



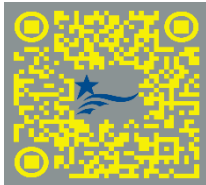
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, December 15, 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 of the December 1, 2022 Planning and Zoning Commission Meeting](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

2. **Public Hearing** for Dutch Bros Ustick and Eagle (H-2022-0077) by Andrew Bowman, Barghausen Consulting Engineers, Inc., located at the four (4) lots at the southwest corner of N. Eagle Rd. and E. Ustick Rd. intersection

Application Materials: <https://bit.ly/H-2022-0077>

Applicant Requires a Continuance

A. Request: Conditional Use Permit for a new 1,154 square foot, dual drive-through Dutch Bros. coffee restaurant on approximately 1.2 acres of land in the C-G zoning district.

B. Request: Development Agreement Modification to allow the requested drive-through use by updating the overall concept plan of the approved Development Agreement (Inst. #2019-121599).

3. **Public Hearing** for Promenade Cottages Subdivision (H-2022-0013) by Steve Arnold, A-Team Consultants, located at 403 E. Fairview Avenue

Application Materials: <https://bit.ly/H-2022-0013>

Applicant Requires a Continuance

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 residential 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 on approximately 2.8 acres in the requested R-40 zone.

D. Request: Conditional Use Permit for proposed ten (10) single-family detached lots within the requested R-40 zoning district.

E. Request: Conditional Use Permit to allow the continuance of the non-conforming use of a mobile home park for an extended time period in the requested R-40 zone.

4. **Public Hearing** for Meridian OZ Apartments (H-2022-0073) by Realm Venture Group, located at 1475 E. Franklin Rd.

Application Materials: <https://bit.ly/H-2022-0073>

Applicant Requires a Continuance

A. Request: Development Agreement Modification to the existing Development Agreement (Inst.#99121334 AZ-99-005 Cobblestone Village) to remove the subject property from the agreement and enter into a new agreement for the proposed multi-family development.

B. Request: Conditional Use Permit for a multi-family development consisting of 60 dwelling units on 2.39 acres of land in the R-40 zoning district.

5. **Public Hearing for Guthries Drive-Through (H-2022-0081) by Nicolette Womack, Kimley-Horn, located at 1840 W. Chinden Blvd., near the northwest corner of N. Linder Rd. and W. Chinden Blvd.**

Application Materials: <https://bit.ly/H-2022-0081>

A. Request: Conditional Use Permit for a new approximate 2,083 square foot quick serve restaurant with a drive-through located within 300 feet of an existing drive-through.

6. **Public Hearing for KeyBank Meridian Branch (H-2022-0076) by HSB Architects + Engineers, Located at 3513 W. Chinden Blvd.**

Application Materials: <https://bit.ly/H-2022-0076>

A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of another drive-through establishment, an existing residence and residential zoning district on 1.04 acres of land in the C-G zoning district.

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the December 1, 2022 Planning and Zoning Commission Meeting

Meridian Planning and Zoning Meeting

December 1, 2022.

Meeting of the Meridian Planning and Zoning Commission of December 1, 2022, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Steven Yearsley, Commissioner Patrick Grace, Commissioner Nate Wheeler and Commissioner Mandi Stoddard.

Members Absent: Commissioner Lorcher.

Others Present: Joy Hall, Kurt Starman, Bill Parsons and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Nate Wheeler	<input type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Mandi Stoddard	<input type="checkbox"/> (Vacant)
<input checked="" type="checkbox"/> Steven Yearsley	<input checked="" type="checkbox"/> Patrick Grace
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

Seal: Good evening. Welcome to the Planning and Zoning Commission meeting for December 1st, 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 City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting, however, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to -- be able to comment. Excuse me. 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@meridianty.org and they will reply as quickly as possible. If you want to watch the meeting we encourage you to watch the streaming on the city's YouTube channel and access that at meridianty.org/live. With that let's begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: All right. Thanks very much. So, the first item on the agenda is the adoption of the agenda. File No. H-2022-0042 for Cobalt Point Apartments will be opened only to approve the withdrawal of the application. File No. H-2022-0074 for the Wienerschnitzel Drive-Through will be opened for the sole purpose of continuing -- continuing to a regularly scheduled meeting. It will be opened for that purpose only. So, if there is anybody here tonight to testify for these applications we will not be taking testimony on them. Can I get a motion to adopt the agenda as -- as presented?

Stoddard: So moved.

Grace: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. Opposed aye? Motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the November 17, 2022 Planning & Zoning Commission Meeting**
- 2. Findings of Facts and Conclusions of Law for the Conditional Use Permit for Knighthill Center Childcare Facility (H-2022-0070)**
- 3. Finding of Facts and Conclusions of Law for the Conditional Use Permit for Centrepoint Apartments (H-2022-0072)**

Seal: Next item on the agenda is the Consent Agenda and we have three items on the Consent Agenda. First to approve the minutes of the November 17th, 2022, Planning and Zoning Commission meeting. We also have Findings of Fact and Conclusions of Law for File No. H-2022-0070, which is a conditional use permit for Knighthill Center Childcare Facility. We also have Findings of Fact, Conclusions of Law, for File No. H-2022-0072, which is the conditional use permit for Centrepoint Apartments. Can I get a motion to accept -- to accept the Consent Agenda as presented?

Stoddard: So moved.

Grace: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Seal: Okay. 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 our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to the public -- to public testimony. Each person will be called on only once during the testimony. The Clerk will call the names individually of those who have signed up on our website to -- in advance to testify. You will, then, be unmuted on Zoom or you can come to the microphones in Chambers. 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 for the meeting it will be displayed on the -- on the screen and you can run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group are -- will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in Chambers or if on Zoom press the raise hand button in the Zoom app. If you are only listening on a phone, please, press star nine, wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone. Please, 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 questions for you you will return to your seat in Chambers or be muted on Zoom. You will no longer have the ability to speak and, please, remember we will not call on you again. After all testimony has been heard, the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns, we will close the public hearing and the Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

- 4. Public Hearing for Cobalt Point Apartments (H-2022-0042) by The Land Group, located on Parcel R7909850396, directly east of the intersection of S. Cobalt Point Way and E. Copper Point Dr. in the Silverstone Business Park**
 - A. Request: Conditional Use Permit for a new 264-unit multi-family development on approximately 11.95 acres of land in the C-G zoning district.

Seal: At this time I would like to open the public hearing for Item No. H-2022-0042, Cobalt Apartments, in order to accept the application withdrawal for that application.

Grace: Mr. Chairman, for a motion I guess?

Seal: Yeah. That would be fine.

Grace: Mr. Chairman, I would move that we accept the application to withdraw agenda Item 4, File H-2022-0042.

Stoddard: Second.

Seal: It's been moved and seconded to accept the application withdrawal for File No. H-2022-0042 for Cobalt Point Apartments. All in favor, please, say aye. Okay. No opposed, motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

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

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

Seal: Now we will open File No. H-2022-0074 for Wienerschnitzel Drive-Through for a continuance to January 19th, 2023.

Grace: Mr. Chairman, I would move to continue File No. H-2022-0074 to our scheduled meeting on January 19th, 2023.

Stoddard: Second.

Seal: It's been moved and seconded to continue File No. H-2022-0074 to the regularly scheduled meeting date of January 19th, 2023. All in favor, please, say aye. No opposed, motion carries.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

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

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

Seal: All right. So, now at this time I would like to open the public hearing for Item No. H-2022-0027, Sagarra. We will begin with the staff report. Thanks, Bill.

Parsons: Thank you, Mr. Chairman, Commission -- Commissioner and Commissioners online. Happy to be here tonight. I'm actually filling in for Sonya. She's been taking a much needed vacation this week and part of next week, so I'm -- I'm jealous, to be honest with you. Hopefully -- and she's someplace warm. She's in Vegas. So, I hope she's enjoying the weather down there, because it's a little chilly and wet here. So, the first application before you tonight is the Sagarra project. It's a preliminary plat and a planned unit development, which is something that this Commission doesn't see often and it's not -- not a portion of code that's utilized much, to be honest with you. So, you can see here on the future land use map that the property is encumbered with -- or not encumbered, but it's designated with two land use types, mixed use community on a portion -- western portion of the site and also medium density residential. Before I get into too much of the details of the application I have had a chance to look at the public record this evening and it looks like we had some opposition in this particular application and it appears a couple items are getting blurred tonight. So, what I mean by that is some of the testimony insinuates that the project tonight is going to have over 504 residential units on it and that is not the case. So, I think more than likely what has happened is, if I'm not mistaken, I believe the applicant and developer has had a -- a recent neighborhood meeting and discussed future plans that may come before this body, but the application before you tonight does not include 500 plus units, it is for a planned unit development consisting of 146 residential units, consisting of single family attached, single family detached, townhomes and 38 multi-family units. So, again, it's a substantially smaller project than what I have seen in some of that public testimony. So, just wanted to clear up the record tonight that that will be potentially a future date.

Seal: All right. Thank you very much. Appreciate it.

Parsons: You're very welcome. So, as -- as we mentioned in the staff report, this property was annexed awhile ago. It actually started with the city in 2017 and it took almost two years to -- to get to the hearing process on this particular project, so there is a lot of history, a lot of -- a lot of work went into making sure that we have a project that meets the community's vision I guess is the best way to say that. And so tonight this is one of a future phase. It was always planned to have some residential component on it. Typically in these situations you will have a development agreement modification that's associated with changes to this property, but based on our analysis of the project we found that it was consistent with the current development agreement that was amended recently in 2021. So, as I mentioned to you, this project does consist of a plat -- so, there is 114 residential lots and 16 common lots and, then, you can see up there in the upper left-hand corner the project is planned to develop in two phases. So, the phase one is the western half, phase two the eastern half. A lot of the analysis for the staff report really went into the PUD. I mean it's easy when you -- and you look at this project you can see that it's pretty clustered, it's a dense development and that's what the PUD process is about. One, it allows you to deviate from the dimensional standards, but it also allows you to have a more unique design for properties that have challenging demographic -- dimensions and this is one of those cases where you have a lot of public streets that surround this property and, then, you add the fact that they have to build more internal public streets makes it a unique piece of property to try to get some reasonable amount

of density on it, so I would let the Commission know that the staff has met with the applicant over many months to try to fine tune a plan that would work on this particular property and they have elected to go -- allow the R-8 zoning to stay in place as it's currently approved and, then, move forward through that PUD process and that's why you have a multi-family component as part of this as well, because under the UDC in Chapter 2, if you go through a PUD process the applicant can request a multi-family component. So, as I mentioned to you here recently, here is the kind of -- this is less lines on this one, so I figure this would be best to explain the project to everyone. So, you can see here the -- along the periphery of the development the applicant is providing a transition of your typical single family detached homes and as you transition farther north to the commercial development you have that mix of what we call single family attached, the townhomes, and, then, the multi-family itself is internal is located in this area here where you can see my cursor where that larger open space area is. So, that's really -- and because of the uniqueness of this site the PUD allows you to deviate from the setback standards as well and that's what they have done as well. So, in a typical R-8 development you have a ten foot setback to living area, 20 foot to garage, five foot on each side and 12 foot on the rear. In this particular case the applicant is asking to deviate from those standards, which we felt was appropriate given the -- the design or dimensions of this particular property. I know some of the public testimony also had mentioned the density and whether or not the density was appropriate for this site. As this body knows, the comp plan -- majority of the site is medium density residential, which anticipates densities between three to eight dwelling units to the acre. Now, what the comp plan also does -- and this particular project comes in at a gross density of 8.35. In the comp plan it also tells us that when we are either on the lower end or the higher end we should round to the whole -- the nearest whole number. So, this particular number -- density, because it's 8.35, we round it down to eight and, therefore, staff finds that this -- although it's on the higher end of the medium density residential designation, it does meet the density requirements of the land use designation. And, then, also the PUD standards and -- also require a mix of product type. So, that's why you are getting the single family, the townhomes, and the multi-family. So, again, it's a package deal. If you had a chance to look at the staff report you probably noted that staff had concerns with the open space and also the parking and I can't say that the information -- the application wasn't complete enough to share that information with you, but what we -- what we really want the applicant to do is just to prove up a little bit more how they are meeting those requirements. You can see here they have given us an open space exhibit. Some of the areas count, some of them don't. There is certain dimensional standards they have to meet and we explain that in the staff report. I think the -- one of the biggest challenges we have -- and you can see on this plan and I think it's one of the better amenities for this development -- is that pathway along the southern and eastern boundary. That's a great amenity for that development, because not only does it work for this portion of the development, but it's continued throughout the rest of it, too, and connects into Chinden as well. But in this particular case there is a piped irrigation facility in that area and so it's making -- going to make it difficult to put any trees in that area. So, typically when staff is analyzing open space for a project, if it doesn't meet the UDC standards we don't count it, because it doesn't meet all the rules and regulations and so, really, what the applicant needs to do is submit for alternative compliance and do something equal to or better than what's allowed, although we all want

to see trees. I -- I want more trees, too. I love trees, but at the same time if it's not feasible, they can either plant them elsewhere on the site or come up with an alternative in that area in order for us to count that. So, in my discussions with the applicant I think they are going to reach out to the landscape architect and figure out what areas count, give us a more accurate reading on what that open space is and how they meet that 15 percent compliance that we require. Also because they have a multi-family component they still have to provide that open space based on the number of residential units on the square footage of those residential units. So, it's 15 percent plus whatever that amount is per the 38 multi-family units. Typically the multi-family units are between 500 and 1,200 square feet, so you are looking at 250 square feet times 38, plus the 15 percent. So, I would mention to you I think -- I mean from our perspective it looks like they probably could get there, we just need more information and have them prove it up to us how they are going to get there. The other issue was parking. There wasn't a real detailed graphic showing us how they were meeting the parking standards of the code and I know this body takes that very serious. Some of the public testimony also alluded to concerns with parking. If you look here there is an east-west segment of local street that will be built with this development and you can see in this graphic here that there is a series of chokers or bulb outs for traffic calming, but it also allows for on-street parking. So, in this particular case all of these units, except -- except for the units along the periphery, no other units will have that parking pad, because they are going to be one or two bedroom units, so all they need is a two car garage to -- to satisfy code. So, for example, in this location of the development here you can see these gray areas here will be private streets in the future. They haven't submitted a private street application to us yet, but they have been conditioned to do that as part of their final plat and so these will be private streets and, then, as you can see here none of the units -- and I will quickly go to their parking plan here to show how it works. You can see here they are showing you all of the two car garages for those that do not have parking pads and, then, you can see here the single family homes do have the two car garage and the 20 by 20 parking pad in front of it. So, as I mentioned to you, if it's one or two bedrooms they -- a two car garage can suffice for the required parking. You don't need a pad. But if it's a three or four bedroom unit, then, you are doing four parking stalls and typically that's a two car garage and a 20 by 20 parking pad. So, again, it's -- it's not a matter of if they have enough parking, it's a matter of giving us the information and proving you have the adequate parking, because if they are truly all one and two bedroom units, then, the two car garages do meet code and, then, you have that additional parking with that more urban street section that they are doing in the center of the development with that on-street parking. So, again, I think -- again I know that a concern of this body when we are talking about parking and so, again, the open space and the parking we have conditioned them to address that prior to City Council. Now, if this body wants that information prior to it moving on to City Council, you can certainly see if the applicant answers your questions adequately tonight, to ask for a continuance and have them work with staff and correct those deficiencies before you move that on. But I just thought I would put that out there for you as well. The other uniqueness about this property is the -- the amount of stub streets that come into this site. So, with the development of Paramount there were three stub streets, one on the east and two on the south boundary. One was extended already, which is Bergman. This was extended with the first phase of the commercial development, so this is all built, including

the traffic calming that was required and, then, again, this is the new street segment that's going to be constructed with this proposed development. Amenities for the development -- again, that's another critical component of a planned unit development is that they provide us those amenity details. I can let you know here looking on my notes here they are going to have that multi-use pathway along the perimeter and, then, they are going to have a swimming pool, changing rooms, and restrooms, community workshop, dog washing stations, outdoor activity complex, fire pits and barbecue area with tables and shade structures. So, in our mind they are providing adequate amenities as well. So, no concerns from staff as far as that -- that requirement goes. And, then, just because we have common open space requirements, staff did receive an e-mail today about private open space and the PUD standards do require that all of these units have their own private open space either through enclosed yards or 80 square foot patios or front porches. Looking at a lot of the submitted elevations it looks like the applicant -- some of the units meet that requirement, some may not. So, if the applicant can't meet that requirement with some of the units, the -- they do have the ability to go through the alternative compliance process to -- to waive that requirement or include lessor private open space. So, I don't want to get it confused too much between private and public, but, really, the private is just more for the residential units themselves. Another component of the PUD process is site -- site circulation and pedestrian circulation and so this is something that the applicant provided to show you how all of that pedestrian connectivity is going to occur, not only vehicularly, but also pedestrian -- with pedestrians and this was required with their development agreement as well back in 2019 and 2021 and, then, part of -- one of our conditions as well is that the applicant work with ACHD on getting safe crossings across the collector road in these two locations here. So, that's been conditioned as part of the project that they continue to work that out and make sure we have some kind of elevated crossing or something to make sure it's -- it brings the concerns to motorists that vehicle -- pedestrians will be crossing to the mixed use development on the north side of that roadway. And, then, of course, with any PUD or any development applications we do require architectural renderings. Again, further -- further refinement will be needed as they go through -- work with staff they will have to go through that architecture standards manual and comply with those design standards. Like some of the public testimony did -- was around the aesthetics of these buildings, they don't match what's currently constructed in the area. Again, it's a PUD -- design is subjective as you know. It might -- this might look great to the Commission, but maybe somebody thinks they are not that great, but, again, the idea about a PUD is getting some of that cluster development, maximizing the land and preserving some kind of open space as part of the development. So, again, concerns with open space, but just need more information how we get there. But, again, this design aesthetic probably lends itself well with the commercial development more than the residential to the south, but I know working with the -- the developer and the applicant on this site, they do have a very specific vision for this property and that's why they are here tonight to share it with you. So, looking at the public record I did want to make mention to you that, again, there was -- let's see -- one, two, three, four, five, six, seven pieces of testimony in opposition of this project. Again, some of it was kind of misleading or not specific to this project, maybe a neighborhood meeting that occurred, but most of the comments stemmed around the density of the project, the aesthetics of the project. Some of the neighbors were

concerned that it wasn't compatible with the surrounding developments, which are a lot of the things that you guys take under your purview when you are looking at these applications. But with that I will go ahead and just let you know that staff is recommending approval with the conditions in the staff report and I will stand for any questions you may have.

