provide a decorative crosswalk across the drive aisle of the multi-family portion of the development (SWC of the Village Apartments) to enhance pedestrian connectivity.**
 - b. The subject property shall be subdivided prior to submittal of the first Certificate of Zoning Compliance application for the site.
 - c. A 25-foot wide buffer shall be installed along the eastern boundary of the site adjacent to the future residential uses, landscaped per the standards listed in UDC [11-3B-9C](#), unless otherwise modified by City Council. Construction of the buffer may take place with lot development.
 - d. Pedestrian connections shall be provided between the subject property and the future residential development to the east, the commercial properties to the north and south and to the multi-use pathway along N. Eagle Rd./SH-55 in accord with the approved pedestrian plans. *Pedestrian walkways should be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks in accord with UDC 11-3A-19B.4.*
 - e. Traffic calming shall be provided within the site between the subject property and the residential development to the east.
 - f. Provide trash enclosures within the development capable of housing containers for both solid waste and recyclable materials in accord with MCC [4-1-4](#).

2. The final plat shall include the following:
 - a. Include the recorded instrument of the existing 30-foot wide City of Meridian sewer and water main easement graphically depicted on the plat.
 - b. Depict the street buffer along N. Eagle Rd./SH-55 in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, or business owner's association per UDC 11-3B-7C.2a.
 - c. Include a note stating direct lot access via N. Eagle Rd./SH-55 is prohibited except for the access approved with the plat. *Note: The proposed access via Eagle Rd. is required to be approved by City Council and ITD.*
 - d. Include a note stating all lots in the subdivision are subject to a cross-access/ingress-egress easement as graphically depicted on the plat.
 - e. Depict a 14-foot wide public pedestrian easement for the multi-use pathway along N. Eagle Rd./SH-55 if the pathway is located outside of the right-of-way; include the recorded instrument number of the easement.
3. The landscape plan depicted in Section VII.D shall be revised with submittal of the final plat, as follows:
 - a. Depict landscaping within the 25-foot wide buffer along the eastern boundary of the site adjacent to residential uses in accord with the standards listed in UDC [11-3B-9C.1](#); and safe pedestrian connections between commercial and residential uses as set forth in UDC [11-3B-9C.3](#). *Construction of the buffer may take place with lot development.*
 - b. Depict landscaping within the 35-foot wide street buffer along N. Eagle Rd./SH-55 in accord with the updated standards listed in UDC [11-3B-7C.3](#); and pedestrian lighting and landscaping consistent with the Eagle Road Corridor study per UDC [11-3H-4C.3](#).
4. A reciprocal cross-access/ingress-egress easement shall be recorded between the subject property and the abutting property to the south (Parcel # S1104233802) in accord with UDC [11-3A-3A.2](#). A recorded copy of the agreement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.
5. A reciprocal cross-access/ingress-egress easement shall be recorded between the subject property and the abutting property to the east (Parcel # S1104233730) in accord with UDC [11-3A-3A.2](#). A recorded copy of the agreement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.
6. Submit details for the pedestrian lighting required along the multi-use pathway adjacent to N. Eagle Rd./SH-55 that demonstrate compliance with the specifications set forth in UDC [11-3H-4C.3](#).
7. If the multi-use pathway along N. Eagle Rd./SH-55 is located outside of the right-of-way, submit a 14-foot wide public pedestrian easement to the Planning Division for City Council approval and recordation prior to the City Engineer's signature on the final plat.
8. Future development shall be consistent with the dimensional standards listed in UDC Table [11-2B-3](#) for the C-G zoning district.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. Terminate water main with hydrant

2. Provide easement from end of water main to north property line for potential future connection.
3. Additional 271 gpd flow committed to model. WRRF declining balance is 14.35 MGD.
4. Max Slope of 8" line is 8%.
5. Adjust manhole #1 so it is not located in the curb/gutter.
6. Ensure that the existing manhole is not located in a curb/gutter.
7. For sewer and water in parallel, if sewer depth is greater than 15 feet, locate the water main 5 feet from the edge of easement and center the sewer main between the water main and other edge of easement.
8. Pedestrian decorative lighting will be required for sidewalk frontage along Eagle Road.

General Conditions of Approval

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
 17. 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.
 18. 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.
 19. 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.
 20. 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.
 21. 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.
 22. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 23. Developer shall coordinate mailbox locations with the Meridian Post Office.
 24. 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.
 25. 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.
 26. 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.
 27. 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.
 28. 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.
 29. 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.
 30. 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. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272579&dbid=0&repo=MeridianCity&cr=1>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273745&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272564&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat:

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

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

Staff finds that the proposed plat and subsequent development will be in substantial compliance with the adopted Comprehensive Plan in regard to land use and transportation if the Applicant complies with the provisions in the staff report. (Please see Comprehensive Plan Policies in, Section IV of this report for more information.)

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

Staff finds that public services will be provided to the subject property with development. (See Exhibit B 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, ITD, etc.). (See Section VIII for more information.)

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

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

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

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



AGENDA ITEM

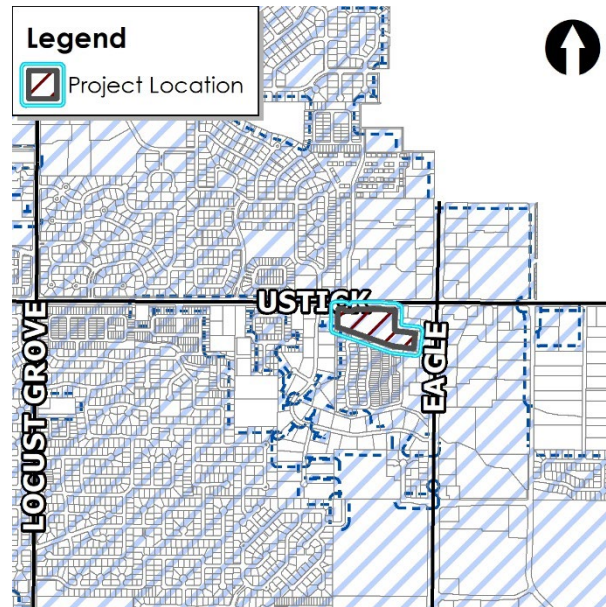
ITEM TOPIC: Public Hearing for Centrepont Apartments (H-2022-0072) by MGM Meridian, LLC., located at 3100 N. Centrepont Way, near the southwest corner of N. Eagle and E. Ustick Rds.

Application Materials: <https://bit.ly/H-2022-0072>

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

COMMUNITY DEVELOPMENT DEPARTMENT

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



I. PROJECT DESCRIPTION

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

II. SUMMARY OF REPORT

A. Project Summary

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

B. Community Metrics

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

IV. NOTICING

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

V. STAFF ANALYSIS

A. PROPERTY HISTORY & COMPREHENSIVE PLAN ANALYSIS:

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

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

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

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

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

Specific code analysis is below.

B. UNIFIED DEVELOPMENT CODE (UDC) ANALYSIS

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

A. Purpose.

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

B. Site design.

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

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

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

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

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

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

C. *Common open space design requirements.*

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

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

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

(1) Direct pedestrian access;

(2) High visibility;

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

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

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

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

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

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

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

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

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

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

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

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

See the analysis above.

D. *Site development amenities.*

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

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

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

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

E. *Landscaping requirements.*

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

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

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

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

Code Analysis –

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

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

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

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

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

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

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

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

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

Road Improvements:

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

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

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

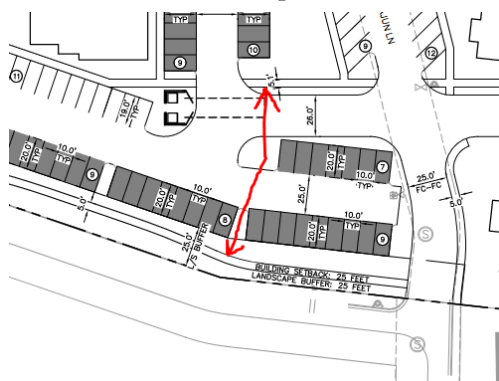
Based on the total number of units proposed and their bedroom count distribution, a minimum of 380 parking spaces, with a minimum of 189 of these spaces to be covered in a garage or by a carport. Further, the leasing office and clubhouse require an additional 6 spaces for a total requirement of 386 parking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

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

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

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

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



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

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

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

Landscaping (UDC 11-3B):