Seal: Thank you very much for all that. Appreciate the extra info on there. So, at this time would the applicant like to come forward?

Grace: Mr. Chairman?

Seal: Yes, go right ahead.

Grace: I apologize. I probably should have done this before our staff report, but I just wanted to disclose and -- for the benefit of the applicant and the folks here who are ready to testify, I'm a homeowner in Paramount. I'm also on the Paramount HOA and so I gave some consideration to whether I should recuse -- recused myself from this agenda item. I did confer with our legal counsel and I was prepared to -- to go forward based on my review of this before the meeting tonight, but I think in the interest of -- of maybe caution, I am going to recuse myself. I don't have any financial interests, which -- which I think is the standard for a conflict of interest. Personally I certainly don't have any, but it is I suppose possible that the -- that the HOA could have some interest in this based on my knowledge of the HOAs authority and scope within that one mile plat. So, it looks like we have a pretty full complement of Commissioners here tonight. I think you guys can handle it. So, I think in the interest of transparency and just out of caution, I'm going to recuse myself from this item.

Seal: Okay. Thank you for that. Appreciate it. Okay. Now, would the -- would the applicant like to come forward.

Slavin: Two microphones. Do we speak into both of them?

Seal: Either one will work.

Slavin: All right. Commission, thanks for having me. Commissioner. Pleasure. Thank you so much.

Seal: Need your name and address for the record, please.

Slavin: Michael Slavin. 424 East Thurman Mill Street, Garden City, Idaho. I'm with the development team. Accomplice is partnering with the landowner, which is High Desert Development. And Bill does such a wonderful job starting out, he's actually going to bring up some slides to aid our presentation. I believe we have ten minutes. We will make it pretty quick. But just to launch in and give you a background, this is stemming from a development agreement that was entered into in 2019. This is an R-8 zoned piece of property, roughly 17.49 acres. We are adhering to the density standards. That was really

important to us. At the same time this site is a little precarious shape. So, that led us to a little bit more creativity in how -- we actually have a -- what -- a density minimum standard of at least R-6 on this property. So, that was our starting point as a low bar. But thought it would be really interesting to challenge ourselves to -- to really put forth an interesting design that also fulfills the development agreement, being that one of the wishes is there is a natural transition from single family homes from the south to commercial to the north. So, you see more contemporary design, but the main reason for that -- or the driver for that was to create this natural transition zone and so we want to be in -- to be really intellectually honest and you make a site that transitions nicely and is also very walkable to the commercial zone in the hopes that people will use their cars less. So, just running down into the site, I think that -- yeah, I have it up. Thank you so much, Bill. So, this is the vicinity. You are very familiar with this. Of course, zoning, we just covered this piece. Looking at the site this hopefully helps you visually -- or helps us visually demonstrate what we are wanting to accomplish. You will see in the periphery this is a wish of the community, as well as commentary or notes by the planning staff is that there would be single family homes adjacent to the Paramount site, transitioning east -- sorry -- north to the commercial -- or sorry. Orchard Park Drive and also from the east boundary west we wanted to start making the site more dense and more interesting and tapering up to -- a much -- I think there is -- well, we have a 50 foot height provision in the mixed use zone to the north. So, we wanted to create a natural transition to that and so thought that, of course, townhomes would -- would be an interesting way to solve that issue, that it was the wish of the development agreement. Let me see if -- and I want to make a couple other points on this topic is that, you know, one of the other wishes of the development agreement is that we -- we actually offer a mix of housing types that includes, you know, single family detached, attached, multi-family, definitely allowed with certain provisions, and so we went ahead and used the code to find a way to make that happen. Getting into the actual Comprehensive Plan analysis, we wanted to talk on a couple of notes that we thought to be important. Bill already addressed some of the prior notes in his presentation, but we thought it's really important to create this connectivity from the residential to the mixed use to the north. We will work with ACHD, we are happy to, we have received quite a few comments from the neighborhood community and they think they are well-founded comments that we can have, you know, raised street in spots to slow down car traffic. That's a really good idea and something we want to work towards and pursue. You will see that there actually are a couple demonstrated pathways. One kind of north of Bergman. We actually have a flat work area -- I will show in more detail on an amenity plan that sits adjacent to some of the multi-family with outdoor patios and fire pits and outdoor space for the community that we think is pretty cool. We also have an area that leads from a dog park. You can see on the left portion we have two acres. It's a dedicated -- it's not actually part of this application, but I think is important. We have a two acre park that's for community use that we think will be a really great amenity. Thank you, Bill. And you can -- it's going to be most likely an off-leash dog park. Those seem to be pretty rare throughout the entire Treasure Valley and pretty highly sought after. We thought it would be interesting -- the other place that we are really focusing on is a pedestrian connection to the library and so we want to draw a direct connection. We think that's great, a community that we are really proud of and happy with our partnership with the Meridian Library District. Some of the other -- some comments I want to address

directly, of course, didn't -- we have touched on that. We're falling within our legal bounds for the recent zoning that was applied in 2019 and, then, moving to the preliminary plat I just want to look at the -- these are some of the comments, by the way. It's talking about open space, that that was a great question and thank you for the comments from the planning staff. We have had several conversations. We, of course, relocated a large irrigation canal with -- and the chairman of the irrigation committee -- or the ditch board for this particular ditch, Rod Ragner, he is open to giving us a license agreement to plant -- we can even plant trees, we just need to present certain trees and certain species with shallow root systems that won't intrude the tile ditch that we put in place. So, that's absolutely a possibility. So, we will work really quickly to do that. I know that we have to provide that information before our Council hearing. So, we will move very quickly to rectify any open space questions and we are very excited about that open pathway as well. And, then, speaking of parking, we somewhat have this in our back pocket,. We know it could come up. It comes up into development quite a bit and for good reason and so, Bill, has actually ran the calculations -- I will just go to this parking diagram I have in the back that he had showed earlier and so we are providing, just to be really clear, enough off-street parking for the development to work, you know, and is code compliant. We have a surplus of ten spaces that are off-street for the development and I would also like to point out that each of the single family homes in the periphery were -- were going to the maximum standard of three to four bedrooms, which requires four spaces per spot. Some of those likely could be one or two bedrooms, depending on how -- those are going to be somewhat custom built homes. So, a lot of those could be smaller. These are smaller lots and we see a lot of downsizers and retirees that are very interested in this location, just because it's a very walkable area. So, in addition to that, though, we wanted it to provide in our parking study, so we are overparked off site -- or, sorry, on -- I guess on-site or off-street. On-street we have 122 additional spaces. This diagram -- it's not large enough probably for you to be able to see or appreciate, but we have also discussed with the Meridian Fire Department that we have fire access throughout the site and so we have -- you can see where cars are missing on the street, those are actually for radius turns for fire trucks and fire access. So, we have had them sign off on the site plan as proposed as well. But we feel that the 122 extra spaces would be adequate, in addition to the additional spaces we have on site and that is taking into account the guest parking standards as well for all units. I'm going to jump back up to slide six. Have that in my back pocket. As I said, Bill did such a great job I'm going to be repeating a little bit of this stuff, unfortunately, but things that we thought to be interesting -- so, in talking -- specifically the planned unit development a little -- is a little bit rare. We have done these in other cities. We are happy with that provision. We -- it's something we don't take lightly. We don't abuse. It's not to get extra density. In this particular case you can see on the triangular portion of the site -- we like to consolidate homes when we can to create more open space. So, we wanted to build more of a Gramercy Park style setting. You look at most developments and there is a pool that's infrequently used and usually there is a big wrought iron fence around it and it's in the corner of the development and usually the most undesirable piece of property and in this particular case we wanted to make it the heart of the development where the community can come together. You know, they -- we have a clubhouse, we have a lot of amenities that surround the pool and we find that to be pretty interesting. So, we want to build a community building site and that's, of

course, one of the tenants of -- of a PUD is it allows for innovative design and it also, you know, creates functionality -- or a functionally integrated development, which we feel this does. Let's see here. And what else do we talk about? Oh. Private patios. That was mentioned briefly. We did leave a comment earlier on the review of our file. We are providing private patio space for all units. And, Bill, maybe I didn't send that in the package, but some of the multi-family units we were counting on public spaces that would satisfy that requirement. We have just added balconies to those different buildings in 80 square feet and above for those units. So, we will go ahead and update that to you as well. But we have addressed that issue. Let me see what else we have. Going specifically to multi-family requirements, which are allowed in a PUD provision. This really just drives home. The biggest requirement that we have -- and I think we have surpassed it based on planning standards -- is it -- for the amount of multi-family units we are providing on the site or are planned on the site, we need to have at least three public community -- what amenities on the site for 38 to I think 50 and so what we have is we have a community -- community house next to a community pool. We also have a tool library. Those have gotten to be pretty popular and people living in more urban settings, they don't need their own, you know, huge garage. We all want them, but sometimes we don't get them, it's a nice place to tinker on bikes and have a little woodshop, things like that and also dog wash stations. So, we can have these nice consolidated resources that the entire neighborhood can enjoy, so we thought it would be pretty interesting and, of course, you know, fire pits and community gathering areas, et cetera. And, then, lastly -- I know my time is probably almost up. The building elevations have been submitted as well. And so -- speaking to parking, Bill -- and I will send this to you. I have a table. So, if you have any specific questions about the count -- we did go through the count last night just to make sure that we are squared away with the parking, that we are satisfying the requirement. Oh, we did it.

Seal: Thank you. Do our Commissioners have any questions for the applicant or staff? All right. With that we will open up the -- you can go ahead and take a seat, sir. Yep, We will open up the public hearing portion of this. Do we have anybody signed up?

Hall: Doug Jones.

Seal: Good evening, sir. Need your name and address for the record and the floor is yours.

Jones: Good evening. My name is Doug Jones. 1274 West Barrymore in Paramount. My -- I don't know enough about this to make relevant comments specifically. I did attend the public meeting they had at the clubhouse some months ago. I did express concern about parking at that point. That's come up again tonight. My frustration really -- the developer sent out a letter a month or more back announcing this public hearing. But there was nowhere to get additional information. No website. No QR code. Nothing. And when you Google it you don't get any information. So, other than my memory of what I saw several months ago, that's the only information I was able to draw on about this project and where they are in the development. So, my suggestion to Commission and staff -- and I have talked to the city staff some time ago -- make these developers put in

a link so you can find out more about the project before you show up here tonight to talk about a public meeting. I'm not necessarily opposed to the project. Somebody needs to put something on it. Multi-family housing done right is a need this community has got, but I sure would like to have known more about it before I got here this evening. So, that would be my comment -- more to you guys than the developer, but for Pete's sake, give us a link, give us where to find more information. I did find some drawings finally going through -- back through. ACHD had some drawings in their link to what was available there. So, that would really be my comment, more to the process than to this specific development, because the more people have information, the better prepared they are to make relevant comments and not make comments to some other part of the -- the development that may not be relevant to what's being talked about here tonight. So, I will follow the process. I want to see what's going to happen. I live pretty close. But that would be my comment. Do your due diligence with staff and with your Planning and Zoning Commission. Be sure it's done right, because it's a lot easier to do it right than to try to change it later. I was skeptical about the canal company allowing him to plant trees over the top of that pipe, but that's my own personal opinion as a farmer and dealing with canal companies, so -- thank you and I would be happy to answer any questions you may have.

Seal: Okay. Do you have any questions? All right. Thank you very much.

Jones: Thank you.

Seal: Appreciate it. Madam Clerk?

Hall: Chris Eastman.

Seal: Good evening, ma'am. I need your name and address, please.

Eastman: Yes. My name is Chris Eastman. I live at 1192 West Bacall Street in Paramount. Well, good evening, Commissioners. I actually wish I was not standing here before you today. This is not my cup of tea. But, unfortunately, I have been in this process since back in 2007. What I would like first to say is, you know, they talk about a lot of the work that went in in 2017 and what was proposed and what we worked so hard to get an agreement was not what you're seeing tonight. Although they can say that's the criteria, the picture that was presented to us back then was two rows of homes and, then, going from there, going into condos, and so there would have been no two extra streets needed. There would have been just one private street, both sides with the homes and, then, slowly going out. So, they have added so much more density than what was initially presented in 2017. So, that's my first comment is I definitely agree that this is -- there is just too much and if you could actually take the time to stand in this area, because it looks lovely in this picture when they try and put it on, but when you stand in front of this area and you try and envision a home, going to a condo, going into a townhouse with no space between the sidewalks, it's pretty hard to see how -- they are going to be packed in there. The second comment I wanted to make -- as I was leaving to work late yesterday, because my daughter was not feeling well, and, thankfully, my patient was -- had to cancel

because of the snow and I was going out through this jog of the road, which there has already been accidents and concerns with people driving and just turning out at a different time in the morning I was able to see the crazy traffic that came from Rocky. I have never been going out. I normally leave earlier. I helped a teenager who crashed her car into the fire hydrant. She went off the road, crashed in the fire hydrant and was stuck there in a total hysteric. Panicked. Was able to stop and help her for a while and I sat there and watched as teenager after teenager came down that road through this jog, so much through that way to get to Rocky. There were so many near misses, not only to me, this teenager, but on the other side of the road and here we are talking about them adding parking to a street. I mean I'm asking you guys to, please, not only use your brain -- this looks lovely on a picture, but it is not lovely in real life. It needs to have some corrections. I want this developed. I want to have homes behind me. I want it to be switched, but I want it to be done right and that is what I'm asking you guys, to have them do it correctly. It doesn't -- it's not all about -- it doesn't meet exact requirements. Can this be livable? Are we going to protect our community and people's lives? Because what I saw last time was very concerning. So, thank you.

Seal: Thank you very much.

Hall: Sally Reynolds.

Reynolds: Good evening, Commissioners. I have a presentation that was e-mailed in, so I'm going to be using that. But while she looks for it, since it's not quite ready, I'm happy to yield the floor to someone else who doesn't need the presentation.

Seal: Okay. That will work. Got somebody else --

Hall: Shane Nye.

Seal: Okay. I appreciate that. Good evening, sir. Name and address, please.

Nye: My name is -- My name is Shane Nye and I live at 858 West Bacall Street and I appreciate you being here and I'm kind of in the same situation. I didn't have very much access to information before now, so the questions I guess I could have asked during the presentation, but didn't want to interrupt, is the other night they were talking about the million dollar homes and I wish he would point out which ones are the million dollar homes on the diagram. Sorry. I just want you to point out the million dollar homes on your diagram that you were talking about the other night.