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

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

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

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

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

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

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

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

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

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

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

VI. DECISION

A. Staff:

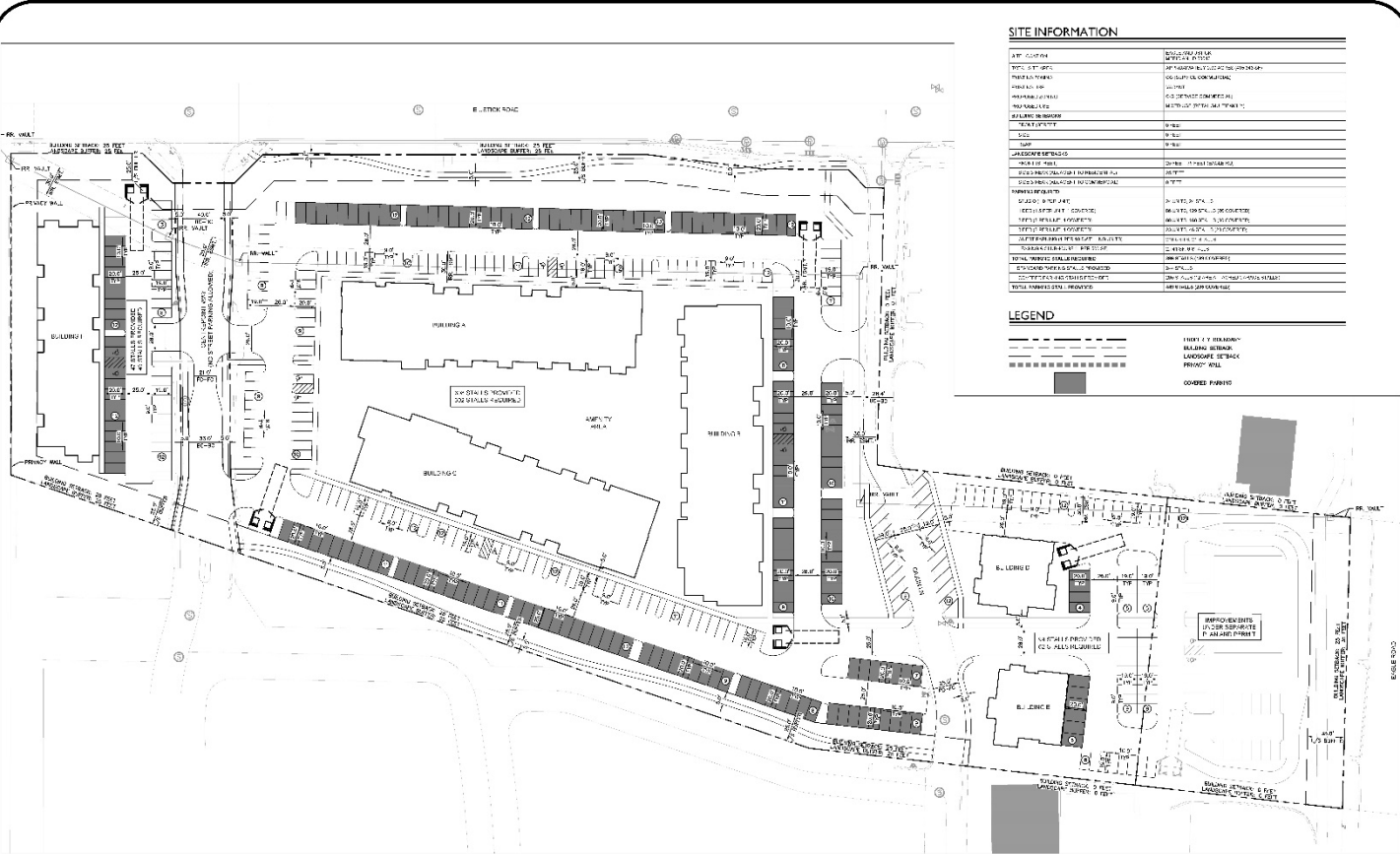
Staff recommends approval of the requested Conditional Use Permit per the conditions of approval included in Section VIII in accord accordance with Findings in Section IX.

SITE INFORMATION

APR. 2018	REVISED PER
DATE OF ISSUE	REVISED PER
PROJECT NAME	DATE OF ISSUE
PROJECT NO.	PROJECT NO.
PROJECT ADDRESS	PROJECT ADDRESS
PROJECT CITY	PROJECT CITY
PROJECT STATE	PROJECT STATE
PROJECT COUNTY	PROJECT COUNTY
PROJECT ZIP	PROJECT ZIP
PROJECT OWNER	PROJECT OWNER
PROJECT ARCHITECT	PROJECT ARCHITECT
PROJECT ENGINEER	PROJECT ENGINEER
PROJECT LANDSCAPE ARCHITECT	PROJECT LANDSCAPE ARCHITECT
PROJECT CIVIL ENGINEER	PROJECT CIVIL ENGINEER
PROJECT ELECTRICAL ENGINEER	PROJECT ELECTRICAL ENGINEER
PROJECT MECHANICAL ENGINEER	PROJECT MECHANICAL ENGINEER
PROJECT PLUMBING ENGINEER	PROJECT PLUMBING ENGINEER
PROJECT FIRE ENGINEER	PROJECT FIRE ENGINEER
PROJECT ENVIRONMENTAL ENGINEER	PROJECT ENVIRONMENTAL ENGINEER
PROJECT HISTORIC ARCHITECT	PROJECT HISTORIC ARCHITECT
PROJECT TRAFFIC ENGINEER	PROJECT TRAFFIC ENGINEER
PROJECT GEOTECHNICAL ENGINEER	PROJECT GEOTECHNICAL ENGINEER
PROJECT SURVEYOR	PROJECT SURVEYOR
PROJECT LANDSCAPE ARCHITECT	PROJECT LANDSCAPE ARCHITECT
PROJECT CIVIL ENGINEER	PROJECT CIVIL ENGINEER
PROJECT ELECTRICAL ENGINEER	PROJECT ELECTRICAL ENGINEER
PROJECT MECHANICAL ENGINEER	PROJECT MECHANICAL ENGINEER
PROJECT PLUMBING ENGINEER	PROJECT PLUMBING ENGINEER
PROJECT FIRE ENGINEER	PROJECT FIRE ENGINEER
PROJECT ENVIRONMENTAL ENGINEER	PROJECT ENVIRONMENTAL ENGINEER
PROJECT HISTORIC ARCHITECT	PROJECT HISTORIC ARCHITECT
PROJECT TRAFFIC ENGINEER	PROJECT TRAFFIC ENGINEER
PROJECT GEOTECHNICAL ENGINEER	PROJECT GEOTECHNICAL ENGINEER
PROJECT SURVEYOR	PROJECT SURVEYOR