Seal: I was going to say he will -- when he comes back up he can point those out, so --

Nye: Okay.

Seal: We can't have a back and forth dialogue with this.

Nye: No. I understand. That's fine. I didn't know he would be coming back up, so -- but, yeah, I just didn't have very much information and I would like to know when this was presented to the City of Meridian, because I kind of tried to keep up on this. Is this just now being presented to you or how long have you had the information?

Seal: I don't know the exact answer to that, but staff can probably reply to that question.

Nye: Okay. At a later time or -- sorry.

Seal: Well, I was going to say he is busy right now, so we will --

Nye: Anyway, it's something I have tried to keep up on as much as I could and I made some pretty specific phone calls and this was not presented to me as early as two months ago and so I -- I was just curious about that. Those are the only questions I had. So, thank you, sir.

Seal: Thank you very much.

Hall: That is all I have signed up at the moment and there is no one online. We are still pulling up her presentation.

Seal: You got it? Okay. If you want to come back up. It sounds like we have got it. We will get there. I promise.

Reynolds: Oh, no worries. That's fine. I would rather have my words in front of me then.

Seal: Understood. Happens to the best of us. If it's okay?

Reynolds: Yes. Yeah.

Seal: Okay. Yes, ma'am. Come on up, please. Good evening. Name and address, please.

Metcalf: Lisa Metcalf. My address is 967 West Barrymore Drive in Paramount and I did have a concern about street parking. I know that the apartments that are in Paramount currently that are kind of close to Meridian Road and by that middle school over there -- I think it's called the Paramount Apartments, but I don't know the name. There is a lot of parking on the street there and I find it dangerous sometimes just trying to get in and out and around. You can't see. And so I was curious, is there going to be no parking allowed at any time on specific streets in this development? Like that --

Seal: I was going to say --

Metcalf: -- it goes like an S kind of. That would be one of my major concerns, because that street already is dangerous. I drive it every -- well, embarrassingly every day when I go to Winco, because I'm not a planner, but if there were cars parked on that street it

would be an absolute -- completely dangerous. And, then, also on the streets, just near any of like where the major inlets are from the neighborhood, if there is parking allowed on those streets near the inlets it's going to cause a problem as well. So, I would just be concerned about safety.

Seal: Right. I think what Bill's pulled up here. The areas -- that are noted in pink on the roads are no parking; is that correct, Bill? That's my understanding of it. I may be understanding that incorrectly, so --

Parsons: Mr. Chair, Members of the Commission, I think those are the parking areas.

Seal: Oh, pink is the parking areas?

Metcalf: That is parking.

Seal: That is parking, yes.

Metcalf: Okay. I'm strongly opposed to that and I would ask that you take that into consideration, because that street -- go drive it. Seriously, just go drive that little street right there, so --

Seal: We understand what you are saying and those are public streets. The major streets here are public streets, so --

Metcalf: So, that you don't have --

Seal: That is ACHD all the way, so --

Metcalf: Yikes.

Seal: Unfortunately.

Metcalf: Okay. Thank you.

Seal: You're welcome. Would anybody else like to testify? Ma'am, come on up.

Hall: Our internet is not working at the moment. That's why --

Seal: Oh. Okay.

Carpenter: Perfect. Thank you. Good evening. My name is Kelly Carpenter. My address is 5991 North Arliss Avenue in the Paramount community. Thank you so much for being here and thank you for hearing us this evening. We appreciate your time as well. If you wouldn't mind, Bill, advancing to the next couple of photos. So, the photos that I brought to you tonight are Bergman, as Lisa was just speaking to, the zigzag street. When this community was being developed we did as a community ask for traffic calming street and

that's why the zigzag is there and it has already proved massively effective as we have had different people crash into the field because they were out hot rodding. So, what we are showing here today are what is suggested by ACHD is parking on both sides of Bergman, as well as traffic attempting to pass through. So, per the parking plan -- and, again, it is ACHD recommended that they are -- there is parking on both sides of Bergman and so you see one car trying to go through -- and, Bill, can you advance to the next photo, please? And, then, this lovely teenager was attempting to go to Winco for lunch and asked if he could get through, because he really couldn't get through with what potentially would be a car parked on both sides and, then, two way traffic attempting to get through. So, we would really ask that ACHD re-evaluate the streets there and that they do not recommend it. Per the ACHD guidelines, it does suggest a 36 foot street and that street is only 33 feet and that is within guidelines, but, again, I think that extra space really makes a difference. So, yes, as Paramount homeowners we are concerned about the parking. We are also concerned about the density. Yes, the property is zoned R-8, but, please, also consider that Paramount is zoned R-8 and we do have very nice homes that are very nicely spaced and that's really what we're asking of the developer is that he could -- they could go back and look at reducing the number of units to reduce the number of cars, to reduce the amount of parking needed and to remove -- reduce the amount of strain on the community, i.e., the schools and fire department, police department, et cetera. Just like some of the other neighbors got up and spoke about, it is a bit difficult to find the information, unless you know where to look, and I have been in this community since 2016. So, fortunately, I know how to scour the City of Meridian websites and look at all the planning and zoning, but I will tell you after reading everything I feel like I should have a Ph.D. in this. So, really, that's the moral of it is reduce the number of units, that would reduce the need of parking, reduce the strain on the community. Again to the look of the community is extremely modern and our homes are not -- they are not modern. They are more classic traditional and, forgive me, the developer, I forgot his name, but he did speak to Gramercy Park and that is New York. This isn't New York, this is Meridian, Idaho. Three stories is too much. It's too high. We all have two story homes. We have beautiful views of Bogus Basin and we would like to retain that. It really in our mind makes more sense that it would be a two story maximum housing and then -- and, then, on the other side of Orchard Park, then, we can talk about a higher. But, you know, some of those three stories are 39 feet and that is extremely high and extremely blocking to our current views. So, those are the main comments that I have.

Seal: Okay.

Carpenter: Any questions?

Seal: None for me. Any from the other Commissioners? No. All right. Thank you.

Carpenter: Thank you so much for your time. We appreciate it.

Hall: I think we are good.

Seal: Do we have a presentation?

Hall: We do.

Seal: Okay. I'm excited. There has been a lot of hype around this.

Reynolds: I know. Now, I can't let you down; right? Thank you so so much for getting that ready. Hold on just a second before I start. Will I be able to control it from here, Bill? Spacebar to -- okay. Could you just go full screen? Maybe -- all right. My name is Sally Reynolds. 1166 West Bacall Street in Meridian, Idaho. I am here to request continuance of this application at the P&Z level due to the staff report not being submitted in a timely manner. The development does not meet the requirements for a PUD. The staff report indicates multiple exhibits that need to be revised, including landscaping, site amenity, parking and open space exhibits. There are outstanding questions regarding the southern fence, street parking, three alternative compliance fulfillments and the irrigation easement. So, Meridian City Code states what a PUD can be used for. This development does not qualify under points one and three and it does not qualify under point two, because the density is just about eight acres and PUDs are supposed to be for greater. The garages actually do all front the streets and just because there are a variety of residential units does not necessarily make it innovative. Those units were selected because that's what maximizes household on this lot without needing a complete rezone to R-15. And as Bill pointed out, allows for the multi-family. It may be argued many rooftops are needed to make the commercial piece economically viable, but there are 1,500 households that can walk to this area without crossing a major road. Plus Tuesday night the neighborhood meeting was held that laid out plans for potentially 500 more units in the northwest corner of this plat. With that said, they are using the PUD to request exactly what Meridian said it should not be used for, to change dimensional standards, and even if it was a PUD and the code -- the code -- well, as you can see this is a chart I wanted to point out. They are asking for basically modifications on almost every single setback for every single building on almost every single lot. But even if it was a PUD, the code still says that the setback around the periphery of the planned development cannot be changed. They are asking for zero feet along the north side behind the townhomes in violation of UDC 11-7-4. PUDs also require 80 feet of private usable space to each unit. I wasn't given an answer until just now, but before neither the application or staff report was clear on how they are tentative -- alternatively complying with the request. Finally, the application does not meet minimum open space requirements, which were supposed to be even more, because three years ago the developer horse traded providing more open space in return for Winco's larger footprint. This parcel should be developed to what was in the current agreement adhering to R-8 zoning. Consequently, the number of units may need to be more around 100 to 120, which would allow for greater compliance with private and overall space requirements, as well as setback dimensions. The two major questions -- Kelly's talked about one -- is the on-street parking of Bergman. Hopefully that will be addressed by ACHD. And, then, also the southern fence is in disrepair from when the canal was rerouted along the residents' back fences. It is 15 years old, but the side fences have not -- have been able to be -- so, in conclusion, my recommendation is that it be reworked. The fence could be repaired. Some lighting to be considered to reduce criminal activity along that corridor and just to continue it, so that it can be completely cleaned up and the exhibits can be finalized before it goes to Council. And I

-- I would like to add one private -- or one positive note for the developer. I would really like to thank this developer. What we worked with four years ago, they have been much better to work with. They have been better transparency. I do appreciate their attempt to feather the density from, you know, our houses out and so there are some good things that they have done. I just think that it's -- it's pushing the boundaries a little bit too far and we need to watch the code. Thank you. I will stand for any questions.

Seal: Any questions? I keep looking over at you and I realize you are not -- you can't, but nobody else is raising their hand, so -- thank you very much. Anybody else want to come up and testify? Sir, come right up. Name and address, please.

J.Carpenter: Justin Carpenter. Oops. Sorry. 5991 North Arliss, Paramount Subdivision. Thank you for your guys' time tonight. You know, to Sally and what Kelly said, these guys have been very good about their information that they have been presenting. Not to beat the dead horse about parking and -- and density, but, you know, I just want the -- you know, kind of the greater picture. You know, everybody has talked about R-8 and that this is R-8. I think there is plenty of examples in the valley where just because you could doesn't mean you should and that's what I ask you guys to look at this, you know, from an objective perspective and, yes, it's -- it's to the guidelines of what R-8 is, but you're just sausage casing so much into just such a tiny area. You know, I went -- you know, if you guys could take a field trip and look at it -- I think it was Sally who even said -- or one of the other testimonies -- just get a feel for what this lot looks like and, then, envision this and I -- I think that if we could get that reduction in units, give these people some more space, we would have a much better, you know, development that is going to be a shining star to Meridian. You know, right now it's just -- it's just too much. That's all I wanted to say.

Seal: Thank you, sir. Appreciate it. Questions? Okay. Come on up. Good evening. Just need your name and address for the record. And, please, speak right into the microphone, please.

Card: My name is Jennifer Card and I live at 6301 North Booth Avenue in Paramount. We back up --

Seal: Can you come a little closer to --

Card: Sorry.

Seal: Yeah.

Card: We back up to this development as well. The biggest thing I think is parking. I mean I'm going to beat a dead horse. Parking is a major issue. Parking is going to fall into our neighborhood. Where this curve is is incredible. I walk my dog early in the mornings, generally during the summer. Even -- kids even then are squirrely. That needs to have some stuff worked out and I'm -- ACHD and get a hold of them and write letters and whatever I need to do. But we also have -- there is a traffic flow issue here and there

is a density. When we walk we walk our dogs around this every single day and like somebody said earlier, I cannot fathom how they can fit all of this in that spot, having open spaces and stuff like that. To be able -- somebody said to be able to count the grass along the sidewalk as an open space, whether that's a fact or not -- I hope is not true and I hope that you -- you guys can see through that. But I hear about responsible growth and we know this is going to be developed. We just want it to be developed the right way. And like somebody else said, once you do it you can't go back. So, we need to do it right the first time and that's really important with the massive growth that's happening here. So, I appreciate the time. Thank you.

Seal: Thank you very much. Okay. Come one up.

Duran: My name is Julie Duran and I live at 1236 West Bacall Street. Also just backing up to this area. We bought our house in 2018 and at the time the plans for the area, as someone else mentioned, was like two rows of houses with a road in between and not directly behind my house, but to the side there was this big park area that was like a community park for these houses going in that would give them this -- this area that, open space that you were talking about, and now I look in there is -- there is no park. Like you have the triangle area and they said they had like a community pool and stuff in there, but it's -- it's not the same as having like open green area in the community. And so just like the last person mentioned, a little patch of grass next to the sidewalk is not the same as the feeling of having an open park where people can be with their children. Like a dog park is not a children's park; right? Like those are -- those are different spaces. And I just feel like with the library there and all these houses, like you -- you need a park. You need -- you need that green space. So, taking it away or providing a provision that they don't have to do it -- like it's not the same and to have so many people in such a small area without big open areas where -- where people can take their kids to play or just be outside a patio is not the same as green space and I just -- I think that's really important for this development. I also have concerns about density and parking, especially that little lightning bolt S-shape, like that sucker is a mess. Like even if you are driving like 15 miles an hour, like to state -- if you -- there aren't even lines drawn in the middle, because no one would be able to -- like it's -- it's tricky and it's fine now, because there is usually only one car on the road at a time. But if you put 146 units there and, then, you put a big five story thing on the other side, you are going to have people there always and people parking there always and that's -- like it's not safe. Even -- even just two-way traffic, if there is someone coming the other way you have to be very careful and if people are parking on the side, it's -- it's -- it's something for consideration I feel like and that's all I have to say.

Seal: Thank you very much. Anybody else wants to testify? Commissioners, do you have any questions for the applicant or staff before he comes back up? I do have one. One question was brought up, which is basically when was this plan presented to staff. I don't know if we have a date on that or not.

Parsons: Commission, we started with the applicant months ago. So, it was -- we have been fine tuning this for probably over a good year or more.

Seal: Okay.

Parsons: And I can tell during the many meetings I have had with the applicant and we have talked about getting the neighbors involved and getting buy-in from the community, because that's what transpired four years ago when we went through all of this and we said that would be a huge hurdle they would have to overcome is to get community buy-in and that that would be a big part of their -- their submittal to us and our support and so I think for the most part, in having my meetings with this applicant, and they have reached out and been very open to the community in sharing their ideas with them. So, that's all I can share as far as my interaction with getting this project started.

Seal: Thank you. Would the applicant like to come back up?

Hall: Mr. Chair, if I may.

Seal: Yes, ma'am.

Hall: On the city's website we do have underneath -- the application and everything, it was put in -- in October it was available on our website -- the city's website.

Seal: Okay. Thank you. Come on up.

Slavin: I will try to respond in kind as much as I can. I would like to make a general statement, because there has been quite a few concerns about this north-south street, which we would be happy not to put it in, but we were -- we were actually legally obligated to put it in. We are happy to stand with you and eliminate all parking on that street, by the way. We don't want it. We don't like it. We don't need it for the development. So, there are plenty of other spaces that can be used. So, absolutely. ACHD, as you said, they are their own beast, gotten to know them fairly well. Yeah. Sorry. Sorry about that. But we are -- we are one hundred percent in agreement on the parking and I do apologize. Mr. Jones, very quickly, I'm sorry you weren't able to get more information. I will work with the city in future iterations to make sure you are able to access information. I completely agree with that. To Chris Eastman, as far as the density goes, our traffic study back in 2017 through our traffic engineer was actually for 146 units. It was always planned to be 146 units. So, that's never changed. Nobody's ever been trying to be sneaky or coy at all. It's always been an R-8 development. We have had a traffic study that substantiates that. Eliminate parking. That was another comment I would like to make. To Sally Reynolds, thank you. I love facts. You know code so well. We do have a lot of exhibits that we will be filling in the blanks and we are confident that we are taking the right path. We put a lot of work into this development. Shane Nye, the million dollar homes, they will be the homes in the periphery and that was, you know, maybe a few months ago. There is -- the interest rates are very high. There might be some suppression. But, you know, homes in the valley staggeringly enough are trading at 500 bucks a foot, so it's not hard to get to a million dollar home anymore. A little bit unbelievable to think that five years ago a 200,000 dollar home was a very opulent home and that's why a lot of people moved to Boise. Let me see. Your neighborhood meeting.