LEGEND

---	EXIST. E. PROPERTY
---	EXIST. BOUNDARY
---	LANDSCAPE DETAIL
---	PROPERTY WALL
---	CONCRETE PAVING

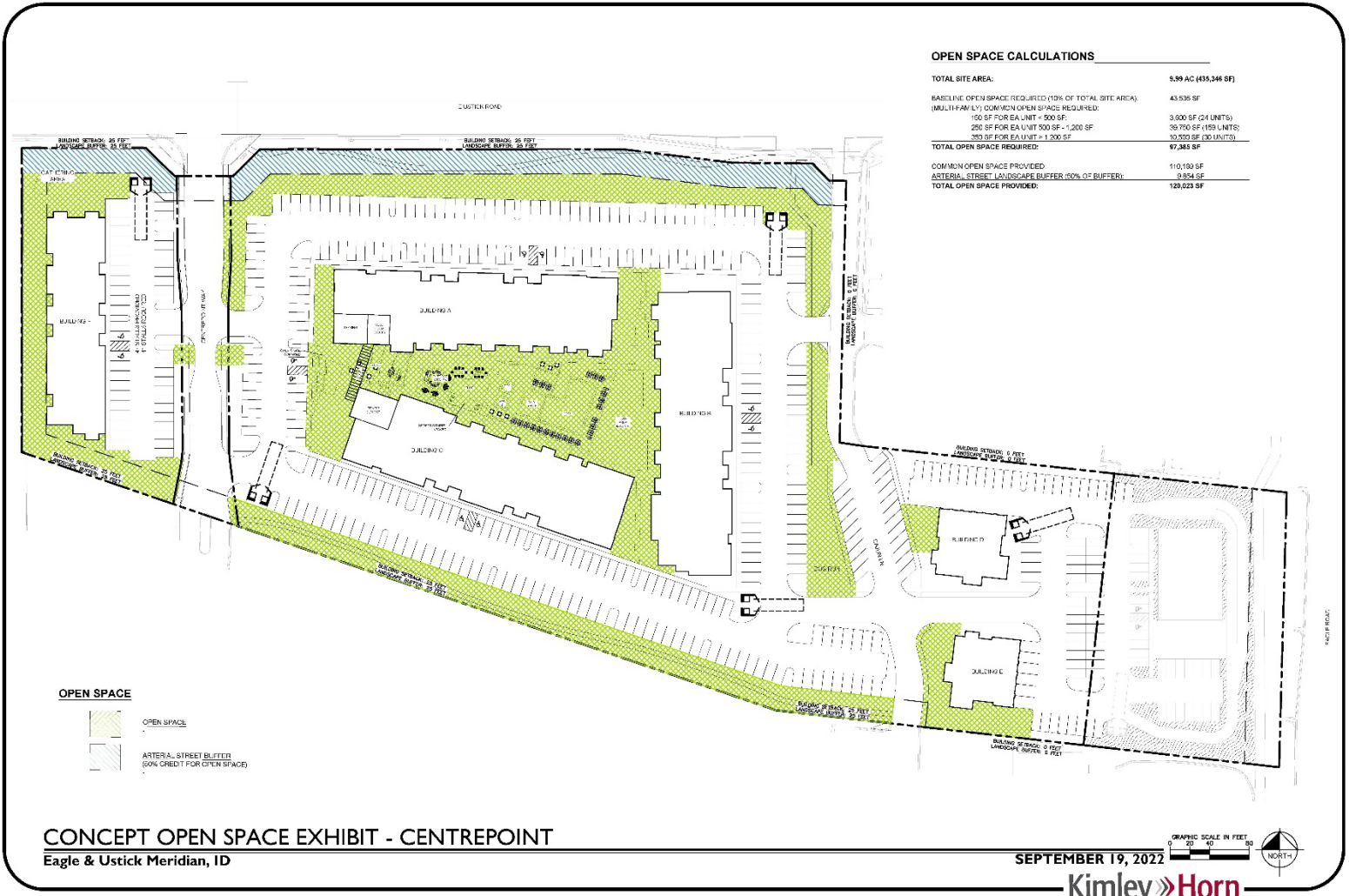


CONCEPT SITE PLAN - CENTREPOINT
Eagle & Ustick Meridian, ID

September 19, 2022

Kimley»Horn

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



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



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



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



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



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



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

2223 - BUILDING A

BOISE, ID

08/30/22

All designations, names, dates, or technical content are the property of the architect and shall not be used without the written consent of the architect.



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



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



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



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



BUILDING F - ELEVATIONS 1/8" = 1'-0" **AP0.35**

BOISE, ID 08/30/2022

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2223 - BUILDING F

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Conditional Use Permit:

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

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

B. PUBLIC WORKS

Site-Specific Conditions of Approval

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

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. The minimum cover over sewer mains is three feet if the over or the on top of the pipe to subgrade is less than three feet then alternate materials shall be used in conformance with the City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. The applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of the public right of way (including all water services and hydrants). The easement widths shall be 20 feet wide for a single utility, or 30 feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed, and dated by a Professional Land Surveyor. **DO NOT RECORD.**
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is

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

5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to comply with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing, or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide a record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. All improvements related to public life, safety, and health shall be completed before occupancy of the structures.
10. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, before the issuance of a plan approval letter.
11. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
13. Developer shall coordinate mailbox locations with the Meridian Post Office.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3 feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicant's design engineer shall be responsible for the inspection of all irrigation and image facilities within this project that does not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. The applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved before receiving a certificate of occupancy for any structure within the project.
18. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.

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

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

No report at this time.

D. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

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

E. MERIDIAN POLICE DEPARTMENT (MPD)

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

F. IDAHO TRANSPORTATION DEPARTMENT (ITD)

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

IX. FINDINGS

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

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

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

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

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

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

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

Despite the proposed use being different from the residential uses to the west and south, Staff finds the site design, construction, and proposed operation and maintenance will be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same area, so long as the Applicant constructs the site as proposed.

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

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 because all services are readily available and both ACHD and ITD have reviewed and approved the proposed layout and traffic generation.

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

All public facilities and services are readily available for the subject site so 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 because of excessive production of traffic, noise, smoke, fumes, glare, or odors.**

Although traffic is sure to increase in the vicinity with the addition of more residential units, this area of the City is underdeveloped in that it is existing zoning within a mixed-use area planned for residential uses at higher densities than what exists to the west and south. Therefore, 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 unaware of any natural, scenic, or historic features within the development area, therefore, Staff finds the proposed use should not result in damage to any such features.



AGENDA ITEM

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

Application Materials: <https://bit.ly/H-2022-0070>

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

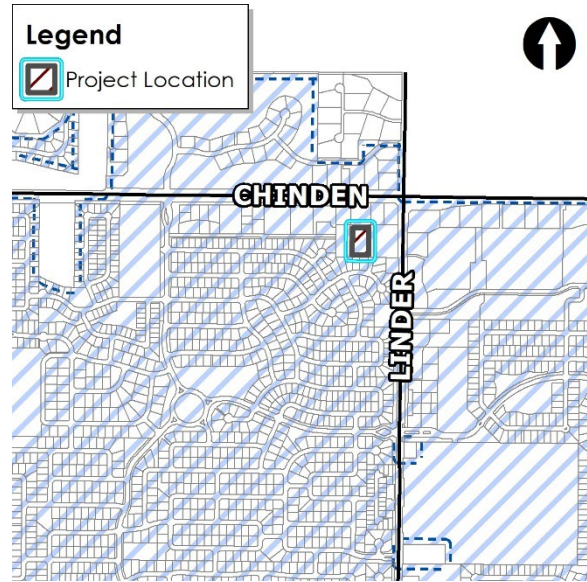
STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 11/17/2022
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533

SUBJECT: H-2022-0070
 Knighthill Center Childcare Facility

LOCATION: 6241 N. Linder Road, generally located at the southwest corner of N. Linder Road and W. Chinden Boulevard.