We did have a neighborhood meeting. I'm sorry if you didn't get a letter. That was in February. We actually held a second neighborhood meeting out of courtesy in June. So, we do really take to hear what people have to say. We want to produce a quality development in the neighborhood. The green sweater woman, I don't remember your name. Yes. Parking. We will get rid of it. Those are most of the comments. I think that one of the big ones to Justin Carpenter is that the reason that we are offering this neighborhood is not everybody wants a big home with a yard. You know, some people like to lock and leave. They live here halftime, they live in Florida halftime and this is a unit that isn't really offered in -- in Meridian in any great number and definitely not without walkable amenities. I mean half the vision of this is -- and I'm one of those people that live in Garden City, I love to get on a bike and walk to, you know, restaurant, walk to coffee shops, different lifestyle. Some people want a big family home. They want a big home. Some people want a smaller space. We are trying to fill out a product mix and also trying to fulfill the mixed use spirit of the -- of the future land use map and the Comprehensive Plan, et cetera. So, this, you know, in our view really conforms to the Comprehensive Plan. And Jennifer Card, open space. Yeah, it -- there actually is a park, so we don't want be misleading about that. We didn't include it in the application. There is a two acre park that's dedicated that we can't build on. So, just to let you know there is a two acre park. We might or might not let it be a leash off dog. There is other concerns about that. Some people really want it. That having been said is we are providing a really cool plaza for the library. We are going have so many cool spaces for kids to hang out and, you know, for the library to -- to actually, you know, roll out 3D printers. They have been so wonderful to work with. So, I'm very confident there is going to be a lot of public space for children, for adults, for everybody to enjoy this entire site. Thank you.

Seal: Quick -- quick question for you. There was somebody that mentioned that the -- it sounds like the multi-family is going to be three story; is that correct?

Slavin: Yeah. Yes, it is. Actually, thank you. I want to speak to the height for a minute. It's -- when you have two story homes next to two story homes, you are not taking views away and in our case we have a lot of flat roof homes versus a gable home. So, when you think about it, if you are standing in perspective, there is -- you know, you're on ground floor and there is a two story home in front of you, you're going to have the same difference in view. It's not going to impede your view any more or less. We do have a height restriction on the site. We are definitely complying with that and so we're really trying to do everything by the book. It's not trying to be cute. These -- these zoning standards are in place for a reason and we are -- we are working within the zoning compliance standards there are. So, I'm sorry, there is not going to be a field there forever. I mean I really am. We all go through changes. It's not fun. But at the end of the day this is going to be probably the highest quality development you could conceivably have in this location, so thank you.

Seal: I had another question, but it's eluding me at this point. The rest of our Commissioners are online. Do they have any other questions for the applicant or staff? I'm going to take that as a no. Okay. With that, you can go ahead and take a seat and need a motion to close the public hearing, please.

Slavin: Thank you.

Seal: Thanks you, sir. Sorry, we can't have you come back up. I need one of my Commissioners who are online, please, close the public hearing part of this. Need a motion, please? Don't -- don't worry.

Stoddard: Do I have to say something specific or do I just move to close the public -- public hearing?

Seal: Just -- just need a motion to close the public hearing.

Stoddard: I move we close the public hearing.

Yearsley: I will second that.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0027. All in favor, please, say aye. Any opposed? Okay. Public hearing is closed.

MOTION CARRIED: FOUR AYES. ONE RECUSE. ONE ABSENT.

Seal: All right. Who wants to go first?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, please, go ahead.

Yearsley: I don't know if I have really have too much to say. This -- this has been planned out from the very beginning of the site plan for Winco and they are just bringing it to fruition. I think it looks good and don't have any issues with it at all.

Seal: Okay. Anybody else want to comment?

Wheeler: Mr. Chair, this is Commissioner Wheeler.

Seal: Go ahead.

Wheeler: Yeah. I'm with Commissioner Yearsley. I'm the same way. I just don't know what's -- you know, much more to say. It looks like they have been working on it for a long time. We got a staff recommendation on this. I'm in support of this project.

Seal: Well, I will throw my two cents in here. So, I have nothing -- I don't really have any major reservations about it. Parking is a pain. It's a pain everywhere. So, unfortunately, ACHD owns the streets and if they say they can park on them, they can park on them. So, unfortunately, our hands are tied with it. So, what I try to tell people is if you are here for the parking in the streets, you're at the wrong meeting. ACHD controls those. So, by the time we get them we have to go by what their report says and what their findings are,

unless we want to get lawyers involved. So, I don't think as taxpayers we want to do that on every application. I do agree with some of the testimony that's been provided tonight. I think this is a little bit -- well, I won't say a little bit. I think it's incomplete, so -- I don't have any reservations about it, I just think that better definition of the open space and how that's going to be refined. My opinion is that's going to affect density. I don't think that you can offer the open space that's going to be required without eliminating some of the units that are in here. So, you know, two birds one stone with that one is my opinion. So, I mean you're technically within the density limits, but only because we are rounding down, so -- I mean in the communities that we have let's just try and keep the density where it needs to be. Three to eight. Keep it three to eight, not 8.35. So, I mean that's -- you know, I'm not trying to be cute either, but at the same time, you know, three to eight is three to eight, so -- I would like to see the common open space better defined -- you know, come back with basically -- what I would do at this point is I would -- I would continue this, so that you can come back, have a better defined open space presentation. Better define the parking that's in here. You know, put it in writing what it is. I understand that you brought something tonight, but I didn't -- I wasn't able to read that before tonight. So, I don't know. So, to me it's just incomplete. So, I don't have any reservations about the design of it. In fact, I think it's a good design for where it's at. I mean I kind of -- you know, I would almost look at this as in-fill if it wasn't something that had been planned out for so long. I really like the path that you have done around the perimeter. I'm also -- I like to bike, I like to walk, I talk about it on almost every Planning and Zoning meeting. People probably get tired of hearing it, but I think it's valuable and imperative that we do that. So, you know, as somebody that goes to Eagle a lot to ride their bike, because our community doesn't provide a really good basis for doing that, I can tell you if you want to save public land start putting pads on it. So, I'm -- I'm glad to see that there. The one reservation I do have on it -- or the one question I do have on it -- that was my question. I remember now. The fencing that's along the Paramount properties, since it's not a privacy fence, how will that be handled? Bill? Sorry.

Parsons: Chairman, Members of the Commission, it's -- it's existing fencing now. So, it's -- it's whether or not the applicant and the homeowners can -- can work on a solution there.

Seal: Okay. It looks like the -- I mean the fencing looks fairly dilapidated. That's not -- in my opinion, that's not something that the applicant should have to single handedly take care of, but I think there is probably agreements that can be made, something amicable. What I'm getting at is generally speaking that would be required to be private -- or, you know, semi-private, semi-open, however you want to say it. You know, basically visible fencing, because that is going to close that area off to make it somewhat of an alleyway type situation. So, I mean to have that open style fencing on both sides would be something that would make that, you know, better for everybody. So, again, I like the fact that it's a pathway. Understand the -- you know, what you are up against as far as having an irrigation canal there and everything. So, I don't think there is anything nefarious going on here. I just think that there is more work that needs to be done and I would rather continue this and have you come back with a complete application that better defines the open space, has a solid plan for what you're going to be able to do with the landscaping

along the ditch area. What's going to happen with the fencing. You have indicated in here you are more than happy to go in front of ACHD, try to eliminate as much parking as possible and we will give you time to do that as well. So, again, I think there is nothing necessarily wrong with the application that's here. I just think that it can be more complete and more time would allow you to do that. That's my opinion.

Stoddard: Mr. Chair?

Seal: Commissioner Stoddard, go ahead.

Stoddard: Yeah. I actually agree with you that a continuance would be a good idea. I do think that there are some good things with the application, but it does need to be fine tuned a little bit.

Seal: Okay. With that I will -- we will need a motion of some type or more conversation from any of the Commissioners.

Yearsley: Do we have a date that it needs to be continued to?

Seal: That's a great question. I don't know. I mean, honestly the applicant's comment about going to ACHD and talking about this is -- that would probably, in my mind, kick it down the road the furthest. So, I don't know what that would even look, like to be perfectly honest, in reference to time. You know, to be honest, I mean it is -- it is something that is out of everybody's hands in this room. It is something that ACHD would definitely have to take care of, so -- and I -- in my mind they have already written what they are willing to do. That includes the parking, so -- I don't agree with it. I'm in agreement with, you know, most people in this room that, you know, that parking -- parking on a road like that, with that kind of connectivity, is probably going to be an issue. But that's ACHD's purview, so I don't know how long it would take to do that. So, that's a really long way of saying I don't know, Commissioner Yearsley. I would say -- I mean at least a month. So, I mean we are at the first meeting in December, I would say at a minimum the first meeting in January.

Yearsley: Oh, I would go probably the first meeting in February, just because you're going to lose a lot of time for the holidays.

Seal: That's true. We do have the holidays coming, so --

Hall: Which is February 2nd.

Seal: Okay.

Starman: Mr. Chairman, can I offer a thought or two?

Seal: Absolutely. Always appreciate your input.

Starman: So, the first thought is with respect to ACHD -- I think a lot of the issues that you mentioned, Mr. Chairman, in terms of open space calculations, more information about parking and so forth, those are all issues that are important for this body's decision making. So, those are very legitimate to ask for a continuance or require a continuance until you have a complete application that -- and you have the answers to your questions, because those are key decision points. They are facts that are necessary for you to make a decision. I would just contrast that with the ACHD topic, which really is not within -- it's not a key decision point for this body in terms of what you're being asked to make a recommendation on. I think it only would come into play is if they can't meet their parking obligations without that on-street parking. So, I think that's the only way you would draw that connection. Otherwise, the ACHD conversation really probably -- it's not critical to your -- make sense?

Seal: It does. And that's -- I guess I -- and you have elaborated more on how that ties in as far as the parking piece of it. I mean there is a concern as far as safety, but there is also the concern of will they meet parking. So, again, you know, a better defined devised plan as far as open space parking, density, how that all plays out, so --

Starman: My second thought was you -- this is at the chair's discretion, so you are not required to do this, but we have done this in the past. You may -- if you are inclined to do so, you could ask the applicant if they have a thought about how much time they might need to respond to the items that you have listed. So, you can solicit their input. You don't have to, but we have done that once or twice before.

Seal: Okay. I was kind of leaning in that direction. If we are going to look at a continuance we do need to open the public hearing back up. So if -- if that's the direction that we are going I would take a motion to do that.

Yearsley: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to reopen the public hearing for File No. H-2022-0027. All in favor say aye? Any opposed say nay. All right. The public hearing is open.

MOTION CARRIED: FOUR AYES. ONE RECUSED. ONE ABSENT.

Seal: Applicant, please come back up. Thank you, sir. Sorry. There is a little bit back and forth here, so --

Slavin: It takes a village.

Seal: Yeah. It takes a village. Exactly. So, if you want to give us your best estimation on what can be done and what timeframe we are more than -- more than happy to hear it.

Slavin: Sure. To the points that are tied to the specific development, the open space calc, which would drive density, of course, and parking, we would be ready by the next Commission hearing with that information. I feel confident in that. ACHD is a different matter and I'm not being cute or nefarious on this either. This -- it takes time with them even to get a meeting and several other instances they take months and months to respond and my -- my view on that is the road is constructed. It's not going to change, the design or construction of the road. The best we can do is in the future have it marked as nonparking and that -- I mean as long as that's done, you know, as soon as we could possibly do it, but I would say that would take three or four months at best to, you know, have the right discussions with the right folks at ACHD and get to some type of conclusion. For them they have a formal process as well, just like any city does. So, I'm sure you are going to go through some bureaucratic steps. We would prefer to go to the next hearing prepared to answer the questions that are germane to our development.

Seal: Okay. Do we know in the next hearing how many we have at this point? It seems like we were pretty crowded.

Hall: Mr. Chair, we already have five.

Seal: We have five. We will probably go one more other than --

Hall: On January 5th we only have one date.

Seal: Okay. January 5th we will -- we will shoot for that. Generally speaking if we are going to be for a continuance you would go in at the end and if we have -- we have found that after five applications we get into, you know, 11:00 o'clock at night and, generally, we just continue them anyway, so we don't want to do it to you again.

Slavin: I appreciate it. It's a date.

Seal: Thank you very much. All right. Sorry, I can't call you back up. If we had a specific question I could call you back up, but we don't. Sorry. Okay. With that can I get a motion to reclose the public hearing for File No. H-2022-0027.

Starman: Mr. Chairman --

Yearsley: For a continuance we don't close the public hearing.

Seal: Oh, yeah. You're right. Sorry. Okay. With that, if somebody wants to make a motion.

Yearsley: So, I didn't hear the date for that continuance.

Seal: January 9th, 2020 -- oh. January 5th, 2023.

Yearsley: Okay. Mr. Chair, I move that we continue File No. H-2022-0027 to the hearing date of January 5th, 2023.

Stoddard: Second.

Seal: It's been moved and seconded to continue File No. H-2022-0027 for Sagarra to the date of January 5th, 2023. All in favor, please, say aye. Any opposed say nay. Okay. Continuance passes. Thank you very much, everyone. Appreciate it.

MOTION CARRIED: FOUR AYES. ONE RECUSED. ONE ABSENT.

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

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

Seal: Give everybody a second here to clear out and, then, we will start the next one. All right. At this time I would like to open File No. H-2022-0065 for West Valley Emergency Center 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 is the West Valley Emergency Center. As you mentioned, this is a development agreement and a conditional use permit before you this evening. As we typically explained to this Commission, the development agreement -- because the CUP is with -- concurrent with a development agreement modification, both -- you guys are recommending tonight and that CUP will go up with that DA modification to City Council.

Seal: Okay.

Parsons: So, the site consists of 16.46 acres of land. It's currently zoned C-G in the city. It's located at the southwest corner of North Levi Lane and North Rustic Oak Way. If you recall, this project was in front of you in 2021 as part of the Prescott Ridge development and so all of that R-15 and R-8 to the south of this property was also annexed in with this particular piece. At the time of that hearing it was disclosed that a future hospital would be located on this site. As part of that process with -- as they went through City Council, Council made a determination -- you know, typically when we look at hospital specific use standards, they typically have access to arterial roadways and we know how constrained

a corridor that Chinden Boulevard is, but one of the requests that we made of City Council at the time was whether or not this hospital taking access off the collector road would still meet the intent of it -- the collector road tying into the arterial -- the state highway would still meet that intent and they could move forward with that and the Commission -- or, excuse me, the Council did conclude that they could make that finding. So, therefore, we are here tonight to talk about phase one with you. You can see here on the future land use map that there -- again, this property has two designations on it. A mixed use regional and -- and medium density residential and that's how it ended up zoned C-G, because it's predominantly mixed use regional and a hospital tends to have a regional draw. The other issue, if you recall, as part of that application was the hospital was -- or at least the applicant was generous enough to go back and purchase additional property to make sure that we had a cohesive plan as part of their development. So, again, that's why we are here tonight and you can see here they have provided -- so, really, the purpose of the DA mod for City Council is to basically pull this to have them enter into their own DA subject to their own phasing plan and allow them to seek alternative compliance for the noise abatement along Chinden Boulevard. It's interesting that uses other -- you know, typically when we have residential uses along a state highway we have a four foot berm and a sound attenuation wall to mitigate the residential use, but there is also specific uses like hospitals, schools and churches that also have that same requirement and so in this particular case the applicant has submitted an alternative compliance, which has been approved, to present their case that there is not a need for it, because they are set back from the highway and I think from our discussions with the applicant I think they are amenable to doing some type of berming, just not a ten foot tall berm or a fence. Just maybe a four -- three or four foot tall berm, just to kind of screen the parking lot and soften the -- the amount of asphalt that you see from the roadway. But I won't get into too many of those details. As I mentioned to you, staff's already approved that request and, then, ultimately Council has to approve the DA mod to go along with that alternative compliance request. So, you can see here -- here is their phasing plan and so the first portion of their development will be the emergency center. You can see two access points here and, then, the applicant is also proposing to build the 30 foot wide landscape buffer adjacent to those residential uses as well with the first phase. What the ultimate goal of having a secondary access that ties into Serenity Lane here in the northwest corner -- if you had a chance to look at our staff report you realize that there -- there may be some obstacles for that to occur. I think the applicant's working through those details, but if they can't or don't have the right to get an emergency access to that roadway, we have conditioned them to provide that emergency access to this cul-de-sac. Also mention to the Council -- or to the Commission that this phase of the Prescott Ridge Subdivision has been approved or will be approved for final plat and we also condition -- placed that same condition, that if the hospital is not able to obtain the emergency access in the northwest corner, that they work with the hospital in order to facilitate that secondary access through this cul-de-sac here in the southwest corner. So, we have -- I think we have had -- that provision is covered. I know the applicant's aware of that and they are good with that as well. I would also mention to the Commission that because this is not a lot of square footage with this particular phase, secondary access is not required at this time. So, that will happen probably with a later phase, but I just wanted to at least go on the record and share that with you. I would also mention to you that the MOB retail, restaurant building,

phase two will not require any further refinement or action from the Commission, because that is a principally permitted use, so they will just have to go through staff level approval for that. But because this CUP does not include the third phase, they will have to come back and modify the CUP to -- to construct the third phase and that's been conditioned in the staff report. Here is the landscape plan again. Alternative compliance. That multi-use pathway is occurring. Access, again, is located off the collector roadway. To my knowledge the applicant is in agreement with the conditions in the staff report. I would mention to the Commission that we did receive written testimony from some of the adjacent neighbors in Val Vista I think it was the subdivision, if I -- memory serves -- well, not -- what -- Serenity Lane. And they would prefer that the emergency access go with option two, which is the cul-de-sac in the southwest corner. Again, with that I will conclude my presentation and stand for any additional questions you may have.