I. PROJECT DESCRIPTION

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

II. SUMMARY OF REPORT

A. Project Summary

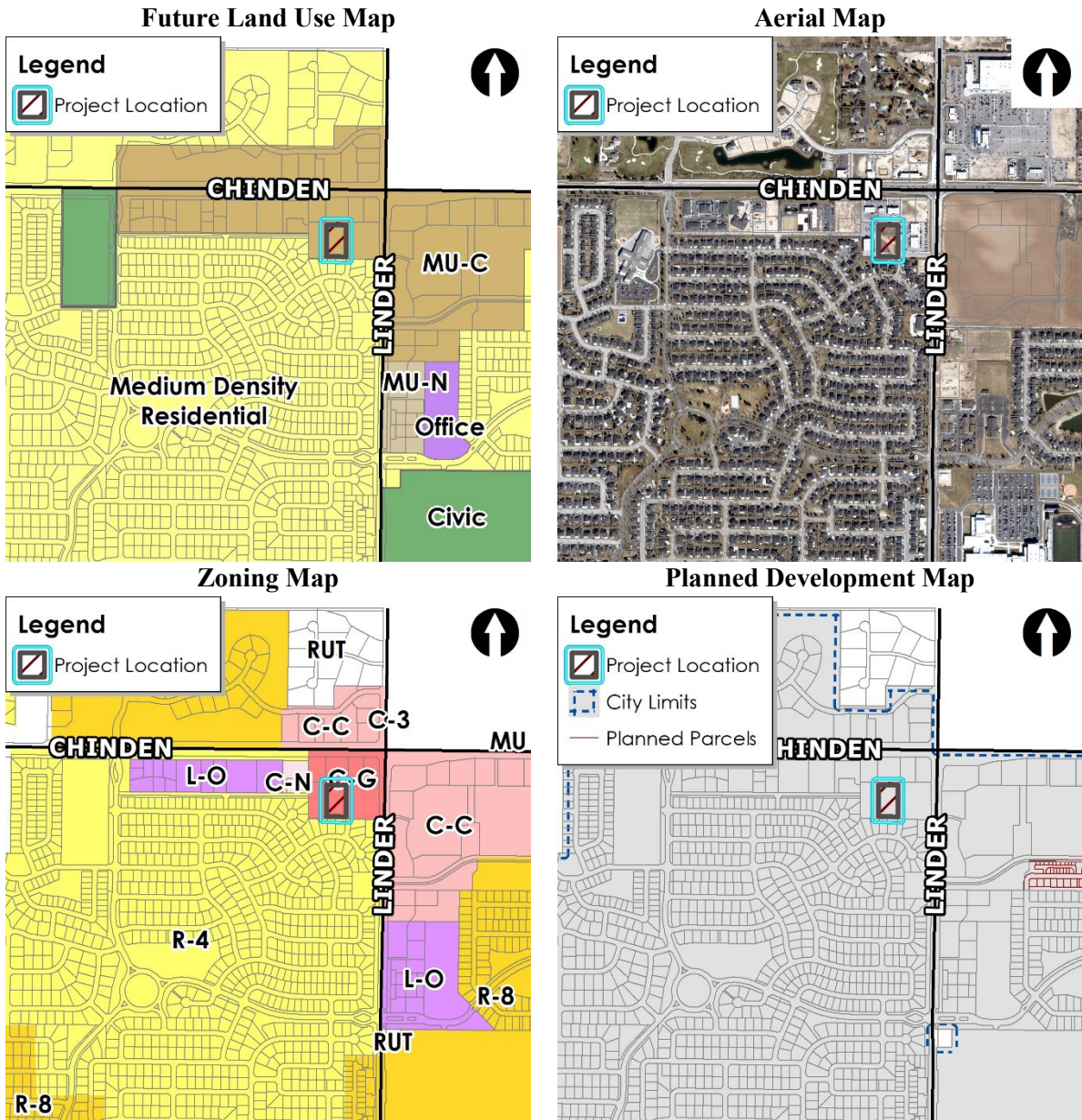
Description	Details	Page
Acreage	1 acre	
Future Land Use Designation	Mixed-use Community	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Commercial – Daycare Center	
Lots (# and type; bldg./common)	One (1) existing building lot (existing approvals for a Short Plat to subdivide the property into 2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