Seal: Thank you very much. Would the applicant like come forward. Good evening, ma'am. Need your name and address, please.

Hunsicker: Betsy Hunsicker. 1717 Arlington Avenue, Caldwell. 83605. I'm the administrator at West Valley Medical Center and with HCA Healthcare. So, good evening and thank you. We have been here -- I feel like -- I feel like I have been here a lot and it looks like we have got a few new faces from maybe the last time we were here. So, thanks for hearing this tonight. We also have several others with us who can speak to any questions you might have about the project, including our architect and our civil engineer, if you have some specific questions. And as Mr. Parsons mentioned, this project was previously approved as part of a master development and we are back today seeking the required conditional use permit, which we knew at the time would be coming back for that and, then, also some development -- development agreement amendments that Mr. Parsons also described. We continue to be really excited about bringing this project to -- to this area of Meridian. You all know better than anyone how quickly -- how fast this area is growing and there are really no healthcare services in this part of the community and, you know, I would like to just give you a little bit about HCA and West Valley, since we do have some new folks here. We are a taxpaying entity. So, unlike some other hospital partners in the area and across the country, this property will generate property taxes and income taxes for the City of Meridian, thereby supporting growth and infrastructure well beyond our own use. West Valley has been the best place for modern healthcare. Over seven times in the last eight years we have received a leapfrog in safety score, which is the highest score possible, 18 periods in a row and we have received the Patient Safety Excellence Award from Health Grades, which puts us in the top ten percent of hospitals across the country for patient safety based on publicly reported data. I'm really proud of who we are and I'm really proud that we are going to be able to bring our people and our culture to this area and provide great patient care for people in this community and, then, I would also mention that HCA has been recognized by Ethisphere as one of the world's most ethical companies for 12 consecutive years. So, I would really like to thank the Planning staff for working with us and all the various recommendations and involvement in this phase of the project. We are comfortable with their recommendations. There was one public comment letter in the packet that he referred to and I was just going to address that as well. We also would prefer to use that

south emergency access through the cul-de-sac and we have talked to Hubble Homes about that. So, I think that would be our plan of -- kind of our plan moving forward, which addresses the neighbors concerns. You know, that road is I believe required by the city, so if we do need to construct that road at this stage and we would basically barricade it at both ends -- or, you know, block it, not allow use on it. And, then, the other comment was really around the -- the berm wall, the noise abatement, and in the report you will see we did hire a noise engineer to make sure that we were -- that this alternative compliance would meet the requirements and that noise engineer felt that the distance of -- I think it's 400 feet set off the property was an adequate noise abatement, just distance alone. But we do definitely agree with the staff -- staff's recommendation for a three foot berm and, actually, I think that will provide some -- the opportunity to provide a nice landscape and screening and really make that an inviting property for the community. So, with that I will stand for any questions. Which I may need backup on just -- you know, if you get too technical on me.

Seal: Commissioners, do we have any questions for the applicant or staff?

Hunsicker: Okay. Thank you.

Seal: None right now. Thank you very much. Madam Clerk, do we have anybody signed up to testify?

Hall: We have a Sharon Kamel or Kamal. How about Cory Coltrin?

Seal: Good evening, sir. Name and address, please.

Coltrin: Cory Coltrin. 6178 North Serenity Lane. I'm the third lot from Chinden that backs up to the -- to the hospital there and I am here representing the HOA for the Peregrine Heights Subdivision. The -- no one from HOA was able to make it, so they asked if I would come and I just wanted to express our -- our opinion that we are really in favor of that access going out that back cul-de-sac to the south. Serenity Lane is a private lane and we -- we don't plan on -- we -- that -- we not going to -- we don't appreciate a private entity trying to take that over and we would really appreciate if that was -- if this -- we appreciate the staff's opinion on going out the back as a way better alternate -- alternative to kind of hijacking our -- our private neighborhood that we have had for -- I have been there for 22 years. So, appreciate your time. I look forward to being a good neighbor and -- and it's going to be a wonderful facility, we know that, and we just would like to keep our lane to ourselves.

Seal: All right. Thank you very much.

Hall: Mr. Chair, that is all we have signed up online or in house.

Seal: Okay. I only see one other person in Chambers. I don't see a hand popping up. Would any of our Zoom attendees like to raise a hand? If not, the applicant can come back up. Is there anything further you want to add?

Hunsicker: I just would like to clarify. So, you know, if we all agree to -- that we would prefer to use that south access, what -- maybe, Bill, we just need to clarify what the expectations are for that frontage road, because if we -- you know -- and what the city's expectation is on the construction of that frontage road and maybe that's a separate staff conversation, but I don't know what has to be kind of in the development agreement, because right now the development agreement requires us to build that frontage road. So, that would be I think a question for staff, because we would be fine not even -- we would be fine not constructing the frontage road if we don't have to.

Seal: Okay. Quick question on the -- on the berm and everything. Could we do like four foot berm, six foot fence, because that's generally -- there is a lot of that that goes around and that's generally what's worked off of. So, kind of makes it in compliance with everything else and might have a similar look and feel for anything that goes in down the road.

Hunsicker: Well, the recommendation from staff was a three foot berm.

Seal: I know. I want another foot, Bill.

Hunsicker: Without a fence?

Seal: No. With a fence.

Hunsicker: So, the commercial developments on Chinden do not have a berm and a fence. I mean so from my -- from our perspective as a business that's a real deterrent, because you can't see the business and the only reason that's required is for noise abatement. So, it's not a -- it's not a -- it's not a screen for the property, it's for noise abatement. So, I guess that would be -- that's why we -- that's why -- it's not required for -- I'm looking at the staff. It's not -- my understanding is it's -- the only reason the walls -- or that berm's height is for noise abatement. I mean that's -- for us as the -- as the occupant of that property to be setback 400 feet and, then, have a six foot wall and a four foot berm, you're -- we are -- it needs to be a viable business.

Seal: Oh, yeah. Absolutely. I mean that's -- you know, I'm also looking at the restaurant pad that's going to go there and just try to make sure that we get a similar look and feel as we go into this thing. So, I mean whatever is going to go along there, as we stretch down -- further down Chinden Boulevard to the east is -- you know, we want to make sure what -- whatever gets put here is going to set a precedent for whatever goes in. So, if something taller is going to be required further down the road, then, I would think we would want to start here.

Hunsicker: I guess I would point out that Costco has zero berm zero landscaping on the Costco lot, which is -- I mean I know it's not a hospital use, but it is a commercial use. And the only reason that is required in our properties is for noise abatement purpose.

Seal: Okay.

Parsons: Mr. Chair, Members of the Commission, just those two points. So, first of all, the director has already approved the alternative compliance, so it's a four foot berm is what we are getting. Certainly if you want Council to take that under consideration they can do that as part of their purview, but right now we have -- the director has approved it and they -- approved that they do at least a minimum four foot tall berm along that.

Seal: Okay.

Parsons: To the second topic that the applicant's brought up is if the DA requires the road -- and so there is a couple things we have to look out. One is their MDA request does not include that to be modified. Two, the property was mixed use regional at the time that we acted on this application. The way our code reads is when you front of state highway code requires you to build a backage road, because we try to limit accesses on Chinden Boulevard. Typically the code says you do that by building a road 660 feet from the intersection. So, you have adequate light depth to do something in that area. This particular case, given this -- the existing county subdivision, that limited -- that they are walled off and couldn't do that, the concession was made that they would build that road -- that cross-access road across the frontage there, consistent with this plan. So, again, need to look at the DA. I think it's more of a conversation with staff. But, certainly, if that's something they need to address, they should take that up with Council when they do that with a DA modification.

Seal: Okay. Thank you much for that. Appreciate it. Okay. If nobody else wants to testify, can I get a motion to close the public hearing for File No. H-2022-0065?

Stoddard: So moved.

Grace: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2022-0065. All in favor, please, say aye. Any opposed say nay? I'm not sure what that sound was, but I will I take that as an aye and the public hearing is closed for File No. 2022-0065.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Seal: Who would like to comment first or we can hear a motion or any of the above.

Grace: Mr. Chairman, just a comment that I think it's -- it's a well needed -- well -- much needed service in that area and I -- it seems like there is universal agreement on the -- on the emergency access on the south via the cul-de-sac. So, that would be my recommendation to the City Council to -- to the extent they need it. So I'm in favor of it.

Seal: Okay. Other Commissioners want to comment?

Wheeler: Mr. Chair, this is Commissioner Wheeler.

Seal: Go right ahead, Commissioner Wheeler.

Wheeler: I really don't see much of the -- the argument for, you know, anything else, but just -- for me it's just in the -- it seems that that's the best use for it. They are seeming to comply with city zoning requirements, access issues. I like the way that the parking space -- spacing is there to where it's not immediate access to any of the facilities, just straight off the highway. So, for me this is something I could support.

Seal: Yeah. I'm kind of the same -- on the same page. I mean what's in our purview to speak to you tonight is the CUP really, which has really nothing to do with the -- you know, which road they take at this point in time. So, it sounds like everybody's in agreement as to what they would like to do with this, it's just a matter of working with staff and making sure that that's something that is provided for before you go to City Council. So, you know, the fact that the representative from the HOA is here to now say that this is a beautiful thing, after spending a lot of time with you previously, is a great thing. So, happy to hear that. I mean I'm of the opinion that, you know, this has been hashed out and what's here is -- is going to serve the community well and is a good thing for the community as well. So, I would be more than happy to take a motion on this.

Grace: Mr. Chairman?

Seal: Go right ahead.

Grace: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2022-0065 as presented in the staff report for the hearing date of December 1st, 2022.

Stoddard: Second.

Seal: It's been moved and seconded to approve File No. H-2022-0065 for West Valley Emergency Center with no modifications. All in favor, please, say aye. Opposed nay? Motion carries. Thank you very much. Appreciate it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Seal: Okay. Actually, I need to bring up that on our next meeting, if the Commissioners can, please, be here at 5:00 p.m. for some training and we would like everybody -- well, we need to have everybody come on site for that. If that's not going to work for you, please, let Joy know and we will see how many people we are going to have here and we will act accordingly. With that I will take one more motion.

Grace: Mr. Chairman, motion to adjourn.

Yearsley: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:51 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 Guthries Drive-Through (H-2022-0081) by Nicolette Womack, Kimley-Horn, located at 1840 W. Chinden Blvd., near the northwest corner of N. Linder Rd. and W. Chinden Blvd.

Application Materials: <https://bit.ly/H-2022-0081>

A. Request: Conditional Use Permit for a new approximate 2,083 square foot quick serve restaurant with a drive-through located within 300 feet of an existing drive-through.



STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

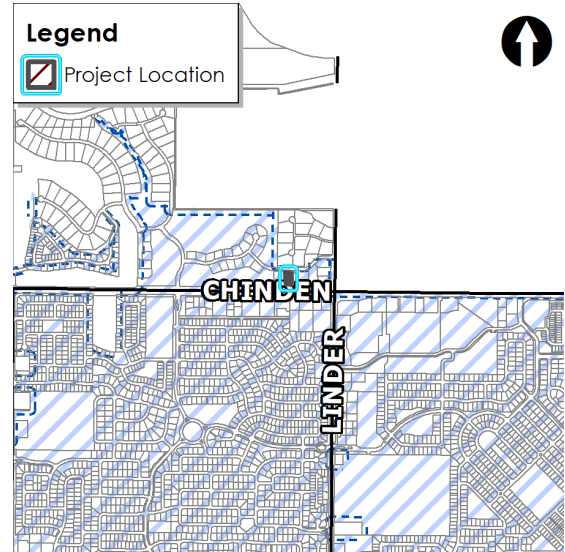
HEARING DATE: 12/15/2022

TO: Planning & Zoning Commission

FROM: Stacy Hersh, Associate Planner
208-884-5533

SUBJECT: H-2022-0081
Guthries – CUP

LOCATION: 1840 W. Chinden Blvd, near the northwest corner of N. Linder Road and W. Chinden Blvd. in the SE 1/4 of the SE 1/4 of Section 23, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

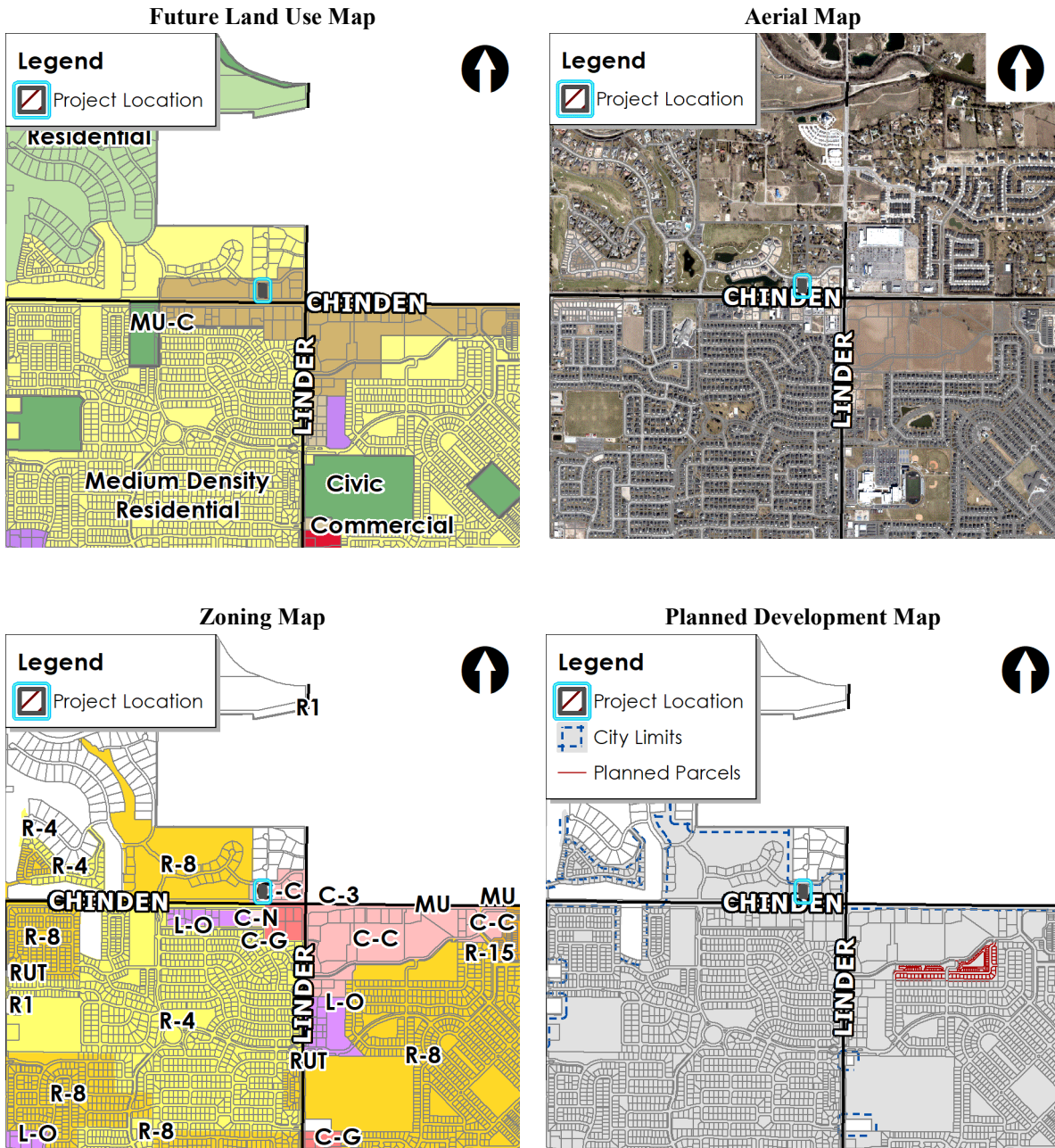
Conditional Use Permit (CUP) for a drive-through establishment within 300 feet of another drive-through facility, residential district, and existing residence on 0.969 acres of land in the C-C zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	0.969-acre	
Future Land Use Designation	Commercial	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Restaurant with a drive-through	
Current Zoning	Community Business District (C-C)	
Physical Features (waterways, hazards, flood plain, hillside)	NA	
Neighborhood meeting date; # of attendees:	10/3/2022	
History (previous approvals)	PP-14-011 (Chinden and Linder Crossing Subdivision); MDA-14-008 , Development Agreement Instr. # 2014-088001 (Chinden and Linder Crossing Subdivision); FP-14-041 (Chinden and Linder Crossing Subdivision) CUP-15-007 (<i>Carl's Jr expired</i>).	

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Nicolette Womack – 950 W. Bannock Street, Suite 1100

B. Owner:

DG Boise Chinden, LLC – 1000 Johnson Ferry Road B250, Marietta, GA 30068

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	11/30/2022
Radius notification mailed to properties within 300 feet	11/13/2022
Site Posting Date	12/3/2022
Next Door posting	11/28/2022

V. STAFF ANALYSIS

Comprehensive Plan:

COMMERCIAL LAND USES

This property is designated “Mixed Use – Community” on the Comprehensive Plan Future Land Use Map. The purpose of this designation is to allocate areas where community-serving uses and dwellings are 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 areas, but not as large as in Mixed Use – Regional 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 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged.

The site is proposed to develop a drive-through restaurant which will contribute to the mix of uses in this area and provide another fast food option to area residents within close proximity to nearby residential developments. The proposed use will also provide employment opportunities to nearby residents.

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

- “Require all new and reconstructed parking lots to provide landscaping in internal islands and along streets.” (2.01.04B)

All parking lot landscaping is required to comply with the standards listed in UDC 11-3B-8C.

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

City water and sewer service stubs have been provided to this site with the development of the subdivision.

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

The proposed drive-through restaurant will contribute to the variety of uses and fast food options in the northern portion of the City.

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

Street buffer landscaping was installed with the subdivision along W. Island Green Dr. and N. Linder Rd. on this site in accord with the standards listed in UDC 11-3B-7C. Internal parking lot landscaping is required to be installed in accord with the standards listed in UDC 11-3B-8C.

- “Locate industrial and commercial uses where adequate water supply and water pressure are available for fire protection.” (3.04.02A)

There is adequate water supply and pressure available to the site for fire protection.

For the above-stated reasons, staff believes the proposed use is consistent with the applicable comprehensive plan policies and is appropriate in this location.

SITE DESIGN AND CODE ANALYSIS

The Applicant proposes to construct a 2,083 (s.f.) restaurant with a drive-through for Guthries on a 0.969-acre property in the C-C zoning district.

A restaurant is listed as a principal permitted use in the C-G zoning district per UDC [Table 11-2B-2](#), subject to the specific use standards listed in UDC [11-4-3-49](#). A drive-through requires approval of a conditional use permit when it’s within 300 feet of another drive-through facility, an existing residence or a residential district per [11-4-3-11A.1](#). In this case, one other drive-through establishment exists within 300 feet of the property – Zions Bank (H-2018-0077) on a lot to the east; there are also existing residences and residential districts within 300 feet of the property.

The proposed hours of operation will be Sunday – Thursday from 10:00 am to 9:00 pm, and Friday and Saturday from 10:00 am to 10:00 pm. Business hours of operation within the C-C District shall be limited from 6:00 am to 11:00 pm when the property abuts a residential use or district. The property does not directly abut a residential district; however, it is within 300 feet of existing residential uses (north); therefore, Staff is supportive of the proposed hours of operation.

The proposed use and development plan is in substantial conformance with the provisions in the existing Development Agreement (Inst. #[2014-088001](#)).

Specific Use Standards: *Staff’s analysis is in italics.*

Drive-Through Establishment: The proposed drive-through establishment is subject to the specific use standards listed in UDC [11-4-3-11](#), Drive-Through Establishment. All establishments providing drive-through service are required to identify the stacking lane, menu and speaker location (if applicable), and window location on the site plan. *A menu board, speaker, and window location are depicted on the site plan at the proposed ordering point.* The site plan is also required to demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties. ***Safe pedestrian access should be provided from the vehicle stacking areas on the south sides of the drive-through and along the northeast side of the site – one is required from the perimeter sidewalk along Chinden to the main building entrance. Staff recommends additional pedestrian accesses to the building along the southeast drive aisle per UDC 11-3A-19B.4 and a striped pedestrian walkway on the northeast side of the site directing patrons to the building entrance (see proposed***

redlines on the site plan). Staff recommends signage be installed ahead of each crossing warning drivers to watch out for pedestrians (west, northeast, south). Staff finds that the parking stalls to the north should be restricted for employee parking only to maximize pedestrian safety. At a minimum, the plan is required to demonstrate compliance with the following standards:

1) Stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons;

The concept plan shows the stacking lane is a separate lane from the drive aisles and parking which provides access to the rest of the development. The proposed site layout places a drive-through that starts at the northeast corner of the building and goes all the way around the building with the exits shown at the northeast corner and west side of the building and also shows the pick-up window on the west side of the proposed restaurant. If there was additional or excessive overflow from the drive-through lane which does sometimes occur from drive-through establishments at peak times, it may stack into the parking lot to the east, north, and then west, not into W. Chinden Boulevard.

2) The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designated employee parking.

The stacking lane is a separate lane from the circulation lanes needed for access and parking, however there is a potential for vehicles to stack in the southern drive aisle.

3) The stacking lane shall not be located within ten (10) feet of any residential district or existing residence;

The stacking lane is not located within 10' of any residential district or residence.

4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

The stacking lane exceeds 100' in length and an escape lane is required. An escape lane is proposed prior to approaching the ordering window on the west and east sides of the building.

5) The site should be designed so that the drive-through is visible from a public street for surveillance purposes.

The drive-through is located on the east west side of the building and is visible from the private drive on the west and from W. Island Green Drive along the north side of the property boundary for surveillance purposes.

Based on the above analysis, Staff deems the proposed drive-through is in compliance with the specific use standards as required.

Restaurant: The proposed use is also subject to the specific use standards listed in UDC [11-4-3-49](#) Restaurant, which requires at a minimum, one (1) parking space to be provided for every 250 square feet of gross floor area (see parking analysis below).

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

Access: Access is provided to this site via W. Island Green Dr., a local street and the private drive located on the west side of the property. A cross-access easement exists between all lots in this subdivision as depicted on the plat for Chinden and Linder Crossing Subdivision. Direct access via W. Chinden Boulevard is prohibited. **At the time of the future Certificate of Zoning Compliance (CZC) application, the applicant should provide written documentation of the recorded cross-access easement.**

Parking: A minimum of one (1) parking space is required to be provided for every 250 square feet of

gross floor area for the proposed restaurant use. A minimum of 8 off-street vehicle parking spaces are required for the 2,083 square foot building; the submitted site plan shows 25 proposed parking spaces exceeding UDC minimums.

Due to the multiple entrances/exits provided on this site for parking and drive-through access, Staff recommends that the Applicant depict striping and visible signage noting the required traffic flow for the site.

A minimum one (1) bicycle parking space is required to be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). ***Bicycle parking is not shown on the plans submitted with this application.***

Pedestrian Walkways: A pedestrian walkway is proposed from the sidewalk along the private road to the main building entrance as required by UDC 11-3A-19.B.4. The proposed pedestrian connection is required to be a minimum of five (5) feet in width. **Where pedestrian walkways cross vehicular driving surfaces, they're required to be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4. The site/landscape plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard – the proposed striping of the crosswalk is not allowed and should be revised to comply with this standard.**

Landscaping: Street buffer landscaping was installed within the street buffer along W. Chinden Boulevard with the Chinden and Linder Crossing subdivision improvements and must remain protected during construction on the site in accord with UDC 11-3B-10C3.

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

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

Building Elevations: Conceptual building elevations were submitted as shown in Section VII.C for a single-story building that incorporates a mix of materials consisting of EIFS, brick veneer, metal awnings, metal coping/downspouts, windows, and metal roofing. The final design of the structure is required to comply with the design standards listed in the Architectural Standards Manual.

No elevations were submitted that show the proposed trash enclosure; this should be corrected with the future CZC submittal and should match the style of the proposed building. The submitted landscape plans do show adequate screening of the trash enclosure.

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

VI. DECISION

A. Staff:

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

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement and the conditions contained herein []; [MDA-14-008](#), Development Agreement Instr. #[2014-088001](#) (Chinden and Linder Crossing Subdivision) [PP-14-011](#) (Chinden and Linder Crossing Subdivision); [FP-14-041](#) (Chinden and Linder Crossing Subdivision)].
2. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
 - a. The stacking lane, menu and speaker location(s), and window location shall be depicted in accord with UDC [11-4-3-11B](#).
 - b. All mechanical equipment on the back of the building and outdoor service and equipment areas should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).
 - c. The pedestrian walkway from the perimeter sidewalk along Chinden to the main building entrance shall be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4b.; the two additional required pedestrian walkways to the main building entrance(s) may be striped.
 - d. Depict signage ahead of each pedestrian crossing(s) in the drive-through lane (south and northeast) notifying drivers to watch out for pedestrians.
 - e. Depict signage along the parking stalls to the north restricting the stalls for employee parking only to maximize pedestrian safety.
 - f. Additional signage and parking lot striping is required throughout the site to efficiently and adequately direct patrons to the menu boards and throughout the site with minimal conflict.
 - g. Depict landscaping in the perimeter buffer and within the parking area in accord with the standards listed in UDC [11-3B-8C](#).
 - h. Depict signage ahead of each pedestrian crossing(s) in the drive-through lane (south and northeast) notifying drivers to watch out for pedestrians.
 - i. Depict one bicycle rack as close to the building entrance as possible without obstructing pedestrian walkways, public sidewalks, or building entrance(s) in accord with UDC [11-5-3C-5](#) and UDC [11-3C-6G](#).
3. Compliance with the standards listed in UDC [11-4-3-11](#)– Drive-Through Establishment and [11-4-3-49](#)– Restaurant is required.
4. Street buffer landscaping was installed within the street buffer along W. Chinden Boulevard with the Chinden and Linder Crossing subdivision improvements and must remain protected during construction on the site in accord with UDC 11-3B-10C3.
5. Submit elevation of the trash enclosure that generally matches the proposed building design with the submittal of the CZC and DES application.
6. Business hours of operation within the C-C District shall be limited from 6:00 am to 11:00 pm when the property abuts a residential use or district

7. Direct access via W. Chinden Boulevard is prohibited. At the time of the future Certificate of Zoning Compliance (CZC) application, the applicant should provide written documentation of the recorded cross-access easement.

A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC [11-3A-19](#); the design standards listed in the [Architectural Standards Manual](#) and with the Development Agreement.

8. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC [11-5B-6](#). A time extension may be requested as set forth in UDC 11-5B-6F.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. A future install agreement will be required for the development of this property. This agreement will be for \$14,000.00 for the cost of one streetlight to be installed after the final building out Chinden Blvd.

General Conditions of Approval

1. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
2. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
3. 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.
4. 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.
5. 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.
6. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
7. 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.
8. 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.

9. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
10. Developer shall coordinate mailbox locations with the Meridian Post Office.
11. 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.
12. 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.

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=282199&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=282304&dbid=0&repo=MeridianCity>

IX. FINDINGS

Conditional Use (UDC 11-5B-6)

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

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

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

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

Staff finds the proposed restaurant with a drive-through will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.

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

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

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

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

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

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

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

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

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

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

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

Staff finds the proposed use will not result in the destruction, loss or damage of any such features.

9. Additional findings for the alteration or extension of a nonconforming use:

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

This finding is not applicable.

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

This finding is not applicable.



AGENDA ITEM

ITEM TOPIC: Public Hearing for KeyBank Meridian Branch (H-2022-0076) by HSB Architects + Engineers, Located at 3513 W. Chinden Blvd.
Application Materials: <https://bit.ly/H-2022-0076>

A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of another drive-through establishment, an existing residence and residential zoning district on 1.04 acres of land in the C-G zoning district.



STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

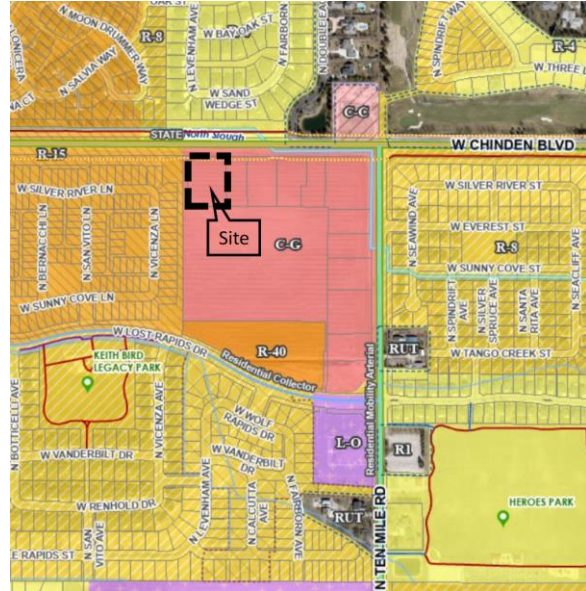
HEARING DATE: 12/15/2022

TO: Planning & Zoning Commission

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

SUBJECT: H-2022-0076
KeyBank Meridian Branch – CUP

LOCATION: 3485 W. Chinden Blvd., in the NW 1/4 of Section 27, T.4N., R.1W.



I. PROJECT DESCRIPTION

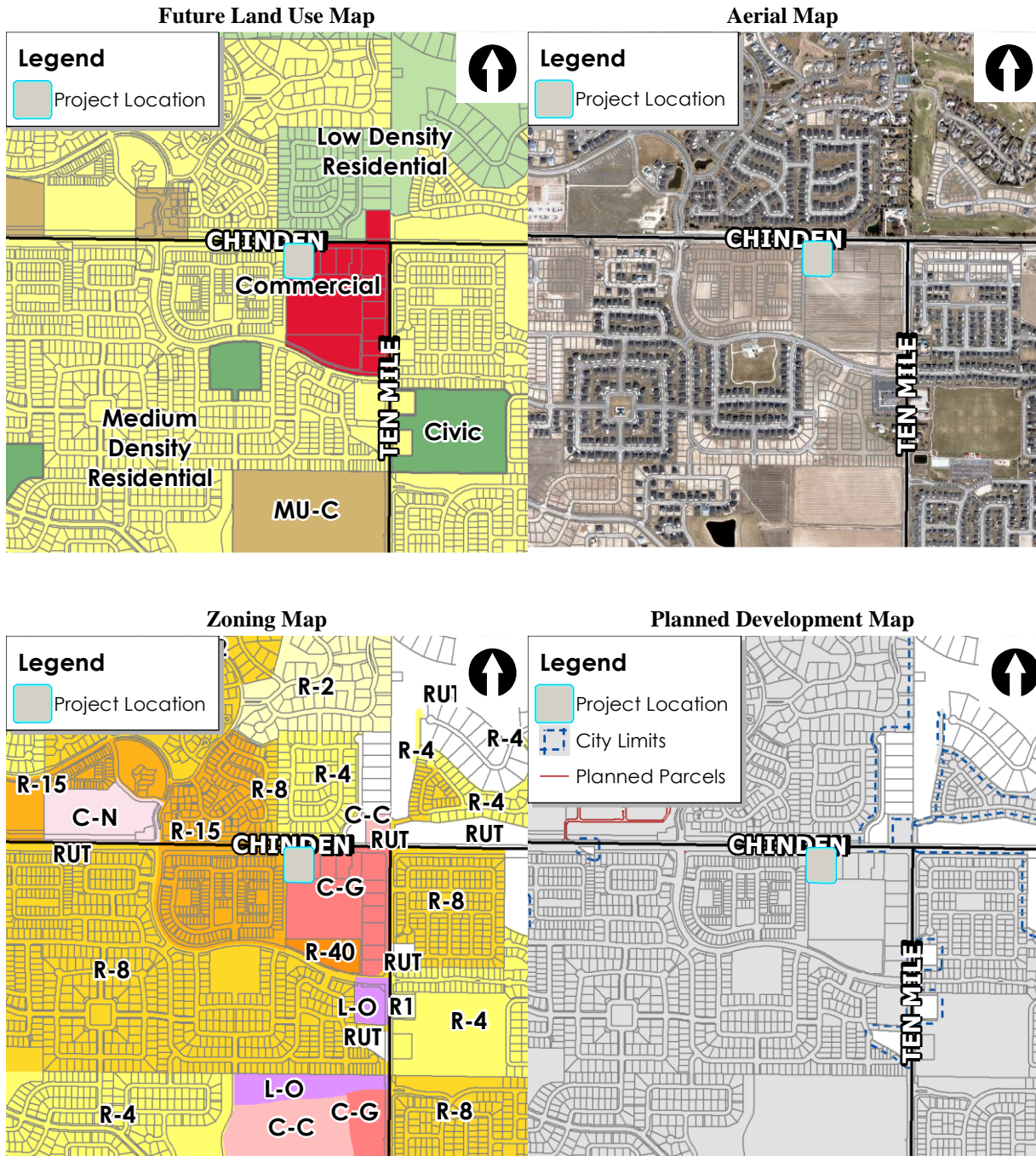
Conditional Use Permit for a drive-through establishment for a financial institution within 300-feet of another drive-through establishment, an existing residence and residential zoning district, on 1.04-acres of land in the C-G zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.04-acre	
Future Land Use Designation	Commercial	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Drive-through for a financial institution	
Current Zoning	General Retail & Service Commercial (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	NA	
Neighborhood meeting date; # of attendees:	9/20/22	
History (previous approvals)	H-2018-0004 (CPAM, AZ, PP, VAR – Lost Rapids); H-2019-0056 (FP – Lost Rapids); Development Agreement (Inst. # 2018-079970 – GFI – Meridian Investments II, LLC); PBA-2022-0015 (Lots 7 & 8, Block 1, Lost Rapids Subdivision); SHP-2022-0014 (Lost Rapids West)	

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Ben Gingrich, HSB Architects + Engineers – 1250 Old River Rd., Ste. 201, Cleveland, OH 44113

B. Owner:

GFI Meridian Investments II, LLC – 74 E. 500 S., Ste. 200, Bountiful, UT 84010

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	11/30/2022
Radius notification mailed to properties within 300 feet	11/13/2022
Site Posting Date	11/23/2022
Next Door posting	11/28/2022

V. STAFF ANALYSIS

Comprehensive Plan:

This property is designated as Commercial on the Future Land Use Map in the Comprehensive Plan. This designation provides for a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Sample zoning include: C-N, C-C, and C-G.