B. Community Metrics

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

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

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

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

C. Representative:

Same as Applicant

IV. NOTICING

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

V. STAFF ANALYSIS

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

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

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

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

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

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

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

C. Existing Structures/Site Improvements:

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

D. Proposed Use Analysis:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

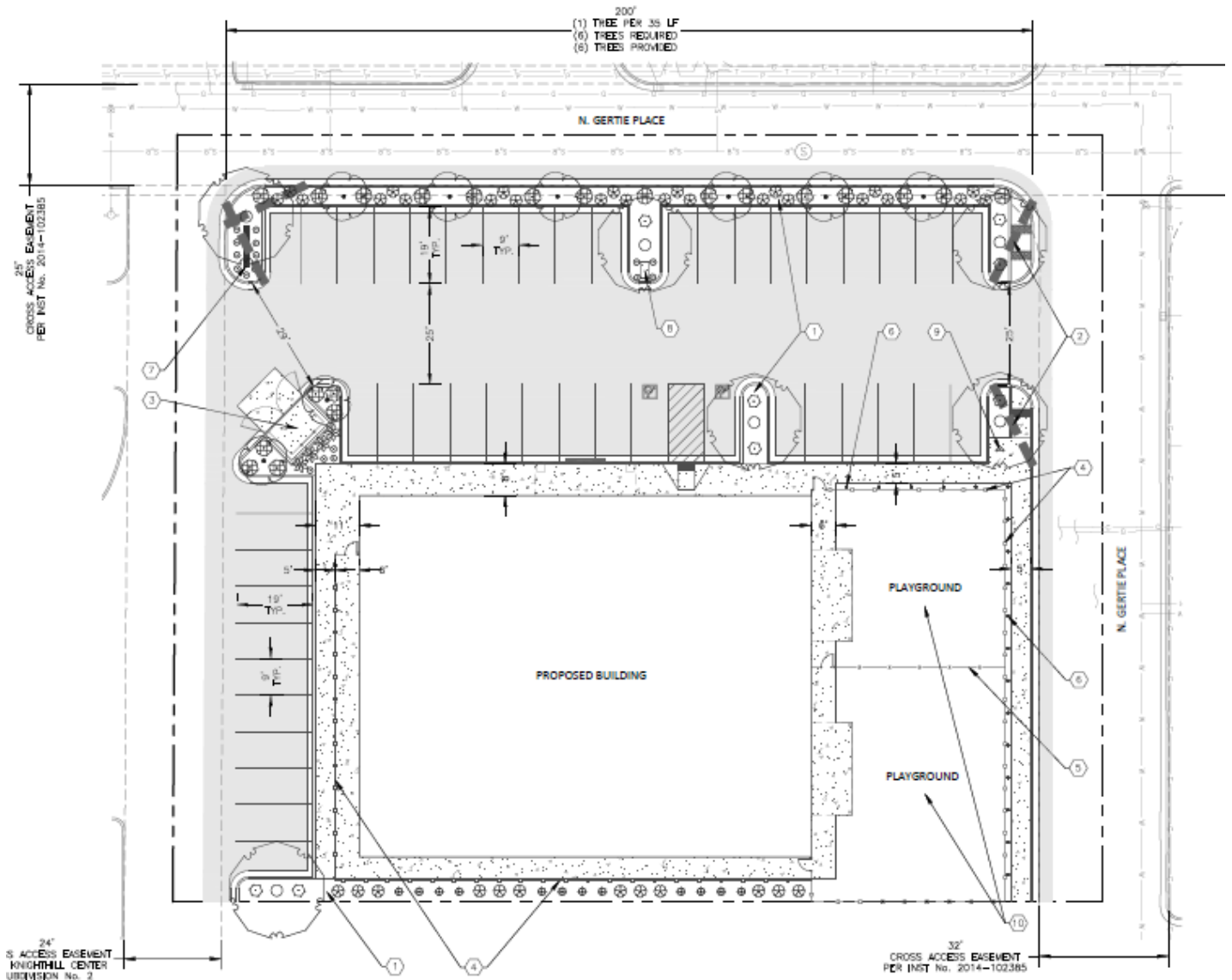
qualifying wall modulation is not being proposed. Staff does find the proposed elevations to comply with the architectural elevations within the Development Agreement that are also required to be adhered to. Elevations submitted with the administrative design review application should comply with the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

VI. DECISION

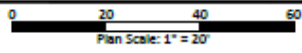
A. Staff:

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

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

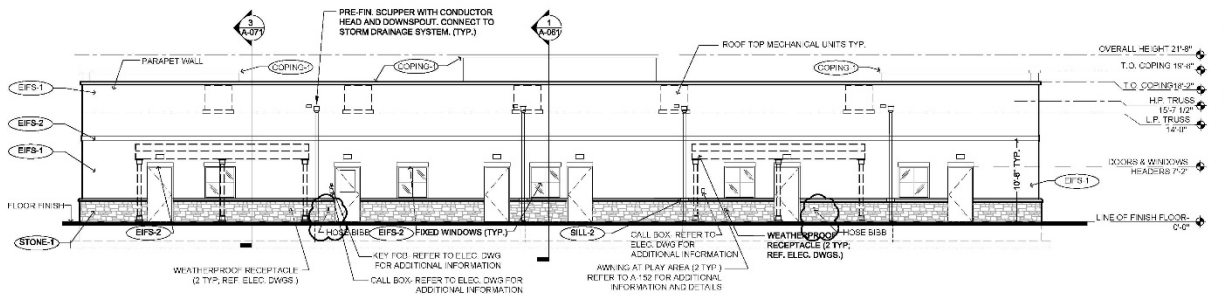
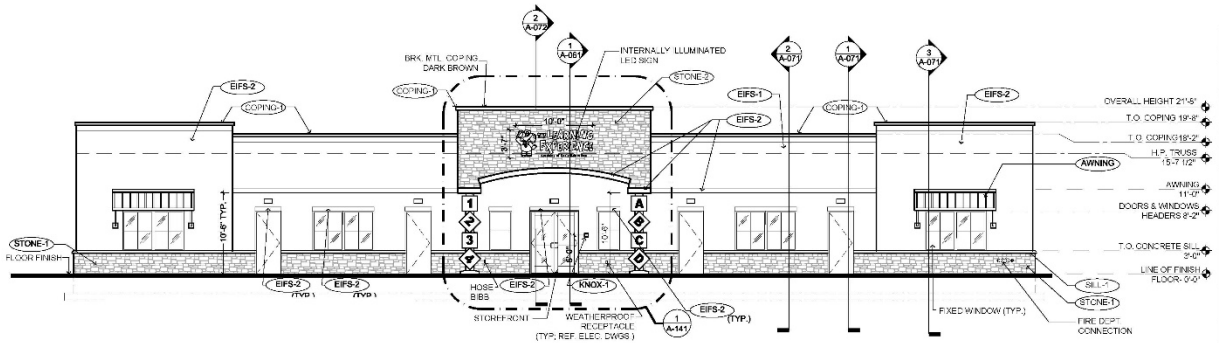
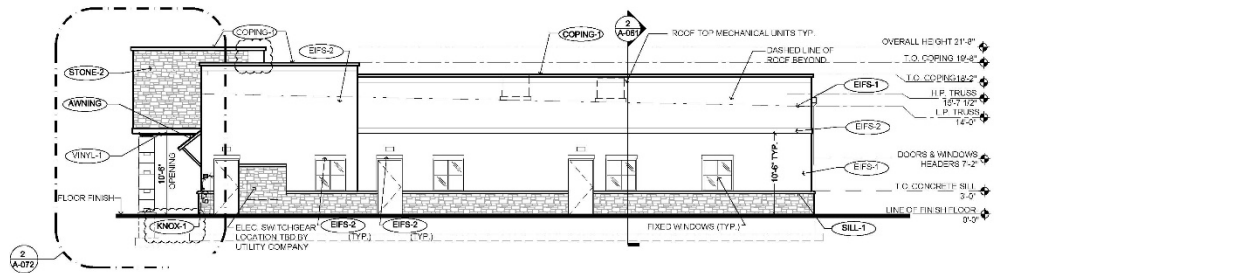
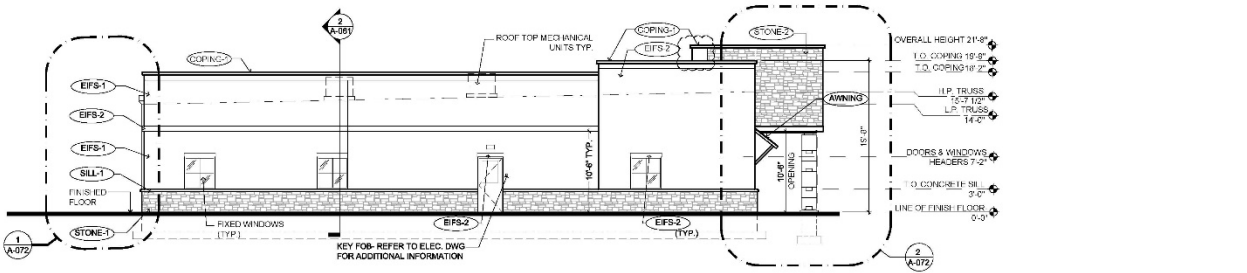


LANDSCAPE PLAN



GENERAL LANDSCAPE NOTES

C. Conceptual Building Elevations (NOT APPROVED)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

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

B. PUBLIC WORKS DEPARTMENT

Site-Specific Conditions of Approval

1. Ensure no sewer services cross infiltration trenches.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. The minimum cover over sewer mains is three feet, if the cover from the top of the pipe to the subgrade is less than three feet then alternate materials shall be used in conformance with the City of Meridian Public Works Departments Standard Specifications.
2. The applicant shall provide easement(s) for all public water/sewer mains outside of the public right of way (including all water services and hydrants). The easement widths shall be 20 feet wide for a single utility, or 30 feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed, and dated by a Professional Land Surveyor. DO NOT RECORD.
3. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas before receiving development plan approval.
4. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to comply with MCC.
5. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing, or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
6. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide a record of their abandonment.
7. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
8. All improvements related to public life, safety, and health shall be completed before occupancy of the structures.
9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, before the issuance of a plan approval letter.
10. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.

14. The applicant's design engineer shall be responsible for the inspection of all irrigation and drainage facility within this project that does not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed by the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
15. After the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved before the issuance of a certification of occupancy for any structures within the project.
16. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for a duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit, or bond. Applicants must apply to the surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. **Ada County Highway District (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276652&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit

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

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

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

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

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

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

Staff finds the operation of the proposed daycare should be compatible with the residential and commercial uses in the close vicinity and the existing and intended character of this mixed-use area.

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

If the proposed daycare complies with the conditions of approval in Section VII as required, 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.

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

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

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 because of excessive production of traffic, noise, smoke, fumes, glare or odors.

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

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

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