The subject property is one of several Commercial designated and C-G zoned properties in Lost Rapids subdivision that is in the development process. The proposed development and use of the site with a financial institution and drive-through is a desired use within the Commercial future lane use map designation in the Comprehensive Plan, as noted above, and with adjacent approved uses in the vicinity. Therefore, Staff finds the proposed project is generally consistent with the Comprehensive Plan as required.

Unified Development Code:

The Applicant proposes to construct a new 3,400 square foot (s.f.) financial institution (KeyBank Meridian Branch) with a drive-through on 1.04 acres of land in the C-G zoning district. The branch will serve the community with banking offices for client consultation, a drive-through ATM and a drive-through auto-teller lane.

Note: The configuration of the property depicted on the maps does not yet reflect the recently approved short plat (SHP-2022-0014) which creates the configuration of the subject property. **The short plat needs to be recorded prior to submittal of a building permit application.**

A financial institution is listed as a principal permitted use in the C-G zoning district per UDC [Table 11-2B-2](#), subject to the specific use standards listed in UDC [11-4-3-17](#). A drive-through requires approval of a conditional use permit when it's within 300-feet of another drive-through facility, an existing residence or a residential district per [11-4-3-11A.1](#). In this case, there is a drive-through establishment [i.e. Dutch

Bros. Coffee (A-2021-0177)] to the east and a residential district (i.e. R-15) and residential uses to the west in Bainbridge Subdivision No. 12 within 300-feet of the subject property; the next two (2) lots to the east of Dutch Bros. also have drive-through uses.

Compliance with the standards listed in UDC [11-3A-16](#) Self-Service Uses for the ATM is required as follows: (*Staff's comments in italics*)

- A. Entrance or view of the self-service facility shall be open to the public street or to adjoining businesses and shall have low impact security lighting. *The entrance and view of the ATM is open to the public street (W. Chinden Blvd.) and the driveway along the west boundary of the site.*
- B. Financial transaction areas shall be oriented to and visible from an area that receives a high volume of traffic, such as a collector or arterial street. *The financial transaction area of the ATM is oriented toward the adjacent driveway along the west boundary of the site and is visible from the public street (W. Chinden Blvd.) along the north boundary of the site.*
- C. Landscape shrubbery shall be limited to no more than three (3) feet in height between entrances and financial transaction areas and the public street. *The reed grass depicted on the landscape plan in the buffer along the west boundary of the site and the falkner boxwood in the buffer along the northern boundary of the site on the west side of the building has a mature height of 4-feet, which is not allowed; the landscape plan should be revised to comply with this standard.*

The proposed use and development plan is in substantial conformance with the provisions in the existing Development Agreement (Inst. # [2018-079970](#)).

Hours of Operation: The branch lobby and auto-teller are open normal business hours Monday thru Saturday; the ATM is operational 27/7. Because the proposed use/property does not abut a residential use or district, a conditional use permit is not required for the ATM.

Specific Use Standards: The proposed use is subject to the specific use standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and in [11-4-3-17](#) – Financial Institution. *Staff's analysis is in italics.*

Drive-Through Establishment:

All establishments providing drive-through service are required to identify the stacking lane, menu and speaker location (if applicable), and window location on the site plan. *The stacking lane and window location is depicted on the site plan.*

The site plan is also required to demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties. *A safe pedestrian walkway is proposed from the perimeter sidewalk along the southern boundary of the site to the main building entrance in compliance with UDC 11-3A-19B.4a. The sidewalk along the southern boundary of the site continues to the east for pedestrian access between adjacent properties. Vehicular access is proposed from the drive aisle along the southern boundary of the site and safe vehicular circulation within the site is also proposed.*

At a minimum, the plan is required to demonstrate compliance with the following standards:

- 1) Stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons;

The proposed stacking lanes appear to have sufficient capacity to prevent obstruction of drive aisles.

- 2) The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designated employee parking.

The stacking lane is a separate lane from the circulation lanes needed for access and parking.

3) The stacking lane shall not be located within ten (10) feet of any residential district or existing residence;

The stacking lane is not located within 10' of any residential district or residence.

4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

An escape lane is proposed as shown on the site plan.

5) The site should be designed so that the drive-through is visible from a public street for surveillance purposes.

The drive-through is located on the west side of the building and is visible from W. Chinden Blvd. and from the driveway to/from Chinden along the west side of the property for surveillance purposes.

Financial Institution:

A. The location, access and safety features of all automated teller machines (ATMs) shall be subject to review and approval by the Meridian Police Department, and in accord with the standards set forth in [section 11-3A-16](#) of this title. ***The Applicant should obtain approval from the Police Dept. for the proposed ATM. See above analysis for compliance with the standards in UDC 11-3A-16.***

B. All ATMs shall be deemed an accessory use to a financial institution.

C. All approaches and entrances to ATMs should be highly visible and adequately lit so that people cannot loiter, or enter, without being seen. The addition of security cameras are highly recommended. *The Applicant shall comply with this standard.*

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

Access: Access is proposed via the east/west driveway along the southern boundary of the site; direct lot access via Chinden Blvd. and the north/south driveway along the western boundary of the site is prohibited. A reciprocal cross-access easement exists between all lots in the subdivision as noted on the Lost Rapids subdivision plat.

Parking: Off-street parking is required to be provided in accord with the standards listed in UDC 11-3A-6B.1. Based on a 3,400 square foot structure, a minimum of six (6) spaces are required. A total of 16 spaces are proposed, exceeding UDC standards.

A minimum of one (1) bicycle parking space is required to be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). A bicycle rack is proposed on the south side of the building in accord with this standard.

The site design requires vehicles that are parked on the east side of the building to exit the site through the drive-through escape lane and vehicles accessing the parking spaces on the south side of the building to travel against traffic leaving the drive-through. Staff is concerned about traffic conflicts within the site that may exist because of the site design, as discussed with the applicant in the pre-application meeting. The Applicant did not share Staff's concerns and proceeded with the proposed site layout.

The Applicant should obtain approval from Republic Services for the location of the trash enclosure prior to submittal of a Certificate of Zoning Compliance application.

Landscaping: Street buffer landscaping was installed within the street buffer along W. Chinden Blvd. with the Lost Rapids subdivision improvements.

Parking lot landscaping is required to be provided in accord with the standards listed in UDC [11-3B-8C](#). **A minimum 5-foot wide perimeter buffer is required along the east boundary of the site per UDC 11-3B-8C.1, landscaped per the standards listed in UDC [11-3B-8C.1b](#).** The buffer on the adjacent property to the east does not meet this requirement; remove from the plan.

Sidewalks: A 10-foot wide multi-use pathway exists within a public use easement in the street buffer on the northern portion of this site along W. Chinden Blvd. A sidewalk exists within the landscape buffers along the western and southern boundaries of the site along internal driveways within Lost Rapids Subdivision. A pedestrian walkway is proposed from the perimeter sidewalk along the southern boundary of the site to the main building entrance in accord with UDC 11-3A-19.B.4. **Where the walkway crosses the vehicular driving surface, it's required to be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4. The site/landscape plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard – the proposed striping on the pathway from the perimeter sidewalk to the main building entrance is not approved.**

The sidewalk on the south and east sides of the building where parking abuts should be widened to 7-feet to allow vehicles to overhang 2-feet (the length of stalls may be reduced to 17-feet); or, wheel stops should be provided within parking spaces to prevent vehicle overhang in accord with UDC 11-3C-5B.3, 4.

Easements: There are existing easements on this lot as shown on the Lost Rapids subdivision plat. The proposed structure shall not encroach within these easements, except as allowed in the UDC.

Mechanical Equipment: All rooftop mechanical equipment shall be screened as viewed from the farthest edge of the adjoining right-of-way. The Applicant states rooftop screens are provided for all HVAC equipment. The Applicant also states no ground level mechanical equipment is proposed.

Building Elevations: Detailed building elevations were submitted as shown in Section VII.C for a single-story building that incorporates a Dryvit insulation MD system in a variety of finishes, including EIFS, wood panel, red panel and stone, and glazing on the storefront. Aluminum sunshades are proposed over the windows. A flat roof with parapets of varying heights is proposed. The proposed design complies with the design standards listed in the [Architectural Standards Manual](#) and the Design Review application is approved.

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

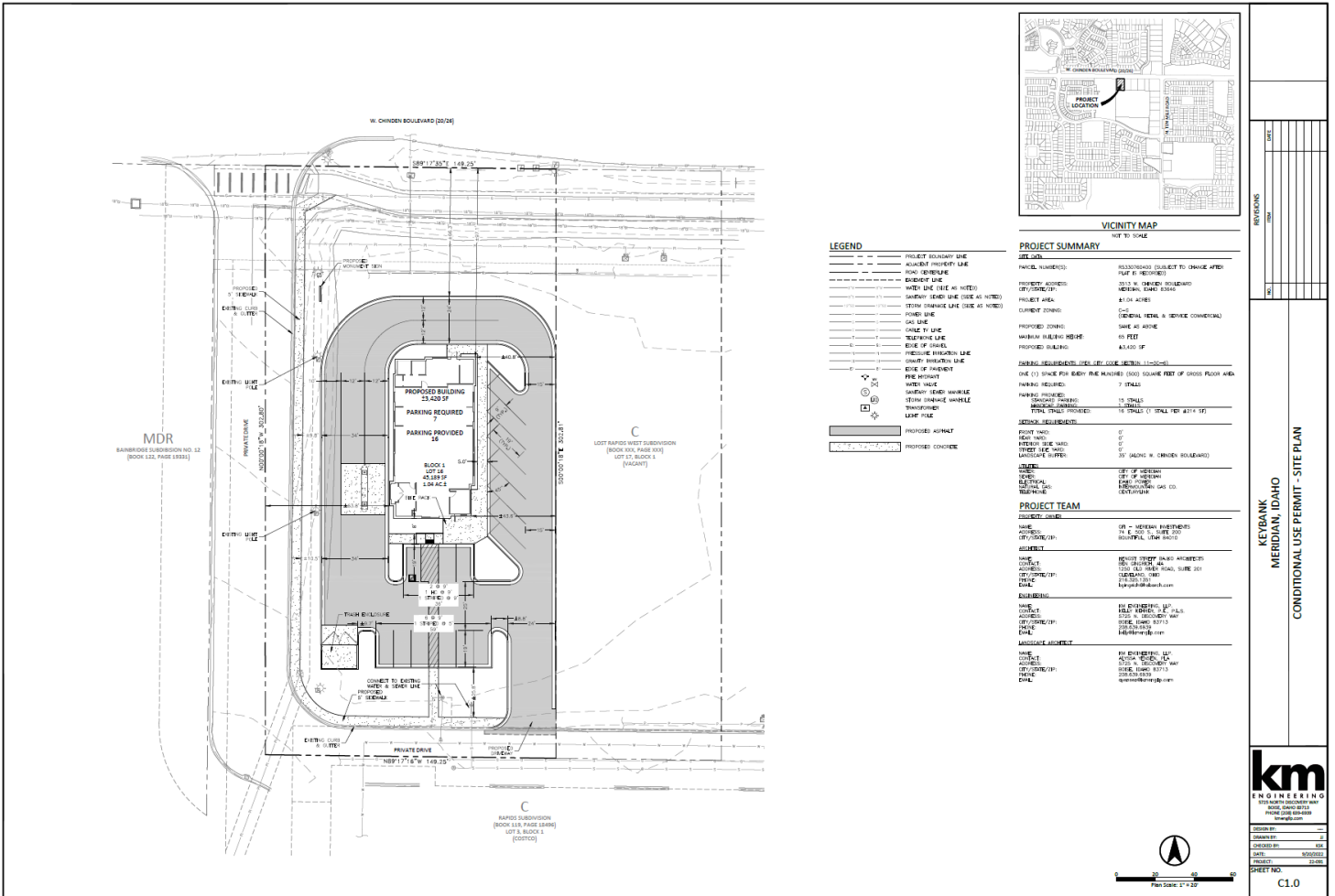
VI. DECISION

A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions included in Section VIII per the Findings in Section IX. The Director approved the Design Review application.

VII. EXHIBITS

A. Proposed Site Plan (dated: 4/20/2022)



LEGEND

- PROJECT BOUNDARY LINE
- ADJACENT PROPERTY LINE
- ROAD CENTERLINE
- EASEMENT LINE
- WATER LINE (SEE AS NOTED)
- SEWER LINE (SEE AS NOTED)
- TELEPHONE LINE (SEE AS NOTED)
- GAS LINE
- POWER LINE
- OIL LINE
- CABLE TV LINE
- TELEPHONE LINE
- EDGE OF SHOULDER
- MEDIAN PROPOSED LINE
- CURB PROPOSED LINE
- EDGE OF PARKING
- FIRE HYDRANT
- WATER VALVE
- SANITARY SEWER MANHOLE
- TELEPHONE MANHOLE
- TRANSFORMER
- LIGHT POLE

PROPOSED ASPHALT
 PROPOSED CONCRETE

PROJECT SUMMARY

PARCEL NUMBER(S)	RECORDING SUBJECT TO CHANGE AFTER MAP IS RECORDED
PROPERTY ADDRESS	3012 W. CHINDEN BOULEVARD
CTY/TOWNSHIP	MERIDIAN, T4N R30E
PROJECT AREA	8154 ACRES
CURRENT ZONING	C-2
PROPOSED ZONING	RESIDENTIAL RETAIL & SERVICE COMMERCIAL
MAXIMUM BUILDING HEIGHT	65 FEET
PROPOSED BUILDING	83,400 SF
EXISTING DEVELOPMENT (SQUARE FEET OF GROSS FLOOR AREA)	0
PAVING REQUIRED	7 STALLS
PARKING PROVIDED	15 STALLS
MANHOLE PROVIDED	1
TRANSFORMER PROVIDED	1
TOTAL STALLS PROVIDED	16 STALLS (1 STALL PER 4,074 SF)


EXISTING UTILITIES

WATER MAIN	0'
SEWER MAIN	0'
TELEPHONE MAIN	0'
GAS MAIN	0'
POWER MAIN	0'
TRANSFORMER	30' (NEAR W. CHINDEN BOULEVARD)

PROJECT TEAM

ARCHITECT	JEN - MERIDIAN ARCHITECTS 14. E. 2ND ST., SUITE 200 BOZEMAN, MONT 59702
ENGINEER	KM ENGINEERING, LLC 1015 N. 10TH ST., SUITE 101 BOZEMAN, MONT 59702 406.533.2828 kmeng@kmeng.com
CONTRACTOR	JEN - MERIDIAN ARCHITECTS 14. E. 2ND ST., SUITE 200 BOZEMAN, MONT 59702 406.533.2828 kmeng@kmeng.com

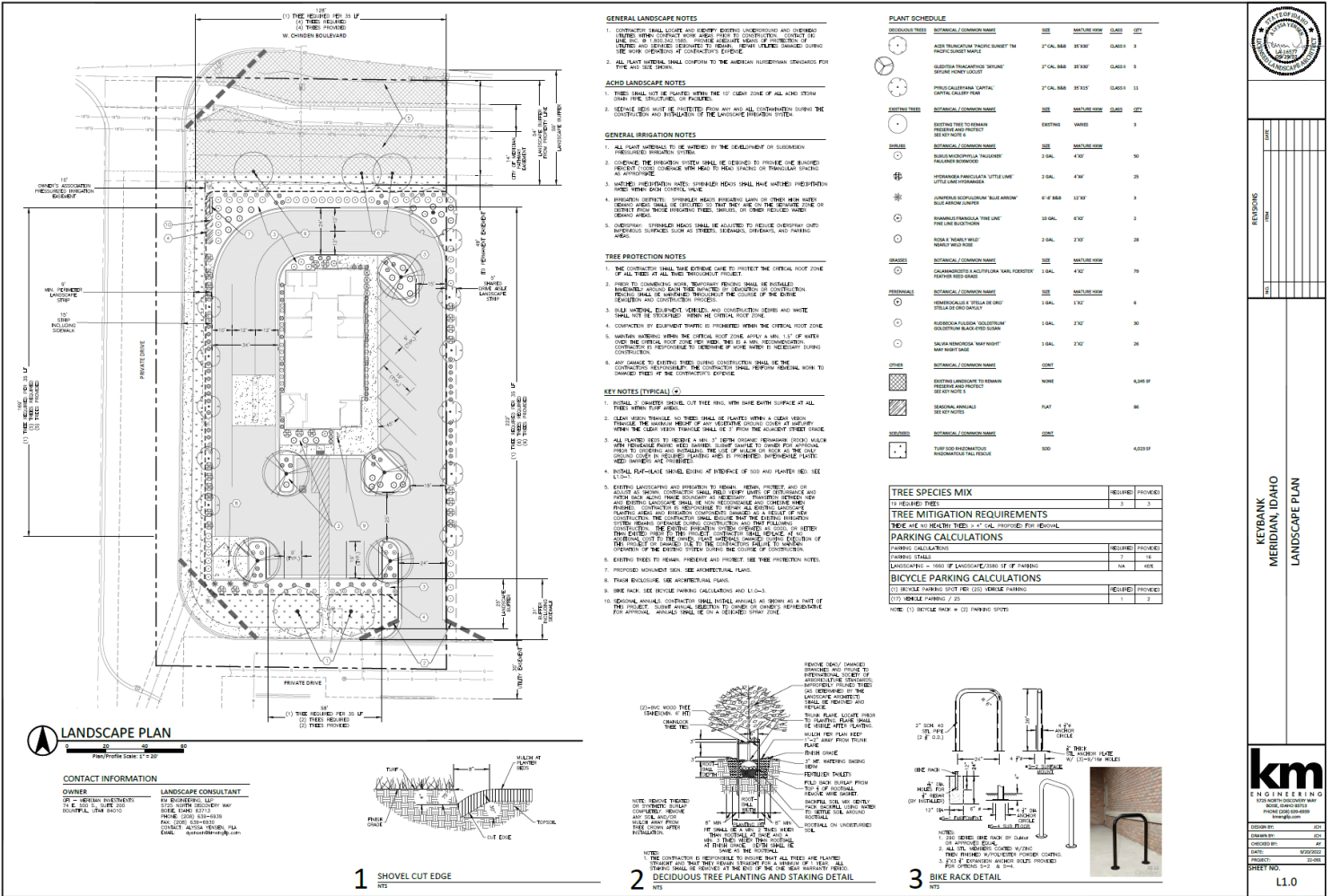
KEYBANK
 MERIDIAN, IDAHO
 CONDITIONAL USE PERMIT - SITE PLAN


 Scale: 1" = 20'

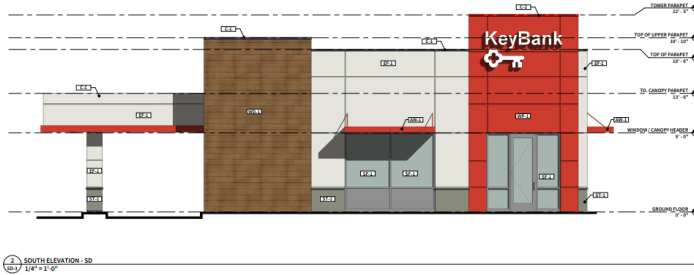
km
 ENGINEERING
 1015 N. 10TH ST., SUITE 101
 BOZEMAN, MONT 59702
 406.533.2828
 kmeng@kmeng.com

SHEET NO. C1.0

B. Proposed Landscape Plan (dated: 9/20/22)



C. Building Elevations



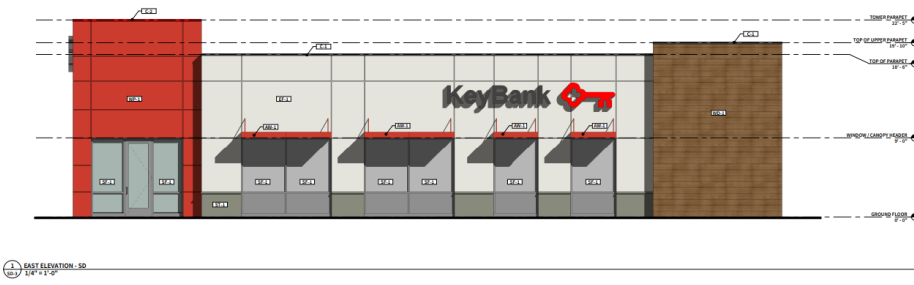
EXTERIOR MATERIALS LEGEND			
TAG	DESCRIPTION	SPECIFICATION	NOTE
AL-1	ALUMINUM SUNSHADE	MAKES PRE-ENGINEERED ALUMINUM SUNSHADE WITH CANTELEVER WALL MOUNTING. SUNSHADE TO RECEIVE LOUVERS AND 1" SMOOTH FASCIA PER SPEC MANUAL. PROVIDE CUSTOM FINISH "RED" TO MATCH KEYBANK PROVIDED SAMPLE.	SEE SPEC MANUAL FOR DETAILS. SEE WALL SECTION FOR THROUGH-BOLT MOUNTING.
C-1	COPING	PREFINISHED ALUM. COPING IN CLEAR	
C-2	COPING	ANOD. FINISH	
C-3	COPING	PREFINISHED ALUM. COPING MATCHING WP-1 FINISH.	
EF-1	EIFS	DRYVIT OUTSULATION INS SYSTEM WITH FIBREGLASS FIBER MESH. REFER TO WINDOW LEGEND ON A-1 FOR DETAILS. STOREFRONT FINISH TO BE CLEAR.	
SF-1	STOREFRONT	FRAMERLESS TRIPARTITE STOREFRONT SYSTEM WITH 1" CLEAR INSULATED GLAZING AND 1" SPANDREL PANELS WHERE SHOWN. REFER TO WINDOW LEGEND ON A-1 FOR DETAILS. STOREFRONT FINISH TO BE CLEAR.	MAX 0.40 U-VALUE
ST-1	STONE	DRYVIT OUTSULATION INS SYSTEM WITH TERRAZZO FINISH. COLOR ASSEY EVEREST.	
WD-1	WOOD PANEL	DRYVIT OUTSULATION INS SYSTEM WITH WOODGRAIN FINISH. COLOR TRO.	
WP-1	RED PANEL	DRYVIT OUTSULATION INS SYSTEM WITH REFLECTIVE ACrylic FINISH IN CUSTOM RED COLOR TO MATCH KEYBANK SAMPLE.	

HSB
ARCHITECTS + ENGINEERS
 1200 OLIVER ROAD, SUITE 4001
 CLEVELAND, OH 44113
 WWW.HSBARCH.COM

NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION

DRAWN BY: HNR/BC
 JOB NO: 22114



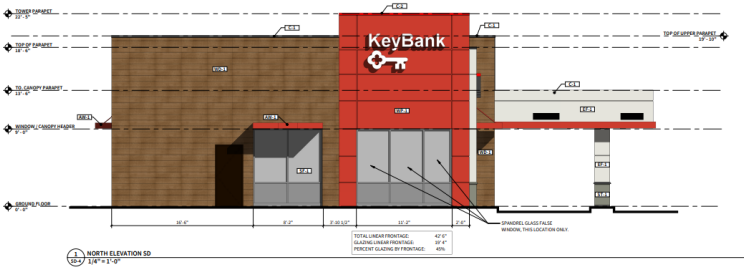
HSB
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EXTERIOR ELEVATIONS
SD-3



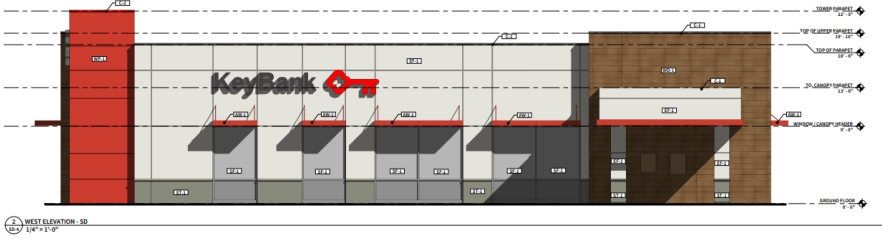
EXTERIOR MATERIALS LEGEND			
TAG	DESCRIPTION	SPECIFICATION	NOTE
AL-1	ALUMINUM SUNSHADE	MAKES PRE-ENGINEERED ALUMINUM SUNSHADE WITH CANTELEVER WALL MOUNTING. SUNSHADE TO RECEIVE LOUVERS AND 1" SMOOTH FASCIA PER SPEC MANUAL. PROVIDE CUSTOM FINISH "RED" TO MATCH KEYBANK PROVIDED SAMPLE.	SEE SPEC MANUAL FOR DETAILS. SEE WALL SECTION FOR THROUGH-BOLT MOUNTING.
C-1	COPING	PREFINISHED ALUM. COPING IN CLEAR	
C-2	COPING	ANOD. FINISH	
C-3	COPING	PREFINISHED ALUM. COPING MATCHING WP-1 FINISH.	
EF-1	EIFS	DRYVIT OUTSULATION INS SYSTEM WITH FIBREGLASS FIBER MESH. REFER TO WINDOW LEGEND ON A-1 FOR DETAILS. STOREFRONT FINISH TO BE CLEAR.	
SF-1	STOREFRONT	FRAMERLESS TRIPARTITE STOREFRONT SYSTEM WITH 1" CLEAR INSULATED GLAZING AND 1" SPANDREL PANELS WHERE SHOWN. REFER TO WINDOW LEGEND ON A-1 FOR DETAILS. STOREFRONT FINISH TO BE CLEAR.	MAX 0.40 U-VALUE
ST-1	STONE	DRYVIT OUTSULATION INS SYSTEM WITH TERRAZZO FINISH. COLOR ASSEY EVEREST.	
WD-1	WOOD PANEL	DRYVIT OUTSULATION INS SYSTEM WITH WOODGRAIN FINISH. COLOR TRO.	
WP-1	RED PANEL	DRYVIT OUTSULATION INS SYSTEM WITH REFLECTIVE ACrylic FINISH IN CUSTOM RED COLOR TO MATCH KEYBANK SAMPLE.	

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REV	DATE	DESCRIPTION

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 JOB NO: 22114

EXTERIOR ELEVATIONS
SD-4

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement and the conditions contained herein [[H-2018-0004](#) (CPAM, AZ, PP, VAR – Lost Rapids); Development Agreement (Inst. #[2018-079970](#) – GFI – Meridian Investments II, LLC); [H-2019-0056](#) (FP – Lost Rapids); [SHP-2022-0014](#) (Lost Rapids West)].
2. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
 - a. All mechanical equipment on the back of the building and outdoor service and equipment areas shall be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#). All ground level mechanical equipment shall be screened to the height of the unit as viewed from the property line; and all rooftop mechanical equipment shall be screened as viewed from the farthest edge of the adjoining right-of-way, in accord with the Architectural Standards Manual (#4.3B, #4.3C).
 - b. The pathway from the perimeter sidewalk along the southern boundary of the site to the main building entrance shall be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4b](#).
 - c. Depict all easements that exist on the subject lot per the recorded plat (Lost Rapids Subdivision). Any encroachments within existing easements should be permitted through the easement holder or as allowed by the UDC.
 - d. Depict shrubbery that is no more than three (3) feet in height at maturity between entrances and financial transaction areas and the public street as set forth in UDC [11-3A-16C](#). *The reed grass within the planter along the west boundary of the site and the falkner boxwood in the buffer along the north boundary of the site exceed 3-feet in height at maturity and should be replaced with shrubbery that meets this standard.*
 - e. Provide low-impact security lighting around the self-service facility (i.e. ATM) in accord with UDC [11-3A-16A](#). Depict on plan and submit a detail of the proposed lighting that complies with the standards listed in UDC [11-3A-11](#).
 - f. Widen the sidewalk to 7-feet on the south and east sides of the building where parking abuts to allow vehicles to overhang 2-feet (the length of stalls may be reduced to 17-feet); or, provide wheel stops within parking spaces to prevent vehicle overhang in accord with UDC [11-3C-5B.3, 4](#).
 - g. Depict a minimum 5-foot wide perimeter buffer along the east boundary of the site per UDC [11-3B-8C.1](#), landscaped per the standards listed in UDC [11-3B-8C.1b](#); remove the buffer on the adjacent property from the plan.
3. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and [11-4-3-17](#) – Financial Institution.
4. Compliance with the standards listed in [11-3A-16](#) Self-Service Uses (i.e. the ATM) is required.
5. Direct access to W. Chinden Blvd. and the north/south driveway along the west boundary of the

site is prohibited.

6. The previously approved short plat for Lost Rapids West ([SHP-2022-0014](#)) shall be recorded for the proposed configuration of the property prior to submittal of a building permit application for this site.
7. The location, access and safety features of all automated teller machines (ATMs) shall be subject to review and approval by the Meridian Police Department, and in accord with the standards set forth in [section 11-3A-16](#) of this title per UDC [11-4-3-17](#). *Submit documentation of such approval with the Certificate of Zoning Compliance application.*
8. All approaches and entrances to ATMs should be highly visible and adequately lit so that people cannot loiter, or enter, without being seen in accord with UDC [11-4-3-17](#). The addition of security cameras are highly recommended.
9. Design Review has been approved for the design of the proposed structure as shown in Section VII.C. The proposed structure shall be constructed consistent with these elevations in accord with the Architectural Standards Manual; any modifications to the design shall be approved by the Planning Division.
10. A Certificate of Zoning Compliance application shall be submitted and approved for the proposed use prior to submittal of a building permit application.
11. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC [11-5B-6](#). A time extension may be requested as set forth in UDC 11-5B-6F.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. Ensure no sewer services cross infiltration trenches.
2. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.). are built within the utility easement.
3. Applicant must abandon the blow-off at the end of the existing 8" water stub. All required connections (meters, fire-lines, hydrants, etc.) must come off this 8" stub.
4. A reimbursement agreement will need to signed with the City and \$8,465.00 paid to the City for the installation of one streetlight at the property along Chinden prior to any form of occupancy.

General Conditions of Approval

5. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.**
6. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point

connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

7. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
8. 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.
9. 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.
10. 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.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The 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.

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=279718&dbid=0&repo=MeridianCity>

D. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=282603&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

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IX. FINDINGS

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

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

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

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

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

Staff finds the proposed financial institution with a drive-through will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.

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

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

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

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

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

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

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

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

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

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

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

Staff finds the proposed use will not result in the destruction, loss or damage of any such features.

9. Additional findings for the alteration or extension of a nonconforming use:

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

This finding is not applicable.

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

This finding is not applicable.

B. Administrative Design Review

In order to grant approval for an administrative design review, the director shall determine that the proposed structural and/or site designs conform to the standards and meet or exceed the intent of the "City of Meridian Architectural Standards Manual".

The Director finds the proposed structure and site design conforms to the standards and meets the intent of the Architectural Standards Manual